



AGENDA FOR THE CIVIL SERVICE COMMISSION

February 12, 2026
MAIN CONFERENCE ROOM, 300 NORTH CAMPBELL – 2ND FLOOR
6:00 PM

Notice is hereby given that a meeting of the Civil Service Commission of the City of El Paso will be conducted on the above date and time.

Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>
Via television on City15,
YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with the Civil Service Commission during public comment, and regarding agenda items by calling the following number:

1-915-213-4096 or Toll Free Number: 1-833-664-9267

At the prompt please enter the corresponding Conference ID: 289 710 845 123 6

If you wish to sign up to speak please contact Symone Menchaca at MenchacaS@elpasotexas.gov or (915) 212-1242, no later than by the start of the meeting.

The following member(s) of the Civil Service Commission will be present via video conference:

[NONE]

A quorum of five Commissioners must be present and participate in the meeting.

All matters listed under the Consent Agenda below will be considered by the Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Commission or persons in the audience request specific items be removed from the Consent Agenda to the Regular Agenda for discussion prior to the time the Commission votes on the motion to adopt the Consent Agenda.

CONSENT AGENDA

1. Approval of Minutes: [BC-1712](#)
January 8, 2026, Civil Service Commission Meeting

2. Notation: [BC-1713](#)
Schedule of the 2026 Civil Service Commission Monthly Meetings

3. Notation: [BC-1714](#)
Assignment of Hearing Officer to Disciplinary Appeals
 - Samantha Sapien - Zoo Department - 3 Day Suspension
 - Rosa Montes - Parks & Rec - Termination
 - Fernando Martinez- EPPD/ Code Enforcement Bureau- Termination

REGULAR AGENDA

4. Discussion and Action on the Annual Election of Civil Service Commission Chair [BC-1715](#)

5. Discussion and Action on the Annual Election of Civil Service Commission Vice-Chair [BC-1716](#)

6. PowerPoint Presentation on the Civil Service Commission Role and Responsibilities, the City of El Paso Code of Conduct and the Virtual Attendance Policy (Presented by Assistant City Attorney, Roberto Aguinaga) [BC-1717](#)

7. Discussion and Action on Hearing Officer's Report and Recommendation: [BC-1718](#)
Diego Arias- El Paso Museum and Cultural Affairs Dept- 3 Day Suspension
In accordance with the Civil Service Commission, Ordinance 8065 Rules and Regulations - Rule 8, Suspension, Reduction, Discharge. Section 1, Subsection (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; (N) Refusal to follow the lawful order of a superior or supervisor; and (P) For just cause.

EXECUTIVE SESSION

The Civil Service Commission may retire into Executive Session pursuant to Civil Service Commission Rule 1, Section 11(a) and the Texas Government Code, Section 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Commission may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.). The Commission will return to open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.074 PERSONNEL MATTERS

ADJOURN

NOTICE TO THE PUBLIC

Sign language interpreters will be provided for this meeting upon request. Requests must be made to Symone Menchaca at MenchacaS@elpasotexas.gov a minimum of 48 hours prior to the date and time of this hearing.

If you need Spanish Translation Services, please email MenchacaS@elpasotexas.gov at least 48 hours in advance of the meeting.

Posted this 5th day of February 2026 at 1:00 PM by Symone Menchaca.



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1712, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Approval of Minutes:

January 8, 2026, Civil Service Commission Meeting

MINUTES

**FOR THE REGULAR MEETING OF THE CIVIL SERVICE COMMISSION TO BE HELD AT
6:00 P.M., THURSDAY EVENING JANUARY 8, 2026
MAIN CONFERENCE ROOM, 300 NORTH CAMPBELL – 2ND FLOOR**

Members of the public are encouraged to participate virtually by calling:

Teleconference phone number: 1-915-213-4096

Toll-free number: 1-646-647-1558

Conference ID: 346 158 183#

The following members of the Civil Service Commission will be present via video conference:

[NONE]

A quorum of five Commissioners must be present and participate in the meeting.

All matters listed under the Consent Agenda below will be considered routine by the Commission and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Commission or persons in the audience request specific items be removed from the Consent Agenda to the Regular Agenda for discussion before the time the Commission votes on the motion to adopt the Consent Agenda.

Members Present: District 1: Michael Bester
 District 2- Chairman Victor Vazquez
 District 4- Woodrow Bare
 District 6- Carlos Gonzalez
 District 7- Vice Chairman Homero Lucero
 District 8- Larry John Porras

Members Absent: Mayor's Office- Not Present

The meeting convened at 6:00 PM with six commissioners present and Chairman Victor Vazquez presiding. Chairman Vazquez asked if there were any changes made to the Agenda, and CSC Admin Support Specialist, Symone Menchaca stated "No Changes".

CONSENT AGENDA

1. Approval of Minutes:
November 13, 2025, Civil Service Commission Meeting
2. Notation:
Second term expiration of Chairman Victor Vazquez and first term expiration of Commissioner Carlos Gonzalez on January 31, 2026.

MOTION TO APPROVE THE CONSENT AGENDA MADE BY COMMISSIONER WOODROW BARE AND SECONDED BY COMMISSIONER LARRT TO APPROVE THE CONSENT AGENDA; MOTION PASSED UNANIMOUSLY.

REGULAR AGENDA

3. Discussion and Action on Hearing Officer's Report and Recommendation:

Michael Beltran- Fire Department- Demotion

In accordance with the Civil Service Commission, Ordinance 8065 Rules and Regulations – Rule 8, Suspension, Reduction, Discharge. Section 1, Subsection (I) Fails to meet or maintain qualifications, including but not limited to, failing to obtain or maintain required certificates, licenses or other credentials established for the employee's position or classification; and (P) For just cause.

The discussion opened with Hearing Officer Patricia Palafox, who attended the meeting virtually. Ms. Palafox stated that the appellant, Mr. Beltran, had been consistently praised by supervisors and peers as an excellent employee. She noted that he was one of three employees promoted to Lead Fleet Maintenance Technician, a position that requires specific certifications. The promotion also allowed the department to reduce outsourcing, as the Fire Department utilizes complex vehicles, including fire trucks and ambulances.

Ms. Palafox further stated that although Mr. Beltran was highly regarded, he was unable to pass the required certification examination. She explained that the standard probationary period for promoted employees is six months, during which required examinations must be completed. Despite being granted additional time due to his value to the department, Mr. Beltran remained unable to pass the certification exam.

As a result, the department demoted Mr. Beltran with a five percent (5%) reduction in pay. Ms. Palafox stated that although the prior position no longer exists, Mr. Beltran continues to perform lead-level duties with the corresponding pay decrease. She concluded by affirming her recommendation that the demotion be sustained.

Mr. Beltran then addressed the Commission. He stated that he understands the demotion and confirmed that he requested additional time to complete the certification exam. He expressed that he is satisfied with his current position, as it allows him to continue working while preparing for the examination.

MOTION MADE BY COMMISSIONER WOODROW BARE AND SECONDED BY COMMISSIONER CARLOS GONZALEZ TO ACCEPT THE HEARING OFFICERS RECOMMENDATION TO SUSATIN THE DEMOTION OF THE APPELLANT, MICHAEL BELTRAN; MOTION PASSED UNANIMOUSLY.

EXECUTIVE SESSION

The Civil Service Commission may retire into Executive Session according to Civil Service Commission Rule 1, Section 11(a) and the Texas Government Code, Section 551, Subchapter D to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Commission

may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.). The Commission will return to an open session to take any final action.

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.074 PERSONNEL MATTERS

MEETING ADJOURNED AT 6:25 P.M.

Civil Service Commission Chair

Mary Wiggins, Secretary to the Civil Service Commission

Date Approved



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1713, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

This is the language that will be posted to the agenda. Please use ARIAL 11 Font.

Notation:

Schedule of the 2026 Civil Service Commission Monthly Meetings

COMMISSIONERS:

District 1- Bester, Michael
District 2- Vacant
District 3- Cotham, Jeffrey
District 4- Bare, Woodrow
District 5- Vacant
District 6- Gonzalez, Carlos
District 7- Lucero, Homero
District 8- Porras, Larry John
Mayor's Office- Vacant



CIVIL SERVICE COMMISSION

The Main Room
300 N. Campbell – 2nd Floor
El Paso, TX 79901

Telephone 915-212-1242

FAX 915-212-0047

TO: **Main Conference Room**

FROM: Symone Menchaca
Civil Service Commission Administrative Support Specialist

SUBJECT: Main Conference Room Reservations for **2026**

DATE: October 28, 2025

Please reserve the Main Conference Room for Civil Service Commission meetings on the dates listed below. The meetings will be held at 6:00 p.m.; however, will require the use of the Conference Room beginning at 5:30 p.m. for set up.

***JANUARY 8, 2026**
JANUARY 22, 2026
(Only if needed for add'l Meeting)

***MAY 14, 2026**
MAY 28, 2026
(Only if needed for add'l Meeting)

***SEPTEMBER 10, 2026**
SEPTEMBER 24, 2026
(Only if needed for add'l Meeting)

***FEBRUARY 12, 2026**
FEBRUARY 26, 2026
(Only if needed for add'l Meeting)

***JUNE 11, 2026**
JUNE 25, 2026
(Only if needed for add'l Meeting)

***OCTOBER 8, 2026**
OCTOBER 22, 2026
(Only if needed for add'l Meeting)

***MARCH 12, 2026**
MARCH 26, 2026
(Only if needed for add'l Meeting)

***JULY 9, 2026**
JULY 23, 2026
(Only if needed for add'l Meeting)

***NOVEMBER 12, 2026**

***APRIL 9, 2026**
APRIL 23, 2026
(Only if needed for add'l Meeting)

***AUGUST 13, 2026**
AUGUST 27, 2026
(Only if needed for add'l Meeting)

***DECEMBER 10, 2026**

*** REGULAR SCHEDULED MEETINGS**

These dates are for each second and fourth Thursday evenings for the months of January through October and the second Thursday evenings for the months of November and December. I will contact you as soon as possible if the meetings reserved for the fourth Thursday are canceled.

If you need further information, please call me at 212-1242. Thank you.



Legislation Text

File #: BC-1714, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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Notation:

Assignment of Hearing Officer to Disciplinary Appeals

- Samantha Sapien - Zoo Department - 3 Day Suspension
- Rosa Montes - Parks & Rec - Termination
- Fernando Martinez- EPPD/ Code Enforcement Bureau- Termination



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1715, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

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Discussion and Action on the Annual Election of Civil Service Commission Chair



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1716, **Version:** 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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Discussion and Action on the Annual Election of Civil Service Commission Vice-Chair



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: BC-1717, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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PowerPoint Presentation on the Civil Service Commission Role and Responsibilities, the City of El Paso Code of Conduct and the Virtual Attendance Policy (Presented by Assistant City Attorney, Roberto Aguinaga)



Civil Service Commission

Roles of the Commission and its Legal Advisor

February 12, 2026

Robert Aguinaga

Assistant City Attorney

Civil Service

- The City of El Paso “Civil Service System exists to ensure a personnel system that is based solely on merit.”

El Paso City Charter Section 6.1-1



Purpose

- Ensure fairness, economy and efficiency in the selection process and personnel system. City Charter Section 6-1.1
 - Hiring and firing – more regulated and less discretionary than the private sector
 - Predictable, non-political and transparent



Civil Service Commission

- Duties – City Charter Article 6
- Rules – Ordinance 8065, as amended
- One of the City’s quasi-judicial boards with final decision-making power-higher standard
- Procedures – must be within the framework of Charter, and comply with Rules – City Charter 6.1-1)



ROLE OF THE COMMISSION

- Neutral, fact-finding, impartial body
- Decides appeals of discipline properly filed
- Not an advocate for the City, employees or applicants
- Oversight of Civil Service



Functions and Duties

- Recommend to Council rules and amendments for administration of Charter

City Charter Section 6.1-2



Duties and Functions Continued

- Hear appeals and complaints as prescribed by the Charter and Rules
- Ensure fair and equitable treatment of all persons
- Appoint Hearing Officers to Discipline Appeal cases
- Hear appeals from Hearing Officer



Common Types of Appeals

- Disciplinary Actions
- Qualification Reviews
- Grievances



Hearing Officer

- Steps into shoes of CSC
- Is the fact finder
- Recommends a ruling after hearing the evidence and testimony



Discipline Appeal Review by Hearing Officer

- Does the evidence sustain the discipline?
- Was the City consistent with application of Rules/Discipline Matrix. Subject to Charter and Rules?
- Does the good of the service require the discipline be upheld or reduced?
- Did the City prove by preponderance of the evidence?

City Charter 6.13-6

Ord. 8065 Rule 9



Preponderance of the Evidence

- Was more likely than not to have happened. 51%
- Same standard as most civil cases
- Much lower than criminal standard



Appeal of Hearing Officer Opinion

- What error(s) is appealing party alleging?
- Was all evidence considered?
- Did the Hearing Officer follow relevant laws/rules?
- Is there new evidence and why was it not considered?



Options After Appeal

- Accept or reduce the Hearing Officer's recommendations within the rules
 - Reductions cannot change the nature of the recommendation
- Remand to the Hearing Officer for development of newly discovered evidence; or
- Reject the Hearing Officer's recommendations and have a de novo hearing before commission as a whole



Appeals of Disqualification

- What specific qualification does employee allege was wrongfully disqualified?
- Did the City apply the rules correctly?
- Can the employee prove by preponderance of the evidence the City committed an error?
- What is the remedy sought?



Grievance Appeals

- What specific wrong does the employee allege?
- Why was the City's Response unacceptable?
- What is the remedy sought?
- Does the CSC have the ability to provide the remedy?



Oral Arguments, Debate and Decorum

- Each side is granted time to present oral arguments as set by the Chair not to exceed 45 mins with 15 min extension by vote
- Each Commissioner has up to 5 mins to speak after being recognized
- No Commissioner shall interpret, argue with or personally attack another or any member of staff or party
- Any individual wishing to speak must be recognized by the Chair



Limitations

- Discrimination and harassment – outside CSC jurisdiction
- Ex parte communications – No communication outside the presence of both parties, concerning the merits of a pending complaint or appeal.
- Not a policy making body
 - Cannot change policy or create new policy
 - Can recommend new policy to Council through City staff

Legal Advisor

- City Attorney Office – expertise in municipal and employment law
 - Review agenda and monitor meetings to:
 - Assist in compliance with the Texas Open Meetings Act
 - Guide in compliance with City Charter, Commission Role
 - Advise on meaning and application of the Charter, Civil Service Rules and City Policies
 - Advise Commission on legal questions and issues related risk of liability

Legal Advisor Continued

- Neutral - is NOT and advocate for the City nor an appellant, is screened from discussion related to the discipline cases.
- The Legal Advisor can advise the City personnel and the Commission simultaneously on advisory duties.
- The City Attorney's Office is the only legal advisor for the Commission, and only one ethically obligated.

Virtual Attendance Policy

- A quorum must be physically present
- Commissioners attending virtually may still cast a vote on any matter
- Requests to appear virtually must be made by 10am the Thursday prior to the meeting (1 week)
- Cannot request more than 3 months in advance



Removal from Office

- Removal for: incompetence or nonfeasance, misfeasance or malfeasance. Examples:
 - neglect of duty (persistent absences)
 - refusal to perform the duties imposed by this Charter.
- Nonfeasance: The neglect or failure of a person to do some act which he ought to do.
- Misfeasance: not doing a lawful act in a proper manner, omitting to do it as it should be done
- Malfeasance: The wrongful or unjust doing of some act which the doer has no right to perform
 - Includes acting outside scope, against advice of counsel
 - If there is a lawsuit filed, the City will not represent you.



Ethics Ordinance and Code of Conduct

- The Commission is required to work within the framework of the City's ethics ordinance (City Code 2.92) and the Code of Conduct
 - Comply with law and City Policy
 - Make decisions and act on facts
 - Never disclose confidential information
 - Respect City process
 - Maintain positive work place environment

CITY ETHICS ORDINANCE

- Commission members are subject to the same sanctions as other city officials who are found to have violated the Ethics code.

PERSONAL LIABILITY

- Commission, as a sub-entity of the City is the City Attorney's client
- Acting against the advice provided by the City Attorney's office may subject you to personal liability and can result in removal from office.
- Acts beyond the authority of the Commission granted by Charter, ordinance or statute would be ultra vires –beyond or outside one's legal power or authority.



Mission

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



Values

Integrity, **R**espect, **E**xcellence, **A**ccountability, **P**eople



Vision

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



File #: BC-1718, Version: 1

**CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM**

AGENDA LANGUAGE:

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Discussion and Action on Hearing Officer's Report and Recommendation:

Diego Arias- El Paso Museum and Cultural Affairs Dept- 3 Day Suspension

In accordance with the Civil Service Commission, Ordinance 8065 Rules and Regulations - Rule 8, Suspension, Reduction, Discharge. Section 1, Subsection (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; (N) Refusal to follow the lawful order of a superior or supervisor; and (P) For just cause.

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

IN RE:

DIEGO ARIAS APPEAL)
)
) DOCKET NUMBER 25-FD-03PP
)

HEARING OFFICER’S RECOMMENDATION

Case Procedural Summary

DATE OF DISCIPLINE: 3 Day Suspension September 2025
DATE OF ASSIGNMENT
TO HEARING OFFICER: 9-30-25
DATE OF PRE HEARING: 10-9-25 and 11-6-25
DATE OF HEARING: 12-9-25 and 12-18-25
PLACE OF HEARING: City Attorney Library Conference Room
REPRESENTATIVE FOR CITY: Matthew Marquez, Asst. City Attorney
REPRESENTATIVE FOR EMPLOYEE: None. Represented himself.

