

BEFORE THE CIVIL SERVICE COMMISSION
FOR THE CITY OF EL PASO, TEXAS

IN RE:

SAMANTHA SAPIEN APPEAL)
)
) DOCKET NUMBER 25-ZD-06PP
)

HEARING OFFICER’S RECOMMENDATION

Case Procedural Summary

DATE OF DISCIPLINE: 3 Day Suspension August 9-11, 2025
DATE OF ASSIGNMENT
 TO HEARING OFFICER: 8-21-25
DATE OF PRE HEARING: 9-5-25 (Atty Kennedy) and 12-29-25 (Atty Edmonson)
DATE OF HEARING: 2-19-26
PLACE OF HEARING: City Attorney Conference Room
REPRESENTATIVE FOR CITY: Matthew Marquez, Asst. City Attorney
REPRESENTATIVE FOR EMPLOYEE: Shane Edmonson, Attorney at Law

WITNESSES CALLED BY THE CITY:

Kenneth Riley, Zoo Area Supervisor
Amanda Leverett, Zoo Collection Supervisor

WITNESSES CALLED BY THE EMPLOYEE:

Samantha Sapien, Zoo Keeper
Erika Abshier, Zoo Administrative Assistant
Taylor Paulson, Zoo Keeper
Joe Montisano, Former Zoo Department Director
Yuliana Barreto, Former Senior Zoo Keeper
Sergio Rodriguez, Senior Zoo Keeper

EXHIBITS ENTERED AS EVIDENCE:

City Exhibits C-1 thru C-15
Employee’s Exhibits: A-1 thru A-5

A. Background of the Discipline

The Notice of Three Day Suspension issued to Samantha Sapien (“Sapien”) states that on May 16, 2025, a Zookeeper found that a rake and shovel were left overnight in the hoof stock barn where the Kudus (African antelope) were housed.(Exhibit C-1). Sapien’s work partner had left the cleaning tools in the barn in violation of policy. Sapien acknowledged that she failed to inspect the back stalls before granting the animals access. It was caught by someone the following morning. (Exhibit C-3). No animals were injured in this particular case. Sapien was given a three day suspension in accordance with the second violation of Disciplinary Matrix Level 1, Safety Violation (non-injury or property damage).(Exhibit C-2, p. 8). Sapien had already received a formal counseling on February 21, 2025 for two separate safety violations.(Exhibit C-7). Prior to that she had received verbal warnings for safety violations. (Exhibit A-5). Sapien’s work partner who had left the tools in the barn received a verbal warning because he had no prior discipline on record. Verbal counseling is a discipline also provided in the Disciplinary Matrix for a corrective action prior to using the Matrix. (Exhibit C-2, p. 3)

B. Was the incident date May 16, 2025?

It must first be noted that although the Notice of Suspension states that the events happened on May 16, 2025, the evidence is that the tools were left overnight in the barn on May 14 and discovered in the morning of May 15, 2025. While the Notice states that “On May 16, 20205, another Zookeeper discovered that a rake and shovel were left overnight in Stall 8,” the incident reports written by the employees involved during the investigation of the incident state otherwise. In his incident report, Sapien’s supervisor Kenneth Riley stated that on 5-15-25, Taylor (Paulson) had informed him that she had found tools in the back stalls of the hoof stock barn “that morning.” (Exhibit C-6). Taylor Paulson, who found the tools, similarly reported that he found the tools on 5-15-25 at 9:20 a.m. (Exhibit C-5). Sapien’s run team partner Kellen Barton wrote on his incident report that “On Thursday 5/15 tools were discovered” and that he and Sapien had been working the previous day. (Exhibit C-4). He had used the tools to clean and accidentally left them in the barn.

Sapien’s attorney at this Civil Service Commission Hearing before this hearing officer (“the Hearing”) did not bring up this date conflict as something that affected his ability to defend his client from the discipline. If this were a criminal case, such a mistake could lead to a

technical dismissal of the criminal charges. In this administrative civil hearing, such mistakes are not necessarily dispositive, though they can be if it can be proven that the wrong date had an adverse effect on the proceedings. Ms. Sapien's attorneys had ample time to review all the City's exhibits prior to the Civil Service Hearing before this Hearing Officer. In fact, her Hearing attorney offered into evidence as A-2 the incident reports referred to above which had the incident date as 5-15-25. In civil law, one can consider that some defects are "waived" if they are not brought up. Even if he had brought it up, his objection might not have been sustained. I find and recommend that the Civil Service Commission find that the defect in citing the wrong date in the Notice of Suspension was a minor mistake that was waived by the appealing employee.

C. Testimony and Documents

The protocols which zoo keepers had to follow on the date of the incident were that normally two persons worked as a team, called "run team." Each of the team members was not only responsible for his own work, but was also responsible to check the work of the other member. During their work time, Run partners called out to each other regularly by phone or voice as to their whereabouts and what they were doing, and whether an area was clear for the animals to enter or leave. This rule was of utmost importance to make sure that the animals cared for by the zoo, and the employees and members of the public present, would be safe. For example, while an inappropriately locked gate may result in an animal escaping, it could also result in that animal hurting himself or the employees and members of the public walking in the zoo. In the case at hand, the animals involved were kudus, which are large African antelopes. Employee assignments were not permanent, so that the same emphasis on the safety of locking doors and keeping unsafe objects away from the animals was enforced strictly because an employee not locking a kudu gate one day might later be the same employee involved with a more dangerous animal such as a lion.

On May 14, 2025, Sapien and Kellen Barton were working as "run team partners" managing the two Kudus. Kenneth Riley was their immediate supervisor. Barton no longer works at the El Paso zoo but has moved away from the El Paso area to work in another zoo so he was unavailable to testify at this Hearing. Riley testified that he conducted the training for both these employees and others. He testified that the Zoo has a written "Standard Operating Procedures" manual and although he was "pretty sure" the written policy would reflect the joint responsibility

of run partners, he would have to check it. The written Standard Operating Procedures were not introduced as an exhibit at this Hearing.

Supervisor Riley testified that on May 15, 2025, employee Taylor Paulson informed him that in the morning, she had found tools, a rake and shovel, in the back stalls of the hoof stock barn. She said that the Kudus had access to the back stalls. He asked her to write an incident report. He checked the schedule and saw Sapien and Kellen Barton were the keepers on duty the day before. He asked Sapien and Barton to write an incident report. The three employees wrote incident reports. (Exhibits C-3, C-4, C-5). After reviewing the reports, Riley wrote an incident report to forward the information to his supervisor, Amanda Leverett. (Exhibit C-6). Riley testified that a rake and a shovel have sharp edges and the Kudu could have gotten hurt, although they were not. In a prior incident he heard about from another supervisor, an ocelot (medium sized wild spotted cat), ate the wood handle of a rake and got very sick. In the ocelot case, Riley was told that the employee got a formal counseling but the employee was not Riley's responsibility and there was no evidence introduced at the Hearing about the disciplinary history of the employee involved with the ocelot.

In her incident report, Taylor Paulson indicated that on May 14, 2025 the hoof stock barn had the outside door locks checked by three people at closing, i.e. Kellen, Yuli Barreto, and herself, but that none of them "saw it in the stall likely because it was leaned up against the wall and blocked by the door." (Exhibit C-5). Sapien wrote in her incident report that although her run team partner (Barton) had been cleaning the back stalls and did not check the stall before exiting, "I did not check the back stalls before giving animals access back to them. It was caught by someone the following morning. I was informed of the incident after coming back from my weekend." (Exhibit C-3). Barton admitted to leaving the tools in the barn. "I thought I had brought the tool in with me and placed them on the hall of d18 or d17 but they were either left out or fell over and out while the door was being closed. They likely fell over as Sam and I did not notice them throughout the day." (Exhibit C-4). "Sam" was a nickname for Samantha Sapien.

During his testimony at this Hearing, Supervisor Riley referred to a document he had prepared from his computer work notes listing his verbal counseling and the formal counseling of Sapien. The notes were entered into evidence without objection as Exhibit A-5. The notes entered into evidence show the first date of June 14, 2024 when Sapien's probation was extended

45 days, and ended with the May 15, 2025 incident. Sapien was hired in December 2023. Riley contends that Sapien had been verbally counseled as a first step of discipline as early as June 14, 2024 for an unsecured lock, and again on July 23, 2024 for leaving giraffes in unsecured areas and for hitting a fence with the giraffe truck. She passed probation on August 2, 2024, but on February 19, 2025, was given the next step in discipline, which was a formal counseling. (Exhibit C-7). The formal counseling was for not wearing safety gloves on August 26, 2024 and cutting herself after she had been reminded an hour prior to wear the gloves. Also, on the morning of Sept 8, 2024, she had not secured the Giraffe stall's lower lock properly, leaving the latch locked in the open position. "Stalls must be properly secured to ensure the safety of not only the animal, but of the zoo staff and the public."(Exhibit C-7). The formal counseling stated that Sapien was "hereby formally counseled to follow zoo procedures and its Safety Procedures." There was no explanation given as to why incidents of August 26, 2024 and September 8, 2024 did not result in a formal counseling until February 21, 2025. However, there were complaints made during the Hearing by Amanda Leverett and Department Director Joe Montisano that it was difficult to discipline employees due to how long Human Resources took to prepare the discipline. Only the Department Director issues the formal counseling. Supervisor Riley testified that as a supervisor he can issue a verbal counseling which is outlined in the Disciplinary Matrix as one which may be issued prior to utilizing the disciplinary matrix. (Exhibit C-2, p. 3). Since the employee who left the tools, Kellen Barton, had no discipline at all in his eight months working at the zoo, he was eligible for a verbal counseling as the first discipline, and that is what Riley gave him.

Yuliana Barreto worked for three years as a keeper at the zoo. Three months ago, she left to take a job at Hueco Tanks State Park. During her testimony at the Hearing, she drew a diagram to explain the hoof barn where the kudus were left with the rake and shovel. (Exhibit C-15). She confirmed that run partners keep in touch with radios or walking over to the other saying things like "done conditioning, moving kudu back." She was not involved in the incident with Sapien on May 14/15, 2025. She testified that their training was to never assume but to communicate. You would leave the kudu in the tamer room and check every stall before putting the kudu back in a stall. She testified that she's seen drains left open which are a safety issue so she always looks in the stall and must visually check before letting animals in. The keeper needs to look over any walls to do a visual check, especially checking for such things as cleaning tools. She did not remember if this policy on which they were trained was in the written Standard Operating

Procedures. At the end of the day, a second person must double check and close the barn. Barreto testified that she had received two formal counselings. One of the times she and her run partner both got disciplined even though she was the one who left a gate open. Although no animals got hurt, “the team answers for it.” Yuliana was one of the three people named by Taylor Paulsen in his incident report who had checked the barn locks at the close of the day and had not seen the tools: “Taylor, Kellen and Yuli”. (Exhibit C-5). Kellen Barton and Sapien were disciplined for being the run team partners primarily responsible for the tools left in the hoof barn with the Kudus while Taylor Paulson and Yuli Barreto were not assigned to the Kudus on that day and were just double checking the barn lock per procedures. In fact, Samatha Sapien had ended her shift at noon on March 14.

D. Employee’s Defenses

The main issues raised by Sapien through her attorney were that Sapien did not leave any tools in the barn but yet was penalized because her work partner had left the tools where zoo animals could have gotten to them and been hurt. Moreover, others had locked the barn doors with the zoo animals inside and had not checked the stalls to make sure they were clear and safe, yet the other persons were not punished. In addition, Sapien contends that there was no proof that a written Standard Operating Procedures policy existed that required that discipline of both run partners when only one of the partners had made the mistake. Sapien also thought it unfair that Kellen Barton, her run team partner who left the tools in the barn, had received only a verbal counseling yet she had received three days suspension. Sapien believed that her request for an American with Disabilities Act accommodation had caused extra administrative work for Zoo administration and HR and the Zoo was trying to find ways to get rid of her.

When Sapien applied to work for the City of El Paso, she did not ask for accommodation or reveal her medical issues to the City. She did not do so because she was afraid she would not get the job or would lose her job. She was hired in December 2023. Sapien testified that after she had a seizure while working at the zoo, she began applying for accommodation based on her seizures and tachycardia. One accommodation request was for her support dog to be alongside her at work. Her dog could warn her of an impending seizure or tachycardia problem. The zoo had never had a support dog working with an employee so it took some time obtain supporting medical documentation and make certain that a dog would not affect the animals housed at the zoo.

Another accommodation requested was for a schedule change. She could not work the night shift to take care of the baby giraffe as she needed regular medications. She did receive City approval for the accommodation of the work dog and work scheduling in September 2024. A final ADA letter for all accommodations was issued October 2025. No one except Sapien testified that her ADA accommodation had anything to do with her discipline. Others testified that they did not believe the discipline had anything to do with Sapien's workplace accommodation requests. The only evidence given by Sapien was that Zoo Director Montisano made a statement to her when giving her the 3 day suspension Notice on July 29, 2025 that it should have been given to her sooner but "with the ADA shit going on," it was late. No one at this Hearing confirmed hearing this statement except for Sapien. Montisano did not recall making any statement of this sort though he admitted being frustrated by delays in processing discipline since HR has 90 days to respond when his Department sends them discipline requests.

Sapien's attorney contends that Sapien had to report minor incidents such as cutting her finger at work because of her medical condition, and that resulted in a formal disciplinary record. He contends that other employees did not report minor injuries. However, he presented no proof at this Hearing to support his theory that Sapien reported minor injuries whereas other employees did not. Therefore, this contention is merely a theory with no supporting credible evidence to support it.

E. The Disciplinary Matrix

Joe Montisano was the Zoo Director for seven years. He retired one week before he gave his testimony at this Hearing. He testified that he did not specifically recall the events of a year ago that led to the discipline, but that both run partners are responsible for tools left regardless of who left them. He testified that he usually took the recommendation of Human Resources based on the Matrix. He testified that the purpose of progressive discipline such as the Matrix is to adjust behavior.

On the Disciplinary Matrix, Sapien was found to have a Level 1 Violation: "Safety Violation (non-injury or property damage) 2nd offense," which is a three day suspension.(Exhibit C-2, p. 8). The first violation is a Formal Counseling. Montisano testified that he knows he can adjust discipline up or down from the Matrix, but believes Human Resources analyzes discipline for a living so he follows their recommendations because of their expertise. He knows that he can

reduce a 3 day Matrix suspension to a one day, but in the case of Sapien, she had received a formal counseling already for a similar offense, so three days was appropriate for a second offense. He testified that Sapien is good at her job but sometimes does not pay attention to details. He did not remember that Amada Leverett and Kenneth Riley had recommended that he give a one day suspension. However, Montisano testified that he makes the final decision.

Sapien's immediate supervisor Kenneth Riley and the next supervisor in Sapien's chain of command, Amanda Leverett, recommended no more than a one day suspension for Sapien. They both agreed that Montisano, as the Department Director, made the final decision regardless of their recommendation. The Disciplinary Matrix makes it clear that "the final determination for discipline at the minimum level or higher rests with the department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations." (Exhibit C-2, p. 3). However, Leverett and Riley both testified that they recommended a one day suspension to Joe Montisano but that Montisano had refused. They testified that in other cases Montisano had reduced a Matrix three day suspension to one day, but in the case of Samantha Sapien, he refused. Montisano testified that he did reduce 3 days to a 1 day suspension or less if it was the employee's first time discipline, but this was not Sapien's first time discipline. Neither Leverett nor Riley contended that Montisano's refusal to reduce the discipline from three days to one day suspension had anything to do with Sapien's application or receipt of accommodation under the Americans with Disabilities Act. However, Leverett was particularly upset about the three day suspension for Sapien because on the same day another employee had gotten three days suspension for abusing an animal whereas no animal was hurt by Sapien's actions.

F. Discussion

The Department Director presented evidence that the zoo had a policy that a two member "run team" policy made each member responsible for checking the work of the other. This was instigated as a safety policy so that gates, door, locks and other items that could result in injuries to animals or people went through two separate checks. Although apparently a written "Standard Operating Procedures" policy existed, it was not presented as an exhibit at the Hearing by either party. Several witnesses who testified could not remember if the policy of punishing the run team for the mistake of the partner was in the written SOP. The testimony, however, was that employees were trained that each was responsible to check the work of the other. When a door is not locked

properly, or someone forgets to feed an animal, or tools are left where a curious animal might get injured investigating the curiosity, injuries can result to the animals being housed at the zoo, or to the employees who work there, or the children or adults who visit the zoo. There was testimony from another keeper, Yuliana Barreto, that she had left a gate open and both she and her work partner were punished for the mistake.

It is not up to the Hearing Officer to rewrite a City or Department policy. Whether it is a good policy to hold both members of the run team responsible for each other's actions is not an issue in this case. The issue is whether it is a performance standard reasonably instituted by the Zoo's Department Director. Rule 11 of the Civil Service Commission states: "Any Department Head shall have the right to promulgate rules and regulations regarding the operation of his department, and the conduct of the employee therein" as long as the rules do not conflict with the Civil service Charter.(Exhibit C-1, p. 4). Therefore, the Department Director has demonstrated by a preponderance of the evidence that a performance standard was violated when tools were left in the hoof barn by the team of Sapien and Kellen Barton, and then the Kudus were admitted into the barn with the tools accessible to them. Sapien admitted she did not check the back stalls before she gave animals access back to them. (Exhibit C-3). This in itself is a violation of the zoo policies and procedures even though she did not leave the tools there.

Sapien received three days suspension as a second violation of the Matrix Level 1 Safety violation because she already had verbal counseling and a formal counseling on her record for other safety violations. Her run team partner did not have any violations on his record so according to the practice, he received a verbal counseling, which is a first step discipline. Other than Sapien's belief, there was no credible proof by a preponderance of the evidence that Sapien's American with Disabilities requests for accommodations affected or resulted in the three days suspension given to her. Montisano testified that when he reduced suspensions from three days on the Matrix to one day, it was for employees who did not already have verbal counseling and a formal counseling on the record. There was no other credible proof on this matter. Although two supervisors in Sapien's chain of command thought that a one day suspension should be given, there was no evidence entered as to whether other employees who received a one day suspension were in the same or similar position and facts as Sapien. The Department Director has the final decision. Director Montisano testified that he relied on Human Resources, the Disciplinary

Matrix, and the employee's prior disciplinary history in assessing discipline.

G. Conclusion of Hearing Officer

1. Section 6.13 of the City Charter imposes on a department head the burden of proof to prove by a preponderance of the evidence that the employee committed conduct alleged in the specifications and that such conduct violated the rules and regulations of the City. In civil law, preponderance of the evidence means the greater weight of the credible evidence.

2. The Notice of Suspension for Sapien stated that her conduct violated the City Charter Section 6.13-3 and Civil Service Rule 8 in that she demonstrated "incompetency or negligence in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent, or responsible manner."

3. The Department Head has met his burden of proof and has proven by a preponderance of the evidence that the employee committed the conduct alleged in the specifications of the Notice of Suspension, and that the conduct violated City and/or Department policies.

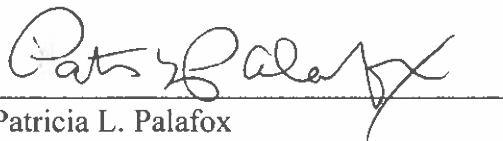
3. I recommend that the conflict of the dates of the incident as listed on the Notice and as evidenced by the facts not be considered as affecting Sapien's discipline as it was a minor mistake and was not raised by the employee's attorney at the Hearing as having affected his ability to defend the case.

4. The Department Head has met his burden of proof and proven by a preponderance of the evidence that the employee's conduct warrants a three day suspension.

H. Recommendation of Hearing Officer

I recommend that the three day suspension of Samantha Sapien **be sustained**.

Respectfully submitted on this 18th day of March, 2026.



Patricia L. Palafox
Hearing Officer

**BEFORE THE CIVIL SERVICE COMMISSION
FOR THE CITY OF EL PASO, TEXAS**

IN THE MATTER OF

SAMANTHA SAPIEN APPELLANT

AND

THE CITY OF EL PASO

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§
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DOCKET NO. 25-ZD-06PP

CITY OF EL PASO'S EXHIBIT LIST

#	DESCRIPTION	DATE
	<i>City of El Paso Employee Investigation</i>	
C-1	Notice of Suspension	7/29/2025
C-2	Discipline Policy and Matrix	
C-3	Employee Incident Report from Samantha Sapien	5/15/2025
C-4	Employee Incident Report from Kellen Barton	5/18/2025
C-5	Employee Incident Report from Taylor Paulsen	5/15/2025
C-6	Employee Incident Report from Kenneth Riley	5/15/2025
C-7	Prior Discipline - Formal Counseling	2/21/2025
C-8	Acknowledgment Forms of Employee Handbook, City of El Paso Safety Policy and Memorandum of Expectations	12/12/2023
C-9	Civil Service Commission Rules and Regulations	
C-10	City of El Paso Handbook	6/2025
C-11	City ADA Reasonable Accommodation Policy	5/30/2025
C-12	City ADA Supervisor Guide	
C-13	Discipline Related Documents	

C-14 Diagram of Zoo
C-15 Diagram of BARN By witness PAULSON



El Paso Zoo Department

MAYOR
Renard U. Johnson

TO: Samantha Sapien, Zoo Keeper, [REDACTED]
FROM: Joseph Montisano, Zoo Director
DATE: July 29, 2025
SUBJECT: Acknowledgement of Documents

CITY COUNCIL

District 1
Alejandra Chávez

District 2
Dr. Josh Acevedo

District 3
Deanna M. Rocha

District 4
Cynthia Boyar Trejo

District 5
Ivan Niño

District 6
Art Fierro

District 7
Lily Limón

District 8
Chris Canales

CITY MANAGER
Dionne Mack

This memorandum is to acknowledge your receipt of the following documents regarding the Notice of Suspension provided to you on July 29, 2025.

- Notice of Suspension (8 pages)
- Supporting Documents (8 pages)
- Acknowledgements (4 pages)
- Discipline History (1 page)
- Disciplinary Policy and Matrix (11 pages)

I am acknowledging receipt of the above documents.


Signature

July 29th 2025
Date



Joseph Montisano – Zoo Director
El Paso Zoo | 4001 E. Paisano | El Paso, TX 79905
O: (915) 212-0966 | Email: Montisano.J@elpasotexas.gov





CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

Address: [REDACTED]

From: Zoo Department
Subject: Suspension Without Pay

THIS IS TO NOTIFY YOU THAT YOUR EMPLOYMENT WITH THE CITY OF EL PASO IS HEREBY
SUSPENDED FOR THREE (3) WORKDAYS EFFECTIVE August 9 TO August 11 2025
2025

THE FOLLOWING ARE THE STATUTORY REASONS OR GROUNDS AND SPECIFICATIONS OF FACTS
WHICH HAVE NECESSITATED THIS ACTION:

CHARGES:

YOU HAVE VIOLATED THE FOLLOWING CITY OF EL PASO CIVIL SERVICE COMMISSION CHARTER
PROVISIONS, ORDINANCES, RULES AND REGULATIONS:

CITY CHARTER - ARTICLE VI - Civil Service

SECTION 6.13-2, DISCIPLINARY ACTION; REDUCTION

A regular employee may be discharged, suspended or reduced in rank or position as provided in the Charter or further defined in the Rules.

SECTION 6.13-3, CAUSES OF SUSPENSION, REDUCTION OR DISCHARGE

The following, which may be further defined in the Rules, may constitute causes for discharge, suspension or reduction in grade of regular employees:

- F.** Incompetency or negligence in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent, or responsible manner;
- P.** For just cause.

