

Welcome-

Congratulations on joining the NBU team! Our talented, enthusiastic employees have made NBU a recognized leader in our community and the public utility industry. Our success is achieved through contributions from individual employees and cooperative teamwork.

The necessary and vital services that NBU provides to our customers around the clock require a special kind of dedication from each employee. We must be prepared to respond not only to our regular job responsibilities but also to meet the challenges that arise within an emergency in order to restore and continue services for our customers.

Our core values of Safety, Integrity, Team, and Stewardship are lived out each day in the way we treat our customers and each other. As employees we must continually strive to maintain these high standards on and off the job. We are counting on you to join us in accomplishing our mission of “providing essential services to support our thriving community.”

This handbook has been prepared as a tool to help you become familiar with NBU’s mission, vision, and policies and procedures associated with employment at NBU. It is important that you read and understand the information. Please read it carefully and feel free to discuss anything you do not understand with your supervisor or a representative from Human Resources.

“To dream anything that you want to dream, that is the beauty of the human mind. To do anything that you want to do, that is the strength of the human will. To trust yourself, to test your limits, that is the courage to succeed.”- Bernard Edmonds



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OPERATIONS



HISTORY



New Braunfels Utilities (NBU) is a municipally owned utility operated by the NBU Board of Trustees. The City of New Braunfels maintains regulatory control by appointing Board Members, approving rate changes, and authorizing bond issues.

NBU was established in 1942 when the City Commission of New Braunfels purchased the electric system from San Antonio Public Service. In 1959, the water and sewer systems were assigned to NBU by the City of New Braunfels.

The “Faces of NBU” today:



Main Office

Executive Staff & Administration
Customer Service
Finance & Risk Mgmt.
Accounting
Power Supply
Human Resources
Public Affairs
Technology

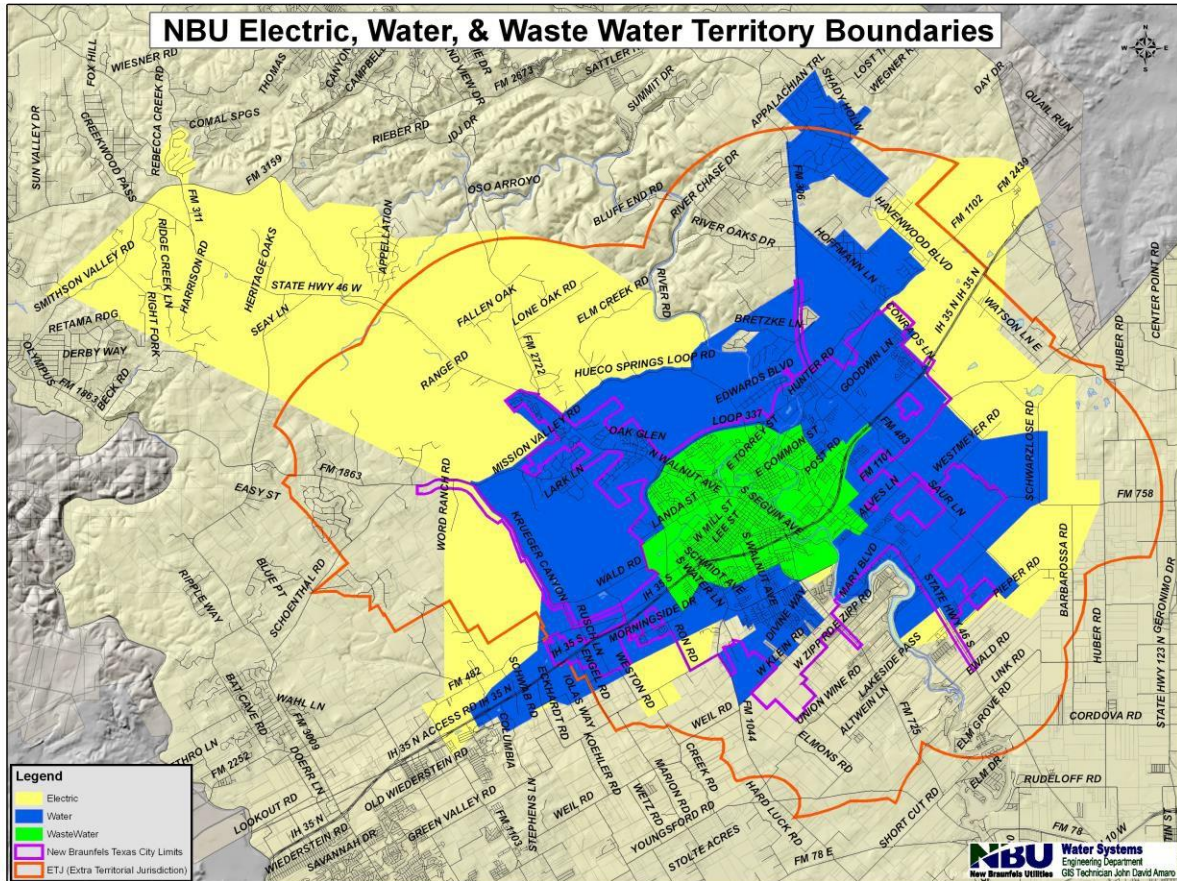
Service Center

Electric Operations
Electric Engineering
Water Engineering
Water Operations
Billing Services
Development Services
Systems Control
Purchasing
Fleet/Facilities
Safety



**Other Locations: Lab, Wastewater Treatment,
Water Production & Treatment,
Environmental Affairs, & Headwaters**

NBU Covers 160 Square Mile Territory



Electric: Power is delivered to eight NBU owned distribution substations located throughout the 160 square mile service territory. NBU's service boundaries extend east to Clear Springs, west to Smithson Valley High School, north to York Creek and south to Northcliff. As a municipal utility, NBU cannot serve outside this territory. At the same time, other electric utilities are prohibited from entering this area and serving our customers. NBU may have franchise agreements with other areas where NBU service territory and city boundaries overlap.

Water: NBU is fortunate to have a dual water supply. Part of the supply is from surface water from Canyon Reservoir/Guadalupe River and is treated in NBU's 8 million gallon per day (8 mgd) treatment plant. The remainder of the NBU supply comes from Edwards Aquifer Authority permitted withdrawal rights. The surface water is used to base load the system and the Edwards water is used for daily demand above the treatment plant base load.

Wastewater: NBU provides sewer service for New Braunfels through three wastewater treatment plants with a total treatment capacity of 8.4 mgd. The three plants are the **North and South Kuehler Plants** and the **Gruene Plant**. All of the treatment plants use an activated sludge/aerobic digestion process and discharge into the Guadalupe River.

MISSION

Providing essential services to support our thriving community

CORE VALUES



VISION STATEMENT

NBU will be recognized as a trusted community partner dedicated to excellence in service.

SAFEhaven

"As leaders in our community, we . . . are involved in community service . . ."

SAFEhaven is a volunteer employee project of NBU that promotes the health and vitality of our community and the safety and comfort of its residents with a series of community service projects throughout the year. These projects focus on the needs of children, seniors, families and low income customers, as identified in conjunction with local service organizations and NBU management.

For example, the SAFEhaven in Schools program has provided safety education to children for over 25 years and taught them that NBU trucks and personnel can provide them with access to emergency services. On any given day, dozens of NBU trucks and equipment are deployed throughout the New Braunfels area. All NBU trucks are equipped with SAFEhaven identification, enabling any citizen in need to ask an NBU employee to call for medical or public safety assistance. NBU provides a direct line of communication to emergency services such as police, fire and EMTs. SAFEhaven provides both children and adults an alternative to asking for help from people they don't know.

As an NBU employee, you are considered a vital part of this safety program for our community. Should you be approached by a child or adult and you determine that they are in need of help, it is your responsibility to respond to that need and notify the radio dispatcher of a **CODE 198**. Give the dispatcher your unit number and location and ask them to contact the necessary emergency personnel (police, fire, EMS or sheriff). Every NBU vehicle has a SAFEhaven logo on the side and instructions for carrying out a **CODE 198**.

It is not the intent of the SAFEhaven Program to have employees act in the capacity of emergency medical personnel, law enforcement, or fire division personnel or to intervene in domestic situations or make contact with relatives of a child. You are only asked to administer any basic first aid that is needed and make contact with Dispatch to notify emergency personnel. Only if there is immediate danger to the person or you are instructed to do so by emergency personnel should they ever be removed from the area. You are asked to remain on the scene and provide them with any information they need to address the situation.



NBU Management Believes That. . .

Knowing the expectations of any new job or situation helps to create an atmosphere of mutual understanding, trust, and respect for our employees and the customers that we serve. Employees should always feel comfortable asking their supervisor or manager for clarification or assistance regarding their work performance, job responsibilities, and work environment. NBU continually seeks to provide a variety of channels of communication to help keep our employees informed of activities, events, policies, and procedures that relate to their employment or the operations of NBU. Employees are responsible for referencing each of the following forms of communication on a regular basis.

NBU InfoNet: NBU's internal internet system contains operations statistics and links to topics under Human Resources, Safety and Customer Service, and the Technology Help Desk.

Newsletter: The official NBU newsletter is published periodically throughout the year and includes the CEO's message, news from divisions across the organization, Human Resources updates, and other current events.

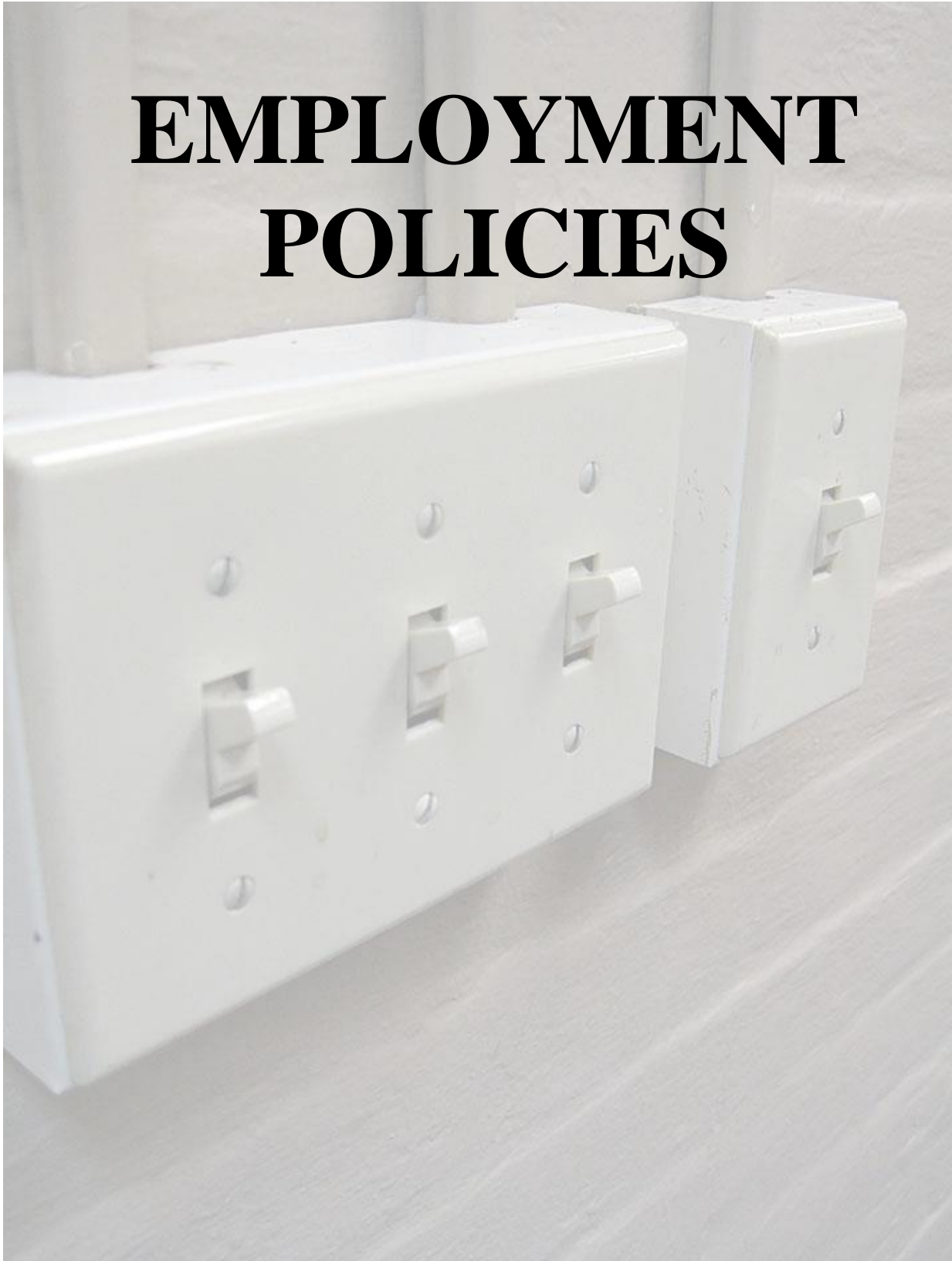
NBU Email: NBU uses Microsoft Outlook for its internal email system. Most NBU employees have access to email within their division. Division Managers will notify the Technology Division of which employees' job positions require an individual email address. Managers are alerted when to relay information received in an email to all NBU users without email access. Use of NBU's email system must comply with NBU's Computer Security and Ethics policy.