WITNESSES CALLED BY THE CITY:

Benjamin Fyffe, Director, Museum, Cultural Affairs Department
Edward Hayes, Jr., Director of El Paso Museum of Art
Nicholas Munoz, Lead Preparator Museum of Art
Ricardo Valenzuela, Senior Human Resources Analyst
Tanya Dominguez, Lead Human Resources Specialist

WITNESSES CALLED BY THE EMPLOYEE:

Diego Arias, Museum Preparator

EXHIBITS ENTERED AS EVIDENCE:

City Exhibits C-1 thru C-19
Employee’s Exhibits: A-1 thru A-18

A. Background of Discipline

On May 28, 2025, an early morning water leak from a humidifier at the El Paso Museum of Art was discovered when an employee opened the museum. The water flow put the Museum

into an emergency crisis mode to protect the art work, records, and the Museum employees who would soon be arriving at work. The Notice of 3 Day Suspension for employee Diego Arias stated that his conduct violated the City Charter Section 6.13-3 and Civil Service Rule 8 during the emergency at the Museum on May 28, 2025, in that he 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.” In addition, the Notice stated that Arias demonstrated a “refusal to follow the lawful order of a superior or supervisor.” (Exhibit C-1). Arias has no other disciplinary history.

B. The Events of May 28, 2025

Diego Arias has worked at the El Paso Museum of Art for four years. He is a “preparator” who works under the immediate supervision of the Lead Preparator, Nick Munoz. The Organizational Chart shows the chain of command. (Exhibit C-4). Munoz reports to the Museum Director Edward Hayes. Edward Hayes reports to the Managing Director of the MCAD Department, Ben Fyffe, who supervises not only the Museum of Art but other museums and cultural properties owned and run by the City. (Exhibit C-5).

Diego Arias and Kate Bujanda are “Preparators” in charge of “preparing” the art for exhibition. The position requires a Bachelor’s Degree or higher in art or a related field.(Exhibit C-16). Supervisor Munoz at one time held Arias’s position before he was promoted to the supervisory lead position in 2019. Munoz is also the Facilities Manager in addition to supervising the two preparators who install all exhibits. He is in charge of the building, such as opening it, closing it, taking care of maintenance issues, etc. On May 28, 2025, Munoz’s Operations Assistant for maintaining the building facilities was Miguel Castro. It is now Pedro Campos. (Exhibit C-4).

Under the El Paso Museum of Art Disaster Plan, Lead Preparator/Facilities Manager Nick Munoz, his Operations Assistant, formerly Miguel Castro, and the Registrar Bernadette Ramos are point persons for responding to a disaster.(Exhibit C-18). Munoz is listed as the Disaster Response Team Leader.(Exhibit C-18, p. 13). While protecting the art collection is a priority, “human safety is always the highest priority.”(Exhibit C-18, p. 2).

On May 28, 2025, when Operations Assistant Miguel Castro arrived at the Museum to open it around 7:00 a.m., he noticed that the loading dock was flooded with water and saw it was coming from a humidifier that had been installed the prior day by the HVAC Contractor. Castro called Nick Munoz, his supervisor/facilities manager, on Munoz's cell phone to report the flood, which was a catastrophic incident because of the amount of water flooding the dock area on the second floor. Water was flowing toward the registration office, and leaking down elevators. The flood had potentially seeped into the Hunt Gallery. The dock area on the second floor is the place all employees enter to work. The museum front door on the first floor is where the public enters.

At 7:02 a.m., Munoz sent a TEAMS computer message to all staff advising them of the flood and asking Bernadette Ramos, the Registrar, to recommend the course of action with regards to affected areas where art was present, and specifically the registration records area. At 7:08 a.m. Munoz sent a text message to the cell phones of his immediate staff, Diego Arias and Kate Bujanda, instructing them that "we may need to pivot to assist water mitigation for the first part of the day" because of the flood. At 7:46 a.m. he sent another text to them to not open the Hunt Gallery roll up door, to get the blue floor fans and mop and vacuum up water along the threshold. After Registrar Bernadette Ramos answered that she was on site and water was in the registration office where important records of art work, ownership, and provenance are housed, Munoz sent a third text at 8:14 a.m. ordering that once the Hunt Gallery was addressed, "shift to drying out registration." (Exhibit C-11, p. 4).

At 7:36 a.m. the Museum Director Edward Hayes sent a TEAMS message to Museum staff regarding the flood, and instructing them to follow the dry path to clock in but to then work offsite. At 8:30 a.m. he again messaged staff that a dry pathway had been cleared but "please be careful nonetheless." (Exhibit C-11, p. 6). However, Munoz and his Preparators and Facilities Assistant staff were workers who were to continue to work on site helping with the flood.

Arias arrived at the Museum at 8:15 a.m. He saw the museum preparator, museum registrar, and building operations assistant and the HVAC contractor "all addressing the top floor." (Exhibit C-11). He testified at this appeal hearing that he did read the cell phone texts from his Supervisor Munoz with instructions. Arias went downstairs to the basement where he has a desk and saw that the basement was flooded as well. It was at this point that Arias decided that it was more of a priority to handle the basement flooding rather than to go upstairs to follow the

instructions given by Munoz to concentrate on drying out the registration office. At no point did Arias let anyone know what he was doing and where he was working.

When Diego Arias's Supervisor and Lead Disaster Plan Team Leader Nick Munoz arrived at the museum at 9:00 a.m., he saw staff working to dry out the registration area and asked, "Where's Diego?" No one had seen him or knew where he was. Munoz found Arias in the basement sitting at his desk in what is called the "MakerSpace" and working on his computer. For this Appeal Hearing, Diego Arias submitted an exhibit entitled "Incident Timeline." (Exhibit A-8). It is Arias's explanation of the altercation with his supervisor, which is consistent with his supervisor Munoz's recollection. It is as follows:

"9:10 am—Supervisor confronts me inside MakerSpace about not assisting in the flooding response. I explain I have addressed a human safety hazard in the basement and ask him to review camera but disregards it and continues to argue I have not done as asked. He asks why I'm sitting at a computer and I respond by stating I am taking an allowed 15 min break to submit a transfer request given I no longer feel safe working in a building that is being neglected as it is putting museum assets and my safety at risk. The supervisor again disregards what I say and threatens to talk to the museum director about revoking a department head approved 4/10 schedule for Outside Employment. He then walks out of MakerSpace slamming a door open as I attempt to follow him to the director's office. This triggers emotional distress, I return to computer to submit transfer request and then step off-site to walk around gather my emotions." (Exhibit A-8).

The incident report and testimony of supervisor Munoz is consistent with Arias's recollection. Munoz stated that when he arrived at the Museum, he spoke to the persons cleaning up the water as he had instructed but there were no portable fans working so he went to get the fans downstairs and brought them upstairs. When he asked the staff where Diego was, no one had seen him or talked to him so he went looking for him and found him downstairs at the MakerSpace where Diego has a computer he uses. When he asked Diego what he was doing and why he was not helping with the flood, Arias responded that he had helped by moving pedestals in pedestal storage and security cameras would verify his work with the flooding. Diego told Munoz he did not want to be any part of the water amelioration on the dock because the humidifier had been leaking and Operations Assistant Miguel Castro had done nothing about it and if the Museum lost accreditation, he was not going to be responsible. Diego continued to argue with Munoz and all

the arguments are described in the incident statement given by Munoz during the investigation. (Exhibit C-10). “Still confused as to why he was at his computer, saying we needed his help and what was so urgent he was at his computer, he stated he needed to respond to an e mail, per his allotted 15 min break, wasn’t he allowed to do that, take a break? I asked again what was so important and he said he was looking for another job. To which I assumed he meant, he was responding to an email concerning another job, while disregarding an emergency at his current job.”(Exhibit C-10). Munoz does admit that he told Arias that the prior approval for a modified work schedule for Arias was in jeopardy because Munoz did not see how he could trust Arias to open the building. Arias testified that he finally closed his computer and said “ok, what do you want me to do.”

Munoz left Arias and went to talk to the Museum Director Edward Hayes to report on his conversation with Arias. Hayes told Munoz to order Arias to help with the remaining tasks regarding the flood. When Munoz saw Arias outside the administrative office, he ordered Arias to help co-worker Kate place sandbags. Arias insisted on talking first to Museum Director Hayes. According to Munoz, Arias “was relentless in wanting to talk with Eddie, to which I said fine, let’s go.” (Exhibit C-10). After discussion with Arias, Director Edward Hayes ordered Arias to follow Munoz’s orders. Arias then left to help Kate place sandbags as Munoz had ordered. Hayes stated he learned later from another employee that Arias had left the museum building earlier during the crisis. Hayes did verify it on the security cameras. Arias does not deny that he left his post during the flood emergency for 15 minutes to “gather my emotions.” (Exhibit A-8).

Director Hayes testified that the May 28, 2025 incident was an emergency such as he has never seen at any other museum. Floods are rare but water pouring out from the humidifier was racing towards their art collection areas and registration office with crucial documents. The El Paso Museum of Art is one of 400 accredited art museums in the nation. Accreditation can be affected by the way art is protected and whether there is a disaster preparedness plan in place and ready to activate. There are 15 employees including Hayes at the Museum. Hayes testified that Diego Arias is a great worker and he and the other “Preparator” Kate Bujanda are the most professional preparators he has ever worked with. However, he could not understand why Diego would go to the pedestal storage room in the basement rather than to the location upstairs on where he was needed to pick up water.

Arias's immediate supervisor Nick Munoz testified that Arias does impeccable work but on May 28, 2025, he needed all hands on deck and he was disappointed in Arias's performance and behavior. Arias had seemed to blame Munoz's assistant Miguel Castro for not taking care of leaks and problems with the HVAC system. However, Arias was unaware that just the day before the HVAC contractors had installed the humidifier that was pouring water. Arias was also unaware that Miguel Castro had checked the basement storage area and there was no art in jeopardy. Statues had been covered. Regarding the text to Arias on his personal cell phone the morning of the emergency, Munoz testified that there was no other way to reach Arias before work hours as that was the only phone listed for Arias in their records.

At this appeal hearing, Tanya Dominguez from Human Resources testified that she did receive Diego Arias's transfer request on May 28, 2025 at 9:25 a.m. The transfer request is time stamped and dated. (Exhibit A-13). She denied the request on June 9, 2025 because there was no similar job as "museum preparator" to transfer Arias into, pursuant to human resources policies.

C. The Disciplinary Matrix

Department Director Benjamin Fyffe testified that he uses the City of El Paso Disciplinary Matrix because he has found it to be a way to be impartial about discipline. (Exhibit C-3). He has been in management for the City for over 14-15 years, and has been a Department head for the last 7-8 years, at several departments. He testified that the situation with Diego Arias involved serious issues because the Museum staff are stewards of the permanent collection of the Museum of Art. The investigation showed that Arias was argumentative and making decisions on his own without considering the priorities given to him by his supervisor. Arias had been insubordinate to a direct order. The El Paso Disciplinary Matrix recommends a three day suspension for the first incident of a Level 2 violation of Insubordination or Inefficient Performance.(Exhibit C-3). He followed that in instituting the three day suspension.

D. Diego Arias's Defenses

Arias contends that he followed the Museum's Art Disaster Preparedness Plan which gives as the highest priority in an emergency "human safety."(Exhibit C-18, p. 2). Arias was familiar with the Disaster Preparedness Plan. He contends that when he went down to the basement to put his personal items away, it was flooded and he concluded that it was unsafe for others who might

slip and fall in the dark as regular lights had been turned off for safety, so he began to clean the water, including protecting the pedestal area where pedestals could be damaged with water.

Arias contends that during the water flood on May 28, 2025, his supervisor Munoz violated a previous agreement to not send Arias texts regarding work to his personal cell phone. Arias contends he was not an “on call employee” who was required to carry and use a cell phone during off hours, and the Museum did not provide him with a business cell phone. Therefore, around February 2025, he notified his supervisor that he preferred to not use his personal phone for work. “I can carry around radio and check e mail throughout the day.” (Exhibit A-12) However, Arias admitted during the hearing that at least by the time he arrived at the Museum on May 28, 2025, he had read the texts from Munoz regarding orders for assisting in the flood.

Arias contends that Munoz had given certain priorities for work the day of the emergency, but that Arias had determined that there was a more immediate threat to human safety when he saw the flooding in the basement. He wrote in his incident report that he “saw the potential of someone slipping and falling in the dark and decided to address the hazard immediately since everyone else was addressing the upstairs” (Exhibit C-11). Arias contends that when he asked to speak to the Museum Director to give his side of the story, there was no longer an “emergency” in progress.

Arias contends that he was retaliated against when the prior approved adjusted work hours schedule was taken away. He had been authorized “4/10” (4 days of 10 hours) so that he could take more part time work elsewhere, but on the day of the May 28 incident Munoz had threatened to take the new work schedule away. In fact, the adjusted 4/10 work schedule was taken away from him after the May 28, 2025 events. (Exhibit A-10).

E. Discussion

There is little dispute about what happened between Arias and his supervisor Nick Munoz on May 28, 2025 during the flooding emergency at the Museum. The incident reports prepared by Diego Arias, Nick Munoz, and Edward Hayes are consistent in what transpired.(Exhibits C-9, C-10, C-11). In the “Incident Timeline” quoted above and submitted as Exhibit A-8 by Arias for the hearing, he admits sitting at his computer when his supervisor asked him what he was doing there and why he had not done as asked. He admitted stating that he responded that he was taking

a 15 minute break to submit a transfer request. During testimony at the hearing, Arias admitted that taking a 15 minute break was not customary during regular work hours. He admitted that he left his post at the Museum to walk outside when his supervisor Munoz slammed a door as Munoz was leaving to go speak to the Museum Director. (Exhibit A-8). Director Hayes confirmed that until Arias came to his office, Arias had not followed his supervisor Munoz's lawful orders. When Hayes told Arias to follow his supervisor's orders, Arias finally left to help his coworker put down sandbags upstairs as Munoz had ordered him to do. Contrary to Arias's contention that the emergency was over when he insisted on speaking to the Museum Director before following Munoz's orders, the evidence is that the emergency was not over. Sandbags were being placed, carpet in the records office was being dried out with fans, and water was still being cleaned up. Arias admits that he never communicated his whereabouts to anyone at the Museum or tell anyone what he was doing or ask for assignments before Munoz approached him at his computer. Arias made a decision as to what his priority was during the emergency, and even when his supervisor ordered him to follow the original orders given to staff, Arias argued with him and insisted on speaking to the Director of the Museum before complying.

Arias complained that it was unfair that his previously approved request for a different work schedule was withdrawn after the May 28, 2025 incident. However, management at the Museum contended that being on a 4/10 work schedule was a benefit granted to Arias at his request, and after Arias's actions on May 25, 2025 during the emergency, they no longer trusted him to be at the museum alone in the mornings which would have resulted from the 4/10 work schedule.

Is it insubordination for an employee to fail to follow a supervisor's lawful orders to help during an emergency and instead sit at a computer telling the supervisor that he is taking a 15 minute break to apply for another job? Clearly yes. Is it insubordination to continue to refuse to follow a supervisor's lawful orders and insist on talking the Museum director about "his side of the story" during the emergency rather than following orders and scheduling a meeting later? The answer again is yes. Munoz was not only Arias's immediate supervisor, but during the emergency he was the Disaster Response Team Leader under the Museum's Disaster Plan. According to his supervisors, Diego Arias is a good employee who did excellent work and had no prior disciplinary actions against him. However, his conduct on May 28, 2025 during an emergency at the Museum

merited the three day suspension given to him.

F. 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 Arias stated that his conduct violated the City Charter Section 6.13-3 and Civil Service Rule 8 in that he 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.” In addition, the Notice stated that Arias demonstrated “refusal to follow the lawful order of a superior or supervisor.”

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.

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.

G. Recommendation of Hearing Officer

I recommend that the three day suspension of Diego Arias be sustained.

Respectfully submitted on this 5th day of January, 2026.



Patricia L. Palafox
Hearing Officer

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

**IN THE MATTER OF
DIEGO ARIAS, APPELLANT**

§
§
§
§
§
§
§

DOCKET NO. 25-FD-03PP

AND

THE CITY OF EL PASO

CITY OF EL PASO'S EXHIBIT LIST

#	DESCRIPTION	DATE
	<i>City of El Paso Employee Investigation</i>	
C-1	Notice of Suspension	09/2/2025
C-2	Acknowledgment of Receipt of the Proposed Notice of Suspension	9/2/2025
C-3	City of El Paso Discipline Policy and Matrix	5/30/2015
C-4	El Paso Museum of Art Organizational Chart	11/6/2025
C-5	Museum and Cultural Affairs Department Organizational Chart	
C-6	El Paso Downtown Arts District	
C-7	Acknowledgment of Receipt of the Employee Handbook	4/26/2022
C-8	Email from Edward Hayes to Ricardo Valenzuela	6/26/2025
C-9	Incident Report from Edward Hayes Jr.	5/28/2025
C-10	Incident Report from Nicholas Munoz	5/29/2025
C-11	Incident Report from Diego Arias	5/29/2025
C-12	Transfer Request Form from Mr. Diego Arias	5/28/2025
C-13	Photos	
C-14	Videos	
C-15	On Call Pay Policy	3/8/2010

#	DESCRIPTION	DATE
C-16	Job Specification for Museum Preparator	2/23/2025
C-17	Job Specification for Lead Museum Preparator	2/23/2025
C-18	El Paso Museum of Art Disaster Preparedness Plan	12/10/2024
C-19	El Paso Museum of Art Collection Care & Management Policy	5/18/2023



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Diego Arias Last 4 #'s of SS #: [REDACTED] Date: September 2, 2025
Position: Museum Preparator Employee ID #: [REDACTED]

Address: [REDACTED]

RECEIVED
SEP 09 2025

From: El Paso Museums and Cultural Affairs Department
Subject: Suspension Without Pay

THIS IS TO NOTIFY YOU THAT YOUR EMPLOYMENT WITH THE CITY OF EL PASO CIVIL SERVICE COMMISSION HEREBY SUSPENDED FOR Three (3) WORKDAYS EFFECTIVE 09/10/2025, 09/17/2025 AND 09/24/2025

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;
- N. Refusal to follow the lawful order of a superior or supervisor
- P. For just cause.