I HAVE RECEIVED A COPY OF THIS NOTICE

[Signature]
Employee's Signature

Date: July 29th 2025

BY CERTIFIED MAIL NUMBER: _____

[Signature]
DEPARTMENT HEAD

COPY RECEIVED AND FILED

HUMAN RESOURCES

BY: _____
DIRECTOR

DISTRIBUTION: Original - Human Resources Department; Copy - Department



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

CIVIL SERVICE COMMISSION RULES AND REGULATIONS

RULE 8. SUSPENSION, REDUCTION, DISCHARGE

Section 1. Causes of Suspension, Reduction or Discharge

The following may constitute causes for discharge, suspension or reduction of regular employees: That an officer or employee in the Civil Service:

- f. Is incompetent or negligent in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent, or responsible manner; or (Amended 8/25/09, 9/17/13)
- p. For just cause. (Added 7/21/07)

Section 2. Disciplinary Notice

Disciplinary actions in the nature of a discharge, involuntary reduction, or suspension taken against a regular employee, other than at the end of a probationary period, will not become effective until the Department Head has first served upon such employee a written notice of discipline. The notice must contain one or more statutory reasons or grounds for discipline, together with such specifications of fact as will enable the employee to make an explanation and place him fairly upon his defense. The specifications of fact shall be of sufficient specificity so as to preclude the possibility of disciplinary action for the same act or omission in the future. Nothing contained herein shall prohibit the Department Head from using an employee's prior acts or omissions resulting in discipline in determining future disciplinary action against the employee. An employee may be disciplined for other acts or omissions not specified in the notice even if such acts arise from the same incident or event. A Department Head may not unilaterally reduce the discipline given once notice of discipline has been provided to the employee, without the employee's consent. A copy of such notice of discipline, together with the employee's explanation, if any, will be filed with the Human Resources Director. (Amended 06/24/03, 7/31/07, 8/25/09)

Section 3. Notice of Proposed Disciplinary Action, Procedure and Limitation of Action

- a. When disciplinary action in the nature of a five (5) day suspension or greater, a reduction, or discharge is being contemplated by the Department Head, the employee must be served with a notice of proposed disciplinary action which shall conform with the notice requirements set forth in Section 2 and Section 3 (b) of this Rule. In addition to the notice of proposed disciplinary action, the employee shall be furnished with the written materials and tangible things in the possession of the Department Head that form the factual and evidentiary basis for the proposed disciplinary action. No matter may be withheld from the employee that is inconsistent with the theory of discipline or that could tend to mitigate the contemplated sanction. (Amended 8/25/09)
- b. Within ten (10) days of receipt of the notice of proposed disciplinary action, the employee may request a conference with the Department Head. Within five (5) working days of receipt of the employee's response, the Department Head shall meet with the employee, provided further that this period may be extended with the mutual consent of the Department Head and the employee. No witnesses may be called to testify as part of the employee's explanation or response. During the conference, the employee, their representative, and the Department Head shall engage in discussions with a view toward reaching a consensus and agreement relative to the proposed disciplinary action. No part of the discussions that take place during the conference may be offered into evidence at any subsequent hearing, except for the limited purpose of determining compliance or non-compliance with the provisions of this Rule as provided in paragraph "f" and for impeachment purposes. In the event such a consensus is reached, the execution by the employee of documents finalizing the settlement agreement shall constitute a waiver of the employee's right to appeal to the Commission, and the employee shall be so advised in plain language. (Amended 09/09/03, 01/06/04, 8/25/09; 1/20/15)

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

- c. Respecting discharge, those departments currently using a pre-termination hearing shall not be required to have a conference as contemplated hereinabove provided that the time between notification and hearing shall be at least five (5) days and further provided that there shall be no change to current practices regarding violations of applicable federal laws. (Amended 09/09/03, 01/06/04, 08/25/09)
- d. The employee is entitled to have a representative of their choice assist them in the preparation and presentation of their response, provided further that in the event the representative is an employee of the City, he shall use vacation leave or personal days for such time as may be required for the representative to attend the conference. If the employee does not have any accrued vacation or personal days, the employee will be placed on unpaid administrative leave for such time as may be required for the representative to attend the conference. The employee must provide his Department Head with two days notice of the request to take the above leave. The Department Head may disapprove the request if the leave significantly interferes with the operational needs of the department. (Amended 09/09/03, 01/06/04, 08/25/09)
- e. A proposed written notice of disciplinary action must be served on an employee within 120 calendar days from the date Human Resources is made aware of the occurrence of the incident giving rise to the discipline, provided however that this period of limitation shall be tolled if an investigation is being conducted by a law enforcement authority into criminal charges against the employee arising out of the same incident. Once a Department Head receives notice from the employee that charges have been preferred, through an indictment or information, or that the criminal investigation has been concluded without the preferral of charges, then the time period will resume running. (Amended 09/09/03, 01/06/04, 8/25/09, 09/19/17)
- f. Any issue of non-compliance with these provisions will be considered by the hearing officer and/ or Commission upon the appeal of the disciplinary action. (Amended 01/06/04)
- g. Excluding Section 3 (e), in computing any time periods set forth in this Rule, Saturdays, Sundays, and City Holidays shall not be included. (Amended 01/06/04, 09/19/17)
- h. Nothing in the Rule shall prevent suspension of the employee from service without pay in appropriate circumstances. (Amended 01/06/04)
- i. A copy of this rule shall be attached to each notice of proposed disciplinary action. (Passed 1/6/04)

Section 4. Resignation Before Appeal Decision

The acceptance by Department Head of the resignation of a person discharged before final action on the part of the Commission will be considered a withdrawal of the charges and the separation of the employee concerned will be recorded as a resignation and the preceding will be dismissed without judgment. (Amended 7/31/07)

Section 5. Disqualification for Reappointment

Any employee who is dismissed for cause or who resigns while not in good standing will be disqualified from taking a Civil Service examination for two years thereafter. His name will be removed from all eligible lists, unless, in the judgment of the Commission the cause of his dismissal or resignation under charges will not affect the possibility of his or her usefulness in some other position. (Amended 8/25/09)

Section 6. Non-Certification of Suspended Persons

The names of persons suspended will not be certified from eligible lists during the period of suspension.

Section 7. Election to Forfeit Annual Leave

Regular employees suspended for not more than ten (10) working days may elect to forfeit annual leave for a period equal to the suspension, or to the extent of the employee's annual leave balance, subject to approval of the Department Head. The election provided for herein, shall work a waiver of the employee's right to appeal the disciplinary action to the Commission.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

and the employee shall be so advised in plain English on a suitable form upon which the election shall be made, as developed by the Human Resources Director and appended to the notice of suspension. The Department Head shall not unreasonably withhold approval of the employee's election. (Added 05/11/04, Amended 7/31/07)

Section 8. Formal Counseling

Formal Counseling is not within the type of disciplinary action specified in Section 6.13-2 of the Charter which may be appealed to the Civil Service Commission. A formal counseling is issued by the Department Head and considered a written counseling to address employee workplace conduct. Employees receiving a formal counseling shall have the right to place responses to the formal counseling into their personnel files which shall remain in the file so long as the formal counseling to which the response relates remains in the file.

Included in, or in conjunction with, the formal counseling document, the Department Head must provide the employee with written notice of the reasons for the formal counseling, with sufficient explanation to place the employee fairly upon his defense.

Upon an employee's request, formal counselings shall be removed from an employee's personnel file after the expiration of twelve (12) months from the date of the last formal counseling, provided the employee has not received any disciplinary action during the twelve (12) month time period between the request and the last-received formal counseling. Formal counselings meeting the criteria above shall not be considered against the employee for purposes of determining progressive discipline or performance evaluations, regardless of whether or not the employee requested removal of the formal counselings. (Added 8/25/09) (Amended 11/2/10, 3/6/12, 1/20/15, 11/15/16)

RULE 11. DEPARTMENTAL RULES

Section 1. Any department head shall have the right to promulgate rules and regulations regarding the operation of his department, and the conduct of the employee therein, subject to the consent and approval of the City Manager, provided that such rules do not conflict with the Civil Service Charter or the Rules promulgated thereunder. (Amended 07/11/06)

Section 2. Large departments having various sub departments may, in their rules, have rules and regulations pertaining to said sub departments in addition to general rules and regulations regarding the department. (Amended 7/31/07)

Section 3. The Human Resources Director may promulgate, rules, regulations and policies and procedures, that apply to all or some city departments, as may be specified by the Director, regarding any requirements applicable to the employees of such departments, subject to the consent and approval of the City Manager, provided that such rules, regulations, or policies and procedures do not conflict with the Civil Service Charter or the Rules promulgated hereunder. (Added 3/6/12)

Section 4. Any Department Head may, as provided in the Charter, suspend, discharge or demote any employee for insubordination, for failure to comply with departmental rules and regulations, for failure to comply with the Rules of the Commission or for failure to obey any lawful order of a superior officer. (Amended 07/11/06)

Section 5. The Human Resources Director is authorized to maintain a comprehensive manual of safety procedures and driver safety standards of all employees. Each employee shall receive a link to a copy of the manual. (Added 3/6/12)

CITY OF EL PASO EMPLOYEE HANDBOOK (January 2023)

All successful organizations have certain rules which employees must follow. You are expected to become acquainted with the performance criteria for your particular job and with all rules, procedures and standards of conduct established by your department and by the City, as summarized in this handbook. Further, your conduct away from work must not adversely affect the City, its reputation, operational success, or relationship with its employees, customers or citizens.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF-SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

If you do not fulfill the responsibilities set out by such performance standards, rules, procedures and standards of conduct, you may be subject to disciplinary action, the severity of which will depend upon the circumstances. Disciplinary action will be taken when an investigation of the facts shows that the conduct warrants such a result.

People work together best in an atmosphere where they are valued as individuals and recognized as key members of a team. It is important that each member of our team understand what is expected. It is impossible to write policies and procedures covering every situation. Be sure you understand what is expected of you, and what you can expect from the City. If you have any question, discuss it with your immediate supervisor. Understanding is the key to teamwork.

The following are some examples of employee conduct that are not permitted and that may result in disciplinary action up to and including termination of employment:

- Conduct that you have been informed is unacceptable.
- Failure to meet or maintain work performance standards.

This list is not all inclusive.

It is our practice to ensure that violations of policies or principles of acceptable employee conduct are appropriately addressed with consistent disciplinary action. The following types of corrective or disciplinary action may be taken:

- Verbal counseling
- Formal counseling
- Suspension
- Demotion
- Termination

CITY OF EL PASO'S MISSION, VISION AND VALUES

Mission: Deliver exceptional services to support a high quality of life and place for our community.

Vision: Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government.

Values:

- Integrity - Trusted to do the right thing.*
- Respect - Recognize the value and dignity of all individuals.*
- Excellence - Perfect effort.*
- Accountability - Passionate and determined.*
- People - Our teams are problem-solvers and collaborate with our customers.*

CITY OF EL PASO - DISCIPLINARY POLICY AND MATRIX (May 30, 2015)

I. POLICY:

The City of El Paso is committed to a goal of high performance by all employees in order to fulfill its mission of outstanding customer service to the citizens of our community. The purpose of this policy and matrix is to provide City leaders and supervisors with a guideline and reference for corrective and disciplinary action. The City of El Paso Human Resources Department accepts and investigates all allegations of employee misconduct and imposes corrective and progressive disciplinary action in a timely and consistent manner, as appropriate. This policy outlines the procedure for investigating allegations of employee misconduct, issuing corrective action, and applying the Matrix to impose discipline.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien	Last 4 #'s of SS #: [REDACTED]	Date: July 29, 2025
Position: Zoo Keeper	Employee ID #: [REDACTED]	

II. PROCEDURES:

A. Basis for Discipline

1. Employees are subject to discipline for violations of the law, City Charter provisions that constitute cause for discipline, Civil Service Commission Rules and Regulations, City policies, Departmental policies and procedures and verbal or written directives from supervisory personnel.
2. Failure to report a violation of anything listed under II-(A) is considered a basis for discipline.
3. All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable federal and state law, local ordinances, administrative directives, El Paso City Charter, and Civil Service Commission Rules and Regulations.

B. Information Gathering and Processing

1. It is the duty of all supervisory employees to assist those who express the desire to report allegations of misconduct against any City employee. The informant need not be the aggrieved party, but may be anyone who witnessed or otherwise became aware of an incident of misconduct. Information regarding allegations of misconduct must be immediately reported to the Department Head and/or the Human Resources Director.
3. Employees are required to provide a statement or answer questions during administrative investigations. Employees who withhold information, thwart, impede or fail to cooperate with administrative investigations will be considered insubordinate and subject to disciplinary action up to and including termination. Upon conclusion of the administrative investigation, the DHRM or Human Resources Director, or designee, will advise the Department Head of any findings from the investigation and recommend disciplinary or corrective action as appropriate. However, it is the Department Head's responsibility to make the final determination and defend the discipline to be administered as a result of any review.

IV. DISCIPLINARY MATRIX

The attached disciplinary matrix provides supervisory personnel and Department Heads with the parameters of discipline that shall be imposed on an employee when an infraction occurs that violates the law, a Civil Service rule, policy, or regulation of the department. The purpose of the matrix is to provide notice to employees of the types of conduct that will result in disciplinary action and to serve as a deterrent of such conduct so as to promote efficiency of service by ensuring high standards of City service and maintaining public confidence in the City of El Paso.

The matrix is intended for use as a guide to selecting an appropriate level of discipline for the actionable misconduct. **This matrix does not substitute for supervisory judgment and does not dictate discipline.** Rather, this matrix provides a framework within which supervisors exercise judgment on a case-by-case basis within the parameters provided. The final determination for discipline at the minimum level or higher rests with the Department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations.

The offenses listed under each level are not intended to be an exhaustive listing. No attempt has been made to list every possible cause for disciplinary or adverse action. The fact that specific misconduct is not listed as an offense does not mean discipline cannot be imposed. Supervisors should evaluate misconduct not listed to the offenses listed and use a form of discipline that most closely coincides with a comparable, listed offense.

The following are the categories of discipline:

- B. Suspension: A suspension without pay for a definite period of time must be completed on an appropriate Notice of Suspension form in accordance with Civil Service Commission Rules. The Notice of Suspension must:

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

1. Identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. Contain narrative specifications (charges) and
3. Include a record of previous discipline, if any. The Notice of Suspension shall be administered by the Department Head. The Department Head, along with supervisors, shall work with the Human Resources Director for specifications. The Notice of Suspension must always be reviewed by the City Attorney's Office before being administered to the employee.

V. APPLICATION OF THE DISCIPLINARY MATRIX

A. The application of progressive discipline is designed to take into account any instance of corrective action or previous discipline. The Department Head shall choose the appropriate disciplinary action at the appropriate level for each offense.

1. A Department Head has a choice of severity of disciplinary action beginning from the floor for the specific type of offense, at the appropriate level. When significant mitigating or aggravating circumstances exist, the discipline range may be expanded upon in either direction. For example, if the matrix indicates a 10-day suspension, the Department Head may determine that a less severe consequence is more appropriate based on mitigating factors. Likewise, the discipline could be greater than a 10-day suspension if there are significant aggravating factors. Whenever prior violations are used to support a more severe discipline, those offenses shall be cited in the notice of Discipline. When a series of offenses have been committed and action could not have been taken on each before another was committed, a more severe discipline maybe assessed for the combined offenses rather than what would be appropriate for any single offense.
2. The Department Head in accordance with CSC Rule 11 retains the right to promulgate rules and regulations regarding the operation of his or her department. Similarly, situations may arise that are not written in a rule or policy; in such a circumstance, an appropriate level of discipline will be imposed. Nothing in this policy shall prohibit a Department Head from departing from utilizing a higher form of discipline, to include termination, if the circumstances warrant such action.
3. These disciplinary guidelines are standard recommendations and not meant to be an all-inclusive list of possible infractions. The Human Resources Director retains the right to modify, or amend this policy and matrix as needed without advance notice.

City of El Paso Disciplinary Matrix (May 30, 2018)

Level 1 Violation: Safety Violation (non-injury or property damage) (2nd offense) - 3 Day Suspension

Date Received by Human Resources: June 9, 2025

120th Day Deadline, pursuant to CSC Rule 8 Section 3(e): October 7, 2025

SPECIFICATIONS:

On May 16, 2025, another Zookeeper discovered that a rake and shovel were left overnight in Stall 8 of the hoof stock barn, where the kudu are housed. In your incident report, you acknowledged that you failed to inspect the back stalls before granting the animals access. While no animals were injured, this oversight cannot be overlooked, as it indicates a failure to verify that all tools were secured and the area was safe for all animals.

As a zookeeper, you are expected to perform your duties thoroughly and accurately, particularly when safety is at stake and there is a potential risk of harm to yourself or the animals. Your actions are not in alignment with the City's Mission, Vision, and Values and constitute a violation of the City of El Paso Employee Handbook.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

Your disciplinary history reflects the following:

On February 21, 2025, you received a **Formal Counseling** for Safety Violation and Failure to Follow Departmental Rules/Policies.

Based on the above specifications, the City of El Paso Zoo Department has determined that your services are to be suspended for **three (3) workdays**. Be advised that a recurrence of this or of a similar type incident will result in more severe disciplinary action, up to and including termination of your employment with the City of El Paso.

You have **thirty (30) days** from the date you receive **this notice** to appeal this action to the Civil Service Commission. The City reserves the right to amend these charges and/or specifications at a later date.

EMPLOYEE'S INITIALS SS



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: City of El Paso Discipline Policy and Matrix

Creation Date: April 6, 2011

Revision Date: May 2, 2013; May 30, 2015

Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

POLICY: CITY OF EL PASO DISCIPLINE POLICY AND MATRIX

I. POLICY:

The City of El Paso is committed to a goal of high performance by all employees in order to fulfill its mission of outstanding customer service to the citizens of our community. The purpose of this policy and matrix is to provide City leaders and supervisors with a guideline and reference for corrective and disciplinary action. The City of El Paso Human Resources Department accepts and investigates all allegations of employee misconduct and imposes corrective and progressive disciplinary action in a timely and consistent manner, as appropriate. This policy outlines the procedure for investigating allegations of employee misconduct, issuing corrective action, and applying the Matrix to impose discipline.

II. PROCEDURES:

A. Basis for Discipline

1. Employees are subject to discipline for violations of the law, City Charter provisions that constitute cause for discipline, Civil Service Commission Rules and Regulations, City policies, Departmental policies and procedures and verbal or written directives from supervisory personnel.
2. Failure to report a violation of anything listed under II-(A) is considered a basis for discipline.



3. All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable federal and state law, local ordinances, administrative directives, El Paso City Charter, and Civil Service Commission Rules and Regulations.

B. Information Gathering and Processing

1. It is the duty of all supervisory employees to assist those who express the desire to report allegations of misconduct against any City employee. The informant need not be the aggrieved party, but may be anyone who witnessed or otherwise became aware of an incident of misconduct. Information regarding allegations of misconduct must be immediately reported to the Department Head and/or the Human Resources Director.
2. Supervisory personnel shall assist their Departmental Human Resources Manager (hereinafter "DHRM") and/ or Human Resources Director or designee with administrative investigations to determine what violation of rule or policy has been committed. This may involve preliminary data gathering of evidence, preparing questions to ask witnesses or employees, and interviewing and collecting affidavits (notarized statements) from employees, witnesses and citizens, and determining an employee's work status. The central contact during an administrative investigation and disciplinary matters is the DHRM, where they exist, or the Human Resources Director or designee. For those departments that do not have a DHRM, the Human Resources Director shall assign a Human Resources professional to conduct the administrative investigation.
3. Employees are required to provide a statement or answer questions during administrative investigations. Employees who withhold information, thwart, impede or fail to cooperate with administrative investigations will be considered insubordinate and subject to disciplinary action up to and including termination. Upon conclusion of the administrative investigation, the DHRM or Human Resources Director, or designee, will advise the Department Head of any findings from the investigation and recommend disciplinary or corrective action as appropriate. However, it is the Department Head's responsibility to make the final determination and defend the discipline to be administered as a result of any review.

4. Employees interviewed during administrative investigations are prohibited from communicating the nature or details of the investigation, either directly or indirectly, with anyone besides an Attorney for the City, the DHRM, the Human Resources Director or designee, or the employee's supervisor or Department Head. Nothing in this policy would prevent an employee from discussing the investigation with their attorney or representative if they have such representation.

III. CORRECTIVE ACTION

The following types of corrective action may be issued to an employee prior to utilizing the disciplinary matrix.

- A. Counseling: A verbal counseling may be provided by supervisory personnel to the employee informing the employee of the infraction or problem, corrective measures or what is expected of the employee, and consequences of continued infractions. The verbal counseling is an opportunity to discuss work-related problems in private with the employee. The supervisor should administer the verbal counseling. If a supervisor requests assistance with issuing a verbal counseling, the Human Resources Director or designee, or the DHRM, will provide further assistance or guidance.

IV. DISCIPLINARY MATRIX

The attached disciplinary matrix provides supervisory personnel and Department Heads with the parameters of discipline that shall be imposed on an employee when an infraction occurs that violates the law, a Civil Service rule, policy, or regulation of the department. The purpose of the matrix is to provide notice to employees of the types of conduct that will result in disciplinary action and to serve as a deterrent of such conduct so as to promote efficiency of service by ensuring high standards of City service and maintaining public confidence in the City of El Paso.

The matrix is intended for use as a guide to selecting an appropriate level of discipline for actionable misconduct. This matrix does not substitute for supervisory judgment and does not dictate discipline. Rather, this matrix provides a framework within which supervisors exercise judgment on a case-by-case basis within the parameters provided. The final determination for discipline at the minimum level or higher rests with the Department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations.

The offenses listed under each level are not intended to be an exhaustive listing. No attempt has been made to list every possible cause for disciplinary or adverse action. The fact that specific misconduct is not listed as an offense does not mean discipline cannot be imposed. Supervisors should evaluate misconduct not listed to the offenses listed and use a form of discipline that most closely coincides with a comparable, listed offense.

The following are the categories of discipline:

- A. **Formal Counseling:** A Formal Counseling must contain specific language that informs the employee of the infraction or problem, what is expected of the employee to correct the issue, and consequences of continued infractions. The Formal Counseling shall be issued by the Department Head to the employee on official City letterhead. The Department Head, along with supervisors, shall work with the DHRM or the Human Resources Director or designee when drafting the Formal Counseling. The Formal Counseling will be placed in the employee's personnel file by submitting the written document to the Human Resources Director or designee no later than 120 days following the issue of the Formal Counseling.

- B. **Suspension:** A suspension without pay for a definite period of time must be completed on an appropriate Notice of Suspension form in accordance with Civil Service Commission Rules. The Notice of Suspension must:
 1. identify which State or Federal laws, rules, policies, and/or regulations were violated,
 2. contain narrative specifications (charges), and
 3. include a record of previous discipline, if any. The Notice of Suspension shall be administered by the Department Head. The Department Head, along with supervisors, shall work with the Human Resources Director for specifications. The Notice of Suspension must always be reviewed by the City Attorney's Office before being administered to the employee.

- C. **Demotion:** A demotion as a result of disciplinary action is a reduction into a lower graded position that may result in a loss of pay to the employee. It must be completed on an appropriate Notice of Demotion form in accordance with Civil Service Commission Rules. The Notice of Demotion must:

1. identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. contain narrative specifications (charges), and
3. Include a record of previous discipline, if any. The Notice of Demotion shall be issued by the Department Head and must always be reviewed by the City Attorney's Office before being administered to the employee.

D. **Termination:** A termination is separation of employment and must be completed on an appropriate Notice of Separation form with effective date for dismissal in accordance with Civil Service Commission Rules. The Notice of Separation must:

1. identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. contain narrative specifications (charges), and
3. include a record of previous discipline, if any. The Notice of Separation must always be reviewed by the City Attorney's Office before being issued to the employee by the Department Head.

V. **APPLICATION OF THE DISCIPLINARY MATRIX**

- A. The application of progressive discipline is designed to take into account any instance of corrective action or previous discipline. The Department Head shall choose the appropriate disciplinary action at the appropriate level for each offense.
1. A Department Head has a choice of severity of disciplinary action beginning from the floor for the specific type of offense, at the appropriate level. When significant mitigating or aggravating circumstances exist, the discipline range may be expanded upon in either direction. For example, if the matrix indicates a 10-day suspension, the Department Head may determine that a less severe consequence is more appropriate based on mitigating factors. Likewise, the discipline could be greater than a 10-day suspension if there are significant aggravating factors. Whenever

prior violations are used to support a more severe discipline, those offenses shall be cited in the notice of Discipline. When a series of offenses have been committed and action could not have been taken on each before another was committed, a more severe discipline may be assessed for the combined offenses rather than what would be appropriate for any single offense.

2. The Department Head in accordance with CSC Rule 11 retains the right to promulgate rules and regulations regarding the operation of his or her department. Similarly, situations may arise that are not written in a rule or policy; in such a circumstance, an appropriate level of discipline will be imposed. Nothing in this policy shall prohibit a Department Head from departing from utilizing a higher form of discipline, to include termination if the circumstances warrant such action.

3. These disciplinary guidelines are standard recommendations and not meant to be an all-inclusive list of possible infractions. The Human Resources Director retains the right to modify, or amend this policy and matrix as needed without advance notice.

APPROVED BY:



TOMAS GONZALEZ, City Manager

DATE: 9/17/15

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

**OFFENSE
(CAUSE OF ACTION)**

**1ST OFFENSE
PENALTY**

**2ND OFFENSE
PENALTY**

**3RD OFFENSE
PENALTY**

**4TH OFFENSE
PENALTY**

LEVEL 1 VIOLATIONS				
AWOL/Failure to report for mandatory overtime/callback	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Being offensive in conduct or language	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Creating Employee Dissension	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Dress Code/Uniform Policy violation ***	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Driving on behalf of the City without current Defensive Driving Certification (DDC)	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to attend scheduled training	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to report driver license revocation/suspension	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to enforce City/Department Rules	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to report a violation of policy	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to follow City/Department Rules or Policies	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Misuse of City resources	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
At fault motor vehicle/equipment accident/incident resulting in minor property damage/injury	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Inappropriate use of the City's e-mail or Internet	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Time and Attendance Violations/Unauthorized Overtime	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

OFFENSE (CAUSE OF ACTION)	1 ST OFFENSE PENALTY	2 ND OFFENSE PENALTY	3 RD OFFENSE PENALTY	4 TH OFFENSE PENALTY
Minor Loss/Misplacement/Damage to City Property	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Violation of the Outside Employment Policy	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Poor Customer Service/Unprofessional Conduct	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Prohibited Political Activity	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Negligent operation of a motor vehicle (non-accident or injury)	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Safety Violation (non-injury or property damage)	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Solicitation Policy violation	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Safety Violation resulting in minor injury or minor property damage	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION
Displaying/Possession/Distribution of inappropriate images not deemed to be pornographic **	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION

Note: Discipline crossing departmental lines may be issued by the City Manager or designee

- * Violations not Involving Rules or Policies will be addressed with a Formal Counseling and subsequent repeat violations would be a violation of a Direct Order
- ** The Human Resources Director will make determination
- *** Employees will be sent home to change into appropriate attire on their own time for each incident
- **** Provided said policy has been approved by City Legal and City Human Resources

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

**OFFENSE
(CAUSE OF ACTION)**

**1ST OFFENSE
PENALTY**

**2ND OFFENSE
PENALTY**

**3RD OFFENSE
PENALTY**

**4TH OFFENSE
PENALTY**

LEVEL 2 VIOLATIONS				
Dishonesty	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Disobeying a Direct Order (Insubordination)	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Not available when on-call	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Retaliation	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Moderate at fault motor vehicle/equipment accident/incident resulting in moderate property damage/injury	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Inefficient performance	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

**OFFENSE
(CAUSE OF ACTION)**

**1ST OFFENSE
PENALTY**

**2ND OFFENSE
PENALTY**

**3RD OFFENSE
PENALTY**

**4TH OFFENSE
PENALTY**

LEVEL 3 VIOLATIONS				
Conviction of a DUI affecting job related driving duties	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Inducing or assisting another to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
At fault motor vehicle/equipment accident/incident resulting in substantial property damage.	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Has been convicted of a felony or misdemeanor involving moral Turpitude or entered a period of deferred adjudication	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Deliberate falsification of reports or official documents	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Major loss/Misplacement/Damage to City property	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Intentional release of confidential information	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Sexual Harassment - incident of a sexual nature	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Violent and/or threatening behavior/Possession of unauthorized weapon	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Safety violation resulting in substantial property damage/serious injury	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Possession or retention of pornography electronically or physically that is not personally obtained **	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Refusal to obey a direct order during an Administrative Investigation	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	
Misappropriation	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/ TERMINATION	

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

**OFFENSE
(CAUSE OF ACTION)**

**1ST OFFENSE
PENALTY**

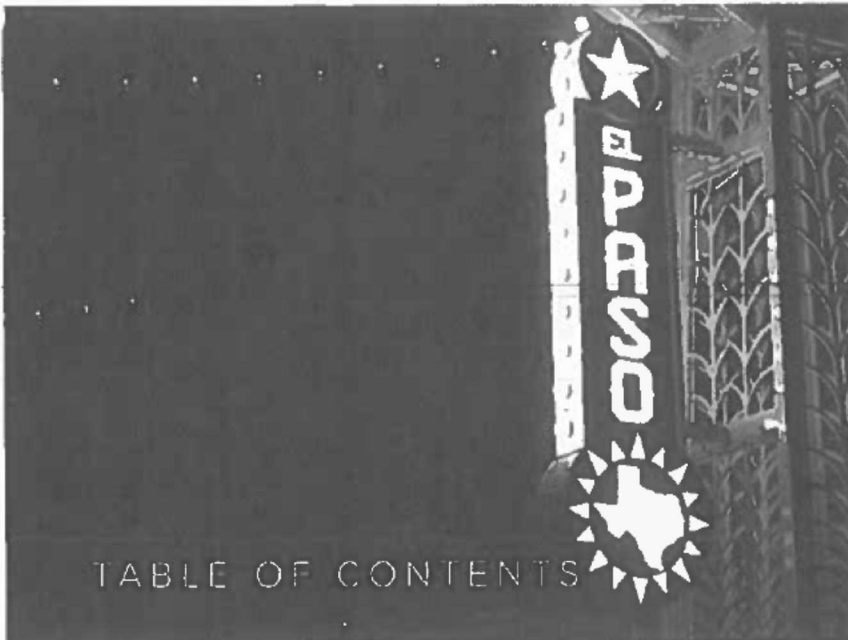
**2ND OFFENSE
PENALTY**

**3RD OFFENSE
PENALTY**

**4TH OFFENSE
PENALTY**

LEVEL 4 VIOLATIONS

At fault motor vehicle/equipment accident/incident resulting in serious injury or death.	TERMINATION				
AWOL (3consecutive days)	TERMINATION				
Felony Conviction affecting job related duties	TERMINATION				
Violation of a departmental policy that mandates termination ****	TERMINATION				
Loss of required License/Certificate where required in Job Description	TERMINATION				
Sexual Harassment- Assault	TERMINATION				
On Duty use/consumption/distribution of alcohol or illegal substances	TERMINATION				
Positive test for alcohol or illegal substances/Refusal to submit to testing	TERMINATION				
Accessing/distributing/displaying pornography **	TERMINATION				
PIP – Unsuccessful completion of a Performance Improvement Plan – Incompetency or negligence of performance of duties – Recurrent inefficient performance	TERMINATION				



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Introduction

This handbook sets forth the current general policies and guidelines that will affect your work life as an employee of the City of El Paso (the City). Please read it carefully and be sure to ask your immediate supervisor any questions you may have.