Bulletin Boards: Each facility of NBU has a bulletin board for communications related to employment laws, safety, upcoming events, and other notices. Employees should make a habit of checking them on a regular basis. Posting of any non-NBU material is prohibited.

Employee Meetings: A variety of meetings may be held throughout the year for the purpose of training, informing, or gathering information. Examples include Open Enrollment for Benefits, training on new programs, and the CEO's Round Table discussions.

Emergency Notices: Employees will be notified of messages regarding inclement weather or emergency situations through New Braunfels' local radio station (KGNB 1420 AM or KNBT 92.1 FM), NBU's Dispatch Service, and the NBU Employee Info line @ 629-8429

EMPLOYMENT POLICIES



Purpose



This Handbook is intended to give a general overview of NBU's benefits and employment policies. This Handbook is not a contract or binding statement of the terms of employment. Employment of all NBU employees is at will, meaning that either NBU or the employee may terminate the employment relationship at any time, with or without prior notice or cause.

NBU reserves the right to modify or delete any company policy, in this Handbook and otherwise, at any time and without notice. Further, the CEO has the sole discretion to approve any procedures necessary to implement the policies set forth in this Handbook.

This electronic version is the official Handbook. None of the policies in this Handbook may be verbally modified. Any questions regarding this Handbook or any other NBU policy should be directed to your Division Manager or the Human Resources Division.

It is your responsibility to know, understand and follow the policies set forth in this Handbook.

EQUAL OPPORTUNITY EMPLOYER

NBU provides equal employment opportunities to employees and applicants for employment. No person shall be discriminated against in employment because of race, religion, color, sex, age, national origin, disability, genetic information, or any other category protected by federal law, state law, or local ordinance. NBU will ensure that all employment related decisions are made solely on the individual's qualifications as they relate to the requirements of the position or activity for which consideration is being given. Employment eligibility will require proof of identity and citizenship as required by law.

NBU's Equal Employment Opportunity policy applies to all terms, conditions, and privileges of employment including hiring, placement, employee development, promotion, transfer, compensation, benefits, educational opportunities, layoff and recall, social and recreational programs, termination, and retirement. NBU will also attempt to provide reasonable accommodation to all qualified applicants or employees with a disability, provided that the individual can safely perform the essential functions of his or her job with such reasonable accommodation and the accommodation requested does not impose an undue burden on NBU. Employees who need an accommodation for a disability must contact their supervisor, Division Manager, or the Human Resources Division.

Any employee who believes that he/she has been discriminated against in violation of this policy should immediately report the alleged discrimination to a supervisor, Division Manager, or the Human Resources Division. NBU prohibits retaliation against any employee for reporting possible discrimination. Anyone found to be engaging in unlawful discrimination or retaliation will be subject to disciplinary action, up to and including immediate termination of employment.

ANTI-HARASSMENT

NBU does not tolerate harassment or intimidation of its employees by other employees, supervisors, or non-employees, such as vendors, contractors, customers, or other visitors on the basis of the employee's sex, race, color, religion, national origin, age, disability, genetic information, or any other category protected by federal law, state law, or local ordinance. For purposes of this policy, the term harassment includes, but is not limited to:

- Verbal harassment, such as slurs, epithets, derogatory comments, or any other offensive remarks or jokes;
- Physical harassment, such as unwarranted touching, assault, impeding or blocking movement, or any physical interference with the normal work environment;
- Derogatory posters, cartoons, drawings, or gestures; or
- Any other conduct which could create a hostile, intimidating, or offensive work environment.

- Harassment in any mode of communicating such as face-to-face, emails, texting, telephone or cell phone calls or other forms of social media is unacceptable and subject to investigation and potential disciplinary action.

SEXUAL HARASSMENT

Sexual Harassment includes unwelcome comments or actions such as sexual advances, requests for sexual favors, and other unwelcome verbal, visual, or physical conduct.

Such conduct violates this policy when:

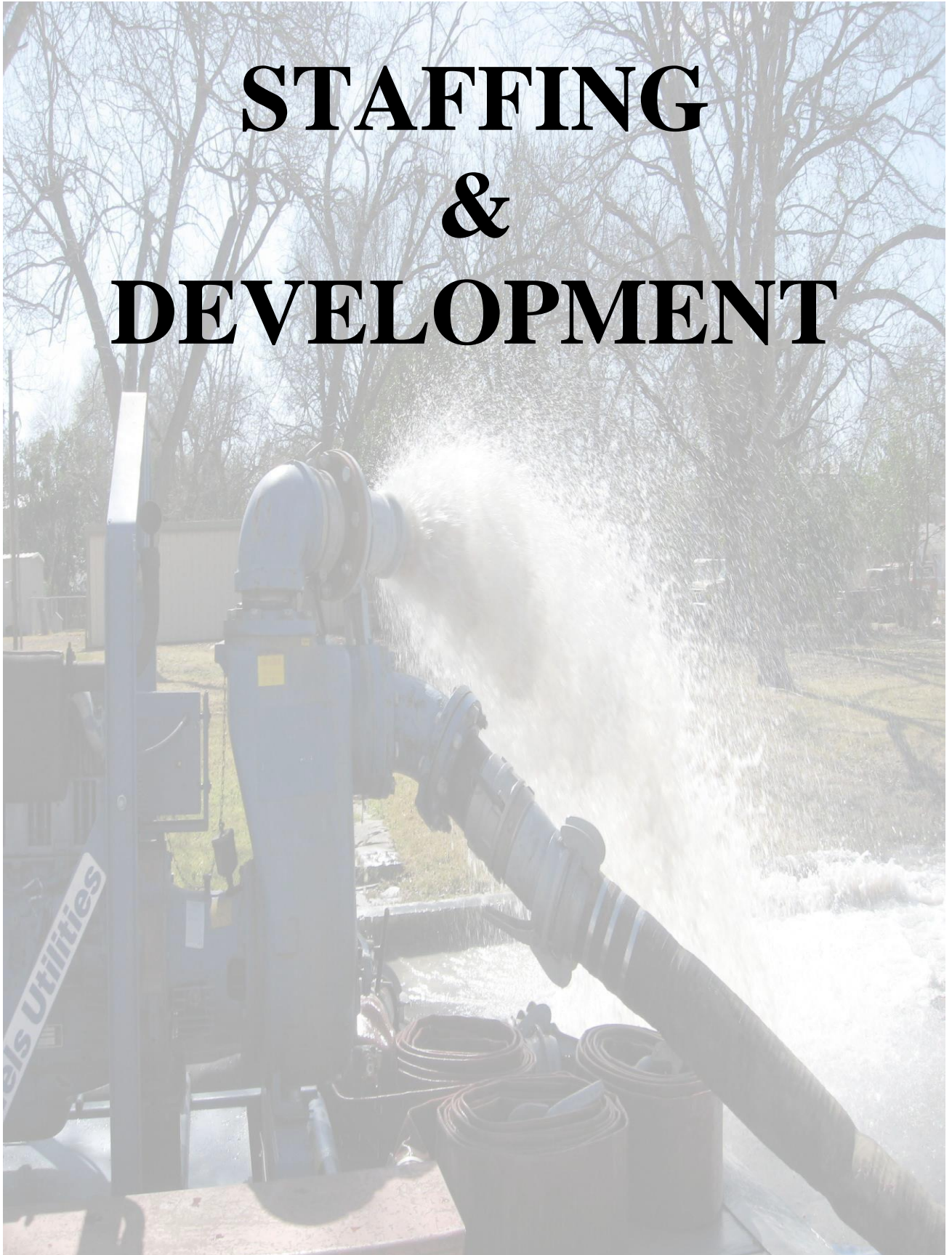
- submission to sexual or other harassment is made, either explicitly or implicitly, a term or condition of an individual's employment;
- submission to, or rejection of, sexual or other harassment by an individual is used as the basis for employment decisions affecting such individual; or
- such conduct creates an offensive, hostile, or intimidating work environment affecting the employee's ability to effectively perform their work.

Harassment Notification Process

Any employee who feels that he/she is being harassed in violation of this policy should immediately notify his/her Division Manager, his/her Executive Director, or the Human Resources Manager. Individuals who observe incidents of harassment should also immediately report such conduct to their Division Manager or the Human Resources Manager. NBU prohibits retaliation, harassment, or intimidation against employees reporting, complaining, or assisting in the investigation of cases of harassment. Any employee who feels that retaliation has occurred should immediately report the alleged retaliation using this complaint procedure.

Violation of NBU's Anti-Harassment Policy will result in a prompt investigation and potential disciplinary action, up to and including immediate discharge. NBU may also take appropriate corrective action, as feasible, against non-employees engaging in harassment toward employees of NBU.

STAFFING & DEVELOPMENT



STAFFING & DEVELOPMENT

NBU seeks to hire the candidate determined best qualified for the job. Education, experience, aptitude, and character will be the basis for decisions regarding the recruitment, selection, and placement of employees.

EMPLOYMENT-AT-WILL

All employees of NBU are employed at will and for an indefinite period of time. Either the employee or NBU is free to terminate the employment relationship at anytime with or without notice or cause.

JOB POSTINGS

Approved job openings may be posted solely within NBU for internal promotion opportunities; however, staffing requirements or qualifications may necessitate immediate posting of the position both in-house and to the public simultaneously.

EMPLOYMENT OF RELATIVES

A relative of an employee may be considered for employment provided that the following three (3) criteria are met:

- The individual possesses the required knowledge, skills, and abilities to meet the requirements of the position; **and**
- The individual is not under the direct or indirect supervision of the other; **and**
- Neither individual occupies a position within the same division or which has direct influence over the other's employment status, performance review, promotion, or salary administration.

Reassignments, transfers, or promotions: Relatives considered for reassignments, transfers, or promotions must also meet all of the conditions stated above.

Relationship to Executive Management or Board Members: Hiring of relatives of active Board Members, CEO, CFO, and Executive Directors must be outside the second degree of consanguinity (kinship) or affinity (relationship by marriage). Persons employed by NBU who subsequently have a relative appointed to the Board of Trustees will not be considered to be in violation of this policy. Family relationships established prior to this printing are considered grandfathered and not in violation of the policy.

RE-EMPLOYMENT

Employees who left NBU in good standing may be rehired with approval of the CEO. A former employee who is rehired will be considered a new employee from the date of reemployment.

EMPLOYEE RECORDS

The Human Resources Division of NBU maintains the official employment records that are directly related to the employee's job performance, compensation, benefits, and other demographics as required by federal, state, or local law.

Employees are allowed to inspect their own personnel records. A member of the Human Resources Division must be present during the review of the file. Personnel records are the property of NBU. Employees may request a copy of any documentation in their file but they are not allowed to remove any documents.

Employees should notify the Human Resources Division of any change in their original employment data such as: telephone numbers, address, marital status, cohabitants, or number of dependents.

ORIENTATION PERIOD: Getting off to the “right” start

In general, the first ninety (90) calendar days of employment for regular full-time and regular part-time positions are considered an orientation period. Employees hired for seasonal or temporary positions may have a reduced orientation period defined at the time of employment. During this period, concentrated effort is made to assist the employee with the required guidance and information to do their job safely and efficiently. The employee's performance and behavior will be monitored on a daily basis during this period. Employees who continue through the 90 calendar day period will be evaluated:

- to determine successful completion of the orientation period and therefore place the employee on regular full-time or regular part-time status; or
- to recommend, with approval of Human Resources, an extension of the orientation period for continued training; or
- to terminate employee for substandard performance or other factors which interfere with the employee's ability to meet all of the requirements of the position.

The successful completion of the initial employment period should not be construed as creating a contract or as guaranteed employment for any specific duration. NBU reserves the right to terminate the services of any employee during or after this orientation period, with or without notice or cause, and nothing in this policy should be construed to change an employee's at-will status. In addition, NBU management reserves the right to extend the initial employment period for any employee as many times as deemed appropriate based on company operational needs and the employee's progress toward meeting all conditions of continued employment.

Employees should use this orientation period to familiarize themselves with their job and NBU's policies. Employees are encouraged to ask any questions they may have during this orientation period so that they will understand all of the guidelines that affect and govern their employment relationship with NBU.