I HAVE RECEIVED A COPY OF THIS NOTICE

[Signature]
Employee's Signature

Date 09/02/2025

BY CERTIFIED MAIL NUMBER



[Signature] 9/02/2025
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: Diego Arias Last 4 #'s of SS #: [redacted] Date: September 2, 2025
Position: Museum Preparator 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)
n. Refusal to follow the lawful order of a superior or supervisor (Added 7/31/07)
p. For just cause. (Added 7/21/07)

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CIVIL SERVICE COMMISSION

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

EMPLOYEE'S INITIALS _____



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

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)

- 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

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COMMISSION



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

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SEP 09 2025
CIVIL SERVICE COMMISSION

Name: Diego Arias
Position: Museum Preparator

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

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, 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)

EL PASO MUSEUM – DISASTER PREPAREDNESS PLAN (December 10, 2024)

INTRODUCTION

General Information

This disaster plan was updated by Bernadette Ramos on 12/10/2024. It is meant to assist in recovering collections from events ranging from a minor emergency to a major disaster. However, in an emergency it is important to keep in mind that

EMPLOYEE'S INITIALS _____



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Diego Arias Last 4 #'s of SS # [redacted] Date: September 2, 2025
Position: Museum Preparator Employee ID # [redacted]

human safety is always the highest priority. Recovery of collections should not begin until all staff and patrons are safe. The Disaster Planning Team gathered information for this plan. Responsibilities of the team members were -
Gathering-internal supplies:
Preparator Diego Arias

CHAPTER 1 - RESPONSE
1.7 EMERGENCY INSTRUCTIONS

1.7.1 Water Damage (Minor)

These instructions cover cases in which a small amount of clean (not contaminated) water leaks into a collection area. If sewage or other dangerous substances contaminate the water, protective clothing must be worn, and it is best to enlist professional assistance.

- 1. If possible, determine the source of the water leak.
2. If possible, cut off the water. Location and procedures for the main water shut-off valve are as follows -
Main water shut-off valve: There are three main water shut-offs for domestic water.
Procedures: The main shut-off valve is located outside the building on the sidewalk off Main and El Paso Streets. The secondary valve is located on the northeast corner of the building which includes back flow prevention. The third one is located inside the building in the fire room in the basement.
3. Notify the person in charge of building facilities maintenance; also call the people on the Emergency Call List as necessary.
4. Protect the collections from further damage as appropriate by -
(a) To the extent possible, move wet or vulnerable items to a dry, secure location nearby.
(b) If water is coming from above, protect collections by covering them with plastic sheeting. See Appendix C: In-House Supplies for the location of in-house supplies.
(c) If water is coming in on the floor, use carts (again, see Appendix C for in-house supplies) to relocate materials to a safe area, starting with the materials closest to the floor.
5. See the Recovery section of this plan for instructions on drying wet collections.

1.8 Salvage Priorities

Setting priorities for salvaging collections, institutional records, and other important materials is one of the most difficult but also one of the most important aspects of disaster planning. If an emergency occurs, there may be very little time for salvage. Materials could be lost while valuable time is wasted deciding what to save. A listing of priority materials and equipment allows the institution to concentrate on the most important items that are accessible for salvage.

Material or Equipment

Location

(include floor and specific location)

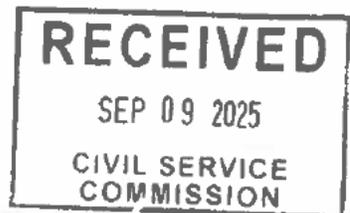
- 1 - Permanent Collections - galleries, art storage, registration storage
2 - Registration records - registration office
3 - Computer equipment - throughout building

Items/shelf ranges/boxes have been color-coded so that materials that are a priority for rescue can be easily identified in an emergency.

CHAPTER A
FACILITIES INFORMATION

A.1 Utility/Shut-Off Control Locations and Procedures

Table with 3 columns: Item, Location, Procedures. Row 1: Cooling system controls, HVAC, Shut-off at upper level electrical room 267, also in basement office with Johnson Control computer.



EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

CITY OF EL PASO – EMPLOYEE HANDBOOK (March 2025)

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 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 Civils Service Rules, City polices 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 question, discuss them 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:

- Failure to meet or maintain work performance standards.
- Failure to cooperate with a supervisor or co-worker, which disrupts the function of a work unit.
- Refusal to follow instructions or to perform designated work or refusal to follow established 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:

- 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.*

EMPLOYEE'S INITIALS _____



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

RECEIVED

SEP 09 2025

CIVIL SERVICE
COMMISSION
Date: SEP 09 2025

Name: Diego Arias
Position: Museum Preparator

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

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.

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.

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

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:
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.

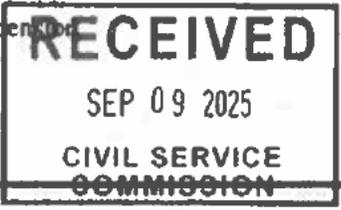
City of El Paso Disciplinary Matrix (May 30, 2018)

Level 2 Violation - Disobeying a Direct Order (Insubordination) - 1st Offense: 3-Day Suspension

Level 2 Violation - Inefficient Performance - 1st Offense: 3-Day Suspension

Date Received by Human Resources: June 20, 2025

120th Day Deadline, pursuant to CSC Rule 8 Section 3(e): October 18, 2025



EMPLOYEE'S INITIALS _____



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

Name: Diego Arias	Last 4 #s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

SPECIFICATIONS:

On May 28, 2025, the El Paso Museum of Art experienced a significant water leak that resulted in flooding in the loading dock, the adjacent Registration Office, and the Hunt Gallery. In response, the Emergency Preparedness Plan was activated, and staff were mobilized to mitigate damage.

You received the Emergency Preparedness Plan via email on Tuesday, December 10, 2024, at 10:16 a.m., and were instructed to review the document and familiarize yourself with your role. These responsibilities included Salvage Priorities, Initial Response Steps, Notification of Appropriate Personnel, and Utility/Shut-Off Control Locations and Procedures. In addition to these responsibilities, you are also specifically listed as being responsible for gathering internal supplies (i.e. fans, shop vacuums).

On the morning of the leak, you were texted instructions from your supervisor to prioritize addressing the pathway between the Security Booth and the Freight Elevator Lobby by placing floor fans. You were further instructed to retrieve shop vacuums to begin water removal in the Registration Office once the Hunt Gallery had been addressed. Although the instructions were texted to your personal phone, due to the emergency at hand, when you arrived and witnessed the flooding, it was your obligation to begin implementing the departments Emergency Preparedness Plan.

Despite these clear instructions and training, you failed to assist appropriately. Instead of prioritizing the Registration Office and Hunt Gallery as instructed, you took it upon yourself to go to the basement pedestal storage area, as you stated it was overflowing with water, without notifying your supervisor or any other staff of your whereabouts. You were later found by your supervisor in the Maker Space using a computer. When questioned about your lack of participation in the clean-up efforts, your response was argumentative. You stated you were using your allotted 15-minute break to request a transfer.

You were then directed by your supervisor to assist a co-worker with the removal of sandbags from the gallery door. Rather than complying, you continued to insist on speaking with the Art Museum Director. Your behavior during this exchange was again argumentative and insubordinate, reflecting a refusal to follow direct instructions during an emergency response.

Although it was confirmed that you were in the basement that morning, you failed to follow the departments Emergency Preparedness Plan, and the general direction from a supervisor. All Museum staff are expected to be stewards of the Collection. This means being vigilant and attentive to any threats to the Collection and City of El Paso assets as outlined in the plan. Your failure to follow the plan and refusal to follow a supervisors instructions, is not acceptable.

As a City employee, you are obligated to follow direct orders from your supervisor and departmental policies and procedures, by failing to do so you are not in alignment with the City's Mission, Vision, and Values and in violation of the City of El Paso's Employee Handbook.

Your disciplinary history reflects the following:

None

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COMMISSION

Based on the above specifications, the El Paso Museum Department has determined that you are being 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 DA



Museums & Cultural Affairs Department

MAYOR
Renard U. Johnson

TO: Diego Arias, Museum Preparator [REDACTED]
FROM: Benjamin Fyffe, Managing Director [Signature]
DATE: September 02, 2025
SUBJECT: Acknowledgement

CITY COUNCIL

District 1
Alejandra Chavez

District 2
Dr. Jos Acavetlo

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 you receipt of the following documents regarding the Proposed Notice of Suspension provided to you on September 02, 2025.

- Proposed Notice of Suspension (9 pages)
- Supporting Documents (6 pages)
- Acknowledgements (3 page)
- Disciplinary Policy and Matrix (11 pages)



I am acknowledging receipt of the above documents.

[Signature]

Signature

Date 09/02/2025



Benjamin Fyffe- Managing Director, Quality of Life
Museums & Cultural Affairs Department
400 W. San Antonio Ave., Ste. A | El Paso, TX 79901
O: (915) 212-0110 | Email: fyffebe@elpasotexas.gov





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

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**CIVIL SERVICE
COMMISSION**

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.

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CIVIL SERVICE
COMMISSION

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	1 ST OFFENSE PENALTY	2 ND OFFENSE PENALTY	3 RD OFFENSE PENALTY	4 TH OFFENSE PENALTY
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

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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
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**

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

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SEP 09 2025

CIVIL SERVICE
COMMISSION

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 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	

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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

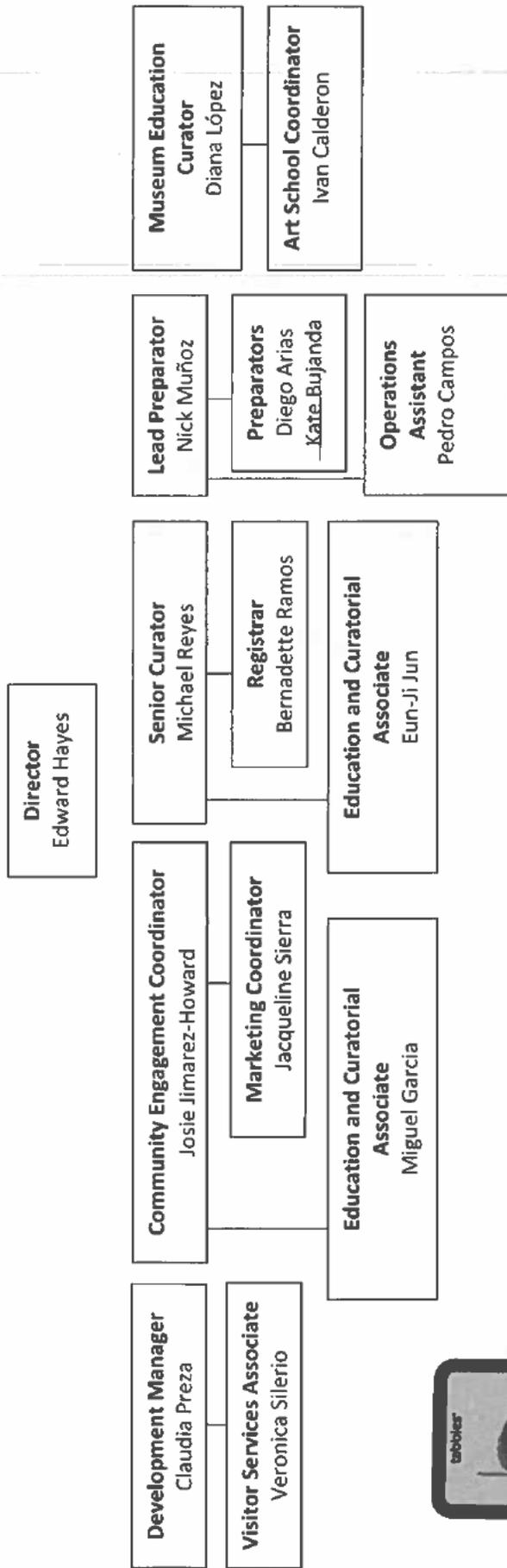
OFFENSE (CAUSE OF ACTION)	1 ST OFFENSE PENALTY	2 ND OFFENSE PENALTY	3 RD OFFENSE PENALTY	4 TH OFFENSE PENALTY
LEVEL 4 VIOLATIONS				
At fault motor vehicle/equipment accident/incident resulting in serious injury or death.	TERMINATION			
AWOL (3consecutive days)	TERMINATION			
Felony Conviction affecting 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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CIVIL SERVICE
COMMISSION

EL PASO MUSEUM OF ART

Organizational Chart

11/6/2025



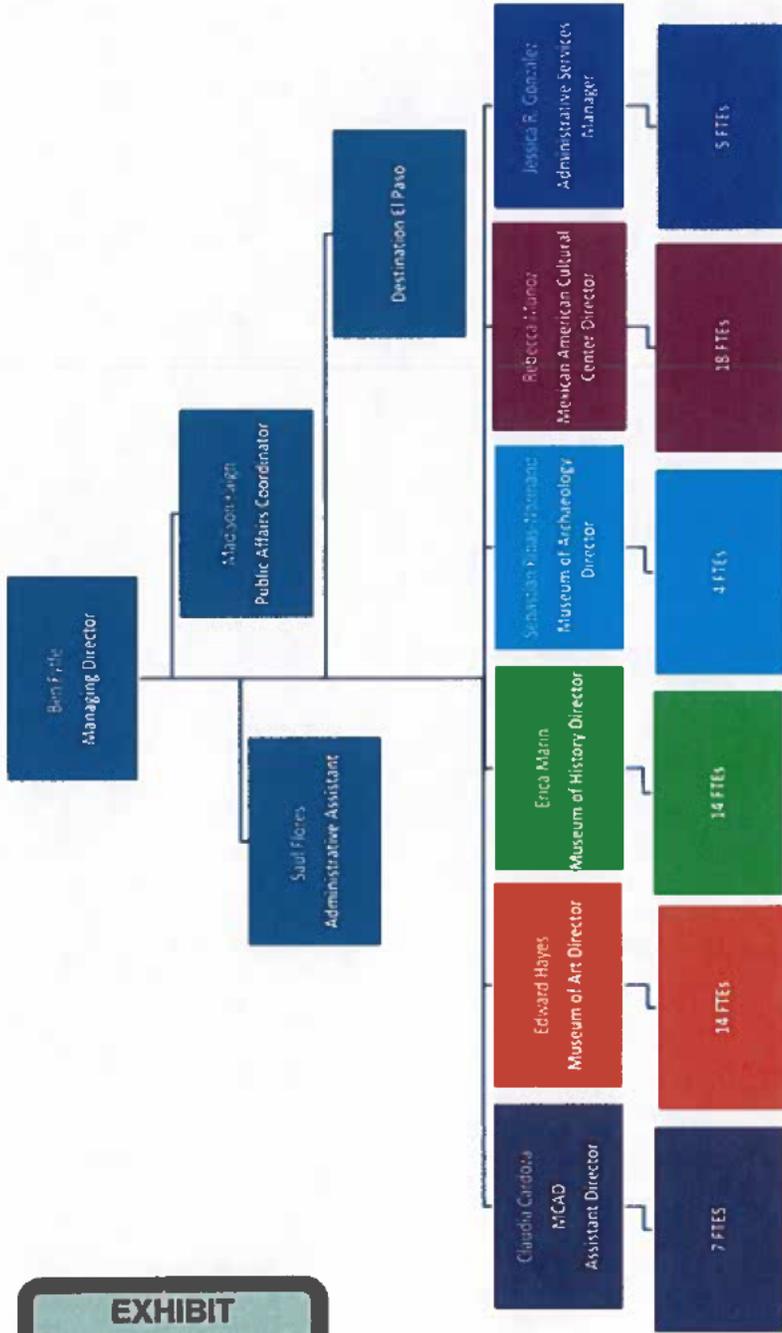


EXHIBIT
C-5



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 My.ElPasoTexas.gov under "QuickLinks" or on the City's Human Resources webpage located at www.elpasotexas.gov/assests/Documents/CoEP/Human-Resources/Resources/Employee-Handbook.pdf 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

Diego Arias

Full Name

Diego Arias

Date

04/26/2022

.t 4 of SSN

3456



From: Hayes, Edward R.
To: Valenzuela, Ricardo
Subject: FW: Disaster Preparedness Plan
Date: Thursday, June 26, 2025 2:21:40 PM
Attachments: EPMA dolan 2024.pdf
Importance: High

Hi Ricardo,

Please see below and attached.

- EPMA Registrar Bernadette Ramos emailed this document to all Museum staff on 12/12/2024. Diego Arias was also given specific instructions to review content; see highlighted section below.
- In addition, there is a specific section on flooding in the attached Disaster Preparedness Plan.
- Bernadette’s email was issued to “Art Museum Arts-1@elpasotexas.gov” and Diego Arias was/and still is a member of that group.

Thanks,

Eddie

Edward Hayes
 Director
 El Paso Museum of Art

From: Ramos, Bernadette A. <RamosBA@elpasotexas.gov>
Sent: Tuesday, December 10, 2024 10:16 AM
To: Art Museum <Arts-1@elpasotexas.gov>
Subject: Disaster Preparedness Plan
Importance: High

Good morning team,

We are preparing for our yearly collections care and management training. Attached is our disaster preparedness plan. Review the following pages and rolls. Please let me know if I need to correct or add contact information. In our collections care training we will ask everyone what their rolls are as noted in the disaster preparedness plan.

- Page 1-5 General information



- Page 6-9 Maintenance and utilities contact information
- Page 10-12 Emergency call list and staff/key personnel
- Page 13 Disaster Response team and disaster response team responsibilities

Page 22 Salvage Priorities. Note for all staff:

- | | |
|---------------------------|--|
| 1 – Permanent Collections | galleries, art storage, registration storage |
| 2 – Registration records | registration office |
| 3 – Computer equipment | throughout building |

Page 39 Facilities information (Utility/shut off control locations and procedures). The following staff should review this section:

- Nick
- Kate
- Diego
- Miguel

Thank you,

Bernadette Ramos
 Museum Registrar
 El Paso Museum of Art
 One Arts Festival Plaza
 El Paso, TX 79901
 915.212.3058
Ramosba@elpasotexas.gov

Employee Incident Report

1. Employee Information

- Name: Diego Arias
- Department: MCAD
- Job Title: Preparator
- Employee ID: 029851

2. Incident Details

- Date of Incident: 5 / 28 / 2025
- Time of Incident: 8:30 AM / PM
- Location: _____

3. Description of Incident

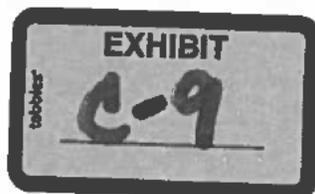
(Include what happened, who was involved, and how it occurred. Use additional pages if needed.)