This handbook is not a substitute for personal integrity and good judgment. It is intended to be used as a guideline and is informational only. Its provisions are not conditions of employment and may be modified, revoked, or changed at any time with or without notice. Regardless of your date of employment, any additions, deletions, or changes to this handbook will be effective upon notification.

Nothing in this manual is intended to create nor is it to be construed to constitute a contract between the City and any of its employees. Employment with the City may be terminated at any time, with or without cause, by the City or an employee.

To keep up with the dynamic world in which we compete, the City from time to time may have to change its written policies, procedures, and guidelines. If you think of ways to make this handbook more useful, complete, or clearer, please let your immediate supervisor know. As always, your input matters.



Dionne Mack
City Manager, City of El Paso

Welcome to the City of El Paso!

Today marks the beginning of an exciting chapter in your career, and I couldn't be more thrilled to have you join our team.

Reflecting on my own journey with the City, I still vividly remember the hope and excitement I felt when I started my career here.

Like you, I made the conscious decision to dedicate my talents to public service because I believe in the profound impact we can have on the lives of others. It is a calling that unites us, a shared purpose that fuels our efforts to make El Paso a thriving community for all.

Here at the City of El Paso, we believe in the transformative power of public service. Every role within our organization—yours included—contributes to our collective mission of building a better future for our residents, businesses, and visitors. As you step into this role, know that your work will have a meaningful and lasting impact.

Our team is made up of hardworking individuals who bring integrity, innovation, and passion to their work every day. We strive to be exceptional ambassadors for the community, delivering services that reflect the dedication and care El Paso deserves.

As you settle in, I encourage you to explore the resources, relationships, and opportunities available to help you thrive. We are here to support you every step of the way, and your success is our success.

The road ahead is filled with challenges and opportunities, but I have no doubt that your unique talents and perspective will make a difference. Together, we will work toward our shared vision of a vibrant, inclusive, and prosperous El Paso.

Thank you for choosing to be part of our team. I am excited to see all that you will accomplish. Welcome to the City of El Paso family!

With warm regards,

Dionne Mack
El Paso City Manager

MISSION



Deliver exceptional services to support a high quality of life and place for our community.

VISION



Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government.

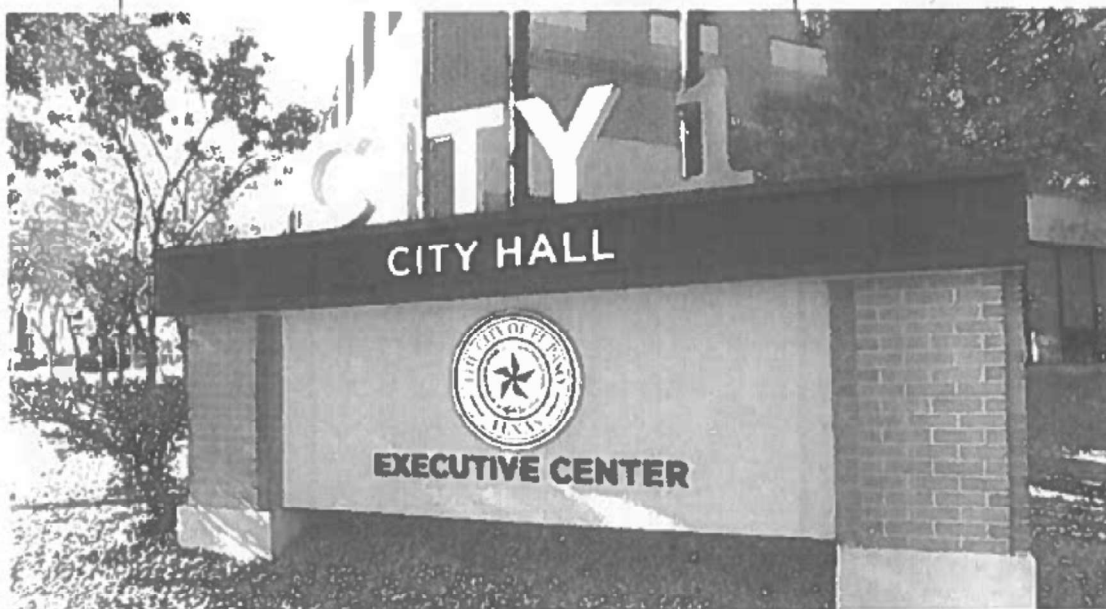


VALUES

Integrity, Respect, Excellence,
Accountability, People

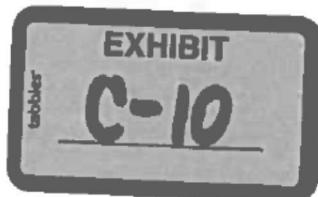
Your City Government

A Mayor and eight District Representatives govern the City of El Paso. These officials, as well as the Judges of the Municipal Courts, are elected. The City Manager, City Attorney, and Internal Auditor are appointed by a majority vote of the City Council. All other employees are appointed by the City Manager or by Department Heads.



The City Manager is the Chief Administrative Officer and is responsible for the operation of all departments within the City. The City Council is the lawmaking body and sets the policy for matters over which the municipal government has jurisdiction. City laws must be introduced at a public hearing and passed at a Council meeting. Our City operates under a City Charter that may be revised by the voters. Normally a majority vote of the Council is required to establish rules or ordinances. Most of the Council constitutes a quorum and, with or without the Mayor, they can take official action. The Mayor can veto any Ordinance or Resolution, except for any City Council action that removes the City Manager, and the Representatives can override a veto with a three-fourths vote of the entire body.

The Mayor and Representatives appoint members of various advisory boards, commissions, and committees to assist in the operation of City government. The members of these boards, commissions, and committees are volunteers and receive no compensation.



Leadership Strategies

The City of El Paso is managed by individuals who share a set of philosophies, which are embodied in the City of El Paso's organizational structure and policies. City management has adopted the following management strategies:

- Our strategies are based upon the 8 Strategic Goals in the City's Strategic Plan as identified by the City Council. The goals are:
 - 1 Cultivate an Environment Conducive to Strong, Economic Development
 - 2 Set the Standard for a Safe and Secure City
 - 3 Promote the Visual Image of El Paso
 - 4 Enhance El Paso's Quality of Life through Recreational, Cultural, and Educational Environments
 - 5 Promote Transparent and Consistent Communication Among All Members of the Community
 - 6 Set the Standard for Sound Governance and Fiscal Management
 - 7 Enhance and Sustain El Paso's Infrastructure Network
 - 8 Nurture and Promote a Healthy, Sustainable Community
- A simple, straightforward organizational structure.
- Responsible, reasonable administrative controls.
- Selection of high-performing and highly skilled personnel.
- Assignment of dedicated personnel for maximum responsiveness to customers.
- Streamlined procedures that encourage high performance, efficient delivery of service, and minimize unproductive redundant reporting.

Management Functions

The City of El Paso retains the right to exercise customary managerial functions, including, but not limited to:



- Select, hire, assign, supervise, correct, and dismiss employees.
- Decide and change performance standards and expectations and evaluate employees' performance.
- Decide and change hours and days of work schedules, including shift times.
- Transfer employees within departments, into other departments, and/or other job classifications.
- Decide and change the size and qualifications of the workforce.
- Decide and change the methods by which operations are carried out.
- Manage and control the premises and resources.
- Assign duties to employees according to operational needs and requirements, in alignment with the employee's Job Description.
- Establish, change, and abolish departmental policies, practices and procedures, including making recommendations to leadership regarding rules and regulations.

CITY OF EL PASO

Philosophy & Objectives



At the City of El Paso, our success has been built by developing and maintaining a loyal, efficient group of employees who gain satisfaction from their work, and to whom high achievement is a personal ambition. Dedicated to the highest standards of customer satisfaction, you are expected to strive daily to maintain the mark of excellence that has become synonymous with the City.

The City's emphasis is on people, recognizing that even with the finest equipment, materials, and elaborate systems and procedures, people make the total operation work, and they work together best in an environment where they are respected as individuals and recognized as important members of the team. El Paso's Lean Six Sigma (LSS) program has produced significant cost savings, improved customer satisfaction, and reduced citywide inefficiencies and waste. By taking a closer look at City processes and how the work gets done daily, employees are asked to identify other gaps and improvement possibilities. Through LSS and other development opportunities, El Paso leadership encourages all employees to serve as agents of change. Understanding and capitalizing on the belief that solutions are within reach is transformative in producing meaningful results and enhancing employee morale. Instituting LSS has given the City the opportunity to innovate by considering how we can continually improve the quality-of-service delivery to our residents, businesses, and visitors. City of El Paso employees are expected to display the highest moral and ethical standards.

Policies for People

The critical factors in job performance are an employee's determination, skill, and personal involvement. Our policies for people focus on opportunities for maximum personal growth and are embodied in specific City objectives to:

- Encourage development and promotional opportunities from within the organization.
- Ensure that all employment-related decisions are based on performance, conduct, and attendance without regard to race, gender, gender identity, sexual orientation, marital status, color, religion, ethnic background or national origin, age, disability, service in the uniformed services, reproductive health actions, hairstyle and/or hair texture or any other characteristics or status that is protected by federal, state or local law.
- Remain open to suggestions and ideas, encourage City employees to come forward freely with recommendations, seek prompt solutions to problems, and always keep lines of communication open.
- Provide pleasant and safe working conditions and encourage teamwork.
- Keep all City employees informed of significant developments.



Civil Service Commission

The Civil Service Commission, pursuant to the City Charter, oversees the operation of the Civil Service system and ensures fairness, economy, and efficiency in the personnel selection process and system created for classified employees. The Civil Service Commission is also responsible for performing the duty of hearing grievances of classified employees. The Mayor and the City Council members each appoint a Civil Service Commissioner. Commissioners serve staggered three-year terms. The Commission typically meets on the second Thursday of each month and holds special and emergency meetings when necessary. The members of the Commission serve without compensation.

INTEGRITY & ETHICS



Integrity & Ethics

One of the City of El Paso's most important assets is the reputation of its employees for honesty and integrity. Preserving your integrity demands continuous commitment. Each employee must avoid any activity or relationship that might reflect unfavorably on the City whether as a result of a possible conflict of interest, the appearance of such a conflict, the improper use of "insider information," or any other impropriety.

Although no written code can take the place of personal integrity, the following general guidelines should serve as minimum standards of proper conduct. Any violation of existing ordinances, policies, rules, or regulations may subject the employee involved to disciplinary action up to and including termination of employment and/or possible civil or criminal penalties.

INTEGRITY & ETHICS

Code of Integrity

Integrity and a high standard of ethics are fundamental to the City of El Paso and must be upheld by all employees. The City is committed to doing what is right.

These principles are accomplished in dealings with our customers, vendors, and fellow employees when we:

- Conduct ourselves in a forthright and honest manner.
- Are fair and considerate in all dealings.
- Maintain professional behavior in all relationships.
- Make commitments that can be kept and keep them.
- Exhibit an attitude of professionalism and common courtesy.
- Respect the rights and dignity of all individuals.
- Obey the letter and intent of the law.

Your individual commitment to this code is required. A series of general guidelines follows. If you should have questions concerning the proper course of action in any situation, promptly consult with your immediate supervisor and/or manager.

Disclosure or Use of Confidential Information

In the course of your employment at the City of El Paso, you may encounter and be trusted with many kinds of confidential, non-public information. Described below are specific guidelines that relate to different types of confidential information you may encounter in your job.

Information about the City: Confidential information about the City or its employees should not be disclosed to non-employees or to employees who have no business-related need for this kind of information in the course of their job duties. Further, it must not be used for personal gain.

- This restriction applies to all types of confidential information, including employee information, marketing information and strategies, trade secrets, methods and procedures, pricing and cost information, internal policies, computer access codes, and current or projected earnings and financial status that have not already been disclosed in public documents.
- Citizens and Vendors: Every City employee has an obligation to protect the confidential nature of relationships with former, present, and prospective citizens and vendors of the City. Any confidential information about citizens and vendors that is acquired by employees must be used solely for authorized City business, and this information may not be revealed to any unauthorized person(s) under any circumstances.
- Confidential information should be disclosed only to those employees who need to know it to serve the interests of the citizens or vendors and the City. Confidential information must not be discussed in the presence of unauthorized people, whether they are City employees or not. If you have questions about confidential disclosure, consult your immediate supervisor.
- Unnecessary duplication of any confidential documents must be avoided. Documents containing confidential information should not be left in conference rooms, in photocopy areas, on desks, or at workstations where they can be



INTEGRITY & ETHICS

seen by outsiders or unauthorized employees. You should not leave confidential information displayed on computer screens when not in use. Such informal or inadvertent release of confidential information can subject an employee, the City, or both to liability.

- Unless otherwise required by the terms of a specific confidentiality or non-disclosure document, additional or extra copies of confidential information should be shredded or discarded in bins designated for shredding.

Systems & Data Security

The City of El Paso has established security policies to protect its computer environments. All employees granted access to the computers used by the City to conduct its business must be aware of and comply with these security standards and controls. Do not allow access to your computer or disclose your access code and/or password to anyone. Log out and shut down your computer when leaving your workstation for an extended period. Specific questions or concerns may be directed to the City's IT Help Desk.

Any confidential information available on computers and individual personal computers shall be handled according to the guidelines established in the Disclosure or Use of Confidential Information section of this handbook.

Most software used in the City's computer systems is subject to licensing agreements that govern its use. The use of unlicensed proprietary software and the misuse of licensed software is strictly prohibited. Employees must not install or download software without prior approval of the City's IT Department.

E-Mail & Internet Access

Access to the City's e-mail system, Intranet, and the Internet is limited to business use only, aside from incidental personal use. All use of the e-mail system and all Internet activity are subject to inspection, monitoring, and logging to enforce this policy. Any employee found to be in violation of the City's e-mail, intranet/internet or social media policies is subject to disciplinary action, including termination of employment. Examples of misuse include, but are not limited to:

- Engaging in any kind of business activity that is not in support of the City.
- Attempts to gain unauthorized access to any computer or communications system.
- Playing computer games during working hours and browsing the Internet beyond incidental personal use in violation of the City's e-mail, intranet/internet, or social media policies.
- Utilization of City-provided equipment and services to access, transmit, receive, or archive illegal or sexually explicit material, or material which promotes hate, violence, or discrimination of any kind.

Information Requests from News Media

If you receive a request from the news media for information (whether written or oral) or for an interview relating to the City or its business, you shall directly refer the inquiry to the City's Strategic Communications office or designated departmental public affairs representative. The contact information for the Strategic Communications Department can be found on the [City's website](#).

Council Requests

The Council Request (CR) process is an essential procedure for handling official requests from the Mayor's or City Representatives' offices for matters that cannot be addressed through 3-1-1 or the Police non-emergency number. Designed to ensure compliance with the City Charter (Article V, Section 5.5 – Interference with Personnel or Administration), the CR process ensures efficient tracking, consistent service delivery, and compliance with City policies and the City's Charter, reinforcing accountability and protecting staff and elected officials from any misperceptions of impropriety.

CRs must be submitted with specific details, including the requester's contact information, the exact location of the issue, any relevant service request numbers from 3-1-1, and supporting materials such as photos if applicable. Each concern should be submitted as a separate request for precise tracking and efficient resolution. Issues outside City department purview, such as civil matters or non-City department issues, are directed to the external agencies. Requests related to IT or Facilities Maintenance, as an example, are routed through their respective portals.

Staff are asked to acknowledge and respond to the CRs in a prompt and efficient manner. On average, responses to CRs typically take two to five business days, with more complex issues potentially requiring additional time. While updates may include actions taken, sensitive information such as personal details or criminal investigations will not be disclosed. Meeting or briefing requests from the Mayor's or City Representatives' office may also require CR submission, complete with proposed dates, topics, and sufficient context to enable proper coordination.

For more information about the CR process please email the Ombudsperson team that manages the process at CRTeam@elpasotexas.gov.

Speaking Engagements

If you receive a request (whether written or oral) to speak publicly or to write an article on a subject related in any way to the City or its operation, you must promptly inform and receive approval from your Department Head, prior to accepting the engagement.

Endorsement Requests

Employees must report requests to publicly endorse or recommend any product, consultant, or vendor to their Department Head, and must work through appropriate leadership to notify the requestor that the City does not provide endorsements.

Conflict of Interest

The City's Values are Integrity, Respect, Excellence, Accountability and People. Every employee has the obligation to act in the City's best interests, to maintain the confidence of all City proprietary information, and to refrain from placing themselves in a position that could produce a conflict between self-interest and the interest of the City.

You have a duty to always act in good faith. You must not use your position for private or personal advantage or for gain beyond your compensation and other benefits provided by the City. Specific examples of situations likely to result in such conflicts are discussed in the following sections.

Outside Employment

As a City employee, you may not engage in any type of outside employment, including self employment and consulting, if the employment or consulting:

- May embarrass or discredit the City.
- May affect your impartiality, objectivity, or efficiency in performing your duties.
- Involves the use, possible use, or disclosure of proprietary or confidential information of, or held by, the City.
- Involves, in any way, a vendor of the City.
- Is conducted during, or conflicts with, your scheduled work times. Exempt employees should request leave if the outside employment occurs at any time during their scheduled work day to avoid any appearance of conflict of interest.
- Involves the unauthorized use of City equipment, supplies, software, or other resources.

Before engaging in any regular outside employment, you must submit a written request to your Department Head and be notified in writing that it has been approved by your Department Head. Your request must be submitted on the prescribed form and contain a complete description of your proposed outside employment. Requests for outside employment shall not exceed 25 hours per week. Applications that have been approved by the Department Head will be valid for a period not to exceed two (2) years from the date of approval, and only for the specific type of employment approved. For more information, please reference the "Outside Employment Policy" on My.EIPaso.gov.

Acceptance of Gifts

In accordance with the City's Ethics Ordinance, City employees and/or members of their immediate family may not solicit or accept any business-related gift, service, payment, favor, entertainment, or other things "of value" from anyone, either inside or outside the City. "Of value" is defined by the provisions of the City's Ethics Ordinance. Employees are required to be familiar with the Ethics Ordinance found on the [City Attorney web page](#). Gifts with a value of or exceeding \$75.00 cannot be accepted, and gifts with a value exceeding \$10.00 cannot be accepted from a person registered with the City as a lobbyist.

Offering Gifts & Gratitude

In accordance with the City's Ethics Ordinance, City employees may not offer gifts or gratuities which could be construed as influencing or rewarding an improper course of action. This prohibits gifts or gratuities to an employee or representative of any customer, vendor, the media, or any other organization doing business with the City.

Financial & Other Interests

City employees and/or members of their immediate family may not have any direct or indirect interest in or relationship with any organization that is or is likely to become a vendor of goods or services to the City of El Paso without prior written disclosure of the interest to the City Clerk. The purpose of the disclosure is to determine whether any conflict of interest may exist. If you have any questions regarding a potential conflict of interest you should discuss the matter with the Department Head or Human Resources Department before proceeding.

INTEGRITY & ETHICS

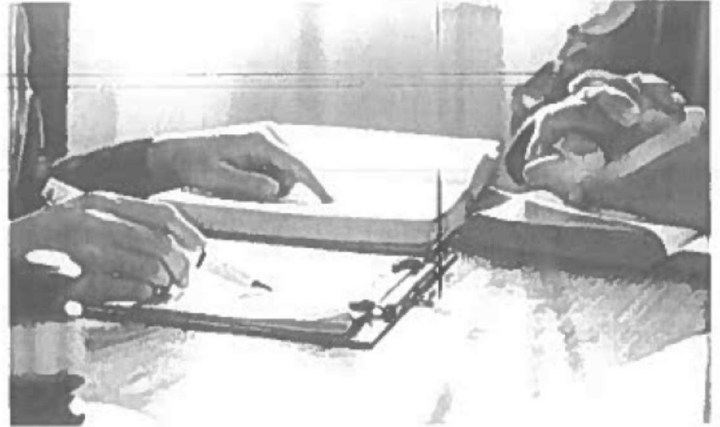
Reporting Fraud or Other Illegal Acts

Any City employee who has reason to believe that there may have been an instance of fraud, or other illegal activities in connection with a City program, function, or activity, shall report it immediately to their supervisor or Department Head, the Chief Internal Auditor, their Human Resources representative, the Employee Hotline, or the City Manager's Office, as soon as possible.

Reports will be investigated as expeditiously as possible. Where an investigation confirms that fraud or another illegal act has occurred, appropriate corrective action will be taken. Fraud or other illegal acts will result in disciplinary action up to and including termination of employment.

Employees who report incidents of fraud or illegality or who assist in an investigation shall be protected from retaliation of any sort. However, any employee who assists in an investigation but who is found to have participated in the illegal act or fraud being investigated remains subject to appropriate disciplinary action. In addition, if it is determined that a report was not made in good faith, or that an employee intentionally provided false information regarding an allegation, disciplinary action up to and including termination of employment may occur.

Any employee who believes that he/she has experienced retaliation for making a report or assisting in an investigation shall report this as soon as possible to the appropriate supervisor, manager, Department Head, or Human Resources Director.



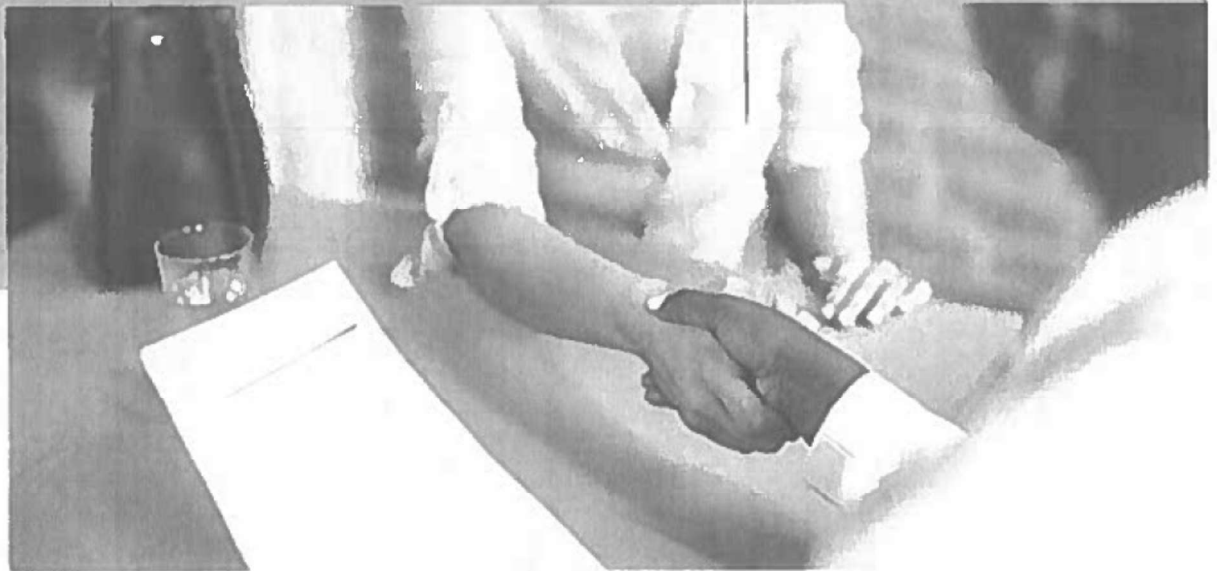
Nondiscrimination

It is the policy and requirement of the City that employees carry out their duties to the public and the internal services to fellow City employees in a non-discriminatory manner. Discrimination is prohibited, and employees shall not discriminate against any person in carrying out their job duties, based on race, gender, gender identity, sexual orientation, marital status, color, religion, ethnic background, or national origin, age, disability, service in the uniformed services, reproductive health actions, hairstyle and/or hair texture or any other characteristic or status that is protected by federal, state or local law.