STATUS CLASSIFICATIONS

Employees are classified as full-time, part-time, seasonal, or temporary at the time of employment. All new employees will be subject to an orientation period relevant to their status classification, with normal periods to be 90 calendar days from employment.

Full-time: Positions that comprise a standard forty-hour (40) workweek. Employees in these positions are eligible for the full range of employee benefits approved and provided by NBU.

Regular part-time: Jobs scheduled to work between 950-1040 hours per calendar year, generally for 20 hours per week but may vary based on division needs and managerial approval. Part-time positions are reviewed on a periodic basis for business efficiency and effectiveness to determine on-going budget allocations.

Specialty Part-time: Specialty part-time positions may be established to benefit NBU's succession plan and need for knowledge. Only NBU employees eligible for retirement under TMRS guidelines may be considered for specialized, non-posted, part-time positions within the general scope of their current duties.

- Aspects of job duties, knowledge, or work experience must be deemed a necessary, vital or significant operational benefit to NBU in order for a retiree to be considered for a Specialty Part-time position.
- Specialty part-time positions are reviewed annually for continued budget allocations.
- Employees in Specialty part-time positions are normally eligible for the same benefits, performance reviews and potential compensation adjustments as Regular part-time employees.

Seasonal: Budgeted positions of a limited duration usually tied to a special short-term period such as summer hire employees. Seasonal employees are not eligible for benefits provided by NBU other than those mandated by law.

Temporary staffing appointments: Based on operational need, occasional temporary staffing appointments may be considered by administration. Appointments may be required for an employee's extended leave or to assume additional responsibilities of managing a major project or assignment. Temporary appointments apply to projects or assignments normally lasting thirty (30) or more days and require executive approval.

PERFORMANCE EVALUATIONS

All new employees are formally evaluated within their orientation period. In addition, performance evaluations are normally scheduled at least once a year for all employees who have completed ninety calendar days or more of service within the fiscal year. Formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths and to discuss meaningful approaches for achieving goals. Supervisors and employees are encouraged to discuss job performance and goals on an on-going, informal basis.

PROMOTIONS/TRANSFERS

Employees may be considered for transfer at their own request or by the recommendation of the division manager. Any transfer is evaluated in terms of the division's needs and the best interests of NBU. Promotions are based on the employee's proven skills, efficiency, flexibility, and willingness to accept and successfully carry out responsibilities. The following guidelines apply to both transfers and promotions:

- The employee will be assigned to a new orientation period for the new position.
- The employee's performance will be evaluated at the end of the new orientation period.
- Employees must have worked a minimum of six months in their current position to qualify to request a job transfer.
- NBU management may initiate a transfer at any time for the best interest of NBU business operations.
- Employees seeking a promotion or transfer are considered as any other job applicant and may, before the offer is final, be required to successfully pass a medical/physical fitness for duty exam if the position requires a DOT physical.
- An employee's previous performance evaluations (formal/informal), safety record, and any disciplinary action, if applicable, will be a factor in consideration of internal applicants for transfers and/or promotions.

TRAINING AND DEVELOPMENT OPPORTUNITIES

Tuition Reimbursement:

NBU provides a Tuition Reimbursement Program to provide opportunities for eligible employees to pursue learning experiences that will enhance job satisfaction, provide greater job enrichment opportunities, and improve job performance. This program is not a fringe benefit, but rather an investment in our employees.

Contact the Human Resources Division for additional information regarding eligibility, application procedure, and reimbursement process.

Company-Sponsored Training:

An employee or their manager may request that the employee attend a seminar, or other related educational activity, for training related to the employee's position. In these cases, reasonable costs, including travel, lodging, meals, or other expenses in connection with the educational activity will be paid by NBU. (Reference NBU Board approved "Business Travel Policy").

These activities do not qualify for tuition reimbursement. Expenses will be allocated against the employee's division training budget.

SAFETY



Safety First!

NBU places extensive importance on the safety of our employees, any visitors or business associates, and our facilities. Safety is considered everyone's responsibility. The following policies highlight some safety concerns but are not all inclusive. The NBU Safety Manual is located on the InfoNet for reference. In addition, the American Public Power Association's (APPA) Safety Manual, 15th edition, serves as the safety manual for NBU's Electric Engineering and Operations areas. Any exceptions or changes to these manuals must be approved by NBU's Safety Steering Committee.

EMERGENCY RESPONSE PLANS

NBU has established procedures for responding to a variety of disasters that could potentially affect employees, visitors, customers, or facilities. Division Managers will ensure that training specific to the responsibilities in each type of disaster are covered with employees within their division. In addition, disaster response plans may be referenced on the InfoNet.

Inclement Weather

The nature of NBU's business is such that inclement weather conditions may in fact increase workload. While the first concern is the safety of employees, every reasonable effort to come to work during times of inclement weather is expected. If inclement weather occurs prior to the scheduled workday and employees cannot reasonably make it to work under safe conditions, they should notify their supervisor immediately.

Pandemic Event

In the event of a CDC or Comal County declared pandemic event, the CEO may temporarily alter policies regarding attendance, compensation, and benefits with the flexibility needed to ensure the health, safety, and welfare of NBU customers and employees and to sustain efficient operations of the business.

EMPLOYEE IDENTIFICATION BADGES

In order to provide as much protection as possible for the security of our employees as well as our property, and to facilitate screening, each NBU employee shall be issued an identification badge to be worn while on NBU property. Visitors, contractors and their employees, agents, and subcontractors should sign in and be accompanied by an NBU employee. Visitor badges are available to issue for those visitors who are attending meetings or conducting business.

DRUGS AND ALCOHOL

NBU recognizes its obligation to customers, clients, and to the community as a whole to provide services by employees that are free from the influence of controlled substances or alcohol, and endeavors to provide safe, efficient and professional services. Therefore, the use, sale, purchase, transfer, possession, or being under the influence of a controlled substance or alcohol by any NBU employee poses unacceptable risks for safe, healthy, and efficient operations.

. . . complies with the U.S. Division of Transportation's regulations. . .

NBU also complies with the U.S. Division of Transportation's (DOT) regulations requiring employers to conduct controlled substance and alcohol testing of employees who as a condition of employment operate commercial motor vehicles and are required to have a commercial driver's license

NBU may conduct pre-employment, post vehicle accident, reasonable suspicion, and random follow-up drug and alcohol testing. Breach of drug and alcohol provisions will result in disciplinary action, up to and including immediate termination of employment.

WORKPLACE MONITORING

Workplace monitoring by NBU management may be conducted to ensure safety, security, and quality control. Every employee is expected to be security conscious. **There should be no expectation of privacy in the use of NBU's property and equipment, including but not limited to, telephones, computers, electronic equipment, desks, and vehicles.** Any use of NBU's electronic systems or property constitutes acceptance of and consent to any monitoring and searching that NBU deems necessary.

- **Telephones** - Employees who regularly communicate with external customers may have their telephone calls and conversations monitored and/or recorded. Telephone monitoring is a tool used to enhance employee performance and monitor quality assurance for customer satisfaction.
- **Video Surveillance** - NBU has cameras set up in non-private workplace areas to investigate safety concerns, theft, misconduct, and alleged acts of harassment and workplace violence.
- **Computers** - NBU owns the contents of all files stored and transmitted on its systems. Refer to the Computers, Email, and Internet Policy in the Employee Conduct section of this Handbook for more information on Computers, Email and Internet usage.
- **Inspections** - Desks, file cabinets, lockers, vehicles, and other NBU property used by employees are subject to inspection by management as determined to be necessary.

Personal items such as purses, toolboxes, or other personal effects that are brought on to NBU property may also be subject to inspection where appropriate.

ELECTRONIC SURVEILLANCE, EAVESDROPPING, AND UNAUTHORIZED RECORDING

Employees, visitors, and business associates are not to engage in any unauthorized electronic surveillance, eavesdropping, and/or recording of any communications of another employee, visitor, customer, or business associate of NBU.

WORKPLACE VIOLENCE

NBU strives to prevent workplace violence and to maintain a safe work environment. Employees are prohibited from making threats or engaging in violent activities. Examples of prohibited conduct, while not inclusive, include:

- Causing physical injury to another person
- Making threatening remarks (as perceived by the other individual(s) involved)
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging NBU property or the property of another employee
- NBU prohibits the possession, use, or distribution of open or concealed firearms or other weapons, while on NBU property, in a NBU vehicle, or any other time while engaged in NBU business. Prohibited weapons include firearms, explosive devices, illegal knives or any other item that is specifically designed, made or adapted for the purpose of inflicting serious bodily injury or death.
- Current Texas law allows an exception for employees to transport and store firearms in their **locked, private** vehicle while in company parking lot. Under no circumstances, however, may such firearms, even if lawfully possessed, be brought into a company building or removed from the employee's locked vehicle.

Any potentially dangerous situation must be reported immediately to a supervisor, Division Manager, or the Human Resources staff. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis. Employees who violate this policy will be subject to disciplinary action up to and including immediate termination of employment.

...Any potentially dangerous situation must be reported . . .

MOTOR VEHICLE RECORD


NBU desires to minimize the risks created by drivers who have an excessive number of moving violations or accidents. Therefore, employees who drive NBU vehicles will be required to have a valid driver's license.

After employment, a Motor Vehicle Record will be obtained periodically for DOT divisions and reevaluated in order to verify the employee's continued eligibility for a driving position.

Any recorded driving incident while operating a personal or NBU vehicle must be reported to the Division Manager, Safety Manager, and HR Division. Each incident will be reviewed and potentially subject to disciplinary action up to and including termination based on the type and the number of incidents that an employee may have on file.

If an employee is removed from a driving position due to being unable to meet driving requirements, a non-driving position may be offered if one is available and the employee has the experience, eligibility requirements, and no other disciplinary action. There is no guarantee that the offered position will have the same pay or work hours as the employee's current position. If there are no non-driving positions available, the employee may be terminated from employment.

Both on-duty and off-duty occurrences apply. Employees must notify the Division Manager of any change in the status of their driver's record.



WAGE ADMINISTRATION & WORKING TIME

WAGE ADMINISTRATION & WORKING TIME

All job positions at NBU are classified as either exempt or non-exempt for overtime provisions. Non-exempt positions qualify for overtime and exempt do not. For a full explanation of the guidelines governing the determination of status and/or the specific rules for pay and deductions of each status classification, please contact the Human Resources Division.

WORK SCHEDULE

Standard Workweek

The standard workweek consists of a 168 consecutive hour period, which currently begins at 12:01 a.m. Tuesday and ends at midnight the following Monday. The standard workweek may vary for certain divisions, but will generally not vary for individuals within a division. The standard work schedule is Monday-Friday, 8:00 a.m. to 5:00 p.m. (40 hours). Individual divisions may have work schedules other than the standard week.

Standard Workday and Meal Breaks

The standard workday consists of eight (8) hours with an unpaid meal break. Available breaks, taken within Division guidelines, should be taken in designated areas and/or away from customers. Any deviations from an employee's regularly scheduled meal or rest periods due to work hours, workload, customer needs, or any other factor must be obtained from the supervisor or their designated individual.

Unless requested by, or approved by, the supervisor, non-exempt (hourly) employees are prohibited from working during their lunch break or at any time when they are not recording their time. Employees who work while not on the clock may be subject to appropriate disciplinary action. However, employees will be paid for all hours worked.

Should a supervisor request that an employee perform work while not on the clock, or working within normal schedule, the employee should record the time and report the request to the Division Manager or appropriate Executive Director.

Standby Work

Employees in divisions requiring standby will be paid a determined compensation for hours of standby shift completed. Standby shift is to be entered on the weekly time sheet and noted as such. Standby hours do not count toward the forty hours worked for overtime calculation.

Employees on standby are allowed to come and go freely, but must leave contact telephone numbers where they can be reached by the Control Center Operator at all times.

Employees on standby must be able to respond to a call within thirty (30) minutes, and are expected to maintain a state of fitness for compliance with NBU requirements for safety and efficiency (including full compliance with applicable drug and alcohol policies).

Emergency Work

When an employee is called out for an emergency outside of regular work hours, additional

compensation will apply. Standby employees' time begins when they are called out and ends when company business is concluded (including travel time). The time worked must be logged in and out through the Control Center Operator.

Natural Disaster Emergencies

During natural disasters and at any time outside NBU's normal operations, employees who are required to be on standby will not be compensated for standby time. Employees will be compensated for the time they actually work during a declared natural disaster according to NBU's pay policy regarding regular and overtime pay. Non-essential personnel, or any employee, who cannot come in due to unsafe conditions should contact their supervisor and code vacation or personal leave for regularly scheduled hours missed.

Employees on standby are not required to stay on NBU property or at home, are allowed to come and go freely, and may engage in personal activities of their choosing. However, employees must leave contact telephone numbers where they can be reached by the NBU Dispatcher at all times. Employees on standby must respond to a call within thirty (30) minutes, and are expected to maintain a state of fitness for compliance with NBU requirements for safety and efficiency and comply with NBU's drug and alcohol policies.