In addition to Employee Incident Report provided by Lead Preparator Nick Muñoz about his employee Preparator Diego Arias, I will add that Senior Curator Michael Reyes attested to the fact that Diego was nowhere near the area that needed immediate attention (pathway between Security Booth and Freight Elevator Lobby) in the morning. Carmen, a janitorial contractor from AGS, came to my office at 1:00 pm today and let me know Diego approached her in morning and asked what was happening with the water leak, and if Operations Assistant Miguel Castro had mentioned anything to her. Carmen let Diego know she didn't have any details to share. Carmen shared with me that she witnessed Diego walk right through the flooded area towards his office.

Incidents like this, where a preparator is not following our Emergency Preparedness Plan, Collections Management Policy, or general direction from a supervisor, is a red flag for the AAM accreditation commission. I can speak to this directly, having been on an AAM Peer Review panel recently. All Museum staff are expected to be stewards of the Collection. This means being vigilant and attentive to any threats to our Collection (and City of El Paso) assets. Walking through a flooded area and not saying anything about it, and not checking in with a supervisor or Registrar, is *not* acceptable.

While Diego refuses to voluntarily communicate via personal device, he has access to Teams messaging and calls, email, and radio. Diego was incommunicado via all these channels during the flooding cleanup effort. It is unacceptable that his supervisor Nick Muñoz had to go looking for him this morning in the middle of a building and Collections management crisis.

Signature: Edward Hayes Jr. Date: 5 / 28 / 2025



Employee Incident Report

1. Employee Information

- **Name:** Nicholas Munoz
- **Department:** Mcad/Museum of Art
- **Job Title:** Lead Preparator/Facility Manager
- **Employee ID:** 013920

2. Incident Details

- **Date of Incident:** 5 / 28 / 25
- **Time of Incident:** 9am AM / PM
- **Location:** El Paso Museum of Art/ Maker Space

3. Description of Incident

(Include what happened, who was involved, and how it occurred. Use additional pages if needed.)

On the morning of the 28th at 7a, my direct report, Miguel Castro, called me to report that the loading dock area inside the museum was flooded with water from a popped hose fitting to one of our humidifiers located 12ft high, on a wall directly adjacent to our Registration office and one of our galleries, accessible by an oversized rollup garage door and two oversized entry doors. I conferred with Miguel and then called our area facilities supervisor, Victor Alvarez, to see if he could send any assistance to mitigate the flooding. I then texted my direct reports, Kate Bujanda and Diego Arias, telling them what was going on and that we may need to pivot from installing art and assist with the flooding as they were scheduled to arrive at 8am. I then called our director, Eddie Hayes, to inform him of the issue and update on procedures we were taking. He sent out two Teams messages alerting staff of the issue and to delay start for ½ an hour as a matter of caution since pathway to offices is through the flooded area.. I then sent out a second message at 7:46a, including Kate, Diego and our Registrar, Bernadette Ramos, stating not to open the gallery doors, as the door seal was likely keeping water out, and to get floor fans in there as precaution, before opening doors, to push back and dry up water if any. Miguel sent out a text to me and Eddie at 7:53a that he was able to mop a path to the admin offices When Bernadette was on site, at 8am, she stated water was in the registration office. I texted back at 8:14a to them, that once Hunt was addressed, to shift to registration, by getting shop vacs to vacuum up water on carpet. I arrived on site around 8:55, after dropping off my kids at high school. (was not able to get someone on short notice to take them, so I could head to the museum.) As I approached the museum, I could see the exterior garage door open and a path of water on the dock, where it appeared shop vac water collection was dumped out. Once inside, I saw Miguel and two education staff (and our Hvac vendor from Trane) mopping up and vacuuming up water in the area. I briefed with Miguel and he got me up to speed, and I then



called facilities to send out an elevator tech as water had poured down the freight elevator doors and shaft to the floor below. Kate and Bernadette came out from a hallway and informed me they had just moved and finished covering two sculptures with plastic, as water was leaking through cracks on the loading dock floor to the basement below where the sculptures were stored. I asked if they had gotten the blue floor fans as I had not seen them in the area and they said they could not find them. I said I would go down to the basement and look. I found them and brought them up to place in registration office for the carpet. In that time, city facilities staff arrived and Miguel directed them to the area and boiler room that had also flooded. Myself, Kate and Bernadette checked our portable humidifiers to see if they had water, as we were not sure if the humidifier having the water issue would need to shut down the rest of the units. With the portables, we could still open to the public, until the main ones were brought back online. It was at this time, carrying a water jug to fill for one of the portable humidifiers, that I turned to Kate and Bernadette and asked, where is Diego? They both said neither had seen him, but Bernadette thought she saw him come out of his office as they were heading back upstairs. But neither had spoken to him or seen him helping with the areas mentioned to this point. I left the water jug and told them, I was going to look for him. I headed downstairs to the basement and saw through the window in the door to the MakerSpace, that he was sitting at a computer he uses. MakerSpace is the area he uses for his office as he prefers that over admin cubicle or in the basement next to my office. Something I am fine to oblige. I walked in and asked him why he wasn't helping. He stated he had helped by moving pedestals in pedestal storage, added buckets and wiped up drips on the floor with a dust mop and that I could check the security cameras to verify. I was confused, as he would have to have walked passed everything I saw when I arrived and deduced that pedestal storage in the basement was a priority. And when I had texted Hunt Gallery and Registration office were priority. So I believe I asked again, and he stated he did not want to be any part of it (assume he meant cleaning up water on dock), because the humidifier had been leaking and Miguel has done nothing about it. And if we lose accreditation, he was not going to be responsible. I tried to interject, and correct him to the ongoing call service our humidifier/Hvac vendor has made and that today's issue was a fluke, but he proceeded to talk over me. He claimed nobody was downstairs and did not check art storage, and if the pedestals get ruined, who was going to rebuild them? (implying it will be him, Diego that will be tasked with rebuilding them) What he doesn't know is that I was on the phone with Miguel when art storage was checked and I believe pedestal storage was checked as well. (but I can verify via security footage). Diego further went on to say, when he walked into the building, he saw Miguel on the phone as if nothing was happening, like talking to a friend, so why should he have to help if that is what Miguel is doing. He also stated he asked janitorial if Miguel had asked for help and they said no. Implying Miguel made another error in this situation. I tried to explain best I could but he was not willing to listen. Still confused as to why he was at his computer, saying we needed his help and what was so urgent he was at his computer, he stated he needed to respond to an email, per his allotted 15min break, wasn't he allowed to do that, take a break? I asked again what was so important and he said he was looking for another job. To which I assumed he

meant, he was responding to an email concerning another job, while disregarding an emergency at his current job. I said searching for another job absolutely has no relevance to his job right now. That we have an emergency situation that needed his assistance. He stated that he did what I asked, and not open Hunt doors, and if this was such an emergency, why wasn't I here. (Diego has previously called out me and museum director on our work schedules when we were discussing performance issues with him-Diego knows I take my kids to school and come in at 9) But he is also not aware of the flex hours I put in and does not acknowledge. I explained to Diego I was in constant contact with Miguel and Eddie, trying my best to rush over. At that point I think he shut off his computer and aggressively asked, ok, what do you want me to do? I don't recall my answer as I was just in amazement over how he did not use an expect response level for someone who has worked for a while here at the museum and who knows the importance of caring for and protecting our galleries and registration areas. I did mention to him that I have great pause in going forward with his 4/10 schedule request (which he wants so he can work a part time job on his off hours) because I don't see how he can be trusted to open the building, as the schedule would require, and address any emergency like the one today. He aggressively said fine, don't approve it, and I believe that is when I left to go talk our Director and report what transpired. I did talk with our Director, who consulted with Mcad Director on speaker during out discussion. My Director went on to tell me to go direct Diego with any remaining tasks related to the clean up. When I saw Diego outside of the admin office, Kate was on her way to remove some sandbags from the gallery door she place, to which I asked Diego, please go help her. He said ok, and informed me he put in for a transfer, to which I said fine, please help Kate, He then asked if he could talk with Eddie and I said no, please help Kate. He was relentless in wanting to talk with Eddie to which I said fine, let's go. We walked into Eddie's office and I proceeded to tell Eddie, I asked Diego to assist Kate and he is refusing to do so, wanting to talk to you first. Diego said he would help but wanted to let Eddie know he applied for a transfer because he was tired of all of this stuff and that he has gone to HR about this. Eddie responded, that we are already in contact with HR about this today. After Eddie stated we needed his help, and that other staff from Education dept were also helping, he again stated, if this was such an emergency, why wasn't I (me, Nick) there? Don't recall how conversation ended but Eddie did ask for Diego to go assist Kate. Later in the day, a staff member told me they saw Diego leave the building while Eddie and I were in closed door discussion in his office. I have not asked Diego why he left site, nor have I verified on the security cameras. And Diego did not tell me he left the work site. Don't know how long this was for. Diego continued to work on the exhibition we are installing with no further incidents.

Signature:  _____ Date: 5 / 29 / 25

Employee Incident Report

1. Employee Information**Name:** Diego Arias**Department:** Museums and Cultural Affairs Department**Job Title:** Museum Preparator**Employee ID:** 029851**2. Incident Details****Date of Incident:** May 28th, 2025**Time of Incident:** 9AM**Location:** Art Museum Marker Space & Administration Offices**3. Description of Incident**

(Include what happened, who was involved, and how it occurred. Use additional pages if needed.)

I did not fail to follow directives regarding flooding emergency due to recurring faulty HVAC systems at the El Paso Museum of Art on May 28th, 2025. I arrived at around 8:15am and saw the museum preparator, museum registrar, building operations assistant, and HVAC representative all addressing the top floor. I walked downstairs to set down my personal items and turn on all necessary items and lights in lobby for janitorial to mop safely and then went down to the basement to find it overflowing with water as well. I noticed lights were left off to avoid an electrical short since a ceiling light had water inside of it, but saw the potential of someone slipping and falling in the dark and decided to address the hazard immediately since everyone else was addressing the upstairs. Artwork had been covered but water was still dripping from ceiling cracks nearby and into the elevator shaft where the mechanical components reside. Museum furniture in storage was also being damaged, hence I took action to remedy that as well. I would respectfully direct my supervisor, the museum director or whom it may concern to review the security footage for proof.

After addressing the potential hazard, I took a 15min break to go to my work computer in the museum's makers space to submit a transfer request as I frankly have reached my limit working in an understaffed environment where issues like this have become a common occurrence and have started to take a physical and mental toll as they are putting my safety and that of others at risk, not to mention the museum's collection and accreditation.



At around 9am my supervisor arrived and confronted me about being on the computer and not following directives solely because he was told I had not communicated with anyone yet. I was directed to assist with water mitigation and I stressed that I had indeed addressed the flooding emergency in the basement, and that I was taking the allowed 15min break to seek other employment (submit a transfer request), but my supervisor refused to accept my response. Choosing to only believe another employee(s) account despite my supervisor not being in the building during that time to verify. My supervisor then stated he would talk to the museum director about revoking my request to move to a 4/10 schedule for outside employment which had already being approved by the department director. After he concluded his conversation with the museum director, I asked if I could have a conversation with the museum director, but my supervisor refused and walked over to the director's office to tell the director I was still refusing to follow directives. I tried giving my account and notified the director I had submitted a transfer request, but he stated he did not need to hear me out as he had enough evidence to terminate my employment. This was brazenly done outside his office within earshot of other administration employees, yet I was called disrespectful for asking my supervisor why he had not come in earlier if it was being deemed an emergency.

This is not the first time I have been retaliated against or threatened to have me employment terminated for choosing to speak up about the lack of accountability leading to excessive and precarious workloads and demands. Hence adding to my decision to submit a request for transfer out of fear of sustaining another workplace injury due to stress and fatigue. Lastly, the directive to address such emergency was send to my personal phone before work hours despite having numerous times told my supervisor and the director that I no longer wished to use my personal phone for work as I felt it was being abused with constant requests that were at times without adequate notice and not within my scope of work. I was told I would either be provided a city phone, be asked to carry a radio, and or that I would be assigned tasks through email first thing in the morning if necessary, and that I no longer not seek any directive from anyone other than my supervisor unless allowed.

Despite the current hostile work environment, the quality, performance, and attitude towards of my scope of work; that is to install, store, transport, pack and protect artwork and related museum furniture has not wavered, and can say with confidence that it is something artists, visitors, interns, community partners and peripheral contract staff could attest to.

Respectfully,

Signature:  Date 05 / 29 / 2025



Diego Arias, Kate Buj...



Kate Bujanda

Sorry, I forgot to tell you Michael and I brought it down.



Wednesday, May 28 • 7:08 AM

Miguel just messaged that #9 was leaking water and flooded loading dock area. He shut off power and water per Trane. We may need to pivot to assist w water mitigation for the first part of the day.



Kate Bujanda

Ok

7:09 AM



Thanks

How's it going?

Okay, t



Text message





Bernadette Ramos, D...



I don't think so

Wednesday, May 28 • 7:46 AM

When you arrive on site, do not open Hunt roll up door. We need to get blue floor fans in there aimed at the wall and door, then open up and mop and vacuum up water along threshold.

B Bernadette Ramos

I'm here.

Water is in registration

Once Hunt addressed, shift to drying out registration. Put sleeves on shopvac's for water vacuuming.

8:14 AM MMS



Text message



p. 4

Post
MCAD • EPMA Staff

You
May 28, 7:02 AM

Flooding

Good morning.

Miguel informed me that #9 humidifier flooded the loading dock area and has potentially seeped into Hunt. Per Tranes instruction he is shutting all electrical and water supply. Will reach out to Faciliteis to see if they can assist w clean up. But we may need all staff on hand to assist. Bernadette, when you are on site please recommend course of a tion w regards to affected areas where art is present, specifically registration.



MC Castro, Miguel A. May 28, 7:04 AM



Type a message



p.5



EPMA Staff
MCAD



POSTS

FILES

APPS



Hayes, Edward R.

May 28, 7:36 AM

Clocking in today

Good morning, staff entry past Security booth is closed this morning due to water leak. You can still clock in, but will need to work offsite until the area is dry. History/MACC or any other site with secure Wi-Fi. Thanks - Eddie



Reply



Hayes, Edward R.

May 28, 8:08 AM

Update: Staff Entrance open at 8:30 am

A dry pathway was been cleared. Thank you Castro, Miguel A. Please be careful nonetheless. Thanks - Eddie



p.6

...mer is not available.
...6:47:90' failed. The camera is not connected to the recording server.
... 9:09:06.011 AM



AM 9:04 AM 9:05 AM 9:06 AM 9:07 AM 9:08 AM 5/28/2025 9:09:06.014 AM 9:11 AM 9:12 AM 9:13 AM

PLAYBACK LIVE

I-INC



Transfer Request Form

Human Resources

Employee Details

First Name

Diego

Last Name

Arias

E-Mail Address

ariasd@elpasotexas.gov

Telephone

9159260699

Kronos

02951

Last 4 of SS#

3456

I, Diego Arias

of the

Museums

Department hereby request that my name be placed on the TRANSFER LIST in accordance with

CSC Rule 5, Section 12, for the position of Museum Preparator

(your current official job title)



Section 12. Transfer to Same Class and Grade

Whenever an employee in any department of the City wishes to transfer to a position in another department, the employee must be recommended by the transferring department and must have not been disciplined or placed on a performance improvement plan in the last 12 months. Employee shall retain his grade and pay rate, provided: (Amended 07/31/07, 8/25/09, 9/17/13)

- a. The position is in the same class and grade as the one from which transfer is made; or
- b. The employee has been performing services substantially similar in nature and having similar requirements as to education and experience to those of the new position, as determined by the Human Resources Director. Seniority credit where applicable will be given to the employee for the number of years he has been performing similar work in the former department. (Amended 2/1/94, 8/7/07)

Transfer Request Form

I have been employed by the City since:

I am a regular, full-time classified employee Yes No

I have been placed on a performance improvement plan in the last 12 months. Yes No

I have received a suspension or demotion in the last 12 months. Yes No

I have completed my 6 month probation period for my current position Yes No

eSigned via SeeSignDocs.com
Diego Arias
Exp: 582096721442643308801507400721
Signature

05-28-2025
Date



Transfer Request Denial

Human Resources

Employee Name

Employee Position Title

TO: Diego Arias

Museum Preparator

FROM: Mary Wiggins, Chief Human Resources Officer

DATE: May 28, 2025

SUBJECT: Request to Transfer for HR Case Number 0054476

Thank you for your recent Transfer Request. In accordance with Civil Service Rule 5, Section 12, the position you requested to transfer must be the same class and grade as your current position. The job Title of Museum Preparator (PM 123) only exist within the Museums Department, therefore I am unable to approve your request.

