



## Introduction

Policy No. A-01

The Scope of this policy includes the following individuals:

- ✓ Employees (including Appointed Officials, Probationary Employees, Full-Time At-Will Employees, Part-Time Employees, Temporary Employees, Civil Service Employees, Teamsters Employees, HPOA, HPSA, and IAFF Employees)
- ✓ Full-Time Elected Officials
- ✓ Board and Commission Members
- ✓ Volunteers

### I. PURPOSE

To provide employees with information regarding their employment with the City of Henderson (“the City”) and background information concerning the City’s Administrative Policies.

### II. POLICY APPLICATION

#### A. Relevant Definitions for the “Scope”

Appointed Officials – Section 1.090 of the Henderson City Charter permits the Henderson City Council members to appoint the following positions: City Manager, City Attorney, and City Clerk. These three positions are considered the “Appointed Officials” throughout the Administrative Policies.

Board and Commission Members – Non-City employees appointed by Mayor and City Council to serve as representatives of the City on public bodies that govern matters that relate to City of Henderson business and fall within City of Henderson jurisdiction.

Business Days – Monday through Thursday, excluding holidays, 7:30 a.m. to 5:30 p.m.

Civil Service Employees – Full-time employees who are not covered under a collective bargaining agreement (i.e., non-represented employees) and whose positions are not excluded from the Civil Service Rules, pursuant to the Henderson City Charter. This includes the Henderson Municipal Court’s employees covered under the Civil Service Rules.

Full-Time Elected Officials – The Henderson Municipal Court Judges are considered the “Full-Time Elected Officials” for the purposes of these Administrative Policies.

Full-Time At-Will Employees – Full-time non-represented employees whose positions are excluded from the Civil Service Rules pursuant to the Henderson City Charter. Such positions include: Senior Department Directors; Department Directors; Division Heads (including Assistant Directors); Assistant City Attorneys; and any other attorney employed by the Office of the City Attorney; Assistants to the City Manager; the Municipal Court Administrator; and an employee that reports directly to an Elected Official. Employees holding these positions are considered at-will employees. This includes the Henderson Municipal Court’s at-will employees.

Henderson Police Officers’ Association Employees (“HPOA”) – Employees covered under the terms of the City’s Collective Bargaining Agreement with the HPOA.

Henderson Police Supervisors’ Association Employees (“HPSA”) – Employees covered under the terms of the City’s Collective Bargaining Agreement with the HPSA.

International Association of Fire Fighters Employees (“IAFF”) – Employees covered under the terms of the City’s Collective Bargaining Agreement with the IAFF, Local #1883.

Part-Time Employees – Employees hired to work in a position that normally requires less than full-time hours (38 hours per week). Part-Time Employees are considered at-will employees.

Probationary Employees - Newly hired full-time City employees who are serving in an initial phase of employment in which they are expected to demonstrate proficiency in performing the duties of the position for which they were hired. Probationary employees are considered at-will employees.

Teamsters Employees - Employees covered under the terms of the City’s Collective Bargaining Agreements with Teamsters Local #14.

Temporary Employees – Employees hired by the City to work for a period not to exceed six (6) months (e.g., seasonal employees). Temporary Employees are considered at-will employees.

Volunteers (includes unpaid interns) – Volunteers and/or unpaid interns are individuals who perform hours of service for the City of Henderson, without promise, expectation or receipt of compensation or the expectation of future employment with the City for services rendered. If an individual is an unpaid intern, they are usually performing hours of service as part of an educational/training program and is receiving a direct learning experience benefit as a result of participating as an unpaid intern.

## **B. Understanding the Administrative Policies**

The City has implemented Administrative Policies, which are applicable to different groups of employees based upon the position that they hold with the City. Each policy includes a description of the "Scope," which sets forth the policy's applicability to the various positions. The general term "employee" as used throughout the Policy Application sections of the policies refers to all of the members identified in the "Scope" description for that particular policy. The general term "employee" as used throughout the Administrative Policies is not intended to designate a person as employed with the City, but rather to designate them as having responsibility for compliance with a specific Administrative Policy.

Each employee is expected to read, understand and comply with all policies applicable to the employee's particular position. Any questions about the Administrative Policies or any other policy or procedure should be submitted to the Human Resources Department. Any employee who violates any Administrative Policy applicable to them may be subject to disciplinary action, up to and including termination depending upon the severity and nature of the violation, and in accordance with any applicable collective bargaining agreement or the Civil Service Rules.

The Administrative Policies are not to be construed as a contract or an implied contract concerning any employment-related decision or term or condition of employment. Should there be a conflict between any Administrative Policy and provisions of a collective bargaining agreement or the Civil Service Rules, the provisions of the collective bargaining agreement or the Civil Service Rules prevail. On all matters that are not subjects of mandatory bargaining and where a collective bargaining agreement/Civil Service Rules are silent, the Administrative Policy will prevail. Collective bargaining agreements, to which the City is a party, and the Civil Service Rules, are available on the City's Intranet. All previously issued City-wide policies and any inconsistent policy statements not set forth in a collective bargaining agreement or the Civil Service Rules -- oral or written -- are superseded.

For all non-appointed/elected employees whose employment is not subject to a collective bargaining agreement or the Civil Service Rules, employment is at-will. This means that employment may be terminated for any or no reason, with or without cause or notice, at any time by you or the City. For those employees, nothing in the Administrative Policies or in any other document or oral statement shall limit the right to terminate employment at-will. No supervisor or manager has any authority to enter into a contract of employment -- express or implied -- with any employee unless the contract is in writing and approved by the City Manager, City Attorney, and the Director of Human Resources. Unless the employee's position is covered by a collective bargaining agreement, the Civil Service Rules, or the individual is an elected or appointed official, this statement of at-will employment is the sole and entire agreement between the employee and the City as to the duration of employment and the circumstances under which employment may be terminated.

The City reserves the right to revise, delete or add to any and all policies, procedures, work rules or benefits stated in the Administrative Policies at its sole discretion. All such revisions, deletions or additions must be in writing and must be signed by the City Manager, City Attorney and Director of Human Resources. No oral statements or representations can change or alter the provisions of the Administrative Policies. Employees are expected to be aware of any policy changes and abide by them.

The Administrative Policies are available on the City's Intranet. For those without regular access to a computer, printed copies may be requested from the Human Resources Department. Only City-wide policies and procedures are set forth in the Administrative Policies. The term "Administrative Policy" refers to a policy implemented by the City which is applicable to all or to a wide subset of the City's employees. Department policies/directives or policies of limited application may not be included in the Administrative Policies. The term "department policy/directive" refers to a policy/directive implemented by the City which is applicable to a small or specific subset of the City's employees.

The application of a department policy/directive is usually based upon an employee's position/assignment to or association with a specific City department. Department policies/directives regarding operational and logistical needs. (i.e. internal procedures, workflows, and service delivery guidelines) must be approved by the Department Director prior to implementation. If a department policy/directive relates to personnel matters, administrative policies, employment laws, collective bargaining agreements, and/or similar instances, then it must also be approved by the Director of Human Resources or designee prior to implementation. If a department policy/directive provides directions to employees outside of its department, then the City Manager and City Attorney must also approve the department policy/directive.

### **III. APPROVAL**

**APPROVED BY:**

Stephanie Garcia-Vause, ICMA-CM, FAICP, City Manager/CEO

**REVIEWED BY:**

Nicholas Vaskov, City Attorney

Javier Mendez, Director of Human Resources

**Record of approved document can be obtained through the Human Resources Department.**

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