Time Keeping and Working "off the clock"

Tampering with a time record or recording time for another employee is strictly prohibited and may result in disciplinary action, up to and including termination of employment. Any suspected errors in employee time records must be immediately reported to the Supervisor or Manager.

All work outside of or away from NBU premises must be preapproved by the employee's supervisor. In such instances, employees must keep a written log of their actual time worked and submit it to their supervisor for approval prior to payroll processing for the period in which work was done.

Unless authorized in advance, non-exempt (hourly) employees should not begin working before the beginning of their shift or continue to work beyond the end of their shift. Further, non-exempt (hourly) employees are prohibited from working at any time when they are not recording their time. "Hours worked" includes any "off-clock" work activities, such as time spent: (i) reviewing and responding to business-related emails or text messages; (ii) discussing business matters on a company-provided or personal cell phone; (iii) running business errands while traveling to or from home or work; or (iv) otherwise performing business-related tasks or tasks that are for NBU's benefit.

Working overtime without prior approval or working without recording time may result in disciplinary action, up to and including termination of employment. However, employees will be paid for all hours worked.

No Time Clocks

PAYROLL PROCESS

Time and Attendance System

NBU uses an automated, web-based payroll system for computation of hours worked, benefit pay and accruals, overtime calculations, and payroll deductions. Each employee has the ability to access the system on-line and enter requests for time off and benefit pay. Supervisors are responsible for approving all pay for hours actually worked, designation of type of pay, and approval of time off requests and/or benefit pay. The NBU web-based payroll system is NBU's official documentation of employee's hours worked for pay purposes.

Payday/Pay Periods

Employees are paid from their first day of employment. Time spent in New Employee Orientation and/or employment processing with Human Resources is paid time. The standard pay period is two consecutive 40-hour weeks, paid bi-weekly. There are normally twenty-six (26) paydays in a calendar year.

Check Distribution Rules

Direct Deposit: NBU employees have the opportunity to sign up for direct deposit. Direct deposit allows the employee's paycheck to be deposited in his/her bank account electronically. Direct deposit check stubs are normally distributed on payroll Friday.

Checks: Non-direct deposit checks are normally issued on payday Fridays. Checks are not released to anyone other than the employee except upon written request by the employee. The individual responsible for releasing the check reserves the right to require a photo ID of any person, employee, or employee's designee before releasing the check

Pay Deductions

- Mandatory Deductions: NBU is required by law to make certain deductions from employee's compensations. These deductions include withholding for federal income tax, Federal Insurance Contributions Act (FICA) tax, which is composed of Social Security and Medicare and, contributions to the Texas Municipal Retirement System (TMRS) plan. Employees may change the number of dependents for tax purposes at any time during the year by completing the required form in Human Resources.
- Voluntary Deductions: NBU allows participation in some voluntary benefit plans that require payroll deductions, such as 457 Deferred Compensation, cafeteria plan, supplemental insurance, and others.
- Record of Deductions: The check stub serves as a statement of employee earnings and deductions. Employees receive a Wage and Tax Statement (W2) as soon after

the end of the year as possible, not to surpass January 31st of the New Year.

- Changes in Deductions: Employees may begin, change, or cancel most optional deductions. Employees may change the number of dependents for tax purposes at any time during the year by completing a new W4 form in Human Resources. Check with the Human Resources Division for assistance in these matters.

EXEMPT EMPLOYEE SALARY DEDUCTION POLICY

Exempt employees are entitled to a pre-determined salary on a weekly basis for any week in which they perform any work, without regard to the number of days or hours worked in the week. Exempt employees' hours in a workday or workweek may be defined by the employer. Employees may be required to use available accrued benefit time for partial absences outside of these defined times. However, if no benefit time is available, deductions from pay must follow the following guidelines.

- **Deductions may not be made if:**
 - NBU chooses to reduce the days or hours in the employee's weekly schedule due to operating reasons (*e.g.*, insufficient work).
 - The employee is serving as a juror or witness or is on temporary military leave (although NBU may offset any monies that he/she receives while on leave).
- **Deductions may be made in the following limited circumstances:**
 - The employee does not work any hours in a workweek.
 - The employee is absent from work for one or more full days for personal reasons (*e.g.*, if absent for 1 and ½ days, a deduction for one full day will be made).
 - The employee is absent from work for one or more full days due to illness, disability or injury, and does not qualify for paid leave under NBU's policies.
 - The employee violates a safety rule of major significance (*e.g.*, those presenting a serious danger to himself/herself or others). A deduction as a penalty may be made in an amount consistent with NBU's policy.
 - The employee is absent from work for one or more full days due to a disciplinary suspension for a violation of a written workplace conduct rule (*e.g.*, violation of NBU's written harassment, substance abuse, or workplace violence policies).
 - The employee is absent from work due to FMLA leave. Deductions may be made in the proportionate amount of the employee's absence.

NBU intends to fully comply with the salary and deduction provisions of the Fair Labor Standards Act. If at any time an improper deduction from an employee's wages is made, he/she should immediately report it to Human Resources. Deductions contrary to this policy are prohibited and anyone making improper deductions may be subject to corrective action, up to and including immediate termination of employment. Affected employees will be promptly reimbursed in their next paycheck for any improper deductions from their wages.

FINAL PAYCHECKS

When any employee resigns, his/her paycheck will be available on the next regularly scheduled payday. An employee who is discharged from employment will be paid in full no later than the sixth day after the date of discharge.

OVERTIME

All overtime hours will be paid as required by the federal minimum wage and overtime law. Non-exempt (hourly) employees are compensated at the rate of one and one-half times their regular rate of pay for hours worked in excess of 40 in the standard workweek.

The selection of employees to work overtime will be made by the division manager. Selection is based upon the work required and the employee's ability to perform such work. To the extent possible, overtime will be distributed equally among full-time, willing employees, equally capable of performing the work. Employees who are scheduled to work overtime must be at work unless excused by their manager. Approved paid absences, including but not limited to, sick leave, vacation leave, holiday leave, FMLA, non-FMLA leave, military leave, jury duty, and funeral leave are not counted as time worked for computing overtime.

Salaried employees are normally exempt from overtime pay unless prior approval is obtained, in writing, from the Executive Director of their division.

All overtime work must be pre-approved by the division manager. Working overtime without a manager's approval may result in disciplinary action, up to and including immediate termination of employment. However, employees will be paid for all hours worked.

Shift differential hours, in divisions applicable, are calculated into overtime.

HOLIDAY OVERTIME PAY

Hourly employees who are called in to work on holidays will be compensated for any hours worked on those days at either time and one-half or double time depending on the rate for that specific holiday. When the official holiday(s) falls on a Saturday or Sunday, NBU will designate alternate observance days.

A list of NBU holidays and designated rates of pay for each is posted on Human Resources bulletin boards annually and may be found on the NBU InfoNET.

All Regular full-time employees will receive eight (8) hours of holiday pay and Regular part-time employees will receive four (4) hours of holiday pay in addition to any hours actually worked on the holiday.

COMPENSATION REVIEWS

Compensation adjustments, while not guaranteed, are normally conducted once a year in which all positions and employees' performance are reviewed.

NBU utilizes the following resources when reviewing employees for potential pay increases: current performance evaluations and market survey analysis data.

BENEFITS

Beyond the paycheck. . .

NBU may provide or offer various employee benefits including retirement plans, group health and workers' compensation. Benefits offered may be fully funded, partially funded, or employee funded and shall be reviewed on a regular basis in order for NBU to maintain a favorable position for recruiting and retaining employees. Procedures, processes, and guidelines shall be established for the eligibility, management, operations and use of any benefits offered or provided.

HOLIDAYS

NBU recognizes certain holidays during each calendar year. A list of the approved holidays is posted on the InfoNet and distributed to each division for posting. .

When any of the listed holidays falls on the weekend, NBU will designate an alternate observance day(s).

In order to receive holiday pay, the employee must work his/her last scheduled day before and the first scheduled day after the holiday, unless expressly approved by the Division Manager. See the "Holiday Overtime Pay" in Wage & Administration section.

Part time employees, who work regularly scheduled hours of 20+ hours per week receive 1/2 of all NBU holidays. Seasonal or temporary employees are not eligible for holiday pay.

If a holiday falls within a scheduled vacation period, the employee shall receive holiday pay, in lieu of vacation pay.

VACATION

In order to promote employee wellbeing, employees should take time off from work during each calendar year. Therefore, NBU provides paid vacation benefits to all eligible full time employees. Vacation benefits begin to accrue at the time of hire but are not eligible for use until successful completion of the orientation period or 90 continuous days of service, whichever is longer.

Accumulation

Accrued vacation becomes available after 90 continuous days of employment or upon successful completion of the orientation period, including extensions.

FULL-TIME EMPLOYEES

Length of Continuous Years Service	Vacation Accrual Hours Per Year	Vacation Accrual Per Pay Period
0-1	80	3.08 hours
1-2	88	3.39 hours
2-3	96	3.70 hours
3-4	104	4.00 hours
4-5	112	4.31 hours
5-6	120	4.62 hours
6-7	120	4.62 hours
7-8	120	4.62 hours
8-9	120	4.62 hours
9-10	120	4.62 hours
10-11	120	4.62 hours
11-12	128	4.93 hours
12-13	136	5.24 hours
13-14	144	5.54 hours
14-15	152	5.85 hours
15+	160	6.16 hours

Any unused vacation leave earned in the *present* employment anniversary year can be carried over from one year to the next. Therefore, the maximum vacation that can be carried over each year is the amount accrued per employment anniversary year based on the employee's length of continuous service. Any additional hours above this amount not taken by the employee's anniversary date are forfeited.

Use

- Employees are required to obtain approval for vacation leave from their Manager. Leave requests should be submitted far enough in advance to allow adequate time to assure that Division work load can be adequately met.
- Accrued vacation leave may be used in one hour increments for authorized and approved absences.
- Employees who retire under TMRS guidelines or resign with a minimum of one year of service and in "good standing" are eligible to receive payment for accrued and unused vacation upon separation of employment.

Reimbursement

An employee who leaves NBU in good standing and has at least one year of continuous service will be compensated for accrued but unused vacation. “Good standing” is defined in the “Performance Counseling and Disciplinary Action” section under termination of employment.

INSURANCE COVERAGE

NBU provides or makes available various types of insurance coverage for eligible employees after thirty (30) days of employment. Employees are notified of benefit eligibility at orientation and through a follow up enrollment meeting with an HR Representative.

Consolidated Omnibus Budget Reconciliation Act (COBRA): COBRA gives employees the opportunity to continue health insurance coverage under NBU’s health plan when a *qualifying event* would normally result in the loss of eligibility. Employees who experience a qualifying event will be notified of their COBRA rights and responsibilities.

SHORT TERM DISABILITY COVERAGE

Employees on FMLA, or Non-FMLA, leave for their own serious health condition may apply for NBU’s short-term disability benefit. The plan pays 70% of an eligible employee’s wages beginning the 31st day after the qualifying event. Employee may supplement the remaining 30% with available benefit leave. Short-term disability insurance may apply beginning the second month of FMLA and continue through the remainder of the approved leave.

Should an employee request additional leave, approved leave may be granted up to three, one-month extensions of leave, unless further extended as a reasonable accommodation under the Americans with Disabilities Act. Short-term disability payments could also continue during this time.

Short-term disability coverage ends when the employee is released to return to work in their regular position or to a Transitional Assignment.

Should an employee return to work and not be able to perform their regular or transitional duties and need to return to leave within a two week period of the return, they will be eligible for any remaining leave or disability compensation applicable to the prior leave approval.

Short-term disability coverage eligibility only applies to certified medical leave.

RETURN TO WORK PROGRAM

NBU wants employees to return to work at the earliest possible date following an injury or illness. Employees who are not able to return to full duty, in their current position, after an injury or illness may request a transitional assignment. A transitional assignment is defined as temporary, modified work assignments within the worker’s abilities, knowledge and skills.

NBU cannot guarantee a transitional assignment and is under no obligation to offer or create any

transitional assignment. Transitional assignments are based on the physical capability of the employee to perform essential job duties, the business needs of the company, and availability of productive transitional work. The maximum amount of time that an employee may remain on transitional work is six (6) months.

Employees injured on the job shall be placed in available and open transitional assignments first and then any remaining available and open assignments may be awarded to other personnel requesting return from medical leave.

Questions regarding leave benefits, compensation, and conditions of NBU's return to work program should be directed to the Human Resources Division.

WORKERS' COMPENSATION

NBU maintains Workers' Compensation insurance coverage for the protection of all employees. Under provisions of the Texas Workers' Compensation Act, NBU pays the full cost for on-the-job injuries.