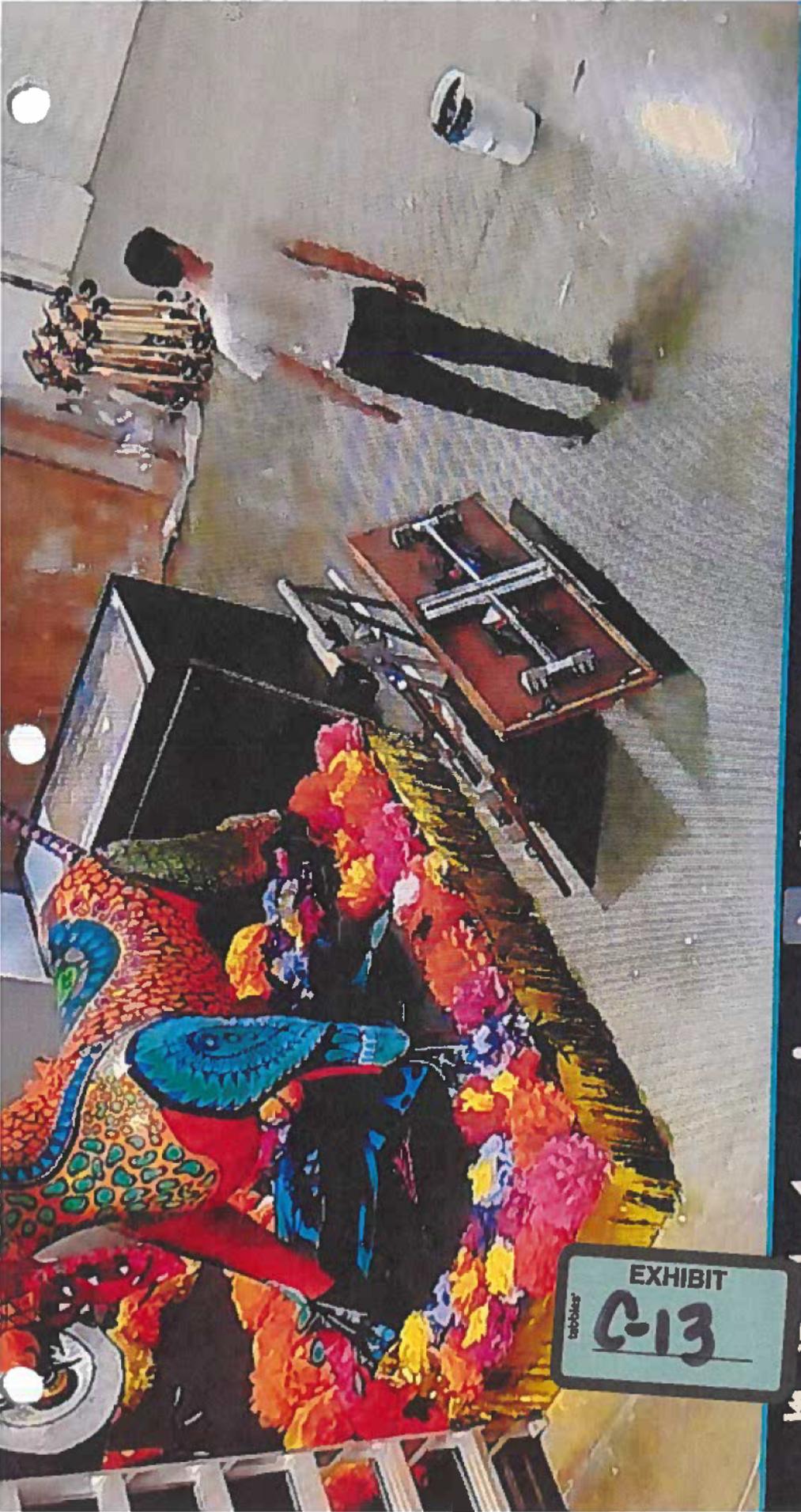
I encourage you to apply for other career opportunities within the City that you qualify for. Please visit the City of El Paso Human Resources careers page for more information.

43207-60 via 564 78982008.com
Tanya Dominguez
Key: 444572015887750fca837043a76e9d3
Preparer Signature

05-28-2025
Date

43207-60 via 564 78982008.com
Mary Wiggins
Key: 309714b03346a536b6e11a42c427c438
Chief Human Resources Officer

05-29-2025
Date



5/28/2025 8:30:22.022 AM

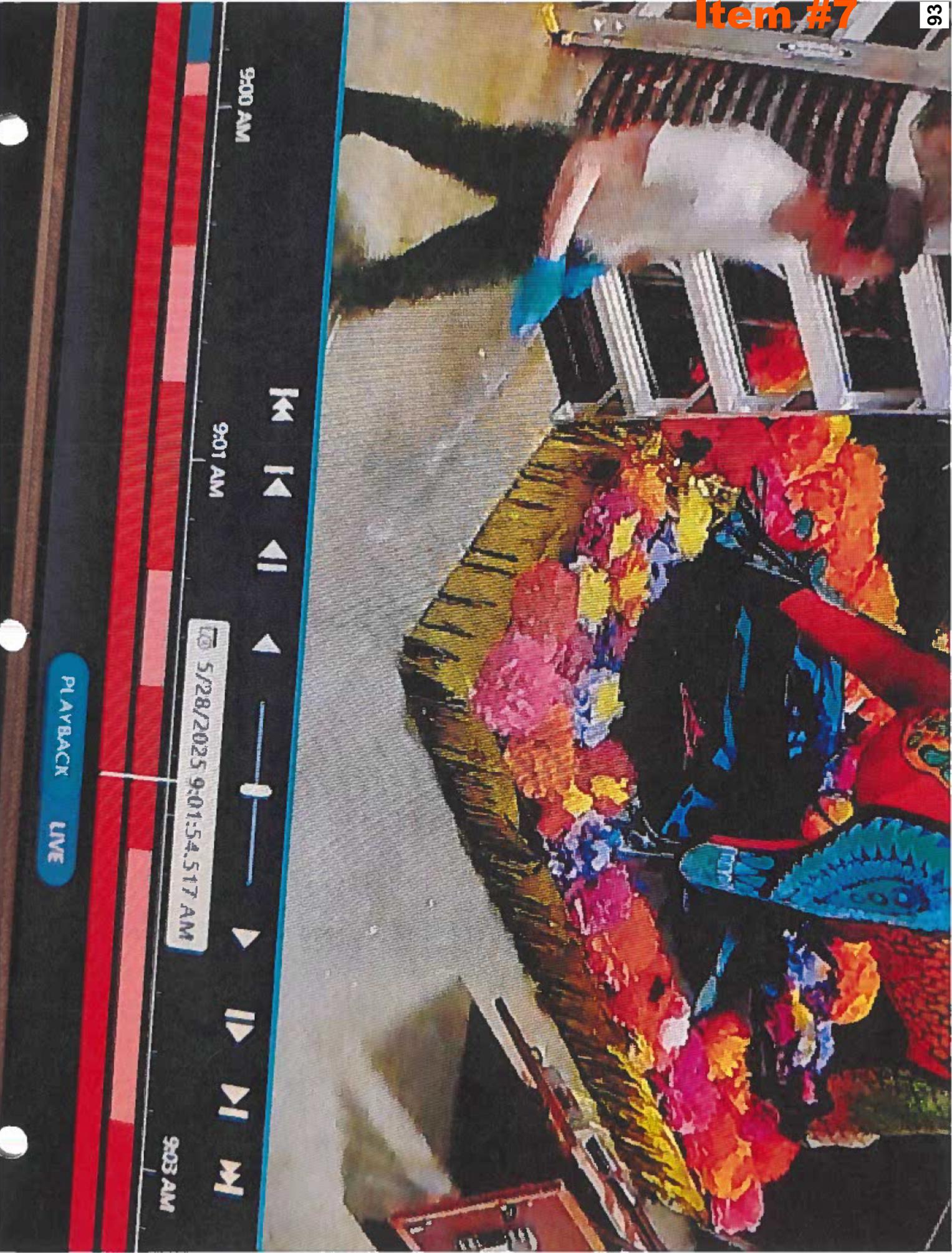
8:33 AM

8:32 AM

8:29 AM

PLAYBACK LIVE

U-N-I-T



9:00 AM

9:01 AM

5/28/2025 9:01:54.517 AM

9:03 AM

PLAYBACK LIVE

VIDEOS





ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: On Call Pay Policy
Creation Date: March 8, 2010
Revision Date: September 4, 2012; May 30, 2015
Prepared By: HR Department
Approved By: City Manager
Legal Review: Elizabeth Ruhmann

POLICY: ON CALL PAY POLICY

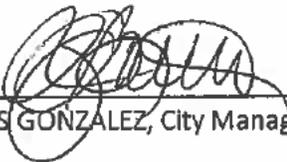
On-call pay is established to provide payment for employees who are scheduled to respond after regular work hours or weekends and holidays to perform emergency or needed tasks. Subject to available funding, Department Heads may utilize on-call duty and pay when operationally necessary.

- A. Employees designated as on-call are eligible for additional compensation as described below:
- One (1) hour of pay for each week day (24 hour time period) at employee's current hourly rate of pay.
 - Two (2) hours of pay for each weekend day (24 hour time period) and designated City Holidays at employee's current hourly rate of pay.
- B. The Department Head or designee will determine individual(s) assigned on-call duty. An employee who is on-call must be available to receive and respond to a phone call or message and be able to report back to work or a designated job site within the prescribed time frame, as set forth by the Department Head. On-call duty assignments are subject to the availability of funding and operational necessity.
- C.. Exempt employees are not eligible for on-call pay, unless authorized in advance by the Human Resources Director, the Department Head, or his designee.



- D. Non-Exempt employees will be paid for actual work performed pursuant to City pay rules, FLSA and all applicable Federal and State laws affecting non-exempt employees.
- F. On-call pay for employees covered by a collective bargaining agreement (CBA) will be governed by the on-call pay provisions of the applicable CBA.

APPROVED BY:

FOR 
TOMAS GONZALEZ, City Manager

DATE: July 14, 2015



City of El Paso
Museum Preparator



CLASS CODE	15070 PM 123	SALARY	\$21.71 - \$32.65 Hourly
			\$1,736.54 - \$2,611.92 Biweekly
			\$3,762.50 - \$5,659.17 Monthly
			\$45,150.00 - \$67,910.00 Annually
ESTABLISHED DATE	April 23, 2006	REVISION DATE	February 23, 2025

Minimum Qualifications

Education and Experience: Bachelor's Degree or higher, in Art, Art History, Museum Studies, Graphic Design, or a related field and one (1) year of experience handling art and artifacts, including the construction and preparation of boxes, stands, armatures, frames and related museum exhibit accessories.

Licenses and Certificates: Valid Texas Class "C" Driver's License or equivalent from another state by time of appointment.

General Purpose

Under direction, plan, prioritize and schedule exhibition preparation tasks. Direct and care for, handle, store, conserve, frame, pack, install and disassemble museum art collection, borrowed art and other exhibits.

Typical Duties

Assist and support the museum's preparations division: Involves: Hang, install and take down works of art and artifacts as required. Check and maintain condition and location of works of art and artifacts on display. Check and prepare collections for exhibits and display. Coordinate print, fabrication, and installation of wall labels, signs, text and photo panels, exhibition graphics, and other relevant exhibition elements. Manage the preparation of exhibits. Perform carpentry and painting work as required. Construct and prepare wooden and Plexiglas boxes, stands, armatures, frames and related museum accessories. Install or set up lighting in galleries to assure exhibits and displays are properly lighted, maintained and cleaned.

Frame and/or assure proper framing of paintings. Involves: Order and maintain inventory of preparation supplies such as framing items, paint, carpentry items and packing materials. Receive, unpack, inspect and pack works of art and artifacts. Mat and frame artworks on paper. Organize and maintain all exhibitions and transport furniture including pedestals, vitrines and crates. Load, unload and store crates. Organize and maintain inventory of storage room in a safe manner. Escort artwork in transit to ensure proper handling of shipment. Maintain all work areas in a clean safe manner.

Supervise assigned staff or vendors. Involves: Schedule, assign, instruct, guide and check work. Appraise employee performance. Provide for training and development. Enforce personnel rules and regulations and work behavior standards firmly and impartially. Counsel, motivate and maintain harmony. Interview applicants, recommend hiring, discipline, transfer or other employee status changes.

Knowledge, Skills, and Abilities

- Application of good knowledge of museum properties and artifact handling methods and procedures.
- Application of good knowledge in the methods and procedures used in the matting and framing of works of art.
- Application of good knowledge of carpentry, construction and design of exhibits methods and procedures.
- Application of good knowledge of utilization and maintenance of power and hand tools.
- Ability to interpret and apply federal, state, and city laws, rules, regulations, related to transportation, preservation and display of artifacts, state and local labor and occupational safety and health rules and regulations.
- Ability to establish and maintain effective working relationships with supervisors, coworkers, officials, vendors, museums, foundations and the general public.
- Ability to communicate clearly and concisely both orally and in writing to prepare and present reports to management.

Other Job Characteristics

- Frequent and prolonged periods of standing, sitting, bending, stooping, reaching, stepping on step stools/ladders, working at heights on ladders and lifts
- Frequent pushing and pulling of shipping/packing crates and carrying art materials, supplies, artwork, and artifacts weighing up to 50 pounds.
- Frequent setting up and tearing down exhibits, preparing artwork for storage and/or shipping.
- Frequent exposure to chemicals and fumes common to the matting and framing of artwork.
- Assist with building operations as pertaining to opening and closing of galleries and facility, to include safety and security of the museum's holdings as assigned.

Classification Status

(Ord. 016352 04/25/06), (CC 07/29/12), (HR 10/9/18), (HR 05/22/22), (HR 09/11/22), (HR 02/23/23), (03/12/2023), (HR 09/10/23), (HR 09/08/2024), (HR 02/23/2025)



City of El Paso
Lead Museum Preparator

CLASS CODE	U5855 PM 125	SALARY	\$23.14 - \$35.69 Hourly \$1,851.54 - \$2,855.00 Biweekly \$4,011.67 - \$6,185.83 Monthly \$48,140.00 - \$74,230.00 Annually
ESTABLISHED DATE	February 12, 2019	REVISION DATE	February 23, 2025

Minimum Qualifications

Education and Experience: A Bachelor's degree in art, fine art, art history, museum studies, or related field and four (4) years of experience handling art and artifacts, including two (2) years of experience installing and de-installing museum exhibitions, exhibit design, preparation, or fabrication and two (2) years of supervisory experience.

Licenses and Certificates: Texas Class "C" Driver's License or equivalent from another state



General Purpose

Under general direction, oversee the art museum's preparations, including the oversight of the museum's fine art collection, loans, and all back-of-house operations.

Typical Duties

Plan and oversee the museum's preparations department. Involves: Develop schedules to meet deadlines. Install/uninstall exhibitions and permanent collection. Develop solutions for design and installation challenges. Create appropriate and safe mounts and stands for display and storage, and overall preparation of galleries. Coordinate fabrication and installation of labels, graphics, and other relevant exhibition elements, including painting and carpentry work. Frame and/or assure proper framing of fine art, including permanent collection and loans. Maintain and order inventory of supplies, carpentry, gallery lighting and packing materials. Mat and frame works of art, determining most suitable option for the safety and stability of the object. Oversee and install lighting of galleries and maintenance of in-gallery computer/audiovisual components and digital art installations. Monitor galleries to assure exhibits and installations are properly lighted, maintained, and cleaned.

Ensure proper care and movement of art. Involves: Work collaboratively with Registrar and curatorial staff on complex projects including permanent collection and loans. Check and maintain condition and location of works of art and artifacts on display according to American Alliance of Museums (AAM) best practices. Receive, unpack, inspect and pack works of fine art. Organize and maintain all exhibitions and transport furniture including pedestals, vitrines, and crates. Load, unload, and store crates. Escort artwork in transit to ensure proper handling. Maintain all work areas in a clean safe manner.

Oversee the back-of-house operations of the museum facility. Involves: Schedule all operations, security, and janitorial staff. Serve as primary point of contact for security and janitorial staff, conveying policies and procedures, scope of work, and daily schedules and priorities. Ensure the safety and security of art, visitors, staff, and the museum facility and EPMA maintaining its AAM Accreditation status. Develop and maintain emergency protocols to ensure the safety of museum staff, visitors, and all art. Troubleshoot and manage all daily incidents and serving as point-of-contact for staff on all facility systems matters. Manage and oversee a variety of small and large-scale renovations, improvements and repairs to the museum building. Manage maintenance schedules to ensure work is performed according to AAM standards. Oversee preventive building maintenance efforts. Oversee work orders, scheduling staff, ensure work quality and on time completion. Oversee key maintenance functions involving HVAC, electrical, structural, plumbing, and equipment repair or replacement to ensure safety and care of permanent collection and loaned works of art. Oversee all work in progress to ensure quality, timeliness and safety. Inspect completed work to ensure quality and conformance.

Perform administrative duties as assigned: Involves: Assist with department's budget and project budgets. Estimate cost of repairs, select and requisition necessary equipment and related supplies. Participate in the preparation and administration of the section's budget. Forecast funds needed for materials, equipment, supplies and staff. Monitor expenditures.

Supervise assigned personnel. Involves: Schedule, assign, instruct, guide and check work. Appraise employee performance. Provide for training and development. Enforce personnel rules and regulations and work behavior standards firmly and impartially. Counsel, motivate and maintain harmony. Interview applicants. Recommend hiring, termination, transfers, discipline, merit pay or other employee status changes.

Knowledge, Skills, and Abilities

- Application of considerable knowledge of principles, techniques and equipment used in designing, fabricating and installing museum-quality exhibitions.
- Application of considerable knowledge of museum properties and handling of artifacts methods and procedures.
- Application of considerable knowledge in the methods and procedures used in the matting and framing of works of art.
- Application of considerable knowledge of carpentry, construction and design of exhibits methods and procedures.
- Application of good knowledge of digital media, multimedia and electronics.
- Application of good knowledge of the proper use and handling of a variety of hand and power tools and equipment.
- Application of good knowledge of supervisory and effective customer service practices and procedures.
- Application of some knowledge of skilled trades related to building construction, maintenance, repair and renovation, and proper maintenance and repair requirements.
- Interpretation of applicable federal, state and City laws, rules and ordinances, regulations, City and departmental policies and procedures related to area of responsibility, state and local labor and occupational safety and health rules and regulations.
- Safely operate City vehicles and equipment.
- Establish and maintain effective working relationships with coworkers, officials, other departments, vendors, contractors and the general public.
- Clear, concise oral and written communication to prepare and present reports to management.