EMPLOYMENT POLICIES

Employee Policies

This section contains general information concerning the City of El Paso policies, as well as matters that relate to you in your day-to-day work. All City of El Paso policies are located on the City's Intranet, My.ElPaso.gov.



Equal Employment Opportunity

The City has and will continue to provide equal employment opportunities to all qualified persons and reaffirms its commitment that there shall be no discrimination against, or harassment of, applicants or employees because of race, gender, gender identity, sexual orientation, marital status, color, religion, ethnic background or national origin, age, genetic information, disability, veteran status, or any other protected status. The City will continue to recruit, hire, promote, transfer, take corrective action, and make all personnel decisions, including those related to compensation and benefits, non-discriminately and in accordance with applicable laws. Further, the City will make reasonable accommodations for applicants and employees with known disabilities who can perform essential job functions with or without such accommodations.

The City requires all employees to report any information regarding any incident of possible discrimination or harassment to leadership or a Human Resources representative so that the matter can be investigated, and appropriate action is taken. Any employee who violates the City's Sexual Harassment, Americans with Disabilities Act (ADA) Reasonable Accommodations, or non-discrimination policies will be subject to disciplinary action up to and including termination of employment. For more detailed information, consult your immediate supervisor, the City's Human Resources Department or the City's Non-Discrimination Policy found on My.ElPaso.gov.



EMPLOYMENT POLICIES

Harassment

The City of El Paso's policy prohibits any form of sexual, racial, ethnic, disability, age, and religious harassment of employees or applicants. The City of El Paso recognizes that the aforementioned forms of harassment are a violation of Federal and State laws. The City maintains a strict policy that harassment, whether sexual, ethnic, or religious in nature, or directed toward one's age or disability status, in the workplace, is not acceptable and will not be tolerated.

The City of El Paso is committed to fostering a work environment free from sexual harassment. Sexual harassment jeopardizes a productive work environment. Sexual harassment is a form of misconduct that demeans another person and undermines the employment relationship between the City and its employees. Sexual harassment is unwelcome sexual attention directed toward another person that affects the person and creates an intimidating, hostile or offensive working environment that interferes with his/her ability to do their job.

The City prohibits any employee from engaging in any type of harassing conduct or any behavior that constitutes inappropriate workplace behavior, regardless of intent or severity, even if it does not meet the definition of sexual harassment. The City is committed to taking all steps necessary to maintain a productive work environment free of sexual harassment and intimidation of any type. The City explicitly prohibits any sexual harassment, including but not limited to:

- Making unwelcome sexual advances or propositions, unnecessary contact/touching, graphic or verbal commentaries about an individual's body, sexually degrading words used to describe an individual, display in the

workplace of sexually suggestive objects or pictures, sexually explicit or offensive jokes, or physical assault.

No supervisor, manager, or other employees shall threaten or insinuate, either explicitly or implicitly, that another employee's or applicant's submission to or rejection of unwelcome sexual advances will adversely or positively affect that person's employment, work status, evaluation, earnings, advancement, or any other condition of employment.

Complaint Procedure: If you experience, witness, or suspect sexual harassment of any type, whether, by a supervisor, manager, employee, or any other person, you must immediately report this to your immediate supervisor or his/her manager, or your Department Head or the Human Resources Department. Complaints will be investigated immediately and confidentially. No retaliation will be made against any person for making a complaint in good faith. Where incidents of harassment can be confirmed following investigation, the City will take appropriate corrective action pursuant to the City's Sexual Harassment Prevention Policy. Any supervisor, coworker or other Agent of the City who knew or should have known of the alleged Sexual Harassment and did not take immediate action to correct it may be personally liable, in accordance with Texas Labor Code, Chapter 21.

For more detailed information, consult your immediate supervisor, the City's Human Resources Department or the City's Sexual Harassment Prevention Policy and Procedures found on My.ElPaso.gov.

Dating & Fraternization

The City will strive to maintain a work environment that is free from intimate, romantic, or dating relationships between supervisors and their subordinates or



EMPLOYMENT POLICIES

between employees involved in any other power-differentiated relationship. Power-differentiated relationships can lead to sexual harassment (or the appearance of sexual harassment) and adversely affect employee morale, operations, and productivity because of favoritism, bias, or unfair treatment (or the appearance of favoritism, bias, or unfair treatment).

A "power-differentiated relationship" is any supervisor-subordinate work relationship or other work relationship in which one employee supervises or manages (directly or indirectly) another employee or makes decisions concerning another employee's terms, conditions, or privileges of employment. The City does not otherwise discourage friendship or social activities among its employees.

To effectuate the purposes expressed above, if an intimate, romantic, or dating relationship develops between a supervisor and a subordinate, the employees involved in the relationship must promptly report it to the Human Resources Director.

Once a power-differentiated relationship is reported, the City may attempt to modify the working relationship, through transfer within the City or by any other available options. If a transfer or other option is not available, and the parties choose to continue the relationship, one of the employees will be required to resign or be subject to termination. The impacted employees will be encouraged to identify a resolution. If both employees are in good standing with the City, and one must be terminated, the employee with the least seniority will be terminated, otherwise, the employee not in good standing will be selected for termination.

Probationary Period

For all Classified employees, the first six months

of employment are considered a probationary period unless otherwise determined by a Collective Bargaining Agreement. During this probationary period, your demonstrated ability to do the job for which you were hired, conduct, and ability to work with others are evaluated by your supervisor. Your supervisor will complete a probationary evaluation prior to or at the end of this period.

- You will become a regular classified employee if you satisfactorily complete the probationary period, as evaluated by your supervisor.
A decision to terminate the employment relationship due to an unsatisfactory probationary evaluation is not subject to the appeal process found in the Civil Service Rules and Regulations.

For all Unclassified employees, your supervisor is strongly encouraged to complete an evaluation following your first six months of employment. Unclassified employees are not covered by Civil Service Rules unless specifically outlined in the Civil Service Rules.

Employee Status

Your employment status depends on the number of hours you are normally scheduled to work each week and the expected duration of your employment. The employee benefits you receive will vary according to your status as outlined below.

- Classified or Unclassified Full-Time: If you are employed on a full-time basis (30 hours or more per week), you are eligible to participate in all of the City's benefit programs, such as vacation leave, insurance plans, and holiday pay.
Classified or Unclassified Part-Time: If you are employed on a part-time basis, i.e., you work more than 20 but less than 30 hours in a workweek. If



EMPLOYMENT POLICIES

you are a part-time employee who is scheduled to work a minimum of twenty (20) hours per week you will accrue sick leave at a pro-rated amount based on the number of hours that you are scheduled to work. Holiday pay for part-time employees who work an average of 20 or more hours per week shall be paid holiday pay at a prorated number of hours based on the average number of paid hours, excluding overtime, in the two pay periods immediately preceding the holiday pay period.

- **Temporary Full-Time:** If you are a temporary full-time hire, you are not a classified employee, are exempt from Civil Service, and are not eligible to participate in any of the City's benefit programs.
- **Temporary Part-Time:** If you are a temporary part-time hire you are not a classified employee. You are exempt from Civil Service and are not eligible to participate in any of the City's benefit programs.

All jobs at the City of El Paso are designated as either "exempt" or "non-exempt." The placement of jobs into one of these categories is determined by federal wage and hour laws. Jobs which are exempt are not subject to the overtime provisions of the law. Non-exempt employees are entitled to the overtime provisions of federal and state laws governing compensation.

Solicitation & Distribution

The City strives for all employees to work in an environment free from unnecessary and inappropriate distractions. When you and your co-workers are in work areas during working hours, we request that you avoid actions that may distract others. While either you or others are working, you are prohibited from selling merchandise, requesting financial contributions, event participation, distributing any pamphlets or literature not related to your job, or any

other type of solicitation or distribution not related to your job. This includes the unauthorized posting of bulletins, notices, or advertisements on City bulletin boards, or on any other City means of communication, including e-mail, intranet, and internet systems.

Individuals who are not employed by the City are prohibited from distributing material or soliciting City employees on City grounds at any time. Please notify your immediate supervisor or any manager if you are solicited or subjected to the prohibited distribution of literature, whether in person, through the City's mail system, or by e-mail.

The City Manager or designee may authorize not-for-profit fundraising activities which meet the criteria and intent of the Fundraising and Solicitation Policy and may allow minimal City time and/or City communication resources to work on City-sponsored fundraising activities. For more detailed information, consult your immediate supervisor, the City's Human Resources Department or the City's Fundraising and Solicitation Policy.

Drug-Free Workplace

The City of El Paso has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. The City has a zero-tolerance policy for testing positive for drugs and/or alcohol and for refusing to test.

If you are taking a drug or other medication, which is known or publicized as possibly impairing judgment, coordination, or other senses important to the safe and productive performance of work, you must notify your immediate supervisor prior to starting work. Management will consult with Human Resources to determine whether you can work and may impose any necessary work restrictions.

EMPLOYMENT POLICIES



The unlawful manufacture, distribution, dispensation, possession, or use of a controlled, prohibited, or illegal substance on City premises or while conducting City business off-premises is absolutely prohibited. Violations of the City's Drug-Free Workplace Policy will result in disciplinary action up to and including termination of employment and may have legal consequences.

The City of El Paso recognizes alcohol and drug abuse as a potential health, safety, and security problem. If you need help in dealing with such problems, you are encouraged to seek assistance from the Employee Assistance Program (EAP). Conscientious efforts to seek help for an alcohol or substance abuse problem will not jeopardize your job and will not be noted in your personnel records, provided the efforts are done in conformity with City policies including the City's Drug-Free Workplace Policy.

When there is evidence to reasonably suspect that an employee has reported to work or is working

impaired due to alcohol or drugs, the employee will be asked to submit to alcohol and drug testing.

Any employee involved in either a job-related accident or incident involving the apparent violation of a safety rule or standard, which did or could have resulted in serious injury or property damage, may be asked to submit to alcohol and/or drug testing.

You must, as a condition of employment, abide by the terms of the City's Drug-Free Workplace Policy, which may require submitting to drug and/or alcohol testing. Failure to submit to a required drug and/or alcohol test is grounds for automatic termination. You must report any conviction under a criminal drug statute for violations occurring on or off City premises. A report of a conviction must be made to the Human Resources Director within five days after the conviction. For more detailed information, consult your immediate supervisor, the City's Human Resources Department or the City's Drug-Free Workplace Policy found on My.ElPaso.gov.

Police and Fire Uniformed employees must abide by the Drug and Alcohol testing guidelines as outlined in their respective Collective Bargaining Agreements and respective department Drug and Alcohol Policies.

Tobacco-Free Workplace

In the interest of providing a healthy, comfortable working environment, smoking and the use of all tobacco products, as well as the use of electronic cigarettes, is prohibited as defined in the Tobacco Free Workplace Policy, in City buildings, entryways, and City vehicles. You are responsible for notifying your visitors of this policy. Employees may not leave their assigned areas to smoke or use tobacco products except at approved breaks or mealtimes. For more detailed information, consult your immediate



EMPLOYMENT POLICIES

supervisor, the City's Human Resources Department or the City's Tobacco-Free Workplace Policy found on My.EIPaso.gov.

Professional Appearance

It is required that you dress in a manner appropriate for your work environment. Dressing professionally and being clean and well-groomed signals self-pride, the respect you have for your co-workers, and reflects favorably upon the City to our citizens and visitors. If you have any questions about the Professional Appearance Standards Policy and rules that apply to you, consult your immediate supervisor.

Clothing or other personal appearance items may also affect your job safety. Depending upon the nature and location of your work, you may be required to wear special protective clothing and equipment to ensure your safety.

Employees who report for work in attire considered to be inappropriate or unsafe will be sent home until the appearance issue is corrected. Repeated violations of the Professional Appearance Standards Policy and rules will be addressed according to the City's Discipline Policy and Matrix. For more detailed information, consult your immediate supervisor, the City's Human Resources Department, or the City's Professional Appearance Standards Policy found on My.EIPaso.gov.

Attendance & Punctuality

It is important that you be at work on time every day and that you work the hours scheduled for your position. Absenteeism and tardiness reduce the efficiency of our operations. More importantly, they place a hardship on your co-workers who report regularly and punctually.

Thus, both absenteeism and tardiness must be kept to an absolute minimum. Attendance and punctuality are conditions of employment. Unsatisfactory attendance and tardiness will result in disciplinary action up to and including termination of employment.

We recognize that occasionally you may not be able to report to work on time or at all. It is your responsibility to notify your supervisor or department designee before your usual starting time as determined by your department.

Corrective action may be taken if you:

- Fail to timely notify your supervisor as required by City policy and/or Departmental rules and regulations.
- Are excessively absent.
- Do not have an acceptable excuse for being late or absent.
- Violate the City's sick leave policies or Departmental sick leave rules and regulations.

The City may require you to provide a physician's statement documenting your absence relating to illness or injury which lasts three (3) or more consecutive workdays and/or in cases in which your attendance has become unsatisfactory, or pursuant to Department-specific rules and regulations.

For more detailed information, consult your immediate supervisor, the City's Human Resources Department, or the City's Sick Leave Use and Investigation of Sick Leave Abuse Policy found on My.EIPaso.gov.

Timekeeping

Each full-time or part-time non-exempt employee is responsible for the accurate daily recording of their



EMPLOYMENT POLICIES

time worked, using the City's timekeeping system.

Strict adherence to the procedures established for your workgroup is required. Failure to properly comply with the Hours of Work Policy will result in disciplinary action up to and including termination of employment.

Employment of Relatives

Selection, assignment, and appraisal of every employee should be as objective as possible. Where relatives are involved, it is difficult to appear objective, even under the most desirable situations. Therefore, the City will only hire relatives of current employees if the new employee and the current employee are not in a manager-subordinate relationship. The City will not hire, promote, or transfer a relative into a manager-subordinate relationship under any circumstances. For the purposes of this policy, "relative" means spouse, parent, child, grandparent, sibling, or in-law. Deputy City Managers, Managing Directors, and Department Heads may not have any relatives in their departments.

Inclement Weather

City policy is to remain open despite weather conditions to meet its commitments to its citizens. Essential personnel as defined in the department's call-in procedures must report to work. We are equally concerned for your safety. You must exercise your own judgment about personal safety. Be sure to follow the call-in procedure established by your department.

Employees must stay tuned to the informational bulletins issued by the City. Whenever non-exempt employees are absent from or late for work or leave early because of inclement weather,

they must charge such time away from work to accrued vacation or leave without pay unless it has been otherwise approved by the City Manager. If sufficient vacation leave is not available to cover the absence, late arrival, or early departure, leave without pay will be charged automatically.

Employee Conduct

All successful organizations have certain rules which employees must follow. You are expected to become acquainted with the performance criteria for your job and with all rules, procedures, and standards of conduct established by your department and by the City, as summarized in this handbook. Further, your conduct away from work must not adversely affect the City, its reputation, operational success, or its relationship with its employees, customers, or citizens.

If you do not fulfill the responsibilities set out by such performance standards, rules, procedures, and standards of conduct, you may be subject to disciplinary action, the severity of which will depend upon the circumstances. Disciplinary action up to and including termination may be taken for violations of Civil Service Rules, City policies, and Departmental rules and regulations.

People work together best in an atmosphere where they are valued as individuals and recognized as key members of a team. It is important that each member of our team understand what is expected. It is impossible to write policies and procedures covering every situation. Be sure you understand what is expected of you, and what you can expect from the City. If you have any questions, discuss them with your immediate supervisor. Understanding is the key to teamwork.



EMPLOYMENT POLICIES

The following are some examples of employee conduct that are not permitted and that may result in disciplinary action up to and including termination of employment:

- Conduct that you have been informed is unacceptable.
- Failure to meet or maintain work performance standards.
- Violation of law when at work on the premises, or off the premises when engaged in a work assignment.
- Falsification of time records, personnel records, or other City records.
- Violation of the City's Tobacco-Free Workplace Policy.
- Gambling, participating in lotteries, or any other games of chance on City premises at any time.
- Violation of the City's Drug-Free Workplace Policy.
- Soliciting, collecting money, or circulating petitions on City premises other than as permitted by the rules and regulations of the City.
- Unlawful possession of firearms, explosives, or other lethal weapons on City premises or in City vehicles.
- Abuse or waste of City resources, tools, equipment, fixtures, property, supplies, or goods.
- Creating or contributing to hazardous, unhealthy, or unsanitary conditions.
- Violations of safety rules or acceptable safety practices.
- Failure to cooperate with a supervisor or co-worker, which disrupts the function of a work unit.

- Disorderly conduct, harassment of other employees (including sexual harassment), or use of abusive language while on the job and/o on City premises.
- Fighting, encouraging a fight, or threatening, attempting, or causing injury to another person on or off City premises when engaged in a work assignment.
- Sleeping on the job.
- Dishonesty or the unauthorized possession, removal, or use of City or another employee's property, including records and confidential information.
- Destroying, defacing, or tampering of City property or records or the property of an employee or citizen.
- Refusal to follow instructions or to perform designated work or refusal to follow established rules and regulations.
- Unauthorized photographs, audio or video recording on City premises, in City vehicles, or during working hours.
- Repeated tardiness or absence, absence without prior notification to the supervisor or without satisfactory reason, or unavailability for work.
- Violation of City ordinances, policies, or rules.
- Violation of Departmental rules and regulations.

This list is not all-inclusive.

It is our practice to ensure that violations of policies or principles of acceptable employee conduct are appropriately addressed with consistent disciplinary action. The following types of corrective or disciplinary action may be taken:

EMPLOYMENT POLICIES

- * Verbal counseling
- * Formal counseling
- * Suspension
- * Demotion
- * Termination

- X Accept political items (e.g., campaign buttons, flyers) while on duty or on City property.
- X Use your City job title or position to endorse any candidate.

Violating any of these rules may result in disciplinary action.

Political Activity Guidelines for City Employees

City employees are expected to maintain neutrality in municipal elections while on duty or acting in their official capacity. To avoid conflicts of interest and maintain public trust, the following applies:

Prohibited Political Activities:

Employees may not:

- X Help manage or organize a municipal political campaign.
- X Work at a polling location during a municipal election.
- X Ask for campaign donations for a municipal candidate.
- X Donate money or anything of value to a municipal campaign.
- X Hand out political materials while on duty.
- X Promote any political candidate or party while on duty, even if it's not a municipal election.
- X Use City time, resources, or property for political purposes.
- X Participate in political activities while wearing a City uniform.
- X Try to influence another City employee's vote or political actions while on duty.
- X Use threats or pressure to influence any City employee's political actions, on or off duty.
- X Encourage or recruit other employees to participate in municipal elections.

Permitted Political Activities:

As a private citizen, off duty and not in uniform or on City property, you are free to engage in political activities during your personal time as long as those activities do not interfere with your job performance. You may:

- * Participate in partisan (non-municipal) campaigns.
- * Join and support political clubs or organizations.
- * Help organize or serve on partisan election committees.
- * Display campaign signs or wear political paraphernalia outside of work.
- * Attend or speak at community forums and political events.
- * Publicly support and endorse a candidate, as long as you do not use your City title or position.
- * Take part in any activities related to partisan elections.

Running for Public Office:

Employees may run for public office while still employed with the City, as long as they continue to meet all job duties. However, they may not campaign or promote their candidacy while on duty, using City time, resources, or while in uniform. Violations may lead to disciplinary action.

EMPLOYMENT POLICIES

Disciplines & Terminations

The discipline and termination of any employee is a very serious situation that requires thorough review. Accordingly, no supervisor or Department Head is authorized to discipline or discharge any employee without prior review and approval by the City's Human Resources Department. This review and approval will involve a member of the management team, most typically the supervisor's manager, the Human Resources Department and the City Attorney's Office.

An employee who is discharged because of a violation of City policy will not be permitted to return to his department or work area, or to any other department or work area, other than the Human Resources Department, without the consent of an authorized Department Head or Human Resources.

The formal appeal procedure established by the City Charter and set forth in the Civil Service Rules is available to any regular classified employee who disagrees with the decision to terminate.

For more detailed information, consult your immediate supervisor, the City's Human Resources Department or the City's Discipline Policy and Matrix.

Off-Boarding

Notice of Resignation: In the interest of maintaining proper staffing levels, you are required to submit a Resignation Notice Form within a minimum of ten (10) working days prior to the effective date of your resignation.

Clearance Procedures: When terminating your employment, whether the termination is by voluntarily or involuntarily resignation, you must complete the City's separation and clearance off-boarding process as described on page 29.

Release of Final Paychecks: Your final paycheck for hours worked will be released to you no later than the next regularly-scheduled payday, provided all clearance procedures have been completed. Any monies due to the City may be deducted from the final paycheck in accordance with applicable policies and in compliance with State and Federal laws.

Job Abandonment: You will be considered to have abandoned your position when you have been absent for three consecutive workdays without prior notice to or approval of your immediate supervisor and/or have failed to communicate the reason for your absence. Department-specific rules and regulations may be established that are more stringent, based on the nature of the department's operations and needs.

Reference Checks

The City of El Paso does not provide, and no manager or supervisor is authorized to provide employment-related letters of recommendation on City letterhead. However, with a release from the employee, the City will respond to all employment reference check inquiries from other employers. Only the Human Resources department is authorized to provide reference information for current and former employees.

Responses to these inquiries will usually be limited to the first day of work, last day of work, job title, and salary, as per the City's Neutral Reference Policy.



EMPLOYEE COMMUNICATIONS

Employee Communications

This section contains specific information about our internal communication process and about ways to handle specific concerns that may arise regarding your employment.

Information & Communication

Your supervisor is the best source for information about your job and department. Your supervisor may also relay announcements and communications beyond the daily employee-supervisor interaction. To prevent information from getting distorted, we invite open discussion of matters which affect you and your job at the City. The City encourages employees to deal directly with their supervisors regarding all conditions of their work.

Formal communications from the City are generally relayed by email and informational videos such as Your City in 5 and Inside City Limits. These videos will highlight City departments and communicate news and announcements. Additionally, many City locations are equipped with electronic displays that stream announcements that may be viewed by employees during working hours.



Any time that you have a question regarding your job, work hours, pay, working conditions, etc., you should first go to your immediate supervisor and talk it over. If for some reason, you are not satisfied with the outcome of these informal discussions, you can use the complaint procedure outlined below to get the matter resolved.

EMPLOYEE COMMUNICATIONS

Complaints & Concerns

People work together best in an atmosphere where they are valued as individuals and recognized as key members of a team. This kind of respect encourages individuals to achieve their highest level of personal performance and to find a rewarding degree of personal pride in the expression of their own abilities. The City's aim is to create and constantly enhance such an environment that aligns with the City's Mission, Vision and Values. Certain standards of conduct must be maintained to ensure that each employee is treated fairly and consistently. Accordingly, policies, procedures, and rules are administered and expected to be followed uniformly.

We realize that in our City, as in any organization, complaints will arise. When this occurs, the problem can best be resolved if it is discussed with your immediate supervisor as soon as possible. Usually, this informal discussion can resolve the issue. A supervisor will not be criticized for having a complaint filed in his work group but is accountable for an honest effort to resolve the issue.

If your supervisor is the subject of the complaint, you may address the complaint to the next level of management.

Occasionally some issues arise which cannot be resolved informally. When this occurs, a formal complaint or grievance may be filed through Human Resources. These processes will be handled pursuant to City policies and rules addressing formal complaint procedures.

Access to Your Personnel File

The City of El Paso maintains personnel files and records for every City employee. These files contain documentation regarding various aspects of your tenure with the City, such as Performance Evaluations, corrective action notices, letters of commendation, etc. The City of El Paso maintains medical information in a separate confidential medical file.

You may inspect your own personnel file and medical file by contacting the Payroll and Records Section of the Human Resources Department and arranging a mutually convenient time to do so. These files must be reviewed in the office and in the presence of a representative of Human Resources.

You may request a copy of any document in your personnel file. Such copies will be made by a representative of Human Resources for a fee. You may also submit information for inclusion in your file, such as a response to a Performance Evaluation or new credentials earned.

The City will make every effort to respect and protect your privacy. It will not voluntarily disclose or disseminate personnel or medical records, salary, benefits, or terms of employment without your prior permission, subject to any applicable laws, including the Texas Public Information Act. However, supervisors may be allowed to review parts of employees' files on a need-to-know basis. Regulatory agency representatives, during their business, may be permitted access to personnel files. In addition, emergency or medical personnel may be permitted to review medical records during an emergency medical situation. Employees may request the removal of a formal counseling in accordance with Civil Service Rule 8.



EMPLOYEE COMMUNICATIONS

Employee Separation & Off-Boarding

Completion of the following steps are required when separating employment from the City.

- 1 Payroll clerk initiates Off-Boarding process.
- 2 Employee receives notification via email. Employee should log in to NeoGov to update address information if changes are needed.
- 3 Pension receives notification and contacts employee. Employee must respond within the deadline period.
- 4 Benefits receives notification and contacts employee. Employee must respond within the deadline period.
- 5 HR and HRIS receive notification and separates employee from service with the City.

*It is important to note that you have **30 days** from your last day of employment to meet with the Pension and Benefits departments. Failure to follow this process may result in the delay or denial of certain Pension or Benefits options.*

Exit Survey

When you separate from City employment, you will be afforded the opportunity to complete an exit survey as part of the Off-Boarding process. Information obtained through this process will assist in identifying areas where the City is doing things right and provide input on areas where the City may want to consider improvements.

COMPENSATION & BENEFITS



Pay Policies & Benefits

This section presents general information about pay policies and benefits. As applicable, the complete terms and conditions of employee benefits are contained in the documents in your benefits package and on the City of El Paso Human Resources Department website. Your benefits under these plans will be determined according to those plan documents. You should review the benefits package provided to you as soon as possible to understand your choices and to avoid missing an enrollment deadline and unnecessarily delaying participation.

The City of El Paso reserves the right to change or discontinue plans at any time. As benefits change, updates will be provided to you on the City's website, email, and various other internal communications as appropriate.

Questions about a particular benefit or situation not addressed herein should be directed to the Human Resources Department.



COMPENSATION & BENEFITS

Compensation

The City of El Paso's compensation program is designed to do the following:

- Attract and retain qualified employees and encourage growth and development.
- Ensure that you are fairly compensated for the work that you do.

Performance Evaluations

Newly hired employees on their initial probationary period and employees on a promotional probationary period will receive a Performance Evaluation within six (6) months of starting their position. Subsequently, a second Performance Evaluation will be conducted six (6) months later, which will serve as the employee's annual Performance Evaluation.