If an employee sustains a work-related injury while on the job, an incident report must be completed, signed, and dated by both the employee and their supervisor. If the employee's supervisor is not available, the employee should seek the next level of management. **Reports must be completed prior to the employee leaving work for the day or his/her rights to workers' compensation benefits may be jeopardized.**

Workers' compensation payments do not begin until the employee has not been able to work for more than seven (7) consecutive days. Then, if qualified, payment begins the eighth day or is retroactive back to the date of the injury if time lost is 14 days or greater. Employees may also choose to use other accrued leave in addition to workers' compensation.

NBU will strive to assure that the employee receives the best medical attention available and will work with the medical providers to help them return to work as soon as possible. Questions regarding worker's compensation guidelines and benefits should be directed to the Human Resources Division.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

NBU has an Employee Assistance Program (EAP) to provide its employees and their immediate families with counseling and rehabilitation treatment services. Cost of treatment and rehabilitation may be covered in part by the NBU health care plan. Employees may contact their Manager, the Human Resources Division, or the EAP directly for information regarding the program. Requests for information related to the EAP, and any services provided by the EAP to the employee will be handled confidentially.

Employees may use the EAP for matters related to work or for situations of a personal or family nature.

Types of EAP Referrals

- *Informal/self-referral:* Employees or family members contact the EAP directly.
- *Formal:* Based on observation, a manager or HR professional recommends the EAP to the employee, which can be mandatory due to poor performance or disciplinary actions.

SECTION 125 (CAFETERIA) PLAN

The Section 125 plan allows employees to set aside pre-taxed money into an account to pay for non-reimbursed medical/dental/vision expenses, childcare expenses, and health care premiums paid for dependents, and cancer insurance premiums paid for employee and/or dependents.

There is a risk of loss in utilizing a Section 125 Plan account. Additional information should be obtained from Human Resources regarding the level of participation in this program.

EMPLOYEE LEAVE-SHARING PROGRAM

Employees may donate accumulated vacation, sick, personal or other awarded leave hours to a bank for distribution to aid another employee who is unable to work due to the employee's prolonged medical condition, the prolonged medical condition of an immediate family member of the employee, or a major disaster directly affecting the employee thereby resulting in potential substantial loss of income to the employee.

Employees may not solicit or distribute lists for donation of hours. Employees wishing to donate hours to the employee leave assistance bank must do so on a strictly voluntary basis.

Employees with documented disciplinary action for excessive absenteeism, or poor management of leave time, may be considered ineligible for this benefit.

The Human Resources Division shall oversee the program as stated in the Employee Leave-Sharing Program procedures located on the InfoNet.

OPTIONAL BENEFITS

To offer a wide range of benefits, NBU's benefit package also contains options for additional benefits, paid at 100% by employee contributions. Although the employee pays full cost of these voluntary benefits, the costs are provided at group rates and thereby lower than if purchased on an individual basis. NBU reserves the right to discontinue, enhance, or revise each of these benefits as needed. Any changes to one of these plans will be communicated to the employees prior to the change. Human Resources should be contacted for more information on any of the optional benefits.

RETIREMENT PLAN

Texas Municipal Retirement System

(TMRS) Eligibility:

- Per TMRS guidelines, all regular full-time employees and part-time employees hired to regularly work 1,000 or more hours per calendar year are automatically enrolled in TMRS effective the date of hire.
- Vesting in the system takes place after five (5) years of cumulative service. Vesting means an employee has worked enough service credit to meet the minimum length-of- service requirement for retirement.

Contributions:

- TMRS currently requires that 7% of eligible employees' gross earnings be withheld by NBU and deposited in an account maintained in the employee's name.
- Additionally, NBU specifies a matching contribution percentage to each employee's account. Interest earned on your account is credited annually on December 31st.

Employees should contact the Human Resources Division for a full explanation of the benefit and options available upon retirement or termination of employment.

Prior Service Credits:

NBU does not recognize prior service with another TMRS member organization. TMRS will add accumulated time to qualify for retirement benefits. However, employees must work the required number of years for retirement with NBU to receive full payout of accrued and unused benefit hours which is an NBU provided benefit.

LEAVES OF ABSENCE

LEAVES OF ABSENCE

NBU shall offer Family and Medical Leave (FMLA) and military leave as defined by applicable law. Other types of leave for non-FMLA or of a short term nature, paid or unpaid, shall be administered through the Human Resources division with executive approval. Processes, procedures, and guidelines shall be established for the eligibility, management, operations and use of any leave of absence.

The maximum allowable time for any leave or combination of approved leaves is six months. Any employee who is not able to return and perform, with or without reasonable accommodation, the essential functions of the position previously held or any other position, if available and for which they are qualified, will be terminated.

NBU records all paid and unpaid leave taken by an employee for record keeping, reporting, and administrative purposes.

SICK LEAVE

Accumulation

- Sick leave begins to accrue on the date of employment.
- Full-time employees are credited with 3.69 hours of sick leave per pay period.
- Full-time employee may accumulate sick leave up to 96 hours per year and to a maximum of 480 hours.

Use: Accrued sick leave becomes available after 90 continuous days of employment or upon successful completion of the orientation period, including extensions. Examples of authorized sick leave use include, but not limited to:

- Medical necessity due to employee's temporary illness or injury causing an employee to be unable to perform his or her regular job duties
- Employee's serious medical condition under the Family Medical Leave Act (FMLA); including pregnancy and childbirth
- Employees medical appointments that cannot reasonably be scheduled during non-working hours

Expanded Sick leave usage- In addition to use of sick leave for an employee's personal illness or injury, employees may use their accrued sick leave for the care of their child, spouse and/or parent. For qualifying child, NBU will refer to FMLA's definition of "son or daughter" as a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is either under 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability".

Accrued sick leave may be used in one-half hour increments for authorized and approved absences. NBU management reserves the right to request medical certification for any absence due to use of sick leave.

Reimbursement

- Each January, qualifying full-time employees will be compensated for accrued and unused sick leave in excess of 480 hours up to a maximum of 96 hours at the employee's base rate of pay. Remaining hours will continue to be available for future use.
- An employee who voluntarily retires under the presently adopted rules of the Texas Municipal Retirement System (TMRS) and in "good standing" (Refer to Separation of Employment), is eligible for payment of all accrued and unused sick leave.
- An employee who resigns, other than under TMRS qualifying retirement, are not paid any accrued and unused sick leave.

PERSONAL LEAVE

Accumulation

- Full time employees are credited with 24 hours of personal leave on their employment anniversary date. New full time employees are credited with 24 hours after 90 continuous days of employment or upon successful completion of their orientation period, including extensions.

Use

- Personal leave may be used in one-half hour increments for authorized absences.
- Has no restrictions on the reason for requesting leave, but the employee must have the absence approved by their supervisor.
- Must be used within the employee's anniversary year or is forfeited.
- Employees who separate from employment are not paid any unused personal leave. The only exception to this policy is those retiring in "good standing" and under TMRS retirement guidelines (refer to Separation of Employment).

FAMILY AND MEDICAL LEAVE (FMLA)

An employee, who has been employed by NBU for at least one year and has worked at least 1,250 hours in the previous twelve month period, may apply for or be placed on FMLA leave for up to twelve (12) or twenty-six weeks (26) of unpaid leave during a 12 month period for any of the following reasons:

- the birth or care of a son or daughter after birth (12 weeks);
- the placement with the employee of a son or daughter for adoption or foster care (12 weeks);
- when needed to care for the employee's spouse, child, or parent with a serious health condition (12 weeks);
- for a serious health condition that makes the employee unable to perform one or more essential functions of his/her position (12 weeks);
- a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or called to active duty status in support of contingency operations as a member of the National Guard or Reserves (12 weeks). Qualifying exigencies include: (a) short-notice deployment, (b) military events and related activities, (c) childcare and school activities, (d) financial and legal arrangements, (e) counseling, (f) rest and recuperation, (g) post-deployment activities, and (h) additional activities as agreed upon by employer and employee.
- to care for a spouse, son, daughter, parent or next of kin who is a covered service member with a serious injury or illness (26 weeks).

The year period in which an employee is entitled to up to 12 or 26 weeks leave is determined by a "rolling" 12 month period measured backward from the date of any FMLA leave usage.

Eligible employees may take leave under the FMLA for any combination of these reasons, but the total of all leaves combined may not exceed the maximum amount of leave permitted during the applicable 12 months.

Child care leave must be completed within 12 months of the birth or placement of the child. Child care leave can only be taken on a continuous basis and may not be taken on an intermittent or reduced work schedule basis. Spouses who are both employed by NBU are limited to a combined total of 12 weeks of FMLA leave within the applicable 12 months for the birth or placement of a child or to care for a parent with a serious health condition.

Employees granted FMLA leave are expected to remain in the local area with the exception of admission to or travel to and from a medical care facility for treatment for self or qualifying family member.

Employees on approved FMLA or Non-FMLA leave may have their access to NBU email, badge access, and access to any other matters of confidential business information *temporarily* removed until the employee returns to regular duty. Employees on leave for disciplinary action will have all work privileges turned off until return to regular duty or a final decision regarding employment status is made.

Effective March 8, 2013, a number of amendments were approved which expand FMLA definitions and rights for military family members. NBU adopts and follows these new amendments. These amendments are posted in each of NBU's bulletin boards. Please contact Human Resources for any additional questions.

Compensation

FMLA leave is not guaranteed paid leave by statutes of the law. Employees must use any and all accrued leave time while on FMLA or Non-FMLA as follows:

- FMLA or Non-FMLA personal medical leave- employee must use sick, vacation and/or personal leave hours to cover 80 hours or the number of hours available to be covered with such leave. See Short-Term Disability coverage qualifications for additional potential compensation during approved leave.
- FMLA or Non-FMLA leave for a family member or other than personal medical- employee must use vacation and/or personal leave to cover 80 hours or the number of hours available to be covered with such leave. Sick leave hours may not be used.

Employees may contact Human Resources or reference the FMLA Procedures on the InfoNet for details regarding required notice for leave, certification requirements, compensation during leave, job related injuries and short term disability coverage, benefits during leave, and reinstatement guidelines. New Braunfels Utilities, pending submitted medical certification, reserves the right to designate any absence for a mental or physical condition as FMLA once the absence exceeds three consecutive workdays.

NON-FAMILY AND MEDICAL LEAVE

Employees who need time off for personal reasons not covered by the FMLA, are unable to return after they have exhausted their FMLA leave for their personal medical condition, or who are not initially eligible for FMLA may apply for Non-FMLA leave. Employees on certified, approved Non-FMLA leave not related to a serious medical condition, may request time off without pay or to use any accrued and available personal and vacation hours. For Non-FMLA leaves related to a serious medical condition for themselves or a family member but the employee has not worked long enough to qualify for FMA or has exhausted FMLA eligibility within a certain time period, the same potential payout of leave benefits apply as noted in the FMLA section, page 57, including use of sick leave.

There is no guarantee that these requests will be able to be honored.

- Non-FMLA leave is not granted in intermittent blocks as FMLA allows.
- Specific time frames for these leaves will be determined and approved only by the CEO.
- Except as required for a reasonable accommodation under the Americans with Disabilities Act, non-FMLA leave will not be granted more than once in a twelve month floating period or exceed three months within the same period.

Employees may contact Human Resources or reference the FMLA Procedures on the InfoNet for details regarding the conditions and reinstatement guidelines for Non-FMLA.

EXTENSION OF LEAVE UNDER THE ADA

Employees who exhaust their FMLA or Non-FMLA medical leave but need additional time off for continued medical treatment may apply for a reasonable extension of their leave as a reasonable accommodation under the Americans with Disabilities Act (ADA). To qualify for a reasonable extension of leave, an employee with a disability should: (1) provide written request for the extension prior to exhaustion of their current FMLA or Non-FMLA medical leave; and (2) provide Human Resources with a written statement from their treating healthcare provider confirming that:

- The employee has a physical or mental impairment that substantially limits a major life activity (temporary, non-chronic impairments such as broken bones, pregnancy, appendicitis, and other non-chronic infections typically do not qualify as disabilities); and
- A supplemental leave of a specified duration will permit the employee to return to work in the near future and perform the essential functions of his or her job, with or without reasonable accommodation. Near future is defined as “within the next 30 calendar days.” Employees not able to obtain a release within that time period to full duty or without the ability to perform the essential functions of his or her job, with or without accommodation, or without a medical providers’ best determination of a return date, may be denied further leave extensions and subject to possible termination.

NBU will evaluate timely requests for an extension of leave on an individual basis and will grant reasonable extensions of leave in compliance with the ADA and other applicable laws. Employees who take an extended leave of absence are not guaranteed reinstatement to work or placement in their former position. Employees in these instances may apply for open positions for which they qualify and can perform, with or without reasonable accommodation.