Other Job Characteristics

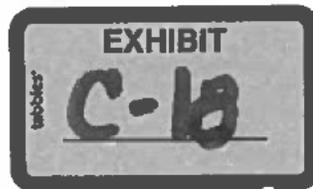
- Frequent and prolonged periods of standing, sitting, bending, stooping, reaching, stepping on step stools/ladders, working at heights on ladders and lifts, pushing and pulling shipping/packing crates and carrying art materials, supplies, artwork, and artifacts weighing up to 50 pounds in setting up and tearing down exhibits, preparing artwork for storage or shipping.
- Frequent exposure to disagreeable chemicals and fumes common to the matting and framing of artwork, carpentry utilized in creating exhibits and displays.
- Occasional driving through city traffic.
- Work beyond standard workday or workweek hours as necessary.

Classification Status

(HR 02/13/19), (HR 05/22/22), (HR 09/11/22) (HR 03/12/2023), (HR 09/10/23), (HR 09/08/2024), (HR 02/23/2025)

El Paso Museum of Art
El Paso Museum of Art
One Arts Festival Plaza
El Paso, TX 79901
Prepared by: Bernadette Ramos

Last Updated: 12/10/2024



INTRODUCTION

General Information

This disaster plan was updated by Bernadette Ramos on 12/10/2024. It is meant to assist in recovering collections from events ranging from a minor emergency to a major disaster. However, in an emergency it is important to keep in mind that **human safety is always the highest priority**. Recovery of collections should not begin until all staff and patrons are safe. The Disaster Planning Team gathered information for this plan. Responsibilities of the team members were –

Gathering collection information:	Registrar Bernadette Ramos Preparator Kate Bujanda
Preparing a staff list:	Operations Assistant Miguel Angel Castro Visitor Services Assistant
Assessing risks:	Lead Preparator/Facility Manager Nick Munoz Registrar Bernadette Ramos
Devising opening and closing procedures:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Devising a preventive maintenance checklist:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Determining salvage priorities:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Collecting insurance and accounting information:	Registrar Bernadette Ramos Accounting/Payroll Clerk Omar Ibarra
Collecting facilities information and preparing floor plans:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Collecting information about local emergency services:	Lead Preparator/Facility Manager Nick Munoz Registrar Bernadette Ramos
Gathering internal supplies:	Operations Assistant Miguel Angel Castro Preparator Diego Arias
Collecting information about external supplies:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro Operations Assistant Miguel Angel Castro
Devising emergency response and evacuation procedures:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Preparing an emergency call list:	Preparator Kate Bujanda Registrar Bernadette Ramos
Identifying a potential command center and/or alternative storage or drying space:	Lead Preparator/Facility Manager Nick Munoz
Identifying potential volunteers and/or workers:	Community Engagement Coordinator Josie Jimarez-Howard Education and Curatorial Associate Alejandro Arrijoja
Coordinating staff training:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Coordinating distribution, review, and updating of the plan:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Preparing communications and PR kit:	Marketing coordinator Jackie Sierra

Communicating with bank or financial institution:	Director Edward Hayes Jr. Development Manager Claudia Preza Accounting/Payroll Clerk Omar Ibarra
Maintaining relationships with “buddy” institutions:	Community Engagement Coordinator Josie Jimarez-Howard Registrar Bernadette Ramos
Information Technology:	Registrar Bernadette Ramos Lead Preparator/ Facility Manager Nick Munoz

Distribution of the Plan

Copies of this plan have been distributed as follows –

Person:	Registrar
Department:	Curatorial
Location of Copy:	SharePoint, Registration office, admin, Preparator office

How to Use this Plan

This plan consists of three main sections (response, recovery, and rehabilitation) and a number of appendices. The body of the plan is designed for ease of use during the early stages of a disaster. Thus, summary information is provided in the body of the plan and more detailed information (e.g., detailed salvage priorities, or additional sources of information) can be found in the appendices. Once initial response is underway, consult the appendices for more information as a recovery strategy is mapped out. Information on mitigating risks and preventing disasters (including a customized list of existing risks, as well as various forms and checklists) is also included in the appendices. This information should be consulted and updated regularly.

Review and Updating of the Plan

This plan is due to be updated annually in December and as needed.

Responsibilities for updating the various sections of the plan have been assigned as follows –

Staff list/Disaster Team lists:	Registrar Bernadette Ramos
Preventive maintenance:	Lead Preparator/Facility Manager Nick Munoz
Opening/closing procedures:	Lead Preparator/Facility Manager Nick Munoz
Facilities information/floor plans:	Lead Preparator/Facility Manager Nick Munoz
Information technology:	Registrar Bernadette Ramos
Insurance:	Registrar Bernadette Ramos
Institutional salvage priorities:	Registrar Bernadette Ramos
Evacuation instructions:	Operations Assistant Miguel Angel Castro
Emergency numbers:	Operations Assistant Miguel Angel Castro
In-house supplies:	Operations Assistant Miguel Angel Castro
External supplies/services:	Lead Preparator/Facility Manager Nick Munoz
Volunteer list:	Community Engagement Coordinator Josie Jimarez-Howard
Areas for relocation/temporary storage:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Communication with emergency services:	Operations Assistant Miguel Angel Castro
Availability of emergency funds:	Development Manager Claudia Preza Accounting/Payroll Clerk Omar Ibarra
Staff training:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz

Scope and Goals of the Plan

This disaster plan has been generated by the Registrar of the El Paso Museum of Art to aid in the prevention of and response to emergency situations that may affect the collections. This plan does not cover emergencies involving people. Please see the Emergency Evacuation Plan for additional information regarding emergencies involving visitors and staff.

The safety of visitors and staff is of the utmost importance. No actions should be taken to protect or salvage the collections that might endanger human safety. Damaged collections should be addressed only after injuries have been attended to and the building is secure for people to enter.

This plan focuses on the most likely risks the museum faces: 1) minor flooding from roof or pipe leaks and skylights, 2) flooding from sustained rains, river overflow or damn failure, and 3) systems failure. Preventative actions regarding roof leaks, structural issues, and systems problems should be taken by staff in a timely manner. Response and recovery procedures are addressed in the body of the plan.

Staff should be able to manage small water emergencies. For larger-scale emergencies, additional assistance and a more detailed plan for recovery will be needed. Depending on the type of emergency, see the appropriate Emergency Instructions in Section 1, the Initial Response Steps in Section 1, and the Salvage Procedures in Section 2 for assistance. Especially in a large-scale emergency, it is crucial to be aware of the museum's salvage priorities, which focus on loans to the museum and the permanent collections which are on view in the galleries.

Chapter 1

RESPONSE

1.1 EVACUATION PROCEDURES

General Procedures

- Remain calm.
- Always respond to an evacuation order **do not** assume the situation is a drill or a false alarm.
- **Remember that human safety is always the highest priority.**
- Turn off electrical equipment if it is safe to do so.
- Assist anyone who requires help in leaving the building.
- Evacuate in an orderly fashion according to the evacuation routes that have been established.
- Move away from the building to the assembly area that has been designated in advance. Be sure not to block the street, driveway, or entrances.
- **Do not** reenter the building until instructed to do so.

Clearing the Building

Area Floor:

Person responsible for clearing area:

Backup 1:

Backup 2:

Describe procedures for evacuating the area, including disabled personnel or patrons:

basement and first floor

Operations Assistant Miguel Angel Castro

Lead Preparator/Facility Manager Nick Munoz

Visitors Services Assistant

When the museum is open to the public, the person responsible for clearing this area is whomever is stationed at the information desk. The back-up is

whomever is stationed on post. In the event of a fire, call 911, announce evacuation, security and operations staff will escort all to command post at assembly point between Hotel El Paso and the Plaza Theater, give roll call, check visitor list, and inform Fire Command. Elevators are brought to basement, air handlers are shut down. Only authorized personnel are allowed in the building.

<p>Area Floor: Person responsible for clearing area: Backup 1: Backup 2: Describe procedures for evacuating the area, including disabled personnel or patrons:</p>	<p>second floor and administration Senior Curator Michael Reyes Assistant Curator Museum School Coordinator Ivan Calderon The person responsible for clearing this area is a present Curator or staff member in admin offices/whomever is stationed at the security booth. In the event of a fire, call 911, announce evacuation, security and operations staff will escort all to command post at assembly point between Hotel El Paso and the Plaza Theater, give roll call, check visitor list, inform Fire Command. Elevators are brought to basement, air handlers are shut down. Only authorized personnel are allowed in the building.</p>
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Maintaining the Staff/Visitor Log

The following list designates who is responsible for maintaining the daily staff/visitor log(s) and bringing this information out of the building in the event of an evacuation.

<p>Area Floor: Person responsible for list: Backup 1: Backup 2:</p>	<p>all areas Operations Assistant Miguel Angel Castro Visitor Services Lead Preparator/Facility Manager Nick Munoz</p>
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Assembly Areas

Staff and patrons should gather in the following locations after an evacuation.

<p>Area/Floor/Department: Staff member in charge of head count: Backup 1: Backup 2: Assembly area/location:</p>	<p>second floor and administration Operations Assistant Miguel Angel Castro Visitor Services Assistant Lead Preparator/Facility Manager Nick Munoz between Hotel El Paso and the Plaza Theater</p>
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<p>Area/Floor/Department: Staff member in charge of head count: Backup 1: Backup 2: Assembly area/location:</p>	<p>basement and first floor Operations Assistant Miguel Angel Castro Visitor Services Assistant Lead Preparator/Facility Manager Nick Munoz between Hotel El Paso and the Plaza Theater</p>
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<p>Area/Floor/Department: Staff member in charge of head count:</p>	<p>Galleries Operations Assistant Miguel Angel Castro</p>
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Backup 1:
Backup 2:
Assembly area/location:

Visitor Services Assistant
Lead Preparator/Facility Manager Nick Munoz
between Hotel El Paso and the Plaza Theater

1.2 EMERGENCY NUMBERS

1.2.1 Emergency Services

Police/Sheriff –

Name:

El Paso Police Department

Phone:

(915) 212.4000

Call 911

Fire Department –

Name:

El Paso Fire Department

Phone:

(915) 485.5600

Call 911

Ambulance –

Name:

Elite Medical Transport

Phone:

(915) 542.1144

Call 911

In-house Security –

Name:

Sun City Security

Phone:

(915) 751.6811

Security monitoring company –

Name:

National Security Alliance

Phone:

(915) 533.8524

Local emergency management –

Name:

El Paso County Emergency Planning Committee

Phone:

(915) 838.3260

Regional emergency management –

Name:

FEMA Regional Representative

Phone:

(800) 427.4661

Poison Information Center: 1-800-222-1222

1.2.2 Maintenance/Utilities

For additional information about the building and systems, see Appendix A.

Facilities maintenance department –

Name: City of El Paso - Museum of Art
 Contact: Operations Assistant Miguel Angel Castro
 One Arts Festival Plaza
 El Paso, TX 79901
 (915) 212.3057
 Phone:
 Cell phone:
 Email: CastroMA@elpasotexas.gov

Facilities management company -

Name: City of El Paso - General Services
 Contact: Victor Rivera - riveravm@elpasotexas.gov
 1059 Lafayette
 El Paso , TX 79907
 (915) 212.0145
 Phone:

Janitorial service -

Name: Ace Government Services, LLC
 Contact: Steven Chapel
 12652 Tierra Gema Ct
 El Paso, TX 79938
 (915) 203-3733
 Phone:
 Email:

Electrician -

Name: City of El Paso - General Services
 Contact: Victor Rivera - riveravm@elpasotexas.gov
 1059 Lafayette
 El Paso , TX 79907
 (915) 212.0145
 Phone:

Plumber -

Name: City of El Paso - General Services
 Contact: Victor Rivera - riveravm@elpasotexas.gov
 1059 Lafayette
 El Paso , TX 79907
 (915) 212.0145
 Phone:

Locksmith -

Name: ALS Security Specialties
 Contact: Juan Chavez
 338 Sunset Drive
 El Paso, TX 79913
 (915) 585.8812
 Phone:

Carpenter -

Name: City of El Paso - Museum of Art
 Contact: Operations Assistant Miguel Angel Castro
 One Arts Festival Plaza

Phone: El Paso, TX 79901
 Cell phone: (915) 212.3057
 Email: CastroMA@elpasotexas.gov

Exterminator –
 Name: Continental Termite & Pest Control
 Contact: Aaron Mendoza
 1450 Pendale Road
 El Paso, TX 79936
 Phone: (915) 598.1100

Computer emergency –
 Name: City of El Paso, Information Technology Department
 Contact: 300 N. Campbell
 El Paso, TX 79901
 Phone: (915) 212.0000, 3-1-1

Legal Advisor –
 Name: City Attorney’s Office, Assistant City Attorney- Senior
 Contact: Russell Abeln
 300 N. Campbell, 2nd floor
 El Paso, TX 79901
 Phone: (915) 212.1127
 Email: AbelnRT@elpasotexas.gov

Architect/Builder –
 Name: BKM Architects
 Contact: 414 Executive Center Blvd.
 El Paso, TX 79902-1015
 Phone: (915) 351.0924

Gas company –
 Name: Texas Gas Company
 Contact: 4600 Pollard
 El Paso, TX 79930
 Phone: (800) 700.2443

Electric company –
 Name: El Paso Electric Company
 Contact: 100 N. Stanton
 El Paso, TX 79901
 Phone: (915) 543.5970

Water utility company –

Name:
Contact:

El Paso Water Utilities

1154 Hawkins/P.O. Box 511
El Paso, TX 79961
(915) 594.5500
www.epwu.org

Phone:
Email:

Telephone company –

Name:
Contact:

City of El Paso Telecommunications

300 N. Campbell
El Paso, TX 79901
(915) 541.4466

Phone:

Elevator company –

Name:
Contact:

Kone Inc.
Mona Lamont
1812 Montana Avenue
El Paso, TX 79902
(505) 888.0626

Phone:

Sprinkler system service company –

Name:
Contact:

Integrated Fire Systems & Concepts, LLC

11501 Pellicano Drive
El Paso, TX 79936
(915) 590.3473
efps@sbcglobal.net

Phone:
Email:

Heating system service –

Name:
Contact:

City of El Paso - General Services

1059 Lafayette
El Paso , TX 79907
(915) 212.0145

Phone:

Cooling system service –

Name:
Contact:

City of El Paso - General Services

1059 Lafayette
El Paso , TX 79907
(915) 212.0145

Phone:

Security system service –

Name/Organization:

National Security

Contact:
 Address: 2507 Yandell Drive
 El Paso, TX 79903
 Phone: (915) 533.8524

Rollup and Folding door service -
 Organization/Name: Miner Door
 Contact:

Phone: www.minercorp.com
 (866) 866-4637

Generator alarm -
 Organization/Name: Loftin Equipment Co.
 Contact: 8900 Viscount A-N #313
 El Paso, TX 79925
www.loftinequip.com

Phone:

1.3 EMERGENCY CALL LIST

If you discover an emergency, call the people on this list in order until you contact someone who can assist in addressing the problem. In consultation with that person, decide who else needs to be contacted. The disaster response team leader, the facilities maintenance supervisor, and the institutions director will need to be notified of any emergency, however small. In the case of a small-scale problem other staff members may not be needed at all, or you will only need to contact those who are in charge of the collections directly affected. See the Staff/Key Personnel List for additional contact information.

<u>Staff member</u>	<u>Estimated response time</u>
1 – Lead Preparator/Facility Manager Nick Munoz	20 minutes
2 – Operations Assistant Miguel Angel Castro	30 minutes
3 – Preparator Kate Bujanda	15 minutes
4 – Preparator Diego Arias	

1.4 LIST OF STAFF/KEY PERSONNEL

The following is a list of all institutional staff members AND other key personnel who are not staff members but are involved in your disaster planning efforts (e.g., members of the board of trustees, town building department personnel).

First Name: Edward
 Last Name: Hayes
 Title: Director
 Work phone/extension: (915) 212.0621
 Work email: HayesER@elpasotexas.gov
 Cell phone: (915)312.2020

First Name: Nick
 Last Name: Munoz
 Title: Lead Preparator/Facility Manager
 Work phone/extension: (915) 212.3070
 Work email: munoznz@elpasotexas.gov
 Cell phone: (915) 329.0863
 Home Email: nicholas.munoz@gmail.com

First Name: Miguel Angel
 Last Name: Castro
 Title: Operations Assistant
 Work phone/extension: (915) 212.3057
 Work email: CastroMA@elpasotexas.gov
 Cell phone: (915) 471.9609

First Name: Diego
 Last Name: Arias
 Title: Preparator
 Work phone/extension: (915) 212.3060
 Work email: AriasD@elpasotexas.gov
 Cell phone:

First Name: Kate
 Last Name: Bujanda
 Title: Preparator
 Work phone/extension: (915) 212.3067
 Work email: BujandaKM@elpasotexas.gov
 Cell phone: (480) 353.9425

First Name: Bernadette
 Last Name: Ramos
 Title: Registrar
 Work phone/extension: (915) 212.3058
 Work email: ramosba@elpasotexas.gov
 Cell phone: (915) 525.2904

First Name: Veronica
 Last Name: Silerio
 Title: Visitor Services
 Work phone/extension: (915) 212-3072
 Work email: SilerioVA@elpasotexas.gov
 Cell phone:

First Name: Michael
 Last Name: Reyes
 Title: Senior Curator
 Work phone/extension: (915) 212.3170
 Work email: ReyesMA@elpasotexas.gov

First Name: Ariana
 Last Name: Varela
 Title: Assistant Curator
 Work phone/extension:
 Work email: VarelaIY@elpasotexas.gov
 Cell phone:

First Name: Claudia
 Last Name: Preza
 Title: Development Coordinator
 Work phone/extension: (915) 212.3059
 Work email: PrezaCS@elpasotexas.gov
 Cell phone:

First Name: Alejandro
 Last Name: Arrijoja
 Title: Education Curatorial Associate
 Work phone/extension: (915)212.3067
 Work email: ArrijojaA1@elpasotexas.gov
 Cell phone:

First Name: Jackie
 Last Name: Sierra
 Title: Marketing Coordinator
 Work phone/extension: (915)212.3062
 Work email: SierraJN@elpasotexas.gov
 Cell phone:

First Name: Omar
 Last Name: Ibarra
 Title: Accounting / Payroll Clerk
 Work phone/extension: (915) 212.3055
 Work email: ibarraoa@elpasotexas.gov
 Cell phone:

First Name: Ivan
 Last Name: Calderon
 Title: Museum School Coordinator
 Work phone/extension: (915) 212.3056
 Work email: CalderonI@elpasotexas.gov
 Cell phone: (915) 240-5533

First Name: Josie
 Last Name: Jimarez-Howard
 Title: Community Engagement Coordinator
 Work phone/extension: (915) 212.3053
 Work email: JimarezJH@elpasotexas.gov

1.5 DISASTER RESPONSE TEAM

1.5.1 Disaster Response Team Responsibilities

This section lists which members of the disaster team will fill the roles likely to be needed during an emergency. Specific descriptions of the duties of each team member are found in Appendix B.