All Civil Service and unclassified employees will receive an annual Performance Evaluation. Temporary and seasonal employees will not due to the short duration of their assignments. However, regular and ongoing feedback to employees is encouraged regardless of employment status. Performance Evaluations will be required for all Civil Service and unclassified employees on an annual basis, on each employee's classification anniversary date. As a reminder, the classification anniversary date is the date the employee entered their current job through a promotion, as a new hire, or type of placement.

Pay Day & Deductions

You will be paid bi-weekly through direct deposit. Bi-weekly pay dates are every other Friday throughout the year. In the event these dates fall on a City holiday, the City customarily makes payroll deposits on the day preceding the holiday. The net amount you receive in your payroll deposit is not the full amount of money you earn. An earnings statement showing your total gross earnings, deductions, and the year-to-date dollar amounts and leave balances will be provided to you through the self-service software system (PeopleSoft) each pay period. It is your responsibility to check the earnings statements for any errors. In the unlikely event that there is an error in the earnings statement, you should promptly bring the discrepancy to the attention of your Payroll Department for correction accordance with the Overpayment Recovery & Wage Deduction Policy.

Deferred Compensation

DEFERRED COMPENSATION 457(b)

This is an employee-supported type of tax-advantaged retirement plan for local government employees. You are permitted to authorize a portion of your earnings to be withheld, up to the limits set by the Internal Revenue Service. Your contributions are taken out of your paycheck before taxes, lowering your overall tax bill today. When you take out money in retirement, you pay income taxes on the withdrawals. Investment options and Loans are also available within a 457(b) Plan. Non-uniform new employees hired after September 2015, are automatically enrolled into the City's Deferred Compensation Plan at 1% gross income unless the employee chooses to opt out. As of January 2024, the City Of El Paso is providing a Roth option to our Deferred Compensation plan.



COMPENSATION & BENEFITS

Overtime Pay

The workweek is Sunday through Saturday, and the standard workweek is set at 40 hours. When overtime is required and worked, overtime pay is as follows:

- Non-exempt employees working overtime will be paid at one and one-half the base hourly rate for time worked more than 40 hours in any workweek, in accordance with the Fair Labor Standards Act. Holidays, sick days, and vacation days will not be considered as time worked for purposes of calculating overtime pay unless provided for in an approved Collective Bargaining Agreement. If you are uncertain about whether you are non-exempt or exempt (based on the Fair Labor Standards Act), contact your payroll clerk or Human Resources.
- Working overtime must be authorized in advance. Failure to obtain such authorization may result in disciplinary action and/or termination of employment.
- The ability to work overtime is a part of every employee's job requirement when requested or required. The City expects that employees will make every effort to work overtime when requested to do so. Refusal or repeated inability to work overtime may be grounds for termination of employment.

Flexitime

Flexitime is a tool used to allow employees to work hours that are not within the standard work schedule. There are times when a department's operational needs require employees to either come in earlier than their normal reporting time or stay later than their normal end-of-shift time.

The adjustment of an employee's work schedule must be approved in advance by the immediate supervisor prior to the employee working the adjusted schedule. It is the responsibility of the immediate supervisor to verify and ensure the performance of employees who are granted flexitime. Good relationships among everyone involved are important for a successful flexitime policy. Trust is a big factor; supervisors must feel confident that employees will not abuse the benefits that are inherent in a flexitime schedule. Flexitime is a privilege, not a right, and if abused, may be taken away at the discretion of the supervisor. Flexitime is approved on a case-by-case basis and only for a specific period of time.

Examples of Flexitime Schedules:

- Adjusted Leave or Start Time. Employees may be allowed to report later or leave earlier.
- Adjusted Lunch Period. An employee's length of their lunch period may be adjusted while still working a full day.
- Compressed Workweek. Employees may, for example, be allowed to work four 9-hour days and one 4-hour day.

Social Security

Your payment of Social Security Taxes to the Federal government is matched by the City. The City and the Social Security office should have your current name on their records. If you change your name, notify both offices.

COMPENSATION & BENEFITS

Unemployment Compensation

You may be eligible for Unemployment Insurance as specified by the Unemployment Compensation Laws. The entire cost of Unemployment Insurance is paid by the City.

Health & Life Coverage

The City is self insured for health benefits and purchases life insurance coverage for City employees working a minimum of thirty hours. City employees, working a minimum of 30 hours a week, may enroll in the City's Medical, Dental, Vision or Supplemental Life Insurance Coverages. These insurance coverages are also available for eligible dependents, for which the employee and the City share the cost of each benefit. The City provides basic term-life coverage, accidental death and dismemberment coverage and life coverage for spouses and eligible dependents at no cost to employees. Insurance coverages selected by the employee become effective the first of the month after 30 days of full-time employment. You must enroll in these programs to receive these benefits.

If you wish to make any changes to your coverage after your initial selection, you must wait until the City's Annual Open Enrollment. Employees may be able to make changes to insurance coverages mid-year if a Qualifying Event is experienced and the employee is within 30 days of that event. Please contact the Benefit Services Office for more information. Uniformed Fire and Police employees should refer to their current collective bargaining agreements to determine their benefit coverages and costs.

LEAVE TIME

Holidays

The City of El Paso observes twelve (12) holidays each year. Eligibility for holiday pay is dependent upon employee status, as described earlier under EMPLOYMENT POLICIES.



City-Observed Holidays

If one or more of the City-observed holidays fall on either Saturday or Sunday, management may declare the preceding Friday or the following Monday as an alternate day off. Uniform Police and Fire personnel shall refer to their respective collective bargaining agreements for holiday information and guidelines. Holidays other than those listed will not be recognized as paid holidays. Upon prior approval, employees may observe other holidays by charging the time off against appropriate leave balances.

For any holiday falling within a period of paid vacation, you will receive Holiday Pay for the day of the observed holiday. Straight-time will be paid for all non-worked holidays. Employees qualify for holiday pay only if they are in a pay status on the workday immediately before and after a holiday. During a holiday work week, overtime is figured after 40 hours of worked time for non-exempt employees (non-worked holiday hours do not count as work time).

The following are City-observed holidays:

- * New Year's Day
- * Martin Luther King Holiday
- * Cesar Chavez Day
- * Memorial Day
- * Juneteenth
- * Independence Day
- * Labor Day
- * Veterans Day
- * Thanksgiving Day
- * Day After Thanksgiving
- * Christmas Day
- * Employee's Birthday



LEAVE TIME

Vacation

Eligibility for vacation leave is dependent upon employee status, as described earlier under EMPLOYMENT POLICIES. The City encourages you to make regular use of vacation time since the annual vacation benefit is designed to provide you with an opportunity to rest and enjoy a departure from the normal work routine.

Vacations are scheduled each year at the convenience of the City and the employee. Every effort will be made by the City to allow you to take vacation according to the schedule that is most convenient to you. The entire vacation period need not be taken at once. With your immediate supervisor's approval, it may be separated into more than one period to be taken during the year.

Accrual: Vacation is earned and calculated according to the schedule below.

All regular employees accrue vacation credit at the following rates:

- For 0-5 years of service (96 hrs): 40-hr-per-week employees - 3.70 hrs per biweekly pay period
For >5 to 15 years of service (136 hrs): 40-hr-per-week employees - 5.24 hrs per biweekly pay period
For >15 or more years of service (160 hrs): 40-hr-per-week employees - 6.16 hrs per biweekly pay period

The maximum-accrual for vacation leave is 400 hours.

Employees who are on an unpaid leave of absence status will not accrue vacation until they return to work on a regular basis.

The City does not advance vacation time. Vacation time charged by an employee who has insufficient vacation hours available will be treated as leave without pay. Uniform Police and Fire personnel shall refer to their respective collective bargaining agreements for vacation information.

Limitations: Every effort will be made to grant your requests to take a vacation when requested, however, vacation requests are subject to the needs of the City, which includes always having adequate staff.

Following termination of employment, employees who have completed one year of City employment will be paid at their current rate for unused earned vacation leave remaining at termination; however, all or a portion of the unused leave may be used to offset or repay the City for any outstanding loans or any other indebtedness owed by the employee to the City of El Paso, as permitted by applicable laws and City policy.



LEAVE TIME

Sick Leave

Paid sick leave is accrued and provided to maintain the continuity of your income during limited periods of non-job-related illness. Pro-rated accrual of sick leave may be available to unclassified employees working less than 30 hours.

Accrual. All regular and probationary employees who are scheduled to work a minimum of forty (40) hours per week are entitled to annual sick leave, with full pay, in the amount of 120.0 hours per year or 4.62 hours per pay period.

Regular part-time employees who are regularly scheduled to work a minimum of twenty (20) hours per week shall accrue sick leave at a pro-rated amount of full time entitlement based on the number of hours that they are scheduled to work.

Employees covered by collective bargaining agreements shall accrue sick leave as provided in the applicable agreement.

Employees may accrue unlimited sick leave.

Sick Leave Verification: No sick leave of three (3) or more consecutive workdays will be granted to any person without a medical certificate verifying that the leave is necessary for medical/health reasons. Additionally, no sick leave on the last scheduled workday before, the scheduled workday of, or the first scheduled workday after a City designated holiday will be granted to any person without a certificate. Such certificate must be from a health care provider and verify that the leave is necessary for medical reasons.

Department-specific rules and policies relating to sick leave verification may be established that are more

stringent, based on the nature of the department's operations and needs.

Limitations: Accrued sick leave is not paid at termination of employment unless otherwise required by a Collective Bargaining Agreement.

Emergency Sick Leave

Emergency Sick Leave may be granted under the sick leave clause for the following reasons:

- A quarantine established by the Health Authority.
- Death of mother, father, child, grandchild, brother or sister, spouse or designated household member, or their child, or parent. A maximum of five (5) days of sick leave may be granted for this purpose per event. Employees shall provide written documentation of the funeral or death.
- Death of other relatives or other persons with whom the employee has a significant familial relationship. Leave with pay in such cases may be for not more than one (1) day to permit attendance at the funeral.
- Illness of the employee's immediate family. "Immediate family" is defined as the spouse, designated household member, children, siblings, grandparents, or parents of the employee or of the employee's spouse or designated household member. No more than two days per pay period may be authorized to permit necessary arrangements for care unless the employee takes leave under the Family and Medical Leave Act.

LEAVE TIME

Military Leave

Military leave for City employees is provided in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and State military leave laws. Employees serving in the U.S. Armed Forces will be allowed paid military leave in accordance with the City's Military Leave Policy.

Family & Medical Leave of Absence

The Family and Medical Leave Act (FMLA) entitles eligible employees to 12 weeks of unpaid leave of absence for qualifying reasons and events. Employees will be granted leave in accordance with the City's FMLA Leave policy.

Leave of Absence

Leave of Absence may be granted in accordance with the City's Non-FMLA policy and FMLA Leave of Absence policy.

Employees with one or more years of service are eligible for a leave of absence not to exceed twelve consecutive months. Employees with less than one year of service are eligible for a leave of absence not to exceed ninety (90) days. For employees within their first year of employment, the leave of absence may not exceed 90 days. The request for leave must include the amount of time expected to be away from work and medical certification with the dates of incapacity. The employee is required to reapply for the leave of absence every thirty (30) days and provide updated medical documentation from a healthcare provider. Employees qualifying for FMLA leave must utilize all available FMLA leave before being eligible to receive an additional leave of absence.

Civil Leave

The head of any department shall grant an employee leave for any absence necessary for serving on a jury, attending court as a witness when subpoenaed due to court cases involving the City of El Paso, or registering for and taking tests of fitness for promotion in the City service during scheduled work time. A department head may grant leave with full pay to an employee for voting in an election, with prior supervisor approval. Civil Leave pay shall be for only the hours served.

You must notify your immediate supervisor that you have received a summons or subpoena after receiving it. Additionally, you must submit a copy of the statement from the court showing the dates you served on jury duty or as a subpoenaed witness to your immediate supervisor on the first workday following your return from court service. You are expected to work that portion of your normal workday not spent in court or performing duties in connection with court service.

Life-Threatening Illnesses

The City of El Paso recognizes that employees with life-threatening illnesses, such as cancer, heart disease, and HIV/AIDS, may wish to continue their normal pursuits, including work, to the extent that their condition allows. The City will make reasonable accommodations, in accordance with all laws and legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs. The medical information on individual employees is treated with the strictest of confidence and in accordance with privacy and confidentiality laws. The City will take every reasonable precaution to protect such information from inappropriate disclosure.



GENERAL INFORMATION

Safety & Injuries on the Job

Your safety is extremely important.

Your supervisors are responsible for ensuring that you have safe working conditions and equipment. However, being safe involves more than just having safe working conditions - it involves your participation. You must exercise safety awareness and the need to be constantly on alert for unsafe conditions or any situation which may lead to an injury to you or your fellow employees.

- Safety awareness means you look out for yourself and the people working with you. You are expected to know and observe all the safety rules relevant to your job and work area as reviewed with you by your immediate supervisor.
- Always exercise reasonable care while on the job.
- Become familiar with any emergency instructions posted for your work unit and with all the exits for the area where you work. Report any unsafe conditions to your immediate supervisor or the Department Safety Coordinator.



Report all accidents (regardless of severity) to your supervisor or member of leadership immediately after they occur.

In accordance with Ordinance 8064, Section 4.4, any on-the-job injury or exposure must be reported to your supervisor as soon as it occurs (or you are made aware of the exposure) and within 48 hours of the occurrence to be eligible for AWP (accident with pay benefit).

- If an injury or illness is so serious that medical attention must be sought immediately, then do so and contact your immediate supervisor as soon as possible.
- In the event a fellow employee or a visitor is injured or becomes seriously ill, do not attempt to move the individual, call 911 immediately and notify a supervisor or manager of the situation.

GENERAL INFORMATION

For more detailed information, consult the City's Employee Safety Procedures Manual located on the City's website and your immediate supervisor.

Uniformed Police and Fire personnel should refer to their respective collective bargaining agreements for notification of injury timelines.

Electronic Devices

You may be issued a cell phone or other electronic device for work-related duties. If so, you are expected to protect it from loss, damage, or theft. Upon separation of employment, you must return it in good working condition or reimburse the City for the cost of a replacement. Employees must also repay the City for any excessive or unauthorized use.

You must not use a cell phone while driving. Your safety comes before all other concerns. If you must accept business calls, you must use a hands-free device or pull off the road before answering the call. Under no circumstances are you allowed to place yourself or others at risk to fulfill business needs while driving any vehicle. Employees who are charged with traffic violations or incur other liabilities resulting from their use of a cell phone while driving on City business are responsible for liabilities that result from such actions and may be subject to disciplinary action.

Telephone Calls & Etiquette

How City employees communicate with customers and each other should align with the City's Mission, Vision, and Values as follows:

- Use a moderate rate of speech, a natural, friendly tone of voice, clear enunciation and articulation.
- Promptly answer all incoming calls and identify yourself. Be as helpful as possible and transfer the call only when necessary.

- Express empathy to irate callers. Get the details and offer to help.
- When answering a call for another employee, identify yourself and be helpful. Be discreet in explaining a coworker's absence. Take accurate messages and verify the phone number with the caller.
- Inform the caller when you must put them on hold and return as promptly as possible.
- Courteously end all calls and gently replace the handset.

It is, of course, in everyone's interest that City phones are kept free for business, and your cooperation in this regard is expected. Personal phone calls are permitted on an incidental basis. Personal long-distance calls may not be charged to the City. The City may monitor any use of its telephone equipment without notice. Additionally, personal cell phone use should be kept to a minimum when and if permitted.

Working Hours

The City renders service 24 hours a day, seven days a week. Consequently, your daily hours of work and workweek will vary, depending on your job and the services rendered by the department or division in which you work.

Personal Information Changes

The City of El Paso maintains a record of the name, home address, and telephone number of each employee and emergency contact. It is important that these records be kept up to date.

You must promptly report changes in your name, home address, telephone number, marital status, and emergency contact by making the appropriate changes

GENERAL INFORMATION

in the City's self-service software system (PeopleSoft). You may also revise the number of exemptions on your W-4 for income tax purposes in PeopleSoft.

from this restriction provided such equipment and tools are only used in accordance with the City of El Paso's Violence In the Workplace Policy.

Personal Mail

Mailroom services are intended for business use only. Due to the large volume of mail that is processed every day, personal mail should not be directed to your City address. Further, the City retains the right to open all inbound and outbound mail received by the mail room. Personal privacy should not be expected for any mail processed internally.

If you suspect any employee is in violation of these prohibitions, immediately report the facts to any supervisor or the Human Resources Department. Retaliation will not be tolerated against any employee who reports a suspected violation.

Employees should contact the Police Department directly by calling 911 when they have reason to believe that doing so is essential to prevent actual or imminent unlawful harm to themselves, others, or property. If the Police Department is contacted first, then your supervisor should be contacted immediately thereafter.

Personal Property

The City of El Paso accepts no responsibility for theft of or damage to personal property of employees on City premises. It is recommended that employees not bring valuables onto City premises, and never leave handbags, wallets, or other valuables unattended or unsecured.

Social Media

The City recognizes the role that social media tools play in the personal lives of its employees. The City is not attempting to regulate the personal private use of social media by employees, board members, volunteers and others to whom this policy applies; however, it is important to emphasize that personal use of social media can have an effect on your official capacity with the City. This policy should not be interpreted or construed to restrict any employee rights.

Violence Prevention

The City of El Paso seeks to provide a safe work environment free from acts and threats of violence and to respond effectively when they occur. Acts of violence and threats of violence, including any conduct involving the workplace or work relationships that cause an individual to reasonably fear for his or her safety, and the safety of his or her family, friends, associates, or property, are prohibited.

Employees, board members and volunteers are free to express themselves as private citizens on social media sites to the degree that their speech does not impair or impede the performance of their duties, impair discipline and harmony among coworkers, or is untrue, presents the City in a false light or divulges confidential information or plans about the City or their department. For more detailed information, consult your immediate supervisor, the City's Human Resources Department or the City's Social Media Policy.

GENERAL INFORMATION

If you maintain a website or are writing a blog that will mention the City and/or our services, employees, partners, and citizens. Identify that you are an employee of the City and that the views expressed are yours alone and do not represent the views of the City. You are not authorized to speak on behalf of the City or to represent that you do. Our logo and trademarks may not be used without written permission from the City. This is to prevent the appearance that you speak for or represent the City. If you are maintaining a website or writing a blog that will mention our City and/or our services, employees, partners, and citizens, alert your manager.

You may not share information that is confidential or proprietary about the City. This includes information about our services, sales, finances, employees, strategy, and any other information that has not been publicly released by the City. These are only examples of information that the City considers confidential and proprietary. If you have any questions or concerns about whether information has been or may be released publicly, speak with your manager, Department Director or Human Resources before sharing it. You cannot use City equipment, including computers or other electronic devices or equipment, or work time, to conduct personal blogging or social networking activities.

The City expects you to write knowledgeably, accurately, and professionally about our services, employees, partners, and citizens. Despite disclaimers, your interaction on social media can result in the public forming harmful opinions. Avoid any behavior that will reflect negatively on the City's reputation. Unfounded or derogatory statements, misrepresentations, as well as any commentary, content, or image that is defamatory, pornographic, proprietary, harassing, or libelous will result in disciplinary action up to and including termination of employment.

You are personally responsible for your commentary on blogs and social networking sites. You can be held personally liable for commentary that is considered defamatory, obscene, proprietary, or libelous by any offended party.

Security

Bringing guests, vendors, and former employees to any work area is prohibited unless authorized by a supervisor or a manager. Visitors may only be admitted to our facilities through the main entrances. You are responsible for assuring that anyone you take beyond the reception area has proper authorization and has signed the register at the front desk.

Security Inspections

The City reserves the right to conduct searches for the purpose of monitoring compliance with work and safety rules, including rules concerning the security of the City and individual property, drugs and alcohol, and possession of other unauthorized and prohibited items. To protect our employees and ensure the safety and security of our facility, the City reserves the right to ask questions as well as to search employees, their cars, desks, files, lockers, and personal items while on City premises. If a search is requested, the employee should be assured that it is not an accusation of theft or other wrongdoing, but merely part of an investigation.

An employee will never be forced to submit to a search. However, refusal to submit to a reasonable search, after a fair warning, may result in disciplinary action, up to and including termination.

City-owned vehicles, desks, and lockers may be provided for the convenience of employees but remain the sole property of the City. Unauthorized storage of City or personal property and overnight

GENERAL INFORMATION

storage of perishable food in employee desks and lockers is not permitted.

In summary:

- * This policy is for the purpose of monitoring compliance with work and safety rules.
- * A search of an employee's person and/or personal items will be initiated by a request for an employee's consent to conduct a reasonable search.
- * Employee submission to a reasonable search procedure is a condition of continued employment and failure to cooperate in a search or investigation can lead to termination of employment.
- * If the City allows an employee to have a locker, locked desk, or other storage areas, the City will either furnish the lock and keep a copy of the combination or key or will allow the employee to furnish a personal lock, but the employee must give the City a copy of the key or combination, upon request.
- * To assure compliance with these rules, and in the interest of maintaining a safe, drug-free workplace for all its employees, the City retains the right to open employee desks and lockers and inspect their contents at any time and without notice.
- * Consistent with existing policy, the City accepts no responsibility for theft or damage to personal property placed in employee desks and lockers.
- * This policy applies to all City employees.

Identification Badges

An identification badge with the employee's picture is issued to all employees. Your identification badge should be always worn and readily visible while you are on City premises.

If you lose your identification badge, notify Human Resources immediately to schedule an appointment to replace it, employees are responsible for the cost of replacement. Identification badges remain the property of the City and must be returned to Human Resources upon separation of employment. The cost of unreturned badges may be deducted from the employee's final payout. Employees may be asked to surrender their badges under certain circumstances.

Authorized Meal Breaks

Generally, eating meals at your workstation is not acceptable. Non-exempt (hourly) City employees who bring their lunch to work or order in may eat in any break room or authorized area. Keeping these areas neat and orderly is a responsibility shared by each of us. Your cooperation in cleaning up after yourself is expected.

All employees, including those who work outside of City facilities, are required to take their scheduled meal break unless otherwise authorized in advance by their supervisor.

Non-exempt employees may not work through or while on their meal breaks unless authorized in advance by their supervisor. In accordance with the Hours of Work Policy, all employees are expected to work their normal work schedule. Flexing is permitted with prior supervisor approval.

Parking

City parking lots are part of the City premises. All City policies and rules apply to employees and their vehicles while on or in these lots. You must observe the parking rules established by the City, including the parking space restrictions for visitors and the disabled community.



GENERAL INFORMATION

Use of City parking lots is at your own risk. The City assumes no responsibility for any damage to or theft of any vehicle or personal property left in a vehicle while on or in its lots. When entering lots that have card reader access, employees must use their badge to enter the lot, even if the electronic arm is still up. The arms are set on a timer and employees who do not badge to keep the arm up may incur damage to their vehicle, at their own expense. The employee may also be held liable for damages to the arm system when the employee does not badge to enter.

Employee Suggestion

The City encourages every employee to share suggestions for improvements. Employees are invited to share ideas and suggestions that may help the City of El Paso operate more efficiently. If you or your team has an idea about how to improve work procedures, improve safety, or reduce waste, discuss those ideas with your supervisor, manager, or Department leadership.

Employee Associations

City employees may belong to employee associations. The uniformed Fire and Police have employee associations with collective bargaining rights. Pursuant to state law, other City employee associations do not have collective bargaining rights.

IN CLOSING



Now that you have read this employee handbook, we hope we have answered many of the questions you might have had concerning your employment with the City of El Paso. Remember that we fully support open communication at the City. If you have a question or a concern, ask your immediate supervisor and give them the opportunity to respond.

The City and its employees must adhere to all applicable federal and state laws. Every effort has been taken to make sure the information in this handbook is accurate and in compliance with those laws. In the event a conflict exists or develops, the laws will control.

Nothing in this handbook is intended to create, nor is it to be construed to constitute, a contract between the City of El Paso and any of its employees. The City retains the right to make changes to the material contained in this handbook from time to time to meet changing conditions, laws, and organizational needs. When this occurs, revisions will be posted on the City's [Intranet](#).

Employees will be required to acknowledge receipt of this handbook during the completion of the Onboarding process.

ACKNOWLEDGMENT SIGNATURE



Acknowledgment of Receipt of the Employee Handbook

I understand that I am to read, become familiar and comply with the City of El Paso's Employee Handbook ("Employee Handbook"), which contains a synopsis of the City's policies, procedures, and guidelines related to my employment. I can find a copy of the Employee Handbook on the City's Intranet at www.my.elpasotexas.gov under "QuickLinks" or on the City's Human Resources webpage located at www.elpasotexas.gov/human-resources. If I have a question regarding the interpretation of these policies, procedures, and guidelines, I will contact my immediate supervisor or the Human Resources Department for clarification.

I understand that this handbook is not an express or implied contract of employment and that it does not create any rights in the nature of an employment contract. Rather, this handbook is an overview of policies related to my employment with the City of El Paso.

I also understand that the City of El Paso reserves the right to modify, revoke, suspend, or terminate any of the procedures or guidelines described in this handbook, at any time, with reasonable notice. By accepting or continuing my employment with the City, I agree to comply with any such changes as the City may implement and no further consent from me shall be necessary.

Employee Signature:

Printed Name:

Date:

Last four of SSN#:



SUGGESTIONS



Employee Handbook Feedback & Ideas

Now that you have read this Employee Handbook, we would like your comments and suggestions on its content.

As information or policies change, the handbook will be updated, and you will be sent new pages to insert. At those times, we will be able to make improvements based on your suggestions.

Is there a section that you considered confusing or insufficiently covered? If so, what section is it and what questions do you have?

Is there a subject you expected to see included that is not covered? If so, what is it?

Do you have any other suggestions for improving the Employee Handbook?

**Please send your ideas to the Deputy City Manager
Araceli Guerra at GuerraAJ@elpasotexas.gov.**



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Americans with Disabilities Act (ADA) – Reasonable Accommodations Policy

Creation Date: May 30, 2015

Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

POLICY: AMERICANS WITH DISABILITIES ACT (ADA) – REASONABLE ACCOMODATIONS

To provide reasonable accommodations for employment with the City of El Paso (the "City") to individuals with permanent disabilities.