NBU retains absolute discretion to award or deny leave extensions based on business operational needs and the performance history of the employee. In addition, employees who are awarded and take an extended leave of absence are not guaranteed reinstatement to work or placement in their former job position. The maximum allowable time for any leave or combination of approved leaves is six months within a rolling twelve month period. In administering this policy, compliance with the ADA and other applicable laws will be given full consideration.

MILITARY LEAVE

NBU complies with the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA). A military leave of absence will be granted if an employee is called to serve in the uniformed services of the United States. Employees who perform and return from service in the Armed Forces, the Military Reserves, the National Guard, or certain Public Health Service positions will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, and length of service pay increases, as required by applicable law.

Employees called to temporary military duty as members of the State National Guard or the Texas State Guard will be awarded leave as provided under state code.

Unless precluded by military necessity, employees called to any military duty should immediately set up a meeting with their Division Manager and the Human Resources Division to review the guidelines for determining leave, benefit and compensation while on leave, and re-employment rights and considerations.

JURY DUTY

NBU employees are encouraged to serve on a jury whenever summoned. An employee who receives notice of jury duty must notify his/her supervisor as soon as possible in order that arrangements can be made to adjust work schedules. .

Employees will be compensated for jury duty. To receive pay, the employee must provide their supervisor or manager a statement certified by a court representative verifying the employee's service.

BEREAVEMENT LEAVE

Full-time employees, who have completed their orientation period, may request up to three days of paid leave for a death in the immediate family to attend the funeral and/or to take care of funeral arrangements and/or estate considerations. The immediate family typically refers to the current family unit and includes: spouse, child, stepchild, mother, father, sister, brother, father-in-law, mother-in-law, grandparents and grandchildren. Human Resources will track use of bereavement time. If an employee requests leave for a family member not specifically named in this policy, vacation or unpaid personal leave may be requested. Human Resources will determine eligibility and ensure supervisory approval of the absence. Employees may also request time from the employee leave assistance program based on the qualifying procedures of the leave bank.

EMPLOYEE CONDUCT



What's Expected of Employees

Certain rules and regulations regarding employee conduct are necessary for the efficient operation of any organization, and for the benefit and protection of the rights and safety of our employees, customers, visitors, and business associates. Conduct that interferes with operations, brings discredit to NBU, or is offensive to any parties will not be tolerated.

An example list of company rules of conduct is included in the Performance Counseling and Discipline section of this handbook. The list is not all inclusive, but does include a number of violations to serve as a guide for unacceptable types of conduct.

ATTENDANCE

Every position within NBU is staffed so that divisions can operate safely, efficiently, and productively. Many absences from work are due to legitimate needs and fall under approved time off. However, repeated tardiness, unexcused or excessive absenteeism, or absences which exhibit a pattern or trend may result in disciplinary action, up to and including termination of employment. Supervisors are responsible for monitoring employee attendance records in order to evaluate the frequency of absences and tardiness.

Absence

- **Definition:** An absence from work is defined as the failure of an employee to report for work for any defined period of time for one or more consecutive days on his/her scheduled assignment, regular or fill-in.
- **Approved Time Off:** Employees on scheduled vacation, personal leave, approved FMLA leave, jury duty, sick leave, or other approved leaves of absence, including FMLA intermittent leave.

Reporting of Absences

Employees will have been considered to have given “proper notice” if they notify their supervisor or Division Manager as soon as possible or **at least one hour prior to the need to be absent**, state the general reason for the absence, and give an expected date of return. Leaving a message for a supervisor or the Division Manager may not constitute proper notice. Reporting an absence does not guarantee that it will be approved. Any employee who fails to report to work for two (2) or more consecutive days without reporting the absence to a supervisor or Division Manager is considered to have resigned without notice and will be terminated from employment.

(*) Division policies, if established and approved by Human Resources, apply in lieu of this policy.

Excessive Absenteeism

Absenteeism has a direct effect on a division's productivity and efficiency. Safety may even be compromised if work crews are short-handed or critical positions are not staffed. Each division manager has the right to establish attendance standards for the employees within that division. Organization-wide guidelines for absenteeism include:

- Consecutive days absent for the same reason will be considered as one occurrence.
- Discipline may vary based upon the employee's overall work history and disciplinary record

Notice of Return to Work

Employees absent from work, including those on approved leaves, who fail to give their Supervisor or Division Manager advance notice of their intent to return to work, may encounter a one-day delay in being reassigned to work. Employees should notify their supervisor as soon as possible upon receiving their medical release.

Employees may be required to get a "Return to Work Form" from Human Resources, have their medical provider complete the form, and return it to Human Resources before reporting back to work.



“We all need to remember each day that we are paid to perform a job, and we all need to give 100% every day for not only the company, but for our own integrity as well.”

Tardiness

Employees are expected to be at their work area and ready to work by the start of their shift. Every effort should be made to contact the supervisor regarding the reason for being late or for leaving work early. Excessive incidents of abuse of punctuality may result in disciplinary action, up to and including immediate termination of employment. Supervisors and Division Managers reserve the right to determine legitimate reasons for punctuality issues.

ANTI-FRAUD, ANTI-THEFT, AND ANTI-CORRUPTION

New Braunfels Utilities is committed to making sure that the opportunity for fraud, theft and corruption is reduced to the lowest possible risk. Management has designed and implemented systems and procedures for the prevention and detection of fraud, and along with the Board of Trustees, will ensure a culture and environment that promotes honesty and ethical behavior.

NBU expects all employees, associates, suppliers, and contractors to be honest and fair in their dealings with NBU. There are a number of policies and procedures to make sure NBU's financial, working, and organizational procedures are properly controlled. Each division has introduced their own measures designed to control their specific activities.

Management may refer matters to the police if any criminal activity is suspected.

A full description of NBU's Anti-Fraud, Anti-Theft, and Anti-Corruption Policy, including steps to report concerns, may be requested from Human Resources.

ATTITUDE AND COURTESY

Employees should display a positive attitude toward their job and are expected to follow conduct rules including:

- No rudeness or unprofessional behavior toward a customer, or anyone in contact with NBU.
- No discourteous or disrespectful words or actions toward a customer or any member of the public while in the course and scope of company business.
- Being insubordinate, threatening, intimidating, and/or disrespectful or assaulting a manager/supervisor, co-worker, customer or vendor will result in disciplinary action.

CELLULAR PHONES

Company Provided Cell Phones

Unless otherwise authorized, NBU provided cell phones must be used only for business purposes. It is recommended that phones be programmed to silent or vibrate while the user is attending meetings or with a customer.

Use of Cell Phones:

While Driving or Operating Equipment

Employees must adhere to all federal, state, and local rules and regulations regarding the use of cell phones while driving. In addition, the same precautions should be followed while operating any equipment while on duty. For safety reasons, employees should pull into a proper parking space to conduct phone business. Stopping on the side of the road is not acceptable, unless there is an emergency situation. NBU does not assume responsibility for monitoring employee usage of cell phones while driving. Further, NBU does not condone the use of cell phones while operating a motor vehicle and will not be responsible for any accidents or other incidents caused by using a cell phone while driving. Employees charged with traffic violations resulting from the use of a company cell phone while driving will be solely responsible for the results of such action

At Work Station or Work Location

Managers may require that personal cell phones not be out on desks or work space or carried around while performing work or while customers are present.

COMMERCIAL DRIVERS LICENSE REQUIREMENTS

Some job positions within NBU require the employee to obtain and maintain a Commercial Driver's License in order to drive certain vehicles in the performance of their duties. NBU will provide time, training, and incur the cost of the CDL license. . A CDL should be obtained within the time frame noted on the employee's respective job description. Revocation or loss of a CDL may disqualify an employee from their current position.

COMPUTERS, E-MAIL, AND INTERNET

In order to protect the security of its technology systems and strategic information, NBU has established certain security procedures that all employees using NBU technology systems are required to follow. Failure to comply with the security and professional ethics procedures established by this policy or the willful misuse of NBU technology systems will result in disciplinary action, up to and including termination of employment.



NBU provides technology systems, including access to the Internet and e-mail, to enhance efficient and effective work processes and communications for NBU personnel. NBU technology systems include all hardware, software, data, communications lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframes and personal computers, the Internet, and local area networks.

The Technology Division will cooperate fully with local, state, and federal officials in any investigation concerning or relating to any illegal activities conducted through NBU technology systems.

NBU reserves the right to review, monitor, and audit any and all technology systems use at any time to ensure that use meets the criteria set forth in this policy. **Systems users have no right to privacy and should have no expectation of privacy in materials sent, received, or stored in NBU owned computers.** Employees should also be aware that portions of their personnel files might be subject to public inspection and copying under the Texas Public Information Act.

NBU Computer Security and Ethics (not intended to be all inclusive):

- Use of NBU's computers or e-mail to conduct personal business is prohibited if it has a detrimental effect on NBU computer systems, networks, or productivity of the employee and/or coworkers.
- Employees are expressly prohibited from using NBU technology systems for promoting political or personal views or communicating sexually oriented, explicit, or offensive comments or jokes.
- Profanity, derogatory statements, innuendos or threatening or abusive language are all prohibited on NBU technology systems or e-mail.
- Users will not harass other individuals. If a user is told by a person to stop sending messages, they must stop.
- NBU technology systems shall not be used to send, receive, view, transfer, or download illegal or inappropriate materials or to conduct illegal activities.
- Users will not attempt to gain unauthorized access to NBU technology systems, to any other system through NBU technology systems, or attempt to go beyond their authorized access level. This includes, but is not limited to, attempting to log in through another account or accessing or attempting to access another person's files without authorization. These actions are illegal, even if only for the purpose of browsing.
- Users will not deliberately attempt to disrupt NBU technology systems performance or destroy data by spreading computer viruses or by any other means.
- Users are responsible for their individual account and should take all precautions to prevent others from being able to access their account.
- Users will immediately notify the Technology Division if they have identified a possible security problem or computer virus.
- Users are solely responsible for all activities initiated in or on NBU computer systems using their logon/user name.
- Users may not read/alter other users' files in any shared environment without explicit permission from the file owner.
- Users will not engage in "spamming" (e.g. sending mass mailings or chain letters).

- Users will not download any games or music on NBU computer systems. The exception is that music may be played from an original, commercially produced CD only.
- Information transferred via USB sticks or other portable methods is to be considered confidential and NBU protected information. Files should be deleted from these media devices as soon as possible.
- Live streaming is to be used for business purposes only during work hours and not for personal entertainment.

Social Networking

Some employees may personally participate in social networking sites (e.g., Facebook, Twitter, Instagram, Pinterest, LinkedIn), participate in chat rooms, create and maintain personal websites or “blogs”, and /or engage in other forms of personal Internet use (collectively referred to as “social networking”). However, employees’ online comments, postings, or other activities may negatively impact NBU. Accordingly, NBU requires that employees observe the following rules when participating in social networking, regardless of whether on or off duty and regardless of whether during employment or after the employment relationship ends. However, the purpose of this policy is to balance employee and company rights to self-expression, and nothing contained in this policy prohibits employees from engaging in any activity that is protected by the National Labor Relations Act.

- Employees are not to utilize NBU technology systems for any social networking activities.
- Employees should not identify themselves as employees of NBU in any social networking system other than those set up among professional organizations for the benefit of business networking.
- Any information posted on a social networking site, personal website, or the Internet must comply with NBU’s policies, including without limitation, NBU’s Confidentiality and Corporate Image policies.
- Any defamatory statements made by employees about NBU, its employees and customers may subject them to disciplinary action.
- Photos of NBU employees and customers, engaged in official NBU business operations for the purposes of education, promoting events or recruitment may be posted on social networking sites or the Internet with the consent of each person photographed. A blanket consent for such use may be obtained at time of employment.
- The Public Information Officer, or designee, must pre-approve any use of NBU logos,

- trademarks, copyrighted documents, or other intellectual property on social networking sites, personal websites, or the Internet.
- Any link to NBU's website or posting of company material on social networking sites, personal websites, or the Internet must be first approved by the Public Information Officer or designee.
 - Employees are prohibited from using NBU equipment or facilities to create or maintain a personal website or blog or for furtherance of non-work-related activities or relationships without a supervisor's express prior approval.
 - Employees are prohibited from revealing confidential information, including an individual's personal information. Employees who disclose information protected by federal or state law may be subject to criminal investigation and prosecution, civil monetary penalties, and/or immediate termination of employment.
 - Social networking activities may be prohibited whenever they interfere with work, disrupt customer service, or harm NBU's goodwill and reputation.
 - It is highly recommended that social networking between supervisors or managers and their subordinates not occur so as to avoid potential of compromising situations.
 - This policy applies to all social networking activities, whether occurring during or outside of working time and regardless of whether during employment or after the employment relationship ends. When confronted with a situation not expressly covered by this policy, employees must use their professional judgment and follow the most prudent course of action. Employees whose potential actions may be inconsistent with this policy should consult with a supervisor. NBU, in its sole discretion, will determine whether employee Internet use violates its policies. Employees who violate this policy will be subject to disciplinary action, up to and including immediate termination of employment.