Disaster Response Team Leader:	Lead Preparator/Facility Manager Nick Munoz
Backup#1:	Registrar Bernadette Ramos
Backup#2:	Operations Assistant Miguel Angel Castro
Administrator/Supplies Coordinator:	Operations Assistant Miguel Angel Castro
Backup:	Lead Preparator/Facility Manager Nick Munoz
Collections Recovery Specialist:	Registrar Bernadette Ramos
Backup:	Lead Preparator/Facility Manager Nick Munoz
Subject Specialist/Department:	
Primary:	Senior Curator Michael Reyes
Backup:	Assistant Curator
Work Crew Coordinator:	Lead Preparator/Facility Manager Nick Munoz
Backup:	Operations Assistant Miguel Angel Castro
Technology Coordinator:	Registrar Bernadette Ramos
Backup:	Lead Preparator/Facility Manager Nick Munoz
Building Recovery Coordinator:	Operations Assistant Miguel Angel Castro
Backup:	Lead Preparator/Facility Manager Nick Munoz
Security Coordinator:	Operations Assistant Miguel Angel Castro
Backup:	Lead Preparator/Facility Manager Nick Munoz
Public Relations Coordinator:	Marketing Coordinator Jackie Sierra
Backup:	Director Edward Hayes Jr.
Documentation Coordinator:	Registrar Bernadette Ramos
Backup:	Senior Curator Michael Reyes

1.6 ADVANCE WARNING EMERGENCY PREPARATIONS

This section describes precautions to be taken if you have advance warning of an emergency (e.g., hurricane, flood, wild fire). If you are using dPlan in Depth, the events that you have indicated pose the greatest risk to your institution are listed first.

1.6.1 Flooding (Floodplain/River/Lake)

There are a number of flood watches and warnings issued by forecasters. A **flood watch** is issued when water levels or other conditions indicate that flooding is possible in the given time period. A **flood warning** is issued when a flood is occurring or is imminent. In the latter case, time and location is usually provided, and orders are given to evacuate vulnerable areas. A **flash flood watch** is issued when flash flooding is possible in the given time period. A **flash flood warning** is issued when flash flooding is occurring or is imminent. **If a flood or flash flood watch is issued –**

- Ensure that all staff members are aware of evacuation routes
- Move valuable collections to upper levels of the building

- Ensure that all collections are at least 4 inches off the floor.
- If necessary and possible, relocate collections to a safer building or other location (consider how security and transportation will be provided).
- Fill bathtubs, sinks and plastic soda bottles with clean water, in case water becomes contaminated. Sanitize the sinks and tubs first with bleach. Rinse, and then fill with clean water.
- Ensure that flashlights and fresh batteries are available.
- Ensure that battery powered radios with weather band (and fresh batteries) are available.
- Perform a controlled shutdown of the computer system.
- If the local authorities instruct you to do so, turn off all utilities at the main power switch. **Do not** turn off the gas unless instructed to do so by the authorities. If you turn off the gas, a professional must turn it back on.
- Use sand bags to keep water out of the building, if flooding seems likely.
- Install flood shields (if you have them) over windows and doors to keep water out, if flooding seems likely.
- **Be prepared to evacuate at any time.**

Additional Information The museum is located near the Rio Grande. Flooding is a possibility with sustained rain. Sandbags should be placed at the entrances to art storage.

1.6.2 Thunderstorms/Lightning

A **severe thunderstorm watch** is issued when a severe thunderstorm (defined as damaging winds 58 miles per hour or more, or hail three-fourths of an inch in diameter or greater) is likely to develop. A **severe thunderstorm warning** is issued when a severe thunderstorm has been reported or identified on radar. Once a warning has been issued, it is important to take shelter and listen to a battery-operated radio for more information. Also, remember that thunderstorms can hit with no warning. **When a thunderstorm warning is issued –**

- Ensure that flashlights and fresh batteries are available.
- Ensure that battery powered radios with weather band (and fresh batteries) are available.
- Ensure that auxiliary sources of electricity are in working order (e.g., generators).
- Check gutters and downspouts to insure they are functioning properly.
- Tie down loose objects outside the building (bicycles, garbage cans, etc.), or move them indoors.
- Put protective shutters/panels for windows in place.

Additional Information Thunderstorms occur in the summer months, usually June-August.

1.6.3 Dam Failure

Due to the nature of dam failure, there is usually little or no warning. If a dam failure occurs or is found to be imminent, a **flash flood watch or warning** will be issued if time allows. **If a flood or flash flood watch is issued –**

- Ensure that all staff members are aware of evacuation routes
- Move valuable collections to upper levels of the building
- Ensure that all collections are at least 4 inches off the floor.
- If necessary and possible, relocate collections to a safer building or other location (consider how security and transportation will be provided).
- Fill bathtubs, sinks and plastic soda bottles with clean water, in case water becomes contaminated. Sanitize the sinks and tubs first with bleach. Rinse, and then fill with clean water.
- Ensure that flashlights and fresh batteries are available.
- Ensure that battery powered radios with weather band (and fresh batteries) are available.

- Perform a controlled shutdown of the computer system.
- If the local authorities instruct you to do so, turn off all utilities at the main power switch. **Do not** turn off the gas unless instructed to do so by the authorities. If you turn off the gas, a professional must turn it back on.
- Use sand bags to keep water out of the building, if flooding seems likely.
- Install flood shields (if you have them) over windows and doors to keep water out, if flooding seems likely.
- **Be prepared to evacuate at any time.**

Additional Information Sandbags should be placed at the entrances to art storage.

1.6.4 Tornado

A **tornado watch** is issued when tornadoes and/or severe thunderstorms are likely to strike an area, while a **tornado warning** is issued when the funnel of the tornado has been sighted in the area. At that point, human safety must be the highest priority. Immediate shelter must be sought and there will be no time to secure collections. **If a tornado watch is issued –**

- Open windows on the side of the building away from the tornado's approach (to equalize air pressure)
- Tie down or move loose objects outside the building (bicycles, garbage cans, storage sheds, etc.)
- Move collections to an interior location away from windows, with valuable collections taking first priority.
- Perform a controlled shutdown of the computer system
- Ensure that flashlights and fresh batteries are available
- Ensure that battery powered radios with weather band (and fresh batteries) are available
- Ensure that auxiliary sources of electricity are in working order (e.g., generators)

Additional Information Tornadoes are rare in the area.

1.6.5 Severe Winter Storm

A **winter weather advisory** is used when poor weather conditions are expected. A **winter storm watch** is issued when a storm is possible. A **winter storm warning** is issued when a storm is occurring or will occur shortly. A **frost/freeze warning** is issued when below freezing temperatures are expected. A **blizzard warning** is issued when heavy snow, near zero visibility, deep drifts, and severe wind chill are expected. **If a winter storm watch is issued –**

- Check that the disaster kit is complete and that food, water, and/or batteries are not expired.
- Make sure that you have sufficient heating fuel as well as emergency heating equipment in case electricity is cut off. Be sure that fire extinguishers and detectors are operating properly.
- Ensure that auxiliary sources of electricity are in working order (e.g., generators).

Additional Information Winters are mild in El Paso.

1.7 EMERGENCY INSTRUCTIONS

1.7.1 Water Damage (Minor)

These instructions cover cases in which a small amount of clean (not contaminated) water leaks into a collection area. If sewage or other dangerous substances contaminate the water, protective clothing must be worn, and it is best to enlist professional assistance.

1. If possible, determine the source of the water leak.
2. If possible, cut off the water. Location and procedures for the main water shut-off valve are as follows –

Main water shut-off valve:

There are three main water shut-offs for domestic water.

Procedures:

The main shut-off valve is located outside the building on the sidewalk off Main and El Paso Streets. The secondary valve is located on the northeast corner of the building which includes back flow prevention. The third one is located inside the building in the fire room in the basement.

- 3. Notify the person in charge of building facilities maintenance; also call the people on the **Emergency Call List** as necessary.

Facilities Maintenance –

Name:

City of El Paso – El Paso Museum of Art
Operations Assistant Miguel Angel Castro
One Arts Festival Plaza
El Paso, TX 79901

Contact:

Phone:

(915)212.3057

After-hours phone:

(915)471.9609

Email:

CastroMA@elpasotexas.gov

- 4. Protect the collections from further damage as appropriate by –
 - (a) To the extent possible, move wet or vulnerable items to a dry, secure location nearby.
 - (b) If water is coming from above, protect collections by covering them with plastic sheeting. See Appendix C: **In-House Supplies** for the location of in-house supplies.
 - (c) If water is coming in on the floor, use carts (again, see Appendix C for in-house supplies) to relocate materials to a safe area, starting with the materials closest to the floor.
- 5. See the **Recovery** section of this plan for instructions on drying wet collections.

1.7.2 Fire

These instructions cover cases of fire (or activation of the fire detection system) in your building.

- 1. If you see fire or smell smoke, activate the nearest fire alarm.
- 2. Call the Fire Department –

Name:

El Paso Fire Department

Phone:

(915) 485.5600

Call 911

- 3. If it is safe to do so, determine the location and source of the fire. If the fire detection or suppression system has been activated, check the fire alarm annunciator panel.

Location of the fire alarm annunciator panel:

@ security booth and fire room in basement

Procedures for checking the panel are as follows:

reset fire control panel and at basement main valve

- 4. If it is safe to do so, turn off computers and equipment, and close fire doors.
- 5. Evacuate the building. See the **Evacuation Procedures** elsewhere in this plan.
- 6. From a safe location, contact the people on the **Emergency Call List**, as well as the person in charge of building facilities maintenance.

Facilities Maintenance –

Name:

City of El Paso – El Paso Museum of Art
Operations Assistant Miguel Angel Castro
One Arts Festival Plaza
El Paso, TX 79901

Contact:

Phone: (915) 240.3057
 After-hours phone: (915) 471.9609
 Email: CastroMA@elpasotexas.gov

REMEMBER –

- Report the fire first, **do not** try to put it out first. If you are in immediate danger, evacuate first, then report the fire.
- **Do not** try to extinguish the fire if it is larger than a small garbage can.
- Always keep your back to your escape route.

1.7.3 Mold

If you discover mold on collections –

- Find out what is causing the mold growth. Look first for an obvious source of moisture such as a water leak. If there is no obvious source of moisture, look for less obvious problems, such as high humidity in a particular area, poor air circulation, or condensation along an outside wall.
- Consult a mycologist to ensure that no toxic mold species are present. If toxic molds are present, **do not** handle any materials yourself.
- Modify the environment so that it is no longer conducive to mold growth. Stop any leaks, remove standing water, and/or bring in dehumidifiers to reduce humidity. Keep the climate well below 70 degrees Fahrenheit and 50 percent relative humidity. Be sure to monitor temperature and humidity with a reliable monitoring instrument. Also minimize air circulation, as this can spread mold spores to other areas of the collection. Open and close doors as little as possible, block off air return vents (if possible) so that spores are not spread in the air handling system, and **do not** run fans.
- Isolate the affected items. Transfer them to an isolation room (this room should have low temperature and humidity, and should not use the same air-handling equipment as collection storage areas). Transfer materials in sealed plastic bags (see Appendix C: In-House Supplies and Appendix D: External Suppliers and Services) so that other materials are not contaminated during the move.
- Decide whether the affected items need to be retained. It may be possible to replace them easily. If they are not of long-term value, it may be possible to discard them. Alternatively, they could be microfilmed or photocopied, although they may have to be cleaned first.
- **For items that need to be retained, consult a preservation professional before proceeding with drying and/or cleaning. In the past librarians have been instructed that it is possible to clean up small outbreaks of mold themselves, but over time it has become clear that this recommendation is problematic.** Even molds that are not defined as toxic can cause people who work with them to develop debilitating allergies. Unfortunately, no standards exist to specify safe or unsafe levels of mold exposure. The severity of health problems depends on the type of mold, the amount of exposure, and the susceptibility of the exposed person. To be protected when cleaning moldy materials, one must wear a particulate respirator that filters 99.97 percent of particles from the air (also known as a respirator with a HEPA filter). The use of respirators in the workplace is governed by OSHA (Occupational Safety and Health Administration) regulations, which specify the type of respirator to be used in various situations, fit testing procedures, and training procedures. The regulations also require approval from a medical practitioner that the person is physically fit to wear this type of respirator. There may be liability issues if the institution does not comply with these regulations. While repositories that are part of a larger institution with a health and safety office may have the ability to comply with the regulations, smaller repositories are likely to find it more difficult.
- If the institution decides that it is unable to dry and/or clean moldy items that need to be retained, or if mold is discovered on a large amount of material (e.g., in whole stack ranges, drawers, or rooms), it is best to

work with a commercial company experienced in dealing with water damage and mold cleanup. See Appendix D: External Suppliers and Services for recommended service providers.

- If there will be a delay in transferring wet materials to a salvage company, freeze the affected items to avoid further mold damage. They can later be thawed and dried in small batches, or they can be vacuum freeze dried (with the exception of photographs).
- If the institution decides to clean up the mold in-house, following the OSHA guidelines referenced above, the moldy materials will need to be dried (if they are wet) and then cleaned. As noted above, wet and moldy items should be frozen if they cannot be dried immediately. They can later be thawed and dried in small batches. Instructions for drying and cleaning moldy collections can be found in NEDCC's Emergency Salvage of Moldy Books and Paper <http://www.nedcc.org//plam3/tleaf39.htm> and Managing a Mold Invasion: Guidelines for Disaster Response, <http://www.ccaha.org> by Lois Olcott Price (Conservation Center for Art and Historic Artifacts, 1996).
- Sterilize the affected storage area(s), and the climate control system if possible.

1.7.4 Flooding (Major)

If a flash flood warning is issued –

- **Evacuate immediately. Human safety should be the highest priority.**

If a coastal flood warning is issued –

- Listen to the battery-operated radio for the latest information.
- Use sand bags to keep water out of the building, if there is time.
- Install flood shields (if you have them) over windows and doors to keep water out, if there is time.
- **Evacuate immediately if told to do so by local authorities.**
- **Do not** re-enter the flooded area until instructed to do so by local authorities.

Additional Information The museum is located near the Rio Grande. Flooding is a possibility with sustained rain. Sandbags should be placed at the entrances to art storage.

1.7.5 Thunderstorms/Lightning

During a thunderstorm –

- Stay indoors.
- **Do not** handle any electrical equipment, telephones, or televisions during the storm because lightning could follow the wire.
- Avoid water faucets and sinks because metal pipes can transmit electricity.

Additional Information Thunderstorms occur in the summer months, usually June-August.

1.7.6 Earthquake

If an earthquake occurs –

- **Drop, cover, and hold on in a supported doorway or under a piece of sturdy furniture if possible, but do not move more than a few steps to find a safe place. Do not** try to run outside as you may be hurt by falling debris. Stay indoors until the shaking stops and you're sure it's safe to go out. When you do go outside, move away from the building quickly.
- **Stay away from windows, in case they shatter.**
- **In a high-rise building, use the stairs to exit.** Be aware that the fire alarms and sprinklers may go off, even if there is no fire.

1.7.7 Tornado

If a tornado warning is issued, or a tornado is sighted –

- **Human safety is the highest priority.**
- Stay indoors. Direct staff and patrons to a safe interior location for the duration of the storm. This area should be the lowest level of the building, and it should be away from doors. Taking cover under heavy furniture can provide additional protection.
- In case of a tornado, staff and patrons should shelter (*safe interior location for sheltering*): On the basement level.

Additional Information Tornadoes are rare in the area.

1.7.8 Severe Winter Storm

During a winter storm –

- If possible, staff members should not travel during a winter storm warning or a blizzard warning.
- Stay indoors and conserve fuel.
- After the storm, remove ice and snow from tree limbs, roof, etc. to prevent further damage.

Additional Information Winters are mild in El Paso.

1.7.9 Power Outage

If there is a power outage in the building or in your local area –

- **Do not panic.**
- If you suspect the outage is only within your building, check the fuse box.
- If you cannot determine the cause of the outage, call the local power company.
- If you are in an area with windows, open the blinds, curtains, or shades to provide light.
- If you are in an unlit area, proceed slowly and carefully to an area with emergency lighting or windows.
- Shut down the computer system and any other electrical equipment that was running before the outage.
- If you are trapped in an elevator, **do not panic**. Use the emergency phone or button to call for help.
- **Evacuate immediately if you feel that it is unsafe to keep staff and patrons in the building, or if you are told to do so by the authorities.**

1.7.10 Water Main Break

If a water main breaks –

- Contact the local water authority immediately.
- If it is safe to do so, try to do something to stop or contain the leak.
- If it is safe to do so, shut off utilities to the affected area.
- If a large amount of water is involved, **do not** enter the area if you can see any wet power outlets or live electrical wires.
- Move collections not yet affected to a safe area.
- If possible, move collections that have been affected to safety.
- Cover affected collections that cannot be moved with plastic sheeting.

