

RESOLUTION NO. 21-03

AN RESOLUTION OF THE CITY OF KENEDY, TEXAS, AMENDING THE CITY OF KENEDY JULY 15, 2020 ADOPTED PERSONNEL POLICY, SECTION 7.04 DRESS, APPEARANCE, AND UNIFORMS; SUBSECTION UNIFORMS; PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is important that the City adopt and implement a Personnel Policy that effectively communicates to employees; and,

WHEREAS, on July 15, 2020 the City Council of Kenedy adopted a Personnel Policy with Resolution 20-19; and,

WHEREAS, it is in the City's interest to have a Personnel Policy that helps ensure key city policies are consistently communicated and ensures compliance with federal and state laws; and,

WHEREAS, the City Council is authorized to designate or amend a Personnel Policy that effectively meets the needs of the City and City Employees; and,

WHEREAS, the City Council desires to amend section 7.04 Dress, Appearance, and Uniforms; Subsection Uniforms (attached as Exhibit "A") and supplement its personnel policy as provided by and consistent with Texas law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENEDY, TEXAS:

Section 1. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. The City of Kenedy July 15, 2020 Adopted Personnel Policy; Section 7.04 Dress, Appearance, and Uniforms; Subsection Uniforms; is hereby amended and updated as set forth in Exhibit A.

[Note – additions to the current personnel policy are shown as underlined and deletions are shown as ~~struckthrough~~]:

Section 3. Repealer. This resolution shall be cumulative of all other resolutions of the City of Kenedy, and this resolution shall not operate to repeal, or, affect any other resolutions, insofar, as the provisions thereof might be inconsistent or in conflict with the provisions of this resolution; in which event such conflicting provisions, if any, are hereby repealed. The repeal or amendment of any resolution, or, part of any resolution effectuated by the enactment of this resolution, shall not

be construed as abandoning any action now pending under, or, by virtue of such resolution, as discontinuing, abating, modifying, or affecting any rights of the City of Kenedy under any section or provisions of any resolutions in effect at the time of passage of this resolution.

Section 4. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this resolution be severable, and, if any phrase, clause, sentence, paragraph, or section of this resolution shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this resolution and the remainder of this resolution shall be enforced as written.

Section 5. That it is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required by Chapter 551, as amended, of the Texas Government Code.

Section 7. Effective Date. This Resolution will take effect upon its adoption by the City Council and publications requirements as required by law.

PASSED AND APPROVED this 13th day of April, 2021.

CITY OF KENEDY, TEXAS

By: _____

Joe Baker, Mayor

ATTEST:

William Linn, City Manager



EXHIBIT "A"

SECTION 7.04 DRESS, APPEARANCE AND UNIFORMS

Employees must, at all times, dress appropriately and professionally and present a clean and neat appearance while at work and while representing the City or conducting City business. Department Directors and supervisors are responsible for enforcing this policy in their respective departments in order to maintain acceptable dress and appearance.

The following are inappropriate:

- Provocative or revealing, low cut attire including body-hugging, see-through, or excessively tight fabrics;
- Bare shoulders or tank tops;
- Clothing with unclear or obscene messages or that endorses alcohol, tobacco products, drugs, pornography, or offensive material of any kind;
- Wrinkled, ripped and tattered clothing;
- Visible tattoos which could be deemed offensive;
- Nose rings/studs, eyebrow rings/studs; tongue studs or similar type facial jewelry, including "gauged" earrings that cause large holes in the earlobe must be covered by skin neutral colored plugs;
- Nylon jogging suits
- Shorts
- Open sandals or beach shoes/flip flops
- Sweat suits or sweatshirts
- T-shirts (unless covered)
- Tank tops, halter tops or bare midriffs
- Tight stretch pants without a covering top
- Strapless or spaghetti-strap sun-dresses

Hair. Hair styles and hair colors must be appropriate to the employee's position and extremes of any type are unacceptable. For example, green hair, mohawk style haircuts, and severely spiked hair are not allowed. Hair, including facial hair, must be clean and neatly groomed at all times. Sideburns may not extend below the ear lobe.

Uniforms. The City supplies many Administrative, Police, Parks and Recreation, and Public Works

personnel with appropriate uniforms. Employees in jobs that require a uniform will be told how and where the uniforms can be obtained. The City will provide replacement uniforms as necessary. Uniforms must be clean and neat. City-owned or authorized uniforms may not be used outside of work, for personal use or by any third party. City uniforms may be used by City employees in connection with outside employment only with the Department Director's prior written authorization.

As part of their uniform, Public Works, Street, and Parks personnel will be provided a pair of safety boots annually that meet OSHA's PPE standards. The City will bear the expense regarding the boots up to an annual maximum amount of one hundred dollars (\$100.00) per employee. The City will provide each Administrative personnel one (1) shirt per normal day worked, not to exceed five (5) shirts. Any additional shirts desired by Administrative personnel may be purchased solely at the employee's expense. Any shirts purchased by Administrative personnel shall become their property and remain theirs upon separation from the City.

Employees who are provided with uniforms are required to wear their uniforms when on duty and keep them in good, clean and serviceable condition. No part of the uniform shall be worn by itself. An employee must wear the entire uniform when on duty. No part of the uniform shall be worn when off duty, except to and from work and City related events.

When an employee terminates, uniforms and any other City equipment which the employee possesses must be returned in good condition before final pay will be authorized. The cost of lost or damaged City property and unreturned uniforms will be deducted from the employee's final paycheck.

Due to the professional nature and dress required by the City Manager and Chief of Police, they are exempted from mandatory uniform requirements. However, they may, at their expense, purchase the same uniform shirts provided to Administrative personnel and may wear them when attending City events, trainings, City functions, or on Friday's. At all other times, the City Manager and Chief of Police are expected to be dressed in an appropriate professional manner.

Fridays. Fridays will be designated "jean days." Employees will be expected to exercise good business judgment as to when it is appropriate to dress more formally on Friday for meetings or presentations at the City or outside the City. Jeans must be neat, clean and without holes. Casual slacks, pants, skirts and skorts (or "walking shorts") are also permissible. Employee cooperation in following these guidelines will ensure that all employees may continue to enjoy the benefits of "business casual" Fridays.

Enforcement. In all cases, the City will make the determination as to acceptable dress, appearance and grooming. Employees should direct questions about appropriate appearance or dress to your supervisor, Department Director, or the Human Resources department. Employees in violation of this policy may be

sent home. Employees whose grooming or personal appearance violates this policy may be disciplined, up to and including termination of employment. The Department Director, with approval of the City Manager's office, may make departmental exceptions to this policy when deemed necessary for business reasons or implement a more restrictive dress and appearance policy.