POLICY

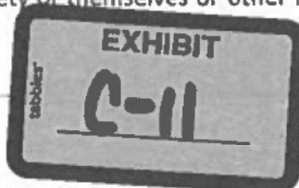
The City is committed to providing equal employment opportunities to individuals with disabilities, those regarded as having disabilities and those associated with individuals with disabilities. Accordingly, we do not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. The City complies with all federal and state laws concerning the employment of persons with disabilities and acts in accordance with regulations and guidance issued by the Equal Employment Opportunity Commissions (EEOC).

ELIGIBILITY

The City will engage in the interactive process to find reasonable accommodation(s) for qualified individuals with a disability to enable them to perform the essential functions of a job, unless doing so causes an undue hardship to the City, or a direct threat to these individuals or others in the workplace, or the public, and the threat cannot be eliminated by reasonable accommodations.

When an individual with a disability is requesting accommodations and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety and/or public safety, he or she will be given the same consideration for employment as any other employee or applicant.

All employees are required to comply with City safety standards. Current employees who pose a direct threat to the health and safety of themselves or other individuals in the workplace or



the public will be placed on appropriate leave. The City will make a lawful and reasonable decision in regard to continued employment.

Individuals who are active illegal drug users are excluded from coverage under the City's ADA Reasonable Accommodation Policy.

The City's Human Resources (HR) Department, through its ADA Coordinator, is responsible for implementing this policy, including requests for and resolution of reasonable accommodations, safety and direct threat determinations, and undue hardship issues. All requests for reasonable accommodations must be presented to the HR Department, the Departmental HR Manager, or the employee's supervisor who will forward the request to the HR Department.

DEFINITIONS

"Direct Threat" means a significant risk to the health, safety or well-being of individuals or others when this risk cannot be eliminated by reasonable accommodations.

"Disability" means a permanent physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment or being regarded as having such an impairment.

"Essential functions of the job" refers to those job activities that are determined by the City to be essential or core to performing the job; these functions cannot be modified.

"Major bodily functions" is a term included in the Americans With Disabilities Act Amendments Act (ADAAA), may include physical or mental impairments such as any physiological disorder or condition, cosmetic disfigurements, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs) cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability (formerly termed "mental retardation") organic brain syndrome, emotional or mental illness, and specific learning disabilities.

"Major Life activities" include the following: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.

"Qualified individual" means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

"Reasonable Accommodation" includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities; job restructuring; part-time or modified work schedules; reassignment to a vacant position;

acquisition; or modification of equipment or devices; appropriate adjustment or modifications of examinations, training materials or policies; the provision of qualified readers or interpreters; and other similar accommodations for individuals with disabilities.

"Reassignment" is non-promotional placement into a vacant position for which the individual qualifies. Reassignment may be provided to employees who can no longer perform the essential functions of their regular job due to a disability but are able to work and perform the essential functions in another job.

"Substantially limiting" In accordance with the ADA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment such as cancer that is in remission but that may possibly return in a substantially limiting form is also considered a disability under EEOC final ADA regulations.

"Undue Hardship" is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the City.

The examples provided in the above definitions are not meant to be all-inclusive and should not be construed as such. They are not the only conditions considered to be disabilities, impairments or reasonable accommodations covered by this policy.

GUIDELINES AND PROCEDURES:

I. REASONABLE ACCOMMODATIONS APPLIES TO THREE ASPECTS OF EMPLOYMENT

- A. To assure equal opportunity in the employment process
- B. To enable a qualified individual with a disability to perform the essential functions of a job
- C. To enable an employee with a disability to enjoy equal benefits and privileges of employment

II. REQUESTING AND PROVIDING REASONABLE ACCOMMODATIONS

- A. Any applicant for employment or current employee may request a reasonable accommodation by contacting the City's Human Resources Department, ADA Coordinator. The ADA Coordinator will request the name, address and telephone/contact information of the person requesting the accommodation. The request must indicate the specific limitations and the type of accommodations requested, with an explanation of how the accommodation will allow the performance of the essential functions of the position or the participation in the subject activity.

Should an applicant or employee require assistance in the interactive process, a representative may participate so as to facilitate the efficient and effective communication and collection of information relative to the request for reasonable accommodation.

- B. Verification of the disability by the requester's physician, medical provider or vocational/rehabilitation specialist may be required. If medical verification is required, the person requesting the accommodation must sign an authorization for the release of medical/health care information. Any medical and health documentation will be collected and maintained on separate forms and in separate, locked files.
- C. When a qualified individual with a disability has requested an accommodation, the ADA Coordinator, shall, in consultation with the individual:
 - 1. Discuss the purpose and essential functions of the particular job involved. (Completion of a step-by-step job analysis may be necessary)
 - 2. Determine the job-related limitation
 - 3. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job
 - 4. Select and implement the accommodation that is the most appropriate for both the individual and the City. While an individual's preference will be given consideration the City may choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
 - 5. The ADA Coordinator will work with the employee to obtain technical assistance, as needed.
 - 6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time
 - 7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of City business, the employee and the ADA Coordinator shall work together to determine whether reassignment may be an appropriate accommodation.

III GENERAL CONSIDERATIONS

- A. The determination whether to provide an accommodation is made on a case-by-case basis. This is an individual process through which the ADA Coordinator, the individual and the department discuss and arrange for the necessary and reasonable accommodation.
- B. The City may not compel an individual with a disability to use an accommodation that is not requested or needed by an individual, nor necessary to perform the job.
- C. Employees with disabilities who refuse an accommodation may no longer be considered qualified if they are unable to perform all of the essential functions of the job without the accommodation.
- D. The City's duty to initiate the process may arise when a need for accommodation is known, including when a qualified individual applies for the employment or an

employee's disability or job changes. Supervisors must notify HR immediately when they become aware of the need for restrictive duty.

- E. Reasonable accommodation items that are purchased by the City are the property of the City.
- F. Employees who are temporarily unable to perform the essential functions of their position due to medical restrictions that cannot be reasonably accommodated may be eligible for a transitional duty assignment as outlined in the City's "Transitional Duty Policy".

IV REASSIGNMENT

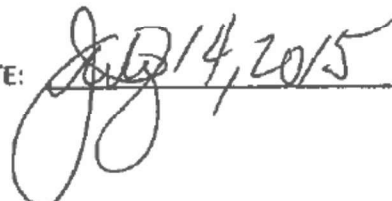
- A. Employees who cannot perform the essential functions of their job with or without reasonable accommodation may be eligible for reassignment to a vacant position.
- B. To be eligible for a job reassignment, the employee must meet the minimum qualifications for the position. The City has no obligation to train the employee to become qualified for reassignment to another City position.
- C. Reassignment offers employees the opportunity to fill non-promotional job vacancies with the City.

V. RETURN FROM MEDICAL LEAVE OR ABSENCE

- A. An employee who returns from a medical leave or absence must provide to the City a release from the employee's health care provider stating whether the employee can return to work with or without permanent restrictions. If the health care provider indicates that the employee has one or more restrictions because of a disability that requires reasonable accommodations, the City and employee will engage in the interactive process set forth herein to determine what reasonable accommodations are needed so that the employee can perform the essential functions of the job with or without accommodations. If, because of restrictions identified by the employee's health care provider, a return to the same position held prior to the absence is not possible because the restrictions prevent the employee from performing the essential functions of the employee's job, with or without accommodations, the employee may be considered for reassignment.

APPROVED BY:


FOR _____
TOMAS BONZALEZ, City Manager

DATE: 

Americans with Disabilities Act ADA Supervisor Guide

What is it?

- The ADA Act, a Federal civil rights law, prohibits discrimination on the basis of a disability.
- The City will engage in the interactive process to find reasonable accommodation(s) for qualified individuals with a disability who are requesting an accommodation.
- Reasonable accommodations:
 - Enable employees to perform the essential functions of a job.
 - Are provided without creating an undue hardship or causing a direct threat to workplace safety and/or public safety to the City.

Who qualifies?

- A qualified individual with a disability is someone who:
 - Has a physical or mental impairment that substantially limits one or more major life activities.
 - Has a history or record of such an impairment, or is perceived by others as having such an impairment.
 - Has disabilities that may be visible or not visible.
- The City's Human Resources ADA Coordinator works directly with employees to implement reasonable accommodations.
 - **Supervisors do not** authorize, determine, or implement reasonable accommodations without HR approval. In all cases, refer to the HR ADA Coordinator so that reasonable accommodations may be recorded and go through the ADA Process.

ADA Process

1. All ADA accommodations must be submitted via an ADA ticket through HR Cherwell Portal by employee or by Supervisor on behalf of employee. A ticket may be submitted due to one of the following:

- a. If an employee returns to work and provides medical note to Supervisor stating **permanent** restrictions (i.e. no lifting more than 20 lbs).
- b. If Supervisor believes employee may be a candidate to an accommodation under ADA (i.e. employee is not able to perform some of their job duties without a reasonable accommodation).

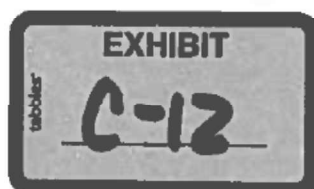
2. HR ADA Coordinator will work directly with employee.

3. If ADA accommodations are approved (through the interactive ADA process), a copy of the accommodations will be provided to the Supervisor and employee and kept in the employee's medical file.

- a. The ADA Coordinator works with the employee and the department to discuss and arrange for the necessary and reasonable accommodation(s) that will allow the employee to perform their essential functions.

4. Supervisor will implement approved accommodations listed on the ADA Approval Letter.

- a. Any medical information, to include a disability, is confidential information and will not be shared with Supervisor or departmental staff.



What do reasonable accommodations look like?

Below are some examples of ADA accommodations a Supervisor, on behalf of employee, or the employee themselves may request.

Remote Work

Employees with disabilities might benefit from remote work arrangements (if the positions allows), allowing them to work from home where their environment can be better controlled.

Flexible Work Schedule

An employee with a medical condition that causes fatigue might be allowed to work flexible hours, such as starting later in the morning to accommodate their energy levels.

Accessible Workspace

An employee with a mobility impairment may need their workspace to be modified to be accessible, including adjustments to desk height, doorways, and pathways.

Privacy Screen Protector

Employee may reduce eye strain and/or migraines through the use of privacy screen protector.

Sign Language Interpreter

Employees who are deaf or hard of hearing may require a sign language interpreter or access to speech recognition software during meetings, presentations, or training sessions to ensure effective communication.



Reminder: Reasonable accommodations are related to the **essential functions** of an employee's **current position**.

Ergonomic Equipment

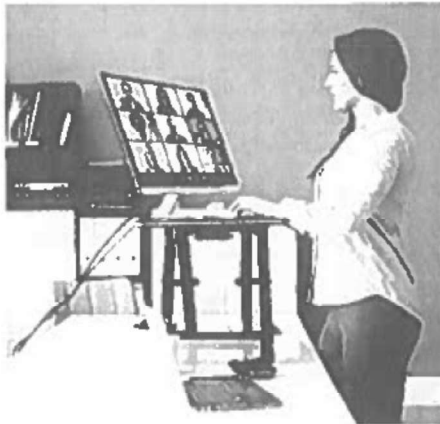
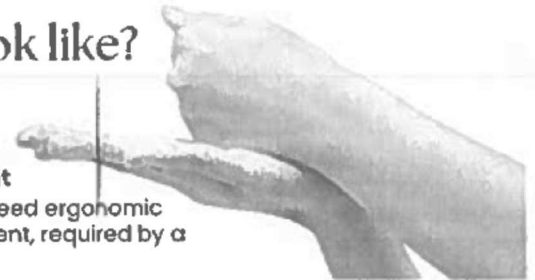
An employee might need ergonomic furniture and equipment, required by a medical condition.

Modified Breaks

An employee with a medical condition might need additional or extended breaks to manage their condition as indicated by their medical provider.

Accessible Communication

A blind or visually impaired employee may be provided with assistance and/or materials in accessible formats, such as large print, Braille, or electronic formats to access computer systems and documents.



Quiet Workspace

An employee with sensory sensitivities might require a quiet workspace or noise-canceling headphones to help them focus and reduce sensory overload.

 Phone #: 915-212-0045

 [Website](#)

 [Submit a ticket](#)

SUSPENSION APPEAL FORM

Date: August 5th 2025

Civil Service Commission Secretary
300 North Campbell
El Paso, Texas 79901



To the Honorable Civil Service Commission:

I, Samantha R. Sapien of the Zoo
Department, under the provisions of 6.13-4, hereby appeal my Department Head's order given
to me on 7/29/2025 to to place me on SUSPENSION from
August 9th to August 11th.

Additional comments:

This was for an incident involving a failure of another employee to finish a task that is expected of each employee. As he was not in training nor was I a preceptor, so I was not liable to follow behind him and ensure that he was completing each task. He did not ask me to check stalls for him, nor did he go into the stalls he had just cleaned and double check before he locked up and animals were shifted.

Signature: 

(Please Print)

Name: Samantha R Sapien

Address: [REDACTED]

City/State/Zip: [REDACTED]

Telephone: [REDACTED]

Employee ID #: [REDACTED] Last 4 of SS# [REDACTED]

Do you have an attorney or personal representative? Yes No

If yes, Please give name and address:

Brian Kennedy Law
310 N. Mesa St., Suite 614
El Paso TX 79901





El Paso Zoo Department

MAYOR
Renard U. Johnson

TO: Samantha Sapien, Zoo Keeper, [REDACTED]
FROM: Joseph Montisano, Zoo Director
DATE: July 29, 2025
SUBJECT: Acknowledgement of Documents

CITY COUNCIL

District 1
Alejandra Chavez

District 2
Dr. Josh Acevedo

District 3
Deanna M Rocha

District 4
Cynthia Boyar Trejo

District 5
Van Niño

District 6
Art Fierro

District 7
Lily Limón

District 8
Chris Canales

CITY MANAGER
Dionne Mack

This memorandum is to acknowledge your receipt of the following documents regarding the Notice of Suspension provided to you on July 29, 2025.

- Notice of Suspension (8 pages)
- Supporting Documents (8 pages)
- Acknowledgements (4 pages)
- Discipline History (1 page)
- Disciplinary Policy and Matrix (11 pages)

I am acknowledging receipt of the above documents.


Signature

July 29th 2025
Date

RECEIVED
AUG 25 2025
CIVIL SERVICE
COMMISSION

Joseph Montisano – Zoo Director
El Paso Zoo | 4001 E. Paisano | El Paso, TX 79905
O: (915) 212-0868 | Email: MontisanoJ@elpasotexas.gov



ENVIRONMENTAL SERVICES

CITYHR30JUL'25:45:06



CITY OF EL PASO, TEXAS NOTICE OF SUSPENSION

Name: Samantha Sapien	Last 4 #'s of SS #: [REDACTED]	Date: July 29, 2025
Position: Zoo Keeper	Employee ID #: [REDACTED]	

Address: [REDACTED]

From: Zoo Department
Subject: Suspension Without Pay

THIS IS TO NOTIFY YOU THAT YOUR EMPLOYMENT WITH THE CITY OF EL PASO IS HEREBY SUSPENDED FOR THREE (3) WORKDAYS EFFECTIVE: August 9 TO August 11 2025

THE FOLLOWING ARE THE STATUTORY REASONS OR GROUNDS AND SPECIFICATIONS OF FACTS WHICH HAVE NECESSITATED THIS ACTION:

CHARGES:

YOU HAVE VIOLATED THE FOLLOWING CITY OF EL PASO CIVIL SERVICE COMMISSION CHARTER PROVISIONS, ORDINANCES, RULES AND REGULATIONS:

CITY CHARTER - ARTICLE VI - Civil Service

SECTION 6.13-2. DISCIPLINARY ACTION; REDUCTION

A regular employee may be discharged, suspended or reduced in rank or position as provided in the Charter or further defined in the Rules.

SECTION 6.13-3. CAUSES OF SUSPENSION, REDUCTION OR DISCHARGE

The following, which may be further defined in the Rules, may constitute causes for discharge, suspension or reduction in grade of regular employees:

- F. Incompetency or negligence in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent or responsible manner;
- P. For just cause.

RECEIVED
AUG 25 2025
CIVIL SERVICE
COMMISSION

I HAVE RECEIVED A COPY OF THIS NOTICE

[Signature]
Employee's Signature

Date: July 29th 2025

BY CERTIFIED MAIL NUMBER: _____

[Signature]
DEPARTMENT HEAD

COPY RECEIVED AND FILED

HUMAN RESOURCES

BY: _____
DIRECTOR

DISTRIBUTION: Original - Human Resources Department; Copy - Department



-CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

CIVIL SERVICE COMMISSION RULES AND REGULATIONS

RULE 8. SUSPENSION, REDUCTION, DISCHARGE

Section 1. Causes of Suspension, Reduction or Discharge

The following may constitute causes for discharge, suspension or reduction of regular employees: That an officer or employee in the Civil Service:

- f. Is incompetent or negligent in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent, or responsible manner; or (Amended 8/25/09, 9/17/13)
- p. For just cause. (Added 7/21/07)

Section 2. Disciplinary Notice

Disciplinary actions in the nature of a discharge, involuntary reduction, or suspension taken against a regular employee, other than at the end of a probationary period, will not become effective until the Department Head has first served upon such employee a written notice of discipline. The notice must contain one or more statutory reasons or grounds for discipline, together with such specifications of fact as will enable the employee to make an explanation and place him fairly upon his defense. The specifications of fact shall be of sufficient specificity so as to preclude the possibility of disciplinary action for the same act or omission in the future. Nothing contained herein shall prohibit the Department Head from using an employee's prior acts or omissions resulting in discipline in determining future disciplinary action against the employee. An employee may be disciplined for other acts or omissions not specified in the notice even if such acts arise from the same incident or event. A Department Head may not unilaterally reduce the discipline given once notice of discipline has been provided to the employee, without the employee's consent. A copy of such notice of discipline, together with the employee's explanation, if any, will be filed with the Human Resources Director. (Amended 06/24/03, 7/31/07, 8/25/09)

Section 3. Notice of Proposed Disciplinary Action, Procedure and Limitation of Action

- a. When disciplinary action in the nature of a five (5) day suspension or greater, a reduction, or discharge is being contemplated by the Department Head, the employee must be served with a notice of proposed disciplinary action which shall conform with the notice requirements set forth in Section 2 and Section 3 (b) of this Rule. In addition to the notice of proposed disciplinary action, the employee shall be furnished with the written materials and tangible things in the possession of the Department Head that form the factual and evidentiary basis for the proposed disciplinary action. No matter may be withheld from the employee that is inconsistent with the theory of discipline or that could tend to mitigate the contemplated sanction. (Amended 8/25/09)
- b. Within ten (10) days of receipt of the notice of proposed disciplinary action, the employee may request a conference with the Department Head. Within five (5) working days of receipt of the employee's response, the Department Head shall meet with the employee, provided further that this period may be extended with the mutual consent of the Department Head and the employee. No witnesses may be called to testify as part of the employee's explanation or response. During the conference, the employee, their representative, and the Department Head shall engage in discussions with a view toward reaching a consensus and agreement relative to the proposed disciplinary action. No part of the discussions that take place during the conference may be offered into evidence at any subsequent hearing, except for the limited purpose of determining compliance or non-compliance with the provisions of this Rule as provided in paragraph "f" and for impeachment purposes. In the event such a consensus is reached, the execution by the employee of documents finalizing the settlement agreement shall constitute a waiver of the employee's right to appeal to the Commission, and the employee shall be so advised in plain language. (Amended 09/09/03, 01/06/04, 8/25/09; 1/20/15)

EMPLOYEE'S INITIALS SS

RECEIVED

AUG 25 2025

Page 2 of 8

CIVIL SERVICE
COMMISSION

City 000147



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

- c. Respecting discharge, those departments currently using a pre-termination hearing shall not be required to have a conference as contemplated hereinabove provided that the time between notification and hearing shall be at least five (5) days and further provided that there shall be no change to current practices regarding violations of applicable federal laws. (Amended 09/09/03, 01/06/04, 08/25/09)
- d. The employee is entitled to have a representative of their choice assist them in the preparation and presentation of their response, provided further that in the event the representative is an employee of the City, he shall use vacation leave or personal days for such time as may be required for the representative to attend the conference. If the employee does not have any accrued vacation or personal days, the employee will be placed on unpaid administrative leave for such time as may be required for the representative to attend the conference. The employee must provide his Department Head with two days notice of the request to take the above leave. The Department Head may disapprove the request if the leave significantly interferes with the operational needs of the department. (Amended 09/09/03, 01/06/04, 08/25/09)
- e. A proposed written notice of disciplinary action must be served on an employee within 120 calendar days from the date Human Resources is made aware of the occurrence of the incident giving rise to the discipline, provided however that this period of limitation shall be tolled if an investigation is being conducted by a law enforcement authority into criminal charges against the employee arising out of the same incident. Once a Department Head receives notice from the employee that charges have been preferred, through an indictment or information, or that the criminal investigation has been concluded without the preferral of charges, then the time period will resume running. (Amended 09/09/03, 01/06/04, 8/25/09, 09/19/17)
- f. Any issue of non-compliance with these provisions will be considered by the hearing officer and/ or Commission upon the appeal of the disciplinary action. (Amended 01/06/04)
- g. Excluding Section 3 (e), in computing any time periods set forth in this Rule, Saturdays, Sundays, and City Holidays shall not be included. (Amended 01/06/04, 09/19/17)
- h. Nothing in the Rule shall prevent suspension of the employee from service without pay in appropriate circumstances. (Amended 01/06/04)
- i. A copy of this rule shall be attached to each notice of proposed disciplinary action. (Passed 1/6/04)

Section 4. Resignation Before Appeal Decision

The acceptance by Department Head of the resignation of a person discharged before final action on the part of the Commission will be considered a withdrawal of the charges and the separation of the employee concerned will be recorded as a resignation and the preceding will be dismissed without judgment. (Amended 7/31/07)

Section 5. Disqualification for Reappointment

Any employee who is dismissed for cause or who resigns while not in good standing will be disqualified from taking a Civil Service examination for two years thereafter. His name will be removed from all eligible lists, unless, in the judgment of the Commission the cause of his dismissal or resignation under charges will not affect the possibility of his or her usefulness in some other position. (Amended 8/25/09)

Section 6. Non-Certification of Suspended Persons

The names of persons suspended will not be certified from eligible lists during the period of suspension.

Section 7. Election to Forfeit Annual Leave

Regular employees suspended for not more than ten (10) working days may elect to forfeit annual leave for a period equal to the suspension, or to the extent of the employee's annual leave balance, subject to approval of the Department Head. The election provided for herein, shall work a waiver of the employee's right to appeal the disciplinary action to the Commission.

EMPLOYEE'S INITIALS SS

RECEIVED
AUG 25 2025
CIVIL SERVICE
COMMISSION



EMPLOYEE INCIDENT REPORT

Today's Date: 5/15/2025	Click or tap to enter a date.
-------------------------	-------------------------------

Employee Name:	Taylor Paulsen	Kronos ID: [REDACTED]
----------------	----------------	---

Please select one of the divisions: **Collections- Area 5**

Date of Occurrence: 5/15/25	Click or tap to enter a date.
Time of Occurrence: 9:20AM	
Location of Occurrence: Hoofstock barn	

DESCRIBE IN DETAIL WHAT OCCURRED:

Description of the incident: A rake and shovel were left in stall 8 in the hoofstock barn overnight. The Kudu had access to the stall but it did not appear as though they messed with it as it was leaning up against the wall when keeper came in. The kudu also did not appear to have any visible injuries caused by the tools. The locks were checked by three people at close Kellen, Yuli, and myself. None of us saw it in the stall likely because it was leaned up against the wall and blocked by the door.



EMPLOYEE INCIDENT REPORT

Today's Date: 7/24/2025

Employee Name: Kenneth Riley	Kronos ID: 021797

Please select one of the sections: Area 5

Date of Occurrence:	5/15/2025
Time of Occurrence:	Morning
Location of Occurrence:	Hoofstock Barn S8

DESCRIBE IN DETAIL WHAT OCCURRED (Use as much space as needed):

O 5/15, Taylor was hoofstock keeper. She informed me that she found tools in the back stalls at hoofstock that morning. The Kudu had access to the stall overnight. I asked her to write me an incident report. I then looked at the schedule to see which keeper were in that routine yesterday. It was Sam and Kellen. Over the next 2 days (due to them being on their weekends) I asked both of them to type up an incident report about the tools being left in the back stalls overnight. Once I received all 3 reports, I forwarded them to my supervisor.

Did you report the Incident to your supervisor? _____

Yes _____

Name of your Supervisor: _____

Amanda Leverette _____

Date Reported to your Supervisor _____

5/15/2025 _____

If you answered yes to the above question, please give the name of the Witness(es): _____

Kenneth Riley RINT NAME

SIGNATURE *Kenneth Riley*



El Paso Zoo

MAYOR

Reynard U. Johnson

TO: Samantha Saplen, Zoo Keeper [REDACTED]

FROM: Joseph Montisano, Zoo Director *J*

DATE: February 21, 2025

SUBJECT: Formal Counseling – Safety Violation / Failure to Follow Dept. Rules or Policies

CITY COUNCIL

District 1
Alejandra Chavez

District 2
Dr. Josh Arredondo

District 3
Deanna M. Rocha

District 4
Cynthia Boyai Trep

District 5
Van Niño

District 6
Art Fierro

District 7
Lily Limon

District 8
Chris Canales

CITY MANAGER

Donna Mack

On August 26, 2024, while cutting alfalfa cubes you failed to use the proper Personal Protection Equipment (Cut Resistant Gloves) which resulted in you cutting a small piece off the side of your left middle finger. You were reminded not an hour prior to the incident that you needed to be wearing the cut resistant gloves.

On the morning of September 8, 2024, the Giraffe stall 1's lower door lock was secured to the wrong hasp, leaving the latch locked in open position. Stalls must be properly secured to insure the safety of not only the animal, but of the zoo staff and the public.

You have previously received two Memorandums of Expectations and a verbal counseling for similar infractions; however, you have failed to adhere to the procedures and safety guidelines in place when performing your duties, potentially causing dangerous situations and showing inefficient performance.

You are hereby formally counseled for failure to follow Zoo procedures and its Safety Procedures. Be advised that future incidents of this or of similar nature will not be tolerated and will result in disciplinary action, up to and including termination of your employment with the City of El Paso.