CONFIDENTIALITY

During the course of their employment, employees may be entrusted with or acquire confidential company, employee, and customer information. Employees are prohibited from disclosing confidential company, employee, or customer information, which includes but is not limited to information regarding NBU's operations, financial information, pricing, databases, business negotiations, marketing/sales/business strategies, special projects, customer lists, customer information, employee personal and medical information, passwords, and any other information that may constitute trade secrets, affect NBU's business or competitive advantage if disclosed to a third party, violate a customer's or employee's privacy rights, or that NBU considers confidential or proprietary. Such information is to be handled in strict confidence and is not to be discussed with or disclosed to anyone outside of NBU, whether during or after employment.

Certain information such as employee or customer names, social security numbers, personal or medical information, and other sensitive information may be legally protected, should never be disclosed to third parties, and should only be disclosed to individuals with a specific need to know. Breaches of this information may be considered unlawful, could result in fines, and may result in disciplinary action, up to and including immediate termination of employment. However, employees are not prohibited from engaging in any activity that is protected by the National Labor

Relations Act.

Employees who are responsible for, or have access to, confidential information are required to keep that information secure at all times. At the end of the workday, employees must file or otherwise dispose of confidential information in an appropriate manner. Business-related documents should not be taken to an employee's home or other location without prior approval. Passwords and company and customer keys may not be shared with anyone who does not have a need to know or for legitimate access. Employees who receive requests for information from outside of NBU and are unsure whether something is confidential should check with their supervisor or NBU's **Public Information Officer, or designee**, before releasing the information. Specifically, all telephone calls, letters, or other request for information regarding employees should be immediately directed to the Human Resources Division.

Employees who leave confidential information unattended, do not properly store confidential information at the end of the day, disclose confidential information to an unauthorized person, or otherwise fail to protect NBU's confidential information will be subject to disciplinary action, up to and including immediate termination of employment.

CONFLICTS OF INTEREST

NBU prohibits employees from engaging in any activity that creates a potential conflict of interest between NBU and its customers or vendors. Situations that create an actual conflict of loyalty or interest, or even the appearance of such a conflict, must be scrupulously avoided.

Acceptance of Gifts

No employee or member of their immediate family shall accept gifts from any person or firm doing, or seeking to do, business with NBU under circumstances from which it might reasonably be inferred that the purpose of the gift is to influence the employee in the conduct of NBU's business with the donor. However, employees are not prohibited from occasionally accepting advertising novelties such as pens, pencils, and calendars, or other gifts of nominal value as defined by IRS tax regulations.

Stocks

Although no conflict of interests may exist, NBU employees are required to disclose to their Executive Director their ownership of 10% or more of the stock of a corporation with which NBU transacts business. Executive Management must disclose 10% ownership of stock of any such corporation to the CEO.

All employees are required to disclose to their Division Manager any potential conflicts of interest as they become apparent to the employee.

CORPORATE IMAGE

Employees are not permitted to engage in any kind of activity, either on company property or while off the job that detrimentally reflects on NBU's reputation in the community.

INSUBORDINATION

All employees have duties to perform and everyone, including supervisors, must follow directions from someone. Any employee who refuses to follow the lawful directions of a supervisor or management official in an insubordinate or disrespectful manner will be subject to disciplinary action, up to and including immediate termination of employment.

LICENSES AND CERTIFICATIONS

Applicable license and certification requirements are noted in job descriptions. Failure to obtain required license or certifications within designated time periods will result in termination of employment from that job position. Exceptions for extended approval of a designated time period must occur from outside the employee's control and have the written approval of both the Executive of the division and the Executive over Human Resources.

MEDIA COMMUNICATION

It is important that NBU establish and maintain a trusting and beneficial relationship with the news media. To do this requires that all information about NBU's position on issues be handled and distributed in the same manner.

Employees may not release information to the news media about any NBU activities or business that may be interpreted as NBU's position on any activity or business that merits or requires public disclosure. Employees are required to direct all news media requests for public statements to the Communications Manager.

In the course of advertising, public relations, or other similar conduct for business purpose, NBU may utilize media resources. NBU may use an employee's photograph, picture, and/or voice transcription for promotional activities, advertising, or any other legitimate purpose without notice or compensation.

MEETINGS

From time to time, individual, staff, or organizational meetings may be held for the purpose of providing instruction, training, or counseling, or to review company policies. Employees are expected to attend any meeting that requires their attendance and are expected to be present at the appointed time.

NON-FRATERNIZATION

New Braunfels Utilities strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

Guidelines:

- During working time and in working areas employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.
- During non-working time, such as lunches, breaks and before and after work periods, employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.
- Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on company premises, whether during working hours or not.
- Employees who allow personal relationships with coworkers to affect the working environment will be subject to the appropriate disciplinary action, which may include counseling. Failure to change behavior and maintain expected work responsibilities will be viewed as a serious disciplinary matter.
- Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and direct reports.
- Supervisors, managers, executives or anyone else in sensitive or influential positions must disclose the existence of any relationship with another coworker that has progressed beyond a platonic friendship. Disclosure may be made to the CEO, their Executive Director, Division Manager or Human Resources Manager. This disclosure will enable the organization to determine whether any conflict of interest exists because of the relative positions of the individuals involved.
- Where problems or potential risks are identified the organization will work with the parties involved to consider options for resolving the issue. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.
- In some cases other measures may be necessary such as transfer to other positions or departments.
- Refusal of reasonable alternative positions, if available, will be deemed a voluntary resignation.
- Continued failure to work with the organization to resolve such a situation in a mutually agreeable fashion may ultimately be deemed insubordination and grounds for possible termination.

The provisions of this policy apply regardless of the sexual orientation of the parties involved. Where doubts exist as to the specific meaning of the terms used above, employees should make judgments on the basis of the overall spirit and intent of this policy.

OUTSIDE EMPLOYMENT

NBU employees may hold second jobs, subject to certain restrictions outlined below. NBU requires that outside employment activities not compromise NBU's interests, lower the community standing of NBU, or adversely affect the employee's job performance or ability to fulfill responsibilities. Specifically, outside employment is permitted only if it does not:

- Infringe on the time or attention that should be devoted to the employee's duties with NBU;
- Adversely affect work performance;
- Compete with NBU;
- Involve the use of company equipment, supplies, or facilities;
- Imply support of NBU on behalf of the outside employment or organization;
- Adversely affect NBU's reputation;
- Include solicitation of business as a result of knowledge and information gained as an employee
- Involve work for a contractor or supplier that does significant business with NBU, thus establishing a potential conflict of interest; or
- Require the employee to work while on FMLA leave for medical reasons prohibiting the employee from being able to perform his/her job at NBU.

The above referenced prohibitions include performance of services for customers on non-working time that is normally performed by NBU personnel. Further, employees must avoid outside employment that is made available because of the employee's position with NBU or that otherwise creates an actual or possible conflict of interest, as determined in NBU's sole discretion.

Vacation leave may be used during the time the employee works his/her outside job, but employees are not eligible for paid sick or personal leave to work at their outside job.

In the case of an employee seeking outside employment during an approved FMLA leave, if the employee is capable of performing some job functions, even if they are not directly related to their current position, it is recommended that the employee first check with Human Resources to determine if transitional work meeting their needs is available.

In the event outside employment causes or contributes to performance problems, the employee will be given the option of terminating the outside employment or discontinuing employment with NBU.

PARKING

Employees are to park in designated employee parking areas at each facility. When temporarily parking at an alternative work location for meetings or other NBU business, employees may utilize the visitor parking areas. Employees leaving employment with NBU may not arrange to give their parking space to another employee. These spaces are re-allocated by the Human Resources Division.

PARTICIPATION IN CLUBS, ORGANIZATIONS, AND EXTRACURRICULAR ACTIVITIES

NBU is a municipally owned utility and it is important that its employees take part in the activities of the community. Employees are encouraged, but not required, to participate in professional service clubs and organizations and to take part in programs designed or sponsored by NBU to promote its presence in the community.

Time spent in such activities or any other extracurricular activities should normally be outside of the employee's working hours and will not be considered hours worked for pay purposes. Neither NBU nor its insurer will be responsible for the payment of on the job injury benefits for any injury that arises out of an employee's voluntary participation in any off-duty clubs, organizations, recreational activity, or social activity that is not a part of the employee's regular work related duties. Upon Executive Director approval, time spent participating in trade and professional organizations at NBU's request or under its direction or control could be considered hours worked for pay purposes.

Subject to prior approval or recommendation by management, NBU may reimburse employees or pay for membership fees in trade and professional organizations.

PERSONAL APPEARANCE OF EMPLOYEES

While recognizing that how one prefers to dress is a personal matter, an employee's dress and grooming when representing NBU should be appropriate to the work situation, including safety considerations. Due to the high public profile of our business, extreme departures from conventional dress or personal grooming are not permitted, regardless of the work to be performed. Accordingly, the personal appearance of employees will be governed by the following standards:

- Employees are expected to dress in a manner that is appropriate to their work environment.
- Jeans (see criteria for Casual Fridays) may be worn any day of the week as long as business interactions do not necessitate more formal attire. Managers will have the discrepancy to determine when more business professional attire is required.
- Employees should practice good hygiene, including neatly groomed hair and facial hair.
- Attire should be clean, neat, and non-provocative, reflecting a professional business environment and meeting all safety considerations.
- For safety reasons, appropriate footwear should be worn at all times. Original CROCS and rubber flip flops are not acceptable any day of the workweek.
- Employee Identification Badge should be worn at all times while at work or on NBU Property.

- Employees are responsible for the care and professional appearance of all NBU provided uniform.
- Employees who separate employment for any reason are not required to return uniforms or SAFEhaven shirts. However, former employees are not to continue to wear these logo items to any other work or to any event which could imply NBU's support or business connection.

NBU allows non-uniformed employees to wear "casual business" attire on the last day of the workweek. Casual business dress includes jeans and athletic shoes and/or tennis shoes with Business Casual shirts or tops. The general requirements of safe, clean, neat, and non-provocative appearance apply. It is recommended that employees consult with their manager or Human Resources prior to wearing any article of clothing or footwear that may be fashionable but not appropriate for the workplace.

NBU recognizes that employees working outdoors benefit from wearing a cap for protection from environmental conditions. To preserve a professional appearance, employees are encouraged to show business etiquette by removing caps while attending inside business meetings.

Employees who fail to meet acceptable standards of hygiene, grooming and dress will be relieved from duty to change clothes or advised to take other appropriate corrective action. The employee will not be compensated during time away from work to comply with this policy. Repeated violations of this policy will be considered cause for disciplinary action, up to and including termination.

PERSONAL PROPERTY

It is the policy of NBU to assist employees and guests in safeguarding personal property while on NBU premises and within NBU vehicles. NBU does not, however, assume responsibility for the loss, theft, or damage to personal belongings. Employees are advised not to carry large sums of cash or other valuables with them when they come to work, while operating or occupying an NBU vehicle or in personal vehicles on NBU properties. It is expected that employees will exercise reasonable care with respect to their valuables. Items such as purses, tote bags, laptops, gym bags, backpacks, checkbooks, wallets, cell phones or any item deemed valuable should not be left unattended especially in highly visible areas such as desktops, unsecured desk drawers/cabinets or vehicles. Damage claims may be submitted through NBU's liability insurance carrier which will determine the company's liability in each individual incident.

POLITICAL ACTIVITY

As NBU is municipally owned, employees must comply with certain ordinance restrictions on political activity within the municipality. This provision is not intended to limit the political activity of an employee in county, state, or national elections. No employee of NBU shall solicit or receive any contribution to the campaign funds of any candidate for municipal office or take any part in the management, affairs, or political campaign of any municipal candidate. The following list of activities is the only activities permitted in municipal political campaigns:

- The placement of campaign signs on premises owned by the employee.
- The placement of bumper stickers on personal vehicles, except those vehicles supported in whole or in part by a car allowance provided by NBU.
- Attendance at a political rally or campaign functions for a City Council candidate, so long as the employee does not actively participate in the rally or function.

Participating in municipal, political campaigns other than as stated above will subject the employee to disciplinary action, up to and including immediate termination of employment.

POOR PERFORMANCE

Employees are expected to make every effort to learn their job and to perform at a level satisfactory to NBU at all times. Failure to perform at a satisfactory level may lead to disciplinary action, up to and including immediate termination of employment.