This notice is provided in compliance with Rule 8, Section 8 (Formal Counseling). Please be advised that you may request that this formal counseling be removed from your personnel file after the expiration of twelve (12) months from the date of this formal counseling, provided you have not received any disciplinary action during the twelve (12) month time period. Employees receiving a formal counseling shall have the right to place responses to the formal counseling into their personnel files which shall remain in the file so long as the formal counseling to which the response relates remains in the file.

Acknowledgement of Receipt: 
Date: 2/21/25

Witness: 
cc: Human Resources-Personnel file

Joseph Montisano – Zoo Director
El Paso Zoo | 4001 E. Paisano | El Paso, TX 79905
O: (915) 212-0966 | Email: MontisanoJ@elpasotexas.gov





Acknowledgment of Receipt of the Employee Handbook

I understand that I am to read, become familiar and comply with the City of El Paso's Employee Handbook ("Employee Handbook"), which contains a synopsis of the City's policies, procedures and guidelines related to my employment. I can find a copy of the Employee Handbook on the City's Intranet at MyElPasoTexas.gov under "Documents" or [HERE](#) directly. If I have a question regarding the interpretation of these policies, procedures and guidelines, I will contact my immediate supervisor or the Human Resources Department for clarification.

I understand that this handbook is not an express or implied contract of employment and that it does not create any rights in the nature of an employment contract. Rather, this handbook is an overview of policies related to my employment with the City of El Paso. I or the City can terminate my employment at any time, with or without cause and with or without notice.

I also understand that the City of El Paso reserves the right to modify, revoke, suspend or terminate any of the procedures or guidelines described in this handbook, at any time, with reasonable notice. By accepting or continuing my employment with the City, I agree to comply with any such changes as the City may implement and no further consent from me shall be necessary.

Signature

RPO

Full Name

Samantha Sapien

Date

12/12/2023

Last 4 of SSN

██████



COEP Acknowledgement Form 2022

Full Name

Samantha Sapien

I am aware that the City of El Paso Safety Policy is located online at the City's website. I am also aware that if I do not have access to a computer, my department can provide a copy for me

Signature of Acknowledgement of Safety Manual

Samantha Sapien

Americans with Disabilities Act

Drug-free Workplace

Disciplinary Policy and Matrix

Professional Appearance Policy

Sexual Harassment Prevention

Social Media Policy

Military Leave Policy

Code of Conduct

Please sign once you have read the above policies

Samantha Sapien

I hereby acknowledge that I have read the City of El Paso's Off-The-Clock and Remote access Device Policy for Non-Exempt Employees that I have read the Policy and understand it, and that I understand that any questions that I may have about the Policy in future should be directed to the Human Resources Department.

Off the Clock and Remote Access Device Policy

Full Name

Samantha Sapien

Last 4 of SSN

██████

Signature

RS

Date

12/12/2023



Memorandum of Expectations

This memorandum is a formal notification to you regarding my expectations as the new Zoo Director.

The following outlines the expectations of the El Paso Zoo Department which includes but are not limited to:

1. You are expected to comply with all City of El Paso rules, policies and procedures. Additionally, you are expected to comply with all policies and procedures specific to your job and the Zoo Department, unless an exception is authorized by me.
2. You are expected to follow the chain of command with issues, opportunities, complaints and/or grievances. Failure to follow the chain of command will result in disciplinary action and handled as a separate matter from the actual issue, complaint and/or grievance.
3. If your complaint is being filed against me or if your complaint is pertaining to federally protected employment categories then you are encouraged to contact our assigned HR representative directly.
4. You are expected to be on time and ready for work every day in accordance with your assigned work schedules. All exempt employees are expected to work a minimum of 40 hours per week.
5. The purpose of the Ethics Hotline is to address concerns about unethical, illegal or irresponsible activity. You are still encouraged to follow the chain of command to report any and all incidents; however, if this is not possible or you would like to remain anonymous then you may report the aforementioned types of activity via the Ethics Hotline. Please be advised when filing an Ethics Hotline complaint specific and thorough details will assist in assessing the concern to the greatest extent possible.
6. Please treat each and every guest as if they are the most important person you talk to that day. In the event that guest behavior needs to be corrected, please be conscious of your communication and convey yourself in a positive manner.
7. Litter is all of our responsibility. Please pick up and properly dispose of any trash that you encounter on the public side of the Zoo.
8. Treat each other, management and the guest with respect at all times. You are always expected to conduct yourself in a respectful and professional manner.
9. Respect the diversity among the staff and patrons of the El Paso Zoo. Please ensure your actions reflect positively.

Failure to meet the expectations outlined within this memorandum will result in disciplinary action.

We are all very lucky to be an employee of the El Paso Zoo. I encourage all of you to focus on the good in your jobs and expect you to do your part in creating a positive work environment for yourself as well as those around you.

Should you have any questions or concerns, please do not hesitate to contact me.

Acknowledgment/Receipt Form

I hereby acknowledge that I have received a copy of the memorandum of expectations

I have read and understand all the provisions specified in this memorandum of expectations. I understand that failure to meet the expectations outlined within this memorandum will result in disciplinary action.

Employee

Samantha Sapien

Signature



Kronos ID

Date

12/12/2023



EL PASO ZOO

- Family Resources**
- Nursing Station
 - Stargazing (1st-4th)
 - Dining
 - Phone Area
 - Snacks
 - Family-Capital Invest Historical Connection Monument
 - Additional Charge
- CHIHUAHUA DESERT**
- Copper Canyon Challenge
 - Koppel Course
 - Fresh Food Simulation
 - Wolf Scavenger
 - Jaguar Amphitheater
 - LaboVista Classroom
- ASIA**
- Hunt Family Crane game
 - Species Café
 - Cobra: The Zoo
 - Grasslands Café
 - Asia Plaza
 - Asian Forest/Nocturnal Corridor

- AFRICA**
- Passport Café
 - Wildlife Amphitheater
 - Craft Shop
 - Event Pavilion
 - El Paso Water Discovery
 - Education Center
 - Membership Office
 - El Paso Electric Subliner Research Station
- AMERICAS**
- Hunt Family South Had
 - Castle Treehouse
 - Playground
 - Amazonia Aviary
 - South American Pavilion
 - Reptile House

ALL NEW! Penguin Encounters
Engage with these adorable birds, socialize with us in an entertaining encounter behavior.

Giraffe Encounters
Cash-only. Pay at Giraffe Exhibit.

Use QR code for more details.

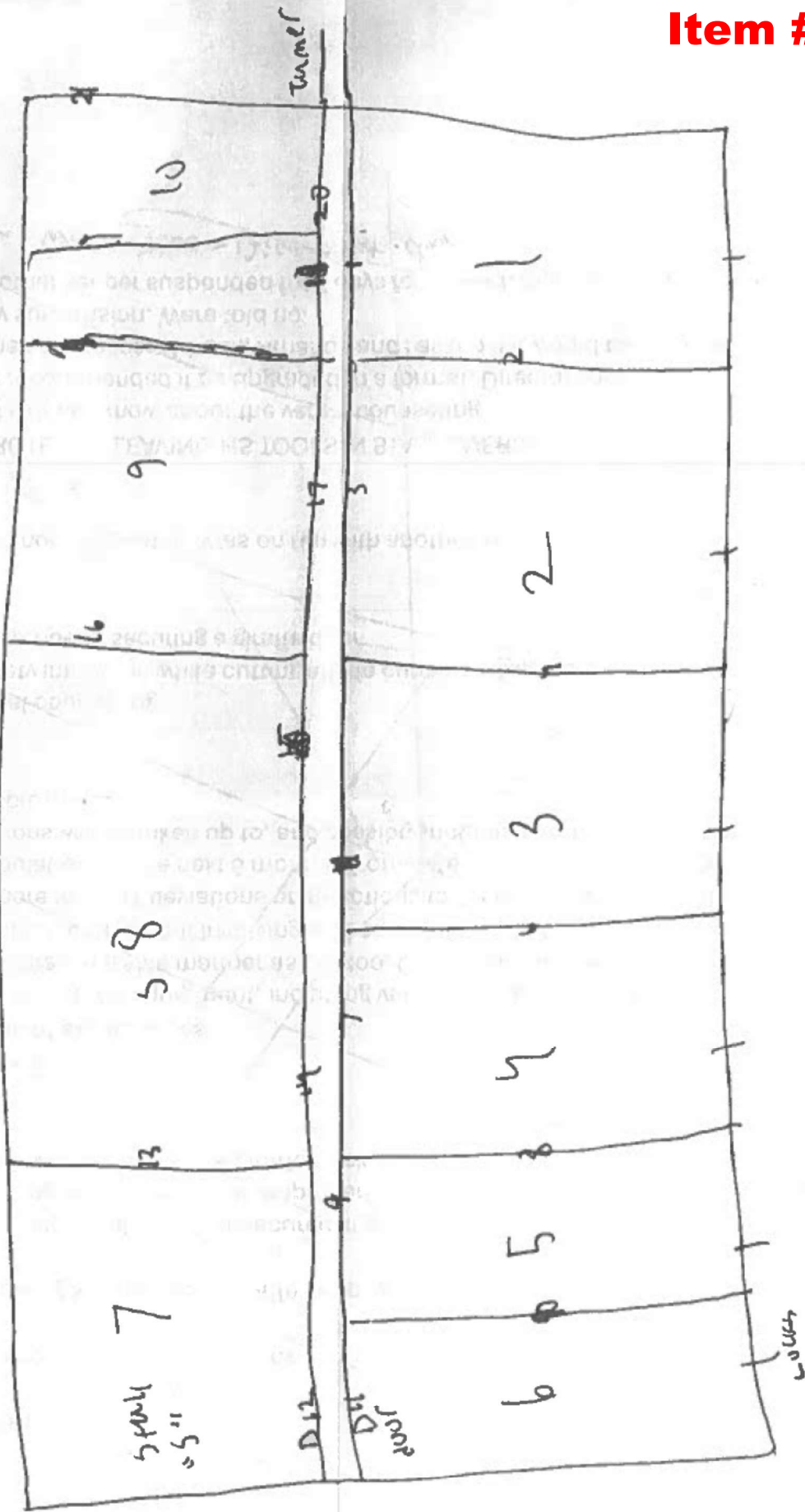
Location may vary seasonally and dependent upon staffing and weather conditions, and may be subject to cancellation.

0-14

EXHIBIT
Q-15

Taylor

Hooftstock



EXHIBITS A-1 to A5



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Rfo

Full Name

Samantha Sapien

Date

12/12/2023

Last 4 of SSN

██████



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Full Name

Samantha Sapien

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Samantha Sapien

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Off the Clock and Remote Access Device Policy

Full Name

Samantha Sapien

Last 4 of SSN

██████

Signature

SS

Date

12/12/2023



Memorandum of Expectations

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6. Please treat each and every guest as if they are the most important person you talk to that day. In the event that guest behavior needs to be corrected, please be conscious of your communication and convey yourself in a positive manner.
7. Litter is all of our responsibility. Please pick up and properly dispose of any trash that you encounter on the public side of the Zoo.
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Should you have any questions or concerns, please do not hesitate to contact me.

Acknowledgment/Receipt Form

I hereby acknowledge that I have received a copy of the memorandum of expectations.

I have read and understand all the provisions specified in this memorandum of expectations. I understand that failure to meet the expectations outlined within this memorandum will result in disciplinary action.

Employee

Samantha Sapren

Kronos ID



Signature

Date

12/12/2023



EMPLOYEE INCIDENT REPORT

Today's Date: 5/17/2025

Employee Name: Samantha Sapien	Kronos ID: [REDACTED]

Please select one of the sections: Area 5

Date of Occurrence:	5/15/2025
Time of Occurrence:	Morning
Location of Occurrence:	Hoofstock Barn S8

DESCRIBE IN DETAIL WHAT OCCURRED (Use as much space as needed): Tools were left in S8 with the Kudu. My run partner had been cleaning the back stalls while Espy and Linda were being conditioned by me and Amanda in the tamer. Both Kudu were locked in S10 at the time. A door (D15 or D5 or other) was closed and my run partner didn't check the stall before exiting. I did not check the back stalls before giving animals access back to them. It was caught by someone the following morning. I was informed of the incident after coming back from my weekend.

Did you report the Incident to your supervisor?

No

Name of your Supervisor:

Amanda Leverette

Date Reported to your Supervisor

5/15/2025

If you answered yes to the above question, please give the name of the Witness(es):

Samantha R Sapien

PRINT NAME

SIGNATURE *Samantha R Sapien*

IF YOU INCIDENT RESULTED IN AN INJURY PLEASE SEE ANTHONY FLORES FOR WORKMANS COMPENSATION PACKET IMMEDIATELY



EMPLOYEE INCIDENT REPORT

Today's Date: 5/18/2025

Employee Name: Kellen Barton	Kronos ID:

Please select one of the sections: Area 5

Date of Occurrence: 5/15/2025

Time of Occurrence: 9:00am

Location of Occurrence: Hoofstock Barn

DESCRIBE IN DETAIL WHAT OCCURRED (Use as much space as needed):

On Thursday 5/15 tools were discovered in the. It was Sam and I working the previous day. What I believe happened was as I was bringing the wheelbarrow outside Sam had closed doors d17 and d18 so she could give access to the Kudu to train them in the tamer. I thought I had brought the tools in with me and placed them on the hall of d18 or d17 but they were either left out or fell over and out while the door was being closed. They likely fell over as Sam and I did not notice them throughout the day.

Did you report the Incident to your supervisor?

No

Name of your Supervisor:

Kenny Riley

Date Reported to your Supervisor

5/15/2025

If you answered yes to the above question, please give the name of the Witness(es):

Kellen Barton

PRINT NAME

SIGNATURE Kellen Barton

IF YOU INCIDENT RESULTED IN AN INJURY PLEASE SEE ANTHONY FLORES FOR WORKMANS COMPENSATION PACKET IMMEDIATELY



EMPLOYEE INCIDENT REPORT

Today's Date: 5/15/2025

Click or tap to enter a date.

Employee Name:	Taylor Paulsen	Kronos ID:	██████
----------------	----------------	------------	--------

Please select one of the divisions: Collections- Area 5

Date of Occurrence: 5/15/25 Click or tap to enter a date.
 Time of Occurrence: 9:20AM
 Location of Occurrence: Hoofstock barn

DESCRIBE IN DETAIL WHAT OCCURRED:

Description of the incident: A rake and shovel were left in stall 8 in the hoofstock barn overnight. The Kudu had access to the stall but it did not appear as though they messed with it as it was leaning up against the wall when keeper came in. The kudu also did not appear to have any visible injuries caused by the tools. The locks were checked by three people at close Kellen, Yull, and myself. None of us saw it in the stall likely because it was leaned up against the wall and blocked by the door.



EMPLOYEE INCIDENT REPORT

Today's Date: 7/24/2025

Employee Name: Kenneth Riley

Kronos ID: [REDACTED]

Please select one of the sections: Area 5

Date of Occurrence: 5/15/2025

Time of Occurrence: Morning

Location of Occurrence: Hoofstock Barn S8

DESCRIBE IN DETAIL WHAT OCCURRED (Use as much space as needed):

O 5/15, Taylor was hoofstock keeper. She informed me that she found tools in the back stalls at hoofstock that morning. The Kudu had access to the stall overnight. I asked her to write me an incident report. I then looked at the schedule to see which keeper were in that routine yesterday. It was Sam and Kellen. Over the next 2 days (due to them being on their weekends) I asked both of them to type up an incident report about the tools being left in the back stalls overnight. Once I received all 3 reports, I forwarded them to my supervisor.

Item #2

Did you report the Incident to your supervisor?

Yes

Name of your Supervisor:

Amanda Leverette

Date Reported to your Supervisor

5/15/2025

If you answered yes to the above question, please give the name of the Witness(es):

Kenneth Riley RINT NAME

SIGNATURE *Kenneth Riley*



El Paso Zoo

MAYOR

Renard U. Johnson

CITY COUNCIL

- District 1
Alejandro Chavez
- District 2
Dr. Josh Arcevedo
- District 3
Deanna M. Rocha
- District 4
Cynthia Boyar Trejo
- District 5
Ivan Niño
- District 6
Art Barron
- District 7
Lily Simon
- District 8
Clara Camargo

CITY MANAGER

Dionne Mack

TO: Samantha Sapien, Zoo Keeper [REDACTED]
FROM: Joseph Montisano, Zoo Director *J*
DATE: February 21, 2025
SUBJECT: Formal Counseling – Safety Violation / Failure to Follow Dept. Rules or Policies

On August 26, 2024, while cutting alfalfa cubes you failed to use the proper Personal Protection Equipment (Cut Resistant Gloves) which resulted in you cutting a small piece off the side of your left middle finger. You were reminded not an hour prior to the incident that you needed to be wearing the cut resistant gloves.

On the morning of September 8, 2024, the Giraffe stall 1's lower door lock was secured to the wrong hasp, leaving the latch locked in open position. Stalls must be properly secured to insure the safety of not only the animal, but of the zoo staff and the public.

You have previously received two Memorandums of Expectations and a verbal counseling for similar infractions; however, you have failed to adhere to the procedures and safety guidelines in place when performing your duties, potentially causing dangerous situations and showing inefficient performance.

You are hereby formally counseled for failure to follow Zoo procedures and its Safety Procedures. Be advised that future incidents of this or of similar nature will not be tolerated and will result in disciplinary action, up to and including termination of your employment with the City of El Paso.

This notice is provided in compliance with Rule 8, Section 8 (Formal Counseling). Please be advised that you may request that this formal counseling be removed from your personnel file after the expiration of twelve (12) months from the date of this formal counseling, provided you have not received any disciplinary action during the twelve (12) month time period. Employees receiving a formal counseling shall have the right to place responses to the formal counseling into their personnel files which shall remain in the file so long as the formal counseling to which the response relates remains in the file.

Acknowledgement of Receipt: *[Signature]*

Date: 2/21/25

Witness: *[Signature]*

cc: Human Resources-Personnel file

Joseph Montisano – Zoo Director

El Paso Zoo | 4001 E. Paisano | El Paso, TX 79905
O: (915) 212-0968 | Email: MontisanoJ@elpasotexas.gov



DELIVERING EXCEPTIONAL SERVICES



El Paso Zoo Department

MAYOR
Renard U. Johnson

TO: Samantha Sapien, Zoo Keeper, [REDACTED]
FROM: Joseph Montisano, Zoo Director
DATE: July 29, 2025
SUBJECT: Acknowledgement of Documents

CITY COUNCIL

District 1
Alejandra Chavez

District 2
Dr. Josh Acevedo

District 3
Deanna M. Rocha

District 4
Cynthia Boyar Trejo

District 5
Ivan Niño

District 6
Art Fierro

District 7
Lily Limon

District 8
Chris Canales

CITY MANAGER
Dionne Mack

This memorandum is to acknowledge your receipt of the following documents regarding the Notice of Suspension provided to you on July 29, 2025.

- Notice of Suspension (8 pages)
- Supporting Documents (8 pages)
- Acknowledgements (4 pages)
- Discipline History (1 page)
- Disciplinary Policy and Matrix (11 pages)

I am acknowledging receipt of the above documents.


Signature

July 29th 2025
Date

Alejandra Rivera
RiveraA@elpasotexas.gov
212-1248

Joseph Montisano – Zoo Director
El Paso Zoo | 4001 E. Paisano | El Paso, TX 79905
O: (915) 212-0966 | Email: MontisanoJ@elpasotexas.gov





CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

Address: [REDACTED]

From: Zoo Department
Subject: Suspension Without Pay

THIS IS TO NOTIFY YOU THAT YOUR EMPLOYMENT WITH THE CITY OF EL PASO IS HEREBY **SUSPENDED FOR THREE (3) WORKDAYS** EFFECTIVE: August 9 TO August 11 2025

THE FOLLOWING ARE THE STATUTORY REASONS OR GROUNDS AND SPECIFICATIONS OF FACTS WHICH HAVE NECESSITATED THIS ACTION:

CHARGES:

YOU HAVE VIOLATED THE FOLLOWING CITY OF EL PASO CIVIL SERVICE COMMISSION CHARTER PROVISIONS, ORDINANCES, RULES AND REGULATIONS:

CITY CHARTER – ARTICLE VI – Civil Service

SECTION 6.13-2, DISCIPLINARY ACTION; REDUCTION

A regular employee may be discharged, suspended or reduced in rank or position as provided in the Charter or further defined in the Rules.

SECTION 6.13-3, CAUSES OF SUSPENSION, REDUCTION OR DISCHARGE

The following, which may be further defined in the Rules, may constitute causes for discharge, suspension or reduction in grade of regular employees:

- F. Incompetency or negligence in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent, or responsible manner;
- P. For just cause.

I HAVE RECEIVED A COPY OF THIS NOTICE

[Signature]
Employee's Signature

Date: July 29th 2025

BY CERTIFIED MAIL NUMBER: _____

[Signature]
DEPARTMENT HEAD

COPY RECEIVED AND FILED

HUMAN RESOURCES

BY: _____
DIRECTOR

DISTRIBUTION: Original – Human Resources Department; Copy – Department



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien	Last 4 #'s of SS #: [REDACTED]	Date: July 29, 2025
Position: Zoo Keeper	Employee ID #: [REDACTED]	

CIVIL SERVICE COMMISSION RULES AND REGULATIONS

RULE 8, SUSPENSION, REDUCTION, DISCHARGE

Section 1. Causes of Suspension, Reduction or Discharge

The following may constitute causes for discharge, suspension or reduction of regular employees: That an officer or employee in the Civil Service:

- f. Is incompetent or negligent in the performance of duties, including but not limited to, failure to perform assigned tasks, or failure to discharge duties in an accurate, prompt, competent, or responsible manner; or (Amended 8/25/09, 9/17/13)
- p. For just cause. (Added 7/21/07)

Section 2. Disciplinary Notice

Disciplinary actions in the nature of a discharge, involuntary reduction, or suspension taken against a regular employee, other than at the end of a probationary period, will not become effective until the Department Head has first served upon such employee a written notice of discipline. The notice must contain one or more statutory reasons or grounds for discipline, together with such specifications of fact as will enable the employee to make an explanation and place him fairly upon his defense. The specifications of fact shall be of sufficient specificity so as to preclude the possibility of disciplinary action for the same act or omission in the future. Nothing contained herein shall prohibit the Department Head from using an employee's prior acts or omissions resulting in discipline in determining future disciplinary action against the employee. An employee may be disciplined for other acts or omissions not specified in the notice even if such acts arise from the same incident or event. A Department Head may not unilaterally reduce the discipline given once notice of discipline has been provided to the employee, without the employee's consent. A copy of such notice of discipline, together with the employee's explanation, if any, will be filed with the Human Resources Director. (Amended 06/24/03, 7/31/07, 8/25/09)

Section 3. Notice of Proposed Disciplinary Action, Procedure and Limitation of Action

- a. When disciplinary action in the nature of a five (5) day suspension or greater, a reduction, or discharge is being contemplated by the Department Head, the employee must be served with a notice of proposed disciplinary action which shall conform with the notice requirements set forth in Section 2 and Section 3 (b) of this Rule. In addition to the notice of proposed disciplinary action, the employee shall be furnished with the written materials and tangible things in the possession of the Department Head that form the factual and evidentiary basis for the proposed disciplinary action. No matter may be withheld from the employee that is inconsistent with the theory of discipline or that could tend to mitigate the contemplated sanction. (Amended 8/25/09)
- b. Within ten (10) days of receipt of the notice of proposed disciplinary action, the employee may request a conference with the Department Head. Within five (5) working days of receipt of the employee's response, the Department Head shall meet with the employee, provided further that this period may be extended with the mutual consent of the Department Head and the employee. No witnesses may be called to testify as part of the employee's explanation or response. During the conference, the employee, their representative, and the Department Head shall engage in discussions with a view toward reaching a consensus and agreement relative to the proposed disciplinary action. No part of the discussions that take place during the conference may be offered into evidence at any subsequent hearing, except for the limited purpose of determining compliance or non-compliance with the provisions of this Rule as provided in paragraph "f" and for impeachment purposes. In the event such a consensus is reached, the execution by the employee of documents finalizing the settlement agreement shall constitute a waiver of the employee's right to appeal to the Commission, and the employee shall be so advised in plain language. (Amended 09/09/03, 01/06/04, 8/25/09; 1/20/15)

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
 Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
 Employee ID #: [REDACTED]

Date: July 29, 2025

- c. Respecting discharge, those departments currently using a pre-termination hearing shall not be required to have a conference as contemplated hereinabove provided that the time between notification and hearing shall be at least five (5) days and further provided that there shall be no change to current practices regarding violations of applicable federal laws. (Amended 09/09/03, 01/06/04, 08/25/09)
- d. The employee is entitled to have a representative of their choice assist them in the preparation and presentation of their response, provided further that in the event the representative is an employee of the City, he shall use vacation leave or personal days for such time as may be required for the representative to attend the conference. If the employee does not have any accrued vacation or personal days, the employee will be placed on unpaid administrative leave for such time as may be required for the representative to attend the conference. The employee must provide his Department Head with two days notice of the request to take the above leave. The Department Head may disapprove the request if the leave significantly interferes with the operational needs of the department. (Amended 09/09/03, 01/06/04, 08/25/09)
- e. A proposed written notice of disciplinary action must be served on an employee within 120 calendar days from the date Human Resources is made aware of the occurrence of the incident giving rise to the discipline, provided however that this period of limitation shall be tolled if an investigation is being conducted by a law enforcement authority into criminal charges against the employee arising out of the same incident. Once a Department Head receives notice from the employee that charges have been preferred, through an indictment or information, or that the criminal investigation has been concluded without the preferal of charges, then the time period will resume running. (Amended 09/09/03, 01/06/04, 8/25/09, 09/19/17)
- f. Any issue of non-compliance with these provisions will be considered by the hearing officer and/ or Commission upon the appeal of the disciplinary action. (Amended 01/06/04)
- g. Excluding Section 3 (c), in computing any time periods set forth in this Rule, Saturdays, Sundays, and City Holidays shall not be included. (Amended 01/06/04, 09/19/17)
- h. Nothing in the Rule shall prevent suspension of the employee from service without pay in appropriate circumstances. (Amended 01/06/04)
- i. A copy of this rule shall be attached to each notice of proposed disciplinary action. (Passed 1/6/04)

Section 4. Resignation Before Appeal Decision

The acceptance by Department Head of the resignation of a person discharged before final action on the part of the Commission will be considered a withdrawal of the charges and the separation of the employee concerned will be recorded as a resignation and the preceding will be dismissed without judgment. (Amended 7/31/07)

Section 5. Disqualification for Reappointment

Any employee who is dismissed for cause or who resigns while not in good standing will be disqualified from taking a Civil Service examination for two years thereafter. His name will be removed from all eligible lists, unless, in the judgment of the Commission the cause of his dismissal or resignation under charges will not affect the possibility of his or her usefulness in some other position. (Amended 8/25/09)

Section 6. Non-Certification of Suspended Persons

The names of persons suspended will not be certified from eligible lists during the period of suspension.

Section 7. Election to Forfeit Annual Leave

Regular employees suspended for not more than ten (10) working days may elect to forfeit annual leave for a period equal to the suspension, or to the extent of the employee's annual leave balance, subject to approval of the Department Head. The election provided for herein, shall work a waiver of the employee's right to appeal the disciplinary action to the Commission.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

and the employee shall be so advised in plain English on a suitable form upon which the election shall be made, as developed by the Human Resources Director and appended to the notice of suspension. The Department Head shall not unreasonably withhold approval of the employee's election. (Added 05/11/04, Amended 7/31/07)

Section 8. Formal Counseling

Formal Counseling is not within the type of disciplinary action specified in Section 6.13-2 of the Charter which may be appealed to the Civil Service Commission. A formal counseling is issued by the Department Head and considered a written counseling to address employee workplace conduct. Employees receiving a formal counseling shall have the right to place responses to the formal counseling into their personnel files which shall remain in the file so long as the formal counseling to which the response relates remains in the file.

Included in, or in conjunction with, the formal counseling document, the Department Head must provide the employee with written notice of the reasons for the formal counseling, with sufficient explanation to place the employee fairly upon his defense.

Upon an employee's request, formal counselings shall be removed from an employee's personnel file after the expiration of twelve (12) months from the date of the last formal counseling, provided the employee has not received any disciplinary action during the twelve (12) month time period between the request and the last-received formal counseling. Formal counselings meeting the criteria above shall not be considered against the employee for purposes of determining progressive discipline or performance evaluations, regardless of whether or not the employee requested removal of the formal counselings. (Added 8/25/09) (Amended 11/2/10, 3/6/12, 1/20/15, 11/15/16)

RULE 11. DEPARTMENTAL RULES

Section 1. Any department head shall have the right to promulgate rules and regulations regarding the operation of his department, and the conduct of the employee therein, subject to the consent and approval of the City Manager, provided that such rules do not conflict with the Civil Service Charter or the Rules promulgated thereunder. (Amended 07/11/06)

Section 2. Large departments having various sub departments may, in their rules, have rules and regulations pertaining to said sub departments in addition to general rules and regulations regarding the department. (Amended 7/31/07)

Section 3. The Human Resources Director may promulgate, rules, regulations and policies and procedures, that apply to all or some city departments, as may be specified by the Director, regarding any requirements applicable to the employees of such departments, subject to the consent and approval of the City Manager, provided that such rules, regulations, or policies and procedures do not conflict with the Civil Service Charter or the Rules promulgated hereunder. (Added 3/6/12)

Section 4. Any Department Head may, as provided in the Charter, suspend, discharge or demote any employee for insubordination, for failure to comply with departmental rules and regulations, for failure to comply with the Rules of the Commission or for failure to obey any lawful order of a superior officer. (Amended 07/11/06)

Section 5. The Human Resources Director is authorized to maintain a comprehensive manual of safety procedures and driver safety standards of all employees. Each employee shall receive a link to a copy of the manual. (Added 3/6/12)

CITY OF EL PASO EMPLOYEE HANDBOOK (January 2023)

All successful organizations have certain rules which employees must follow. You are expected to become acquainted with the performance criteria for your particular job and with all rules, procedures and standards of conduct established by your department and by the City, as summarized in this handbook. Further, your conduct away from work must not adversely affect the City, its reputation, operational success, or relationship with its employees, customers or citizens.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien	Last 4 #'s of SS #: [REDACTED]	Date: July 29, 2025
Position: Zoo Keeper	Employee ID #: [REDACTED]	

If you do not fulfill the responsibilities set out by such performance standards, rules, procedures and standards of conduct, you may be subject to disciplinary action, the severity of which will depend upon the circumstances. Disciplinary action will be taken when an investigation of the facts shows that the conduct warrants such a result.

People work together best in an atmosphere where they are valued as individuals and recognized as key members of a team. It is important that each member of our team understand what is expected. It is impossible to write policies and procedures covering every situation. Be sure you understand what is expected of you, and what you can expect from the City. If you have any question, discuss it with your immediate supervisor. Understanding is the key to teamwork.

The following are some examples of employee conduct that are not permitted and that may result in disciplinary action up to and including termination of employment:

- Conduct that you have been informed is unacceptable.
- Failure to meet or maintain work performance standards.

This list is not all inclusive.

It is our practice to ensure that violations of policies or principles of acceptable employee conduct are appropriately addressed with consistent disciplinary action. The following types of corrective or disciplinary action may be taken:

- Verbal counseling
- Formal counseling
- Suspension
- Demotion
- Termination

CITY OF EL PASO'S MISSION, VISION AND VALUES

Mission: Deliver exceptional services to support a high quality of life and place for our community.

Vision: Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government.

Values:

- Integrity – Trusted to do the right thing.*
- Respect – Recognize the value and dignity of all individuals.*
- Excellence – Perfect effort.*
- Accountability – Passionate and determined.*
- People – Our teams are problem-solvers and collaborate with our customers.*

CITY OF EL PASO – DISCIPLINARY POLICY AND MATRIX (May 30, 2015)

I. POLICY:

The City of El Paso is committed to a goal of high performance by all employees in order to fulfill its mission of outstanding customer service to the citizens of our community. The purpose of this policy and matrix is to provide City leaders and supervisors with a guideline and reference for corrective and disciplinary action. The City of El Paso Human Resources Department accepts and investigates all allegations of employee misconduct and imposes corrective and progressive disciplinary action in a timely and consistent manner, as appropriate. This policy outlines the procedure for investigating allegations of employee misconduct, issuing corrective action, and applying the Matrix to impose discipline.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
 Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
 Employee ID #: [REDACTED]

Date: July 29, 2025

II. PROCEDURES:

A. Basis for Discipline

1. Employees are subject to discipline for violations of the law, City Charter provisions that constitute cause for discipline, Civil Service Commission Rules and Regulations, City policies, Departmental policies and procedures and verbal or written directives from supervisory personnel.
2. Failure to report a violation of anything listed under II-(A) is considered a basis for discipline.
3. All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable federal and state law, local ordinances, administrative directives, El Paso City Charter, and Civil Service Commission Rules and Regulations.

B. Information Gathering and Processing

1. It is the duty of all supervisory employees to assist those who express the desire to report allegations of misconduct against any City employee. The informant need not be the aggrieved party, but may be anyone who witnessed or otherwise became aware of an incident of misconduct. Information regarding allegations of misconduct must be immediately reported to the Department Head and/or the Human Resources Director.
3. Employees are required to provide a statement or answer questions during administrative investigations. Employees who withhold information, thwart, impede or fail to cooperate with administrative investigations will be considered insubordinate and subject to disciplinary action up to and including termination. Upon conclusion of the administrative investigation, the DHRM or Human Resources Director, or designee, will advise the Department Head of any findings from the investigation and recommend disciplinary or corrective action as appropriate. However, it is the Department Head's responsibility to make the final determination and defend the discipline to be administered as a result of any review.

IV. DISCIPLINARY MATRIX

The attached disciplinary matrix provides supervisory personnel and Department Heads with the parameters of discipline that shall be imposed on an employee when an infraction occurs that violates the law, a Civil Service rule, policy, or regulation of the department. The purpose of the matrix is to provide notice to employees of the types of conduct that will result in disciplinary action and to serve as a deterrent of such conduct so as to promote efficiency of service by ensuring high standards of City service and maintaining public confidence in the City of El Paso.

The matrix is intended for use as a guide to selecting an appropriate level of discipline for the actionable misconduct. **This matrix does not substitute for supervisory judgment and does not dictate discipline.** Rather, this matrix provides a framework within which supervisors exercise judgment on a case-by-case basis within the parameters provided. The final determination for discipline at the minimum level or higher rests with the Department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations.

The offenses listed under each level are not intended to be an exhaustive listing. No attempt has been made to list every possible cause for disciplinary or adverse action. The fact that specific misconduct is not listed as an offense does not mean discipline cannot be imposed. Supervisors should evaluate misconduct not listed to the offenses listed and use a form of discipline that most closely coincides with a comparable, listed offense.

The following are the categories of discipline:

- B. Suspension: A suspension without pay for a definite period of time must be completed on an appropriate Notice of Suspension form in accordance with Civil Service Commission Rules. The Notice of Suspension must:



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien
Position: Zoo Keeper

Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]

Date: July 29, 2025

1. Identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. Contain narrative specifications (charges) and
3. Include a record of previous discipline, if any. The Notice of Suspension shall be administered by the Department Head. The Department Head, along with supervisors, shall work with the Human Resources Director for specifications. The Notice of Suspension must always be reviewed by the City Attorney's Office before being administered to the employee.

V. APPLICATION OF THE DISCIPLINARY MATRIX

- A. The application of progressive discipline is designed to take into account any instance of corrective action or previous discipline. The Department Head shall choose the appropriate disciplinary action at the appropriate level for each offense.
1. A Department Head has a choice of severity of disciplinary action beginning from the floor for the specific type of offense, at the appropriate level. When significant mitigating or aggravating circumstances exist, the discipline range may be expanded upon in either direction. For example, if the matrix indicates a 10-day suspension, the Department Head may determine that a less severe consequence is more appropriate based on mitigating factors. Likewise, the discipline could be greater than a 10-day suspension if there are significant aggravating factors. Whenever prior violations are used to support a more severe discipline, those offenses shall be cited in the notice of Discipline. When a series of offenses have been committed and action could not have been taken on each before another was committed, a more severe discipline maybe assessed for the combined offenses rather than what would be appropriate for any single offense.
 2. The Department Head in accordance with CSC Rule 11 retains the right to promulgate rules and regulations regarding the operation of his or her department. Similarly, situations may arise that are not written in a rule or policy; in such a circumstance, an appropriate level of discipline will be imposed. Nothing in this policy shall prohibit a Department Head from departing from utilizing a higher form of discipline, to include termination, if the circumstances warrant such action.
 3. These disciplinary guidelines are standard recommendations and not meant to be an all-inclusive list of possible infractions. The Human Resources Director retains the right to modify, or amend this policy and matrix as needed without advance notice.

City of El Paso Disciplinary Matrix (May 30, 2018)

Level 1 Violation: Safety Violation (non-injury or property damage) (2nd offense) – 3 Day Suspension

Date Received by Human Resources: June 9, 2025

120th Day Deadline, pursuant to CSC Rule 8 Section 3(e): October 7, 2025

SPECIFICATIONS:

On May 16, 2025, another Zookeeper discovered that a rake and shovel were left overnight in Stall 8 of the hoof stock barn, where the kudu are housed. In your incident report, you acknowledged that you failed to inspect the back stalls before granting the animals access. While no animals were injured, this oversight cannot be overlooked, as it indicates a failure to verify that all tools were secured and the area was safe for all animals.

As a zookeeper, you are expected to perform your duties thoroughly and accurately, particularly when safety is at stake and there is a potential risk of harm to yourself or the animals. Your actions are not in alignment with the City's Mission, Vision, and Values and constitute a violation of the City of El Paso Employee Handbook.

EMPLOYEE'S INITIALS SS



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Samantha Sapien

Last 4 #'s of SS #: [REDACTED]

Date: July 29, 2025

Position: Zoo Keeper

Employee ID #: [REDACTED]

Your disciplinary history reflects the following:

On February 21, 2025, you received a **Formal Counseling** for Safety Violation and Failure to Follow Departmental Rules/Policies.

Based on the above specifications, the City of El Paso Zoo Department has determined that your services are to be suspended for **three (3) workdays**. Be advised that a recurrence of this or of a similar type incident will result in more severe disciplinary action, up to and including termination of your employment with the City of El Paso.

You have **thirty (30) days** from the date you receive **this notice** to appeal this action to the Civil Service Commission. The City reserves the right to amend these charges and/or specifications at a later date.

EMPLOYEE'S INITIALS SS



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: City of El Paso Discipline Policy and Matrix

Creation Date: April 6, 2011

Revision Date: May 2, 2013; May 30, 2015

Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

POLICY: CITY OF EL PASO DISCIPLINE POLICY AND MATRIX

I. POLICY:

The City of El Paso is committed to a goal of high performance by all employees in order to fulfill its mission of outstanding customer service to the citizens of our community. The purpose of this policy and matrix is to provide City leaders and supervisors with a guideline and reference for corrective and disciplinary action. The City of El Paso Human Resources Department accepts and investigates all allegations of employee misconduct and imposes corrective and progressive disciplinary action in a timely and consistent manner, as appropriate. This policy outlines the procedure for investigating allegations of employee misconduct, issuing corrective action, and applying the Matrix to impose discipline.

II. PROCEDURES:

A. Basis for Discipline

1. Employees are subject to discipline for violations of the law, City Charter provisions that constitute cause for discipline, Civil Service Commission Rules and Regulations, City policies, Departmental policies and procedures and verbal or written directives from supervisory personnel.
2. Failure to report a violation of anything listed under II-(A) is considered a basis for discipline.

3. All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable federal and state law, local ordinances, administrative directives, El Paso City Charter, and Civil Service Commission Rules and Regulations.

B. Information Gathering and Processing

1. It is the duty of all supervisory employees to assist those who express the desire to report allegations of misconduct against any City employee. The informant need not be the aggrieved party, but may be anyone who witnessed or otherwise became aware of an incident of misconduct. Information regarding allegations of misconduct must be immediately reported to the Department Head and/or the Human Resources Director.
2. Supervisory personnel shall assist their Departmental Human Resources Manager (hereinafter "DHRM") and/ or Human Resources Director or designee with administrative investigations to determine what violation of rule or policy has been committed. This may involve preliminary data gathering of evidence, preparing questions to ask witnesses or employees, and interviewing and collecting affidavits (notarized statements) from employees, witnesses and citizens, and determining an employee's work status. The central contact during an administrative investigation and disciplinary matters is the DHRM, where they exist, or the Human Resources Director or designee. For those departments that do not have a DHRM, the Human Resources Director shall assign a Human Resources professional to conduct the administrative investigation.
3. Employees are required to provide a statement or answer questions during administrative investigations. Employees who withhold information, thwart, impede or fail to cooperate with administrative investigations will be considered insubordinate and subject to disciplinary action up to and including termination. Upon conclusion of the administrative investigation, the DHRM or Human Resources Director, or designee, will advise the Department Head of any findings from the investigation and recommend disciplinary or corrective action as appropriate. However, it is the Department Head's responsibility to make the final determination and defend the discipline to be administered as a result of any review.

4. Employees interviewed during administrative investigations are prohibited from communicating the nature or details of the investigation, either directly or indirectly, with anyone besides an Attorney for the City, the DHRM, the Human Resources Director or designee, or the employee's supervisor or Department Head. Nothing in this policy would prevent an employee from discussing the investigation with their attorney or representative if they have such representation.

III. CORRECTIVE ACTION

The following types of corrective action may be issued to an employee prior to utilizing the disciplinary matrix.

- A. **Counseling:** A verbal counseling may be provided by supervisory personnel to the employee informing the employee of the infraction or problem, corrective measures or what is expected of the employee, and consequences of continued infractions. The verbal counseling is an opportunity to discuss work-related problems in private with the employee. The supervisor should administer the verbal counseling. If a supervisor requests assistance with issuing a verbal counseling, the Human Resources Director or designee, or the DHRM, will provide further assistance or guidance.

IV. DISCIPLINARY MATRIX

The attached disciplinary matrix provides supervisory personnel and Department Heads with the parameters of discipline that shall be imposed on an employee when an infraction occurs that violates the law, a Civil Service rule, policy, or regulation of the department. The purpose of the matrix is to provide notice to employees of the types of conduct that will result in disciplinary action and to serve as a deterrent of such conduct so as to promote efficiency of service by ensuring high standards of City service and maintaining public confidence in the City of El Paso.

The matrix is intended for use as a guide to selecting an appropriate level of discipline for actionable misconduct. This matrix does not substitute for supervisory judgment and does not dictate discipline. Rather, this matrix provides a framework within which supervisors exercise judgment on a case-by-case basis within the parameters provided. The final determination for discipline at the minimum level or higher rests with the Department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations.

The offenses listed under each level are not intended to be an exhaustive listing. No attempt has been made to list every possible cause for disciplinary or adverse action. The fact that specific misconduct is not listed as an offense does not mean discipline cannot be imposed. Supervisors should evaluate misconduct not listed to the offenses listed and use a form of discipline that most closely coincides with a comparable, listed offense.

The following are the categories of discipline:

- A. **Formal Counseling:** A Formal Counseling must contain specific language that informs the employee of the infraction or problem, what is expected of the employee to correct the issue, and consequences of continued infractions. The Formal Counseling shall be issued by the Department Head to the employee on official City letterhead. The Department Head, along with supervisors, shall work with the DHRM or the Human Resources Director or designee when drafting the Formal Counseling. The Formal Counseling will be placed in the employee's personnel file by submitting the written document to the Human Resources Director or designee no later than 120 days following the issue of the Formal Counseling.

- B. **Suspension:** A suspension without pay for a definite period of time must be completed on an appropriate Notice of Suspension form in accordance with Civil Service Commission Rules. The Notice of Suspension must:
 1. identify which State or Federal laws, rules, policies, and/or regulations were violated,
 2. contain narrative specifications (charges), and
 3. include a record of previous discipline, if any. The Notice of Suspension shall be administered by the Department Head. The Department Head, along with supervisors, shall work with the Human Resources Director for specifications. The Notice of Suspension must always be reviewed by the City Attorney's Office before being administered to the employee.

- C. **Demotion:** A demotion as a result of disciplinary action is a reduction into a lower graded position that may result in a loss of pay to the employee. It must be completed on an appropriate Notice of Demotion form in accordance with Civil Service Commission Rules. The Notice of Demotion must:

1. identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. contain narrative specifications (charges), and
3. Include a record of previous discipline, if any. The Notice of Demotion shall be issued by the Department Head and must always be reviewed by the City Attorney's Office before being administered to the employee.

D. Termination: A termination is separation of employment and must be completed on an appropriate Notice of Separation form with effective date for dismissal in accordance with Civil Service Commission Rules. The Notice of Separation must:

1. identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. contain narrative specifications (charges), and
3. Include a record of previous discipline, if any. The Notice of Separation must always be reviewed by the City Attorney's Office before being issued to the employee by the Department Head.

V. APPLICATION OF THE DISCIPLINARY MATRIX

- A. The application of progressive discipline is designed to take into account any instance of corrective action or previous discipline. The Department Head shall choose the appropriate disciplinary action at the appropriate level for each offense.
 1. A Department Head has a choice of severity of disciplinary action beginning from the floor for the specific type of offense, at the appropriate level. When significant mitigating or aggravating circumstances exist, the discipline range may be expanded upon in either direction. For example, if the matrix indicates a 10-day suspension, the Department Head may determine that a less severe consequence is more appropriate based on mitigating factors. Likewise, the discipline could be greater than a 10-day suspension if there are significant aggravating factors. Whenever

prior violations are used to support a more severe discipline, those offenses shall be cited in the notice of Discipline. When a series of offenses have been committed and action could not have been taken on each before another was committed, a more severe discipline may be assessed for the combined offenses rather than what would be appropriate for any single offense.

2. The Department Head in accordance with CSC Rule 11 retains the right to promulgate rules and regulations regarding the operation of his or her department. Similarly, situations may arise that are not written in a rule or policy; in such a circumstance, an appropriate level of discipline will be imposed. Nothing in this policy shall prohibit a Department Head from departing from utilizing a higher form of discipline, to include termination if the circumstances warrant such action.

3. These disciplinary guidelines are standard recommendations and not meant to be an all-inclusive list of possible infractions. The Human Resources Director retains the right to modify, or amend this policy and matrix as needed without advance notice.

APPROVED BY:



TOMAS GONZALEZ, City Manager

DATE: 9/17/15

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

OFFENSE
(CAUSE OF ACTION)

1ST OFFENSE
PENALTY

2ND OFFENSE
PENALTY

3RD OFFENSE
PENALTY

4TH OFFENSE
PENALTY

OFFENSE (CAUSE OF ACTION)	1 ST OFFENSE PENALTY	2 ND OFFENSE PENALTY	3 RD OFFENSE PENALTY	4 TH OFFENSE PENALTY
LEVEL 1 VIOLATIONS				
AWOL/Failure to report for mandatory overtime/callback	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Being offensive in conduct or language	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Creating Employee Dissension	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Dress Code/Uniform Policy violation ***	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Driving on behalf of the City without current Defensive Driving Certification (DDC)	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to attend scheduled training	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to report driver license revocation/suspension	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to enforce City/Department Rules	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to report a violation of policy	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to follow City/Department Rules or Policies	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Misuse of City resources	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
At fault motor vehicle/equipment accident/incident resulting in minor property damage/injury	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Inappropriate use of the City's e-mail or Internet	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Time and Attendance Violations/Unauthorized Overtime	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

OFFENSE (CAUSE OF ACTION)	1 ST OFFENSE PENALTY	2 ND OFFENSE PENALTY	3 RD OFFENSE PENALTY	4 TH OFFENSE PENALTY
Minor Loss/Misplacement/Damage to City Property	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Violation of the Outside Employment Policy	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Poor Customer Service/Unprofessional Conduct	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Prohibited Political Activity	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Negligent operation of a motor vehicle (non-accident or injury)	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Safety Violation (non-injury or property damage)	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Solicitation Policy violation	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Safety Violation resulting in minor injury or minor property damage	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Displaying/Possession/Distribution of inappropriate images not deemed to be pornographic. **	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION

Note: Discipline crossing departmental lines may be issued by the City Manager or designee

* Violations not involving Rules or Policies will be addressed with a Formal Counseling and subsequent repeat violations would be a violation of a Direct Order

** The Human Resources Director will make determination

*** Employees will be sent home to change into appropriate attire on their own time for each incident

**** Provided said policy has been approved by City Legal and City Human Resources

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

OFFENSE (CAUSE OF ACTION) 1ST OFFENSE PENALTY 2ND OFFENSE PENALTY 3RD OFFENSE PENALTY 4TH OFFENSE PENALTY

LEVEL 2 VIOLATIONS				
Dishonesty	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Disobeying a Direct Order (Insubordination)	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Not available when on-call	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Retaliation	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Moderate at fault motor vehicle/equipment accident/incident resulting in moderate property damage/injury	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Inefficient performance	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

OFFENSE (CAUSE OF ACTION) 1ST OFFENSE PENALTY 2ND OFFENSE PENALTY 3RD OFFENSE PENALTY 4TH OFFENSE PENALTY

LEVEL 3 VIOLATIONS				
Conviction of a DUI affecting job related driving duties	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Inducing or assisting another to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
At fault motor vehicle/equipment accident/incident resulting in substantial property damage.	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Has been convicted of a felony or misdemeanor involving moral Turpitude or entered a period of deferred adjudication	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Deliberate falsification of reports or official documents	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Major loss/Misplacement/Damage to City property	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Intentional release of confidential information	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Sexual Harassment - incident of a sexual nature	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Violent and/or threatening behavior/Possession of unauthorized weapon	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Safety violation resulting in substantial property damage/serious injury	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Possession or retention of pornography electronically or physically that is not personally obtained **	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Refusal to obey a direct order during an Administrative Investigation	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	
Misappropriation	10 DAY SUSPENSION	15 DAY SUSPENSION	DEMOTION/TERMINATION	

CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

OFFENSE (CAUSE OF ACTION) 1ST OFFENSE PENALTY 2ND OFFENSE PENALTY 3RD OFFENSE PENALTY 4TH OFFENSE PENALTY

LEVEL 4 VIOLATIONS				
At fault motor vehicle/equipment accident/incident resulting in serious injury or death.	TERMINATION			
AWOL (3consecutive days)	TERMINATION			
Felony Conviction affecting job related duties	TERMINATION			
Violation of a departmental policy that mandates termination ****	TERMINATION			
Loss of required license/Certificate where required in Job Description	TERMINATION			
Sexual Harassment- Assault	TERMINATION			
On Duty use/consumption/distribution of alcohol or illegal substances	TERMINATION			
Positive test for alcohol or illegal substances/Refusal to submit to testing	TERMINATION			
Accessing/distributing/displaying pornography **	TERMINATION			
PIP – Unsuccessful completion of a Performance Improvement Plan – Incompetency or negligence of performance of duties – Recurrent inefficient performance	TERMINATION			

Notes by K. Reilly (KR)

June 14th, 2024

- extend probation for 45 days

Verbal Counselings:

- 6/14/24
 - Unsecured lock at hoofstock
- 6/14/24
 - Allowing Kudu into the giraffe ramp (walked away)
- 7/23/24
 - Leaving a giraffe lock unsecured at giraffes
 - Shifting an animal into an improperly secured area (giraffes)
 - Hitting a fence with the giraffe truck

August 2, 2024

- passed probation
- given Memo of expectations
 - Noted: all zoo equipment, including vehicles, machinery, tools, etc is operated in a safe manner as per zoo, City,, and OSHA standards to avoid any incident or accident involving said equipment.
 - If there are ANY deviations or infractions to ANY of the above listed stipulations in the next 6 months (from date of memo) further disciplinary actions will be taken up to, and possibly including, termination of your employment.

Feb 19 2025

- given formal counseling
 - safety infraction while cutting alfalfa cubes on Aug 26, 2024
 - not properly securing a giraffe door

May 15 2025

- left tools in hoofstock stall. Was on run with another keeper
- 5/29/25 ^{vt.}
 - WROTE FOR LEAVING HS TOOLS IN STALL OVERNIGHT
 - Let Curator know about the verbal counseling
 - He recommended it be upgraded to a formal. Director agreed
 - When formal came back, Amanda and I asked if it would be reduced to a 1 day suspension. Were told no.
 - Another keeper suspended for 3 days for a much more egregious action
 - Sam was 7:00 - 12:00 that day