SLEEPING

Everyone needs to be fully alert while on the job in order to protect the safety and integrity of all employees and to properly serve NBU's customers. Accordingly, sleeping or inattention on the job will not be tolerated and will result in disciplinary action, up to and including immediate termination.

SMOKING

In an attempt to enhance the general health of its employees and in compliance with City Ordinances, NBU does not permit smoking in any of its buildings, facilities, or vehicles. Smoking is permitted during breaks and during lunch periods. All smoking must be done outside of the building or facility in the designated areas. All employees are expected to exercise good sense and common courtesy in respecting the rights of others.

Use and disposal of smokeless tobaccos products such as dipping and chewing are prohibited in meeting and break rooms and when interacting with NBU customers while conducting NBU business. At no time, at any NBU location, work site, or vehicle, should spittoons or cups be left openly visible. Smokeless tobacco products, such as snuff and chewing tobacco, must be disposed of properly to not cause potential safety hazard or damage to NBU facilities or equipment.

E-cigarettes or other non-traditional tobacco or tobacco free products, which give the impression of cigarettes, are not allowed under all the same conditions of policy for cigarettes.

All employees are expected to exercise good sense and professional courtesy as a demonstration of respect for others when it comes to the use and disposal of tobacco products.

SOLICITATION

Unrestricted solicitations on NBU premises interfere with the normal operations of the organization, are detrimental to discipline and efficiency on the part of employees, are annoying to customers, and may pose a threat to NBU security. The only exception to this policy is NBU's commitment to support and participate in the local United Fund campaign.

Persons who are not employed by NBU are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services, or engaging in any other solicitation or similar activity on NBU property.

Employees are permitted to engage in solicitations or distributions of literature for organizations, only in accordance with the following restrictions:

- Solicitation and/or distribution of literature are prohibited during the working time of either the employee making the solicitation or distribution of literature or the solicited employee. The term "working time" does not include an employee's authorized lunch or break periods.
- Distribution of literature or solicitation is prohibited in work areas at all times.
- The distribution of literature in such a manner as to cause litter on NBU property is prohibited.
- Electronic distribution of non-work related materials, with intent to sell or inform, with NBU equipment is not allowed.

NBU maintains bulletin boards to communicate information to employees and to post notices required by law. These bulletin boards are only for the posting of NBU information and notices. Solicitation notices may not be placed on bulletin boards for the purposes of notification or advertisement for the sale of items.

The provisions of this policy also prohibit solicitation through the use of email.

USE OF NBU SUPPLIES AND ASSETS

NBU employees are expected to exercise care and good judgment in the protection and proper use of all NBU property, materials, and supplies. Careless or inappropriate use of NBU equipment or assets may result in disciplinary action, up to and including immediate termination of employment. Removal of company supplies, materials, or property from the NBU premises for personal use is strictly prohibited.

NBU Vehicles: Employees who are assigned and drive an NBU vehicle are prohibited from using the vehicle for personal use other than commuting or minimal personal errands, as defined by IRS guidelines. Due to insurance liability reasons, no persons are allowed to travel in NBU vehicles other than those who are doing so for an NBU business purpose except in an emergency situation when an injury or imminent danger exists.

NBU Property: Badges, keys, supplies, tools, or equipment of NBU must be returned upon an employee's termination of employment. All prior technological access will be terminated.

Credit Cards: The issuance of NBU credit cards is limited to individuals in specific job positions for legitimate NBU purchases of materials and services. Employees are responsible for turning in original transaction receipts for any credit card purchase in a timely manner. Credit cards must be returned upon an employee's termination of employment.

Any lost NBU badge, keys, or credit cards should be immediately reported to management or reported as soon as possible.

VISITORS

Personal visitors are discouraged on NBU property for safety and productivity reasons. Visitors should sign in when entering any secured area of NBU facilities or properties. Approved visitors should be issued a visitor's pass or be escorted by an NBU employee at all times. Any visitor performing maintenance or repairs on NBU equipment or structures must be issued a security badge to be worn during the period of contracted work.

PERFORMANCE COUNSELING & DISCIPLINARY ACTION



PERFORMANCE COUNSELING & DISCIPLINARY ACTION

Division Managers are vested with the responsibility to provide leadership and direction to division employees by identifying performance standards, providing motivation, providing employee development and training opportunities, conducting employee performance evaluations, and when necessary, discipline. All employees are expected to abide by company policies, procedures, rules and regulations.

In any work situation, discipline may become necessary in order to protect the rights of employees and management. NBU believes that discipline should be used only after efforts of coaching, counseling, and training have failed to bring about corrections.

It is the intent of NBU that all employees are treated by fair and equitable standards. Progressive discipline may or may not be used. The specific circumstances of each case are reviewed individually by the Division Manager and Human Resources Manager in regard to considerations such as, but not limited to, severity, safety infractions, and the number and types of previous infractions.

The following are examples of unacceptable behavior or incidents which, along with other rules and policies established by NBU, may result in disciplinary action up to and including immediate termination of employment.

- Falsification or misrepresentation of company records or reports, verbal or written, including, but not limited to, employment applications, time records, invoices, customer records and other paperwork.
- Insubordination, including failure or refusal to follow directions and instructions; refusal to perform designated work; and refusal to transfer shift, schedule, or position at NBU's request.
- Failure or refusal to cooperate with fellow employees and supervisors.
- Use of offensive or abusive language or discourteous conduct toward fellow employees, visitors, customers, clients or others.
- Violation of NBU's Equal Employment Opportunity or Anti-Harassment policies.
- Disclosure of customer information or confidential business information to unauthorized persons.
- Disclosure of confidential employee information to unauthorized persons, *e.g.*, salaries, evaluations, medical, etc.
- Excessive tardiness or absenteeism.

- Absence without notification or satisfactory reason.
- Accepting gifts or gratuities from a customer or supplier as defined in NBU's Conflict of Interest Policy.
- Leaving an assigned work area during working hours without notice and permission of the supervisor or his/her designee.
- Neglect or inattention to defined job responsibilities and assignments; unsatisfactory performance of duties.
- Violation of NBU's Drug and Alcohol Policy.
- Abuse, waste, or destruction of NBU equipment, supplies, goods or any other property of the company, another employee, any of the company's prospective or current customers, or the public.
- Violation of NBU's electronic systems policies, *e.g.*, internet use, email, etc.
- Possession of firearms, explosives, or other illegal weapons on company premises or in the performance of duties. Current Texas law allows an exception for employees to transport and store firearms in their locked, personal vehicle while in company parking lot.
- Violation of NBU safety rules and practices.
- Refusing to submit to a security inspection.
- Refusing to consent to drug or alcohol testing.
- Failing to report a conflict of interest.
- Interfering with another employee's ability to do his/her job.
- Inappropriate written, oral, or physical interaction or communications with another employee, supervisor, visitor, customer, or other member of the public.
- Theft
- Failure to report the conviction of any crime, excluding minor traffic offenses, within 5 days of entry of the conviction.

"We look out for one another on the job, especially new employees. Never place blame on someone else or the situation-learn from mistakes."

- Unauthorized use or removal of the company's supplies, materials, equipment, or other property.
- Sleeping on the job which could be a result of medication, exhaustion, or other conditions potentially resulting in injury to the employee or bringing discredit to NBU
- Violation of any of NBU's personnel policies.

Misconduct will result in disciplinary action, up to and including immediate termination, based on the severity and repeat nature of the same or varied offenses. Misconduct is defined by the Texas Labor Code as "mismanagement of a position of employment by action or inaction, neglect that jeopardizes the life or property of another, intentional wrongdoing or malfeasance, intentional violation of a law, or violations of a policy or rule adopted to ensure the orderly work and the safety of the employees."

Documented disciplinary action forms become obsolete once an employee has gone a full twelve-month period without any infractions. After that time, should a new incident arise, the employee shall start over with a warning or other appropriate response to the nature and severity of the case.

SEPARATION OF EMPLOYMENT

Since employment at NBU is at will, employees or NBU may terminate the employment agreement at anytime, with or without notice or cause. Most terminations will occur as a result of one of the following:

- Resignation: The employee voluntarily quits or is absent for two or more days without reporting the absence. Exempt employees are required to give at least four weeks (20 working business days) written notice of intent to separate employment. Non-exempt employees are required to give at least two weeks (10 working business days) written notice. Employees must work their minimum number of days from date of submittal of resignation to the actual date of resignation to be considered leaving in "good standing." Failure to fulfill this requirement will result in loss of payout of any accrued vacation leave.
 - Sick leave requests during this time require medical certification to not affect notice requirement.
 - Specialty days awarded but not used, such as SAFEhaven or Safety, expire upon notice of resignation or termination and are not paid out.
- Executive approval is required for any request of consideration of emergency or unforeseen circumstances interfering with adherence to this policy.

In the best interest of the company, management reserves the right to accept a resignation effective immediately which would not interfere with payout of any benefit leave that may apply.

- Discharge: The employee is involuntarily released as a result of progressive disciplinary action, for failure to successfully complete the orientation period, or for misconduct or intolerable offenses. Employees discharged under any of these conditions will not be considered to have left in “good standing” and not eligible to receive payout of sick, personal, specialty days or vacation time. Additionally, employees discharged for cause are generally not eligible for rehire.
 - Discharge as a result of loss of CDL license and/or inability to pass required certification exams for licensure may be grounds for denial of re-employment if the job applied for has the same or similar requirements. A review of the individual’s driving record since termination, reason for suspended license and length of time since loss of CDL will be taken into consideration.
 - Prior employees may be considered, along with other applicants, if the job applied for has different requirements which are not comparable to the job separated from and the reason for separation had no other negative circumstances associated with it.
- Reduction in Force: In the event that it becomes necessary for NBU to reduce the size of the work force, layoffs may be necessary. In a situation, employees will be given as much advance notice of impending termination as practical. Outplacement counseling through NBU’s Employee Assistance Program (EAP) may be made available. Retirement benefits, if applicable, will be handled in accordance with TMRS rules and regulations. Employees released under these conditions will be considered to have been terminated “in good standing” and eligible for payment of accrued and unused vacation.
- Retirement: Employees separating from employment who meet current TMRS guidelines for retirement are eligible to receive accrued and unused vacation, personal and sick leave.

Good Standing: Employees will be considered to have separated employment in “good standing” if they:

- Provided required written notice of intent to separate employment
- Successfully fulfilled notice based on the requirement of their position. **Fulfilled notice requires that hours are actually worked and not supplemented with paid or unpaid leave hours.**
- Did not separate as a result of disciplinary action for conduct, attendance or poor performance.

Exit Interview

Employees leaving employment with NBU for any reason should contact the Human Resources **Division** for an exit interview. Information obtained in exit interviews is beneficial for recruitment and retention purposes. Applicable benefit change forms and final paycheck calculation information will be covered during the interview.

DISPUTE RESOLUTION PROCESS

NBU strives to provide a friendly hearing in a spirit of understanding and helpfulness at all levels of management. A Dispute Resolution Process has been established to strive for prompt, careful and courteous consideration to all employee problems or complaints.

Employees are assured that their standing with NBU will not be jeopardized because of having brought a complaint or problem to management's attention.

Employee goodwill is a greatly cherished and guarded company asset. To maintain the informal personal relationship that characterizes our management/employee teamwork, the following procedure for handling complaints and problems, as well as questions and suggestions, should be followed.

Employees may, under extenuating circumstances or situations involving possible discrimination, harassment, or retaliation, go directly to the Human Resources Manager as the first step. The Human Resources Manager will then determine the appropriate individuals to notify. If the Human Resources Manager is involved or not available, the employee should contact one of the Executive Directors.

STEP 1: SEE YOUR SUPERVISOR

Employees should contact their supervisor to address their concerns. Supervisors have the authority to settle most matters. If the supervisor cannot settle the matter or help resolve the problem, he/she will arrange for the employee to talk with the Division Manager.

STEP 2: SEE YOUR DIVISION MANAGER

The Division Manager will make every effort to suggest a satisfactory resolution. If the problem cannot be resolved, he/she should direct the employee to talk with the Human Resources Manager.

STEP 3: SEE YOUR HUMAN RESOURCES MANAGER

The Human Resources Manager will make a conscientious effort to bring about an understanding and reach a solution that is fair to all concerned. If he/she cannot assist the employee, a meeting with the employee's Executive Director will be arranged.

STEP 4: SEE YOUR EXECUTIVE DIRECTOR

In seeking to reach a fair solution, the employee's Executive Director will consider all the facts. It is hoped that all problems and complaints can be settled at this level. However, if an employee requests, the Executive Director will arrange a meeting with the Chief Executive Officer.

STEP 5: SEE THE CHIEF EXECUTIVE OFFICER

As a final step, the employee may bring their complaint to the Chief Executive Officer (CEO). The decision of the CEO shall be final.

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