1.7.11 Sewer System Backup

If a sewer backup occurs –

- Avoid contact with sewage-contaminated water.
- Quickly move any items (collections or otherwise) that are in danger but not yet affected to a safe area.
- Keep a written record of any items (collections or otherwise) that have been damaged or lost.
- Arrange for cleanup of the affected area. This may involve wet-vacuuming, mopping, cleaning walls and floors with soap and disinfectant, removing carpeting, cleaning up ductwork or appliances, etc. Due to the health risks, this type of cleanup is usually best done by professionals.

1.7.12 Gas Leak

If you smell gas indoors –

- Evacuate the building immediately, opening doors and windows to lower the concentration of gas inside the building. Gather all staff in a safe place away from the building.
- Call the gas company from another location to report the leak. **Do not** use the phone in the area of the leak, since phones can create sparks that could precipitate an explosion.
- Turn off any motorized equipment and avoid any other sources of ignition.
- **Do not** reenter the building until it is declared safe by the authorities.

If you smell gas outside your building –

- Call the local gas company immediately, from an area where you cannot smell gas (**do not** use the phone in an area where you can smell gas, as phones can create spark that could cause an explosion). **Do not** assume that someone else has already called.
- Make the occupants of neighboring buildings and passersby aware of the situation.
- Block off the area, if possible, until the gas company arrives.
- Avoid any sources of flame in the area
- Shut down motorized equipment and **do not** use pagers or cell phones in the area (such equipment can give off sparks).
- If the gas smell is strong and located close to your building, evacuate the building and gather staff in a safe area.

1.7.13 Hazardous Materials Incident

If you are at the scene of an accident involving hazardous materials (indoors or outdoors) –

- Call 911 and the local fire department. **Do not** assume that someone has already done this.
- Evacuate the affected area. If inside, evacuate the building. If outdoors, keep yourself and others away from the accident, preferably upwind or uphill to avoid contact with the chemical.

If you are asked to shelter in your building –

- To the extent possible, seal the building so that the hazardous material cannot enter (e.g., close and lock windows and doors; seal gaps around windows, doors, and vents with duct tape and plastic sheeting; turn off ventilation systems; and close any fireplace dampers).
- If contaminants might have entered the building, breathe shallowly through a cloth or towel.
- Listen to a battery-powered radio for further updates.
- **Do not** eat or drink anything that might have been contaminated.

If you are told to evacuate by local authorities –

- **Evacuate immediately, following routes recommended by the local authorities. Take the disaster kit with you.**
- If there is time, close windows and shut off vents to minimize entry of contaminants into the building.

1.7.14 Oil Leak

If you discover an oil leak –

- If the leak is a small drip indoors, contact your oil company immediately for assistance.
- If the leak is larger than a drip (outdoors or indoors), contact your oil company, as well as the local fire department or regional environmental protection office, immediately for assistance.
- Remove any items (collections or otherwise) that are threatened but not yet damaged to a safe place.
- **Do not** try to clean up the leak yourself.

1.7.15 Riot/Civil Disturbance

If a riot or civil disturbance occurs –

- All staff members should stay inside the building and not draw attention to themselves or the building.
- If rioters may enter the building, lock collections storage areas to prevent damage.
- If staff members encounter protesters or rioters, they should do their best to avoid confrontation, which may make the situation worse.
- If staff members feel in danger, they should retreat to a locked room, preferably one where they can dial 911 for assistance.

1.7.16 Terrorist Attack

In case of a bomb threat, see the separate section immediately below. If a building explosion occurs –

- Remain calm, and get out as quickly as possible. **Do not** use the elevators.
- Stay away from windows, mirrors, or anything that might fall on you.
- If items are falling, shelter under sturdy furniture.
- Avoid using the telephone (except in a life-threatening situation) and **do not** use matches or lighters, in case of a gas leak.
- If there is a fire, stay low to the floor and cover nose and mouth with a wet cloth. Feel any closed doors and **do not** open them if hot to the touch.

If a chemical attack occurs –

- If you are instructed to shelter in the building, seal all openings to the extent possible (e.g., close and lock windows and doors; turn off HVAC systems, close vents, and turn off fans; close any fireplace dampers). Fill sinks and containers with water in case the water supply becomes contaminated. Listen to a battery-powered radio for further information.
- If you are instructed to evacuate, follow the instructions of local authorities, sealing the building to the extent possible if there is time before leaving.

If a biological attack occurs –

- If you are instructed to shelter in your building by authorities, seal all openings to the extent possible (e.g., close and lock windows and doors; turn off HVAC systems, close vents, and turn off fans; close any fireplace dampers). This will help to prevent exposure. If you suspect that the water supply may be contaminated, boil water before drinking it. Listen to a battery-powered radio for further information.
- If you are instructed to evacuate, follow the instructions of local authorities, sealing the building to the extent possible if there is time before leaving.
- If a biological attack has occurred and you develop symptoms of illness, consult medical personnel immediately and limit your exposure to others to prevent spreading the illness.

1.7.17 Bomb Threat

If you receive a bomb threat over the telephone –

- **Do not panic.**
- Be polite, interested, and listen carefully. Make notes if possible.
- Keep the caller talking as long as possible, and get as much information as possible. Keep asking questions until the caller refuses to answer or hangs up. See Appendix E: Record Keeping Forms for a bomb threat form to fill out. *Questions to ask include –*
 - When will the bomb detonate?
 - Exactly where is the device?
 - What does it look like?
 - Who placed it, and when?
 - Why was it placed there, and what do you want?
 - Who are you, and why are you calling?
 - Will you repeat this information for my supervisor?
- Call the police immediately (another staff member may be able to do this while you are still on the phone).
- Immediately after the call ends, write down as much detailed information as you can remember. Include any background noises you heard, the sex of the caller, the approximate age of the caller, the callers accent. Also write down the callers exact words as well as you can remember them.
- Evacuate staff and patrons immediately if you are instructed to do so by the authorities.

1.8 SALVAGE PRIORITIES

Setting priorities for salvaging collections, institutional records, and other important materials is one of the most difficult but also one of the most important aspects of disaster planning. If an emergency occurs, there may be very little time for salvage. Materials could be lost while valuable time is wasted deciding what to save. A listing of priority materials and equipment allows the institution to concentrate on the most important items that are accessible for salvage. Following is a list of the most important materials (collections, office files, computers, and/or data) to salvage in case of a disaster. See Appendix F: Salvage Priorities (Details) for lists of salvage priorities for collections (overall and by department or area), institutional records (bibliographic and administrative), and information technology (data and equipment). If you are using dPlan in Depth, you may have uploaded a floor plan showing the location of the highest priority materials; this can be found in Appendix G. If you are using dPlan Lite, we encourage you to create such a floor plan and manually include it with Appendix G. In either case, a copy of the floor plan should be shared with the fire department.

Material or Equipment

Location

(include floor and specific location)

1 – Permanent Collections	galleries, art storage, registration storage
2 – Registration records	registration office
3 – Computer equipment	throughout building

Items/shelf ranges/boxes have been color-coded so that materials that are a priority for rescue can be easily identified in an emergency.

The color-coding scheme is as follows:

Red are priority one. Yellow are priority two.

1.9 INITIAL RESPONSE STEPS

This section provides a general outline of the initial steps that will need to be taken when an emergency causes more than minor damage to collections. Depending on the scope of the disaster, some of these actions may be carried out concurrently, while some may not be needed at all. For immediate response procedures for specific types of emergencies (fire, flood, power outage, etc.), or for minor damage to collections, see the section above. **In all cases, do not begin collection recovery efforts until the safety of staff and patrons has been assured.**

1.9.1 Notify Appropriate Personnel

- During working hours, contact the Disaster Response Team Leader.

Disaster Response Team Leader: Lead Preparator/Facility Manager Nick Munoz

- Outside of working hours, use the Emergency Call List. Keep calling until someone who can respond is found.

<u>Staff member</u>	<u>Estimated response time</u>
1 – Lead Preparator/Facility Manager Nick Munoz	20 minutes
2 – Operations Assistant Miguel Angel Castro	30 minutes
3 – Preparator Kate Bujanda	15 minutes
4 – Preparator Diego Arias	

1.9.2 Assess the Damage

- **Begin to determine the extent of the damage.** The following questions will need to be answered, although you may not be able to get detailed answers at first.
 - What actually happened? How serious is the damage? How many and what type of materials are affected (e.g., general collections, local history materials, audio/visual materials, computers and data, plain paper, coated paper)? What kind of damage is it (e.g., water, fire, smoke)?
 - If water is involved, what kind is it (e.g., clean, dirty, rain, river, sewer)? How much water is/was there? What is/was the source of the water (e.g., flooding, leaky pipe)? Has the water source been shut off or stopped so that further damage can be avoided? Is there standing water in the building? Are wet collections soaked or just damp?
 - If collections are soaked, they will need to be frozen ASAP. If they are on coated paper, they will also need to be frozen immediately. If they are damp and there is space to do so, they can be air-dried. See Section II: Recovery of this plan for general salvage instructions, and instructions for salvage of specific media.
- **If necessary, get clearance to enter the site.** If serious damage has occurred (e.g., a serious fire), it may be necessary to wait until the appropriate officials declare the building safe to enter. Re-entry to the site may also be delayed if hazardous materials are present, or if the building is a crime scene (as in the case of arson).
 - If re-entry to the building is delayed, work must proceed from the off-site command center that has been designated ahead of time.

Command center location (*off-site*): El Paso Museum of Archaeology

- **Once it is possible to enter the building, make a detailed damage assessment.** This should be done by the Disaster Response Team Leader, with assistance from other members of the team as needed.

Disaster Response Team Leader: Lead Preparator/Facility Manager Nick Munoz

- Remember to take photographs or video, and to document the damage in writing. At this point, you should begin filling out an Incident Report Form, located in Appendix E: Record Keeping Forms.
- **Call the insurance company or in-house contact (for self-insurance).** Insurance contact information is as follows –

Building/Equipment – Commercial Insurance

Insurance policy(s) held by the institution –

Policy number:	K23AP961
Policy inception date:	7/10/23
Policy expiration date:	6/30/25
Insurance carrier	
Company/Organization:	Affiliated FW Insurance
Contact:	Jim Brundage
Address:	2505 East Missouri El Paso, TX 79903
Phone:	(915) 534.9457
Cell phone:	(915) 204.5292
After hours phone:	(915) 544.3111
Insurance agent or broker	
Company/Organization:	USI Southwest, Inc.
Contact:	Jim Brundage
Address:	2505 East Missouri El Paso, TX 79903
Phone:	(915) 534.9457
Cell phone:	(915) 204.5292
After hours phone:	(915) 544.3111

Collections – Commercial Insurance*General Collections Insurance policy(s) held by the institution –*

Policy number:	B1161K23AP961
Policy inception date:	7/10/23
Policy expiration date:	6/30/25
Insurance carrier	
Company/Organization:	AmWins Group, Florida FL, United States of America
Contact:	
Address:	
Phone:	
Direct phone:	
After hours phone:	
Email:	

See Appendix H: Insurance Information for more detailed information and specific procedures to be followed in case of damage or loss.

1.9.3 Prepare for Recovery of Collections

- **Get advice from a preservation professional.** Unless the disaster is very small, it is likely that you will want to contact a preservation professional to ensure that you are responding properly. In the event of a major disaster, you may need to arrange for a professional to provide on-site assistance.

Sources for preservation advice*Professional Preservation Advice - Regional Centers*

Organization:	The Conservation Center at NYU
Contact:	Dianne Modestini, Kress Program in Paintings Conservation
Address:	14 East 78 th Street (The Stephen Chan House)

Phone: New York, NY 10075
 After hours phone: (212) 992.5848
 Web site: diannemodestini@mac.com
 Specialty: fine art conservation

Organization:
 Organization: Balboa Art Conservation Center
 Contact: Janet Ruggles, Director
 Address: 1649 El Prado
 San Diego, CA 92101
 Phone: (619) 236.9702

After hours phone:
 Web site: info@bacc.org
 Specialty: fine art conservation

Organization: Western States & Territories Preservation Assistance Service
 Contact: Barclay Ogden, Julie Page
 Address: 20 Doe Library
 University of California
 Berkley, CA 94720

Phone: (510) 642.4946, (760) 224.0419
 After hours phone: (888) 905.7737
 Web site: bogden@westpas.org, jpage@westpas.org
 Specialty: disaster assistance

Professional Preservation Advice - Conservators

Organization: Heugh Edmonson Conservation
 Contact: Nancy Heugh/Tom Edmonson
 P.O. Box 10408
 Kansas City, MO 64171
 Phone: (816) 283.0660

After hours phone:
 Web site: heughed@heugh-edmondson.com
 Specialty: paper conservation

Organization: Andolsek Restoration
 Contact: John Andolsek
 1807 2nd Street #8
 Santa Fe, NM 87505
 Phone: (505) 989.4698

After hours phone:
 Web site: andolsek@earthlink.net
 Specialty: paintings conservation

- **Determine whether additional personnel will be needed.** If you are using dPlan in Depth, Appendix I: Volunteer/Temporary Personnel provides lists of potential volunteers and temporary workers.

- Establish a strategy for managing all staff, volunteers, and other workers who will be working at the site. All workers (volunteer or otherwise) will need to check in and check out. Records should be kept of hours worked (in case payment is necessary, and to ensure that sufficient breaks are provided) and of who was at the site each day. See Appendix E: Record-Keeping Forms for a Volunteer Sign-In/Sign-Out Form.
- Staff and volunteers will need to be trained and supervised. The Collections Recovery Specialist and the Work Crew Coordinator will be in charge of this.

Collections Recovery Specialist: Lead Preparator/Facility Manager Nick Munoz
 Work Crew Coordinator: Operations Assistant Miguel Castro

- Snacks, meals, a rest area, and possibly counseling services will be needed. See Appendix I: Volunteer/Temporary Personnel for organizations that might assist in providing services for workers.

- **Establish a command post for the recovery effort.**

Potential sites are –

Command center location: El Paso Museum of History
 Alternate location #1: Cultural Affairs Department offices
 Alternate location #2 (off site): El Paso Museum of Archaeology

- **Establish security procedures for the recovery site.** Only authorized persons should be allowed to enter the site some type of identification (e.g., badges, vests) should be arranged. If the site cannot be secured due to building damage, it may be necessary to bring in temporary security personnel.
- **Decide what will be salvaged and what will be discarded.** See Salvage Priorities for an overall list of priority materials. Additional salvage priorities for specific departments and types of material are found in Appendix F: Salvage Priorities (Detailed). Remember that salvage priorities may need to be adjusted according to the extent and or type of damage.
- **Decide how the materials to be salvaged will be treated.** See General Salvage Procedures for a summary of treatment options. Sort wet collections, separating those to be frozen from those to be air-dried. As you begin sorting and moving materials, it is essential to keep track of collections at all times; use the Packing and Inventory Form in Appendix E: Record-Keeping Forms for this purpose.
- **Determine whether it will be necessary to relocate collections,** either to dry them or to store them temporarily to protect them from danger while the building and damaged collections are salvaged. We urge you to assess frequently (at least once a year) possible sites in your community: school gymnasiums, empty or partly-empty warehouses, church halls, businesses with temporary space.

Potential drying space is –

Within the building/institution –

Location: art storage
 Space available:
 Contact: Nick Munoz
 Phone: (915) 212.3070
 Cell phone: (915) 329.0863

Location: Hunt Gallery
 Space available: 7535 square feet, space available depending on current exhibition

Contact: Nick Munoz
 Phone: (915) 212.3070
 Cell phone: (915) 329.0863

Off-site –

Location: El Paso Museum of History
 Space available:
 Contact: Erica Marin
 Phone: (915) 212.3165
 After-hours phone: (915) 309.4328

Location: El Paso Public Library - Main Branch
 Space available:
 Contact: Dane Aguilar
 Phone: (915) 543.5419

Location: El Paso Museum of Archaeology
 Space available:
 Contact: Sebastian Ribas-Normand
 Phone: (915) 240.9217

Potential space for relocation or temporary storage is –*Within the building/institution –*

Location: art storage
 Space available: depends on location of permanent collections and loans
 Contact: Bernadette Ramos
 Phone: (915) 212.3058
 Cell phone: (915) 525.2904
 After-hours phone: (915) 525.2904
 Location: Hunt Gallery
 Space available: 7535 square feet, space available depending on current exhibition
 Contact: Bernadette Ramos
 Phone: (915) 212.3058
 Cell phone: (915) 525.2904

Off-site –

Location: El Paso Museum of History
 Space available:
 Contact: Erica Marin
 Phone: (915) 212.3165
 After-hours phone: (915) 309.4328

Location: El Paso International Airport
 Space available:
 Contact: Monica Lombrana
 Phone: (915) 780.4781

Location: El Paso Museum of Archaeology
 Space available:
 Contact: Sebastian Ribas-Normand
 Phone: (915) 240.9217

- **Gather supplies and arrange for services.** Gather supplies and arrange for services. See Appendix C for a list of in-house supplies. See Appendix J for procedures for accessing emergency funds. Appendix D: External Suppliers and Services include a list of companies specializing in building and collections recovery. There are a small number of companies nationwide that have experience working with cultural institutions to recover buildings and collections. These companies provide a range of services, from building dehumidification, to vacuum freeze-drying, to mold remediation. If you are faced with a significant disaster, it is likely that you will need to contact one of them for assistance.

1.9.4 Stabilize the Building and Environment

If the emergency involves water (such as wet collections, furniture, carpeting, or even standing water), it is very important to quickly dry out the building and environment to avoid mold growth.

- **Do not** turn up the heat; this will not dry out the space and may encourage mold growth. If the outdoor humidity is low, open the windows.
- If the climate control system is working, it should be used to provide as much cooling and dehumidification as possible. The goal should be to keep the temperature below 70 degrees Fahrenheit and the humidity as much below 50 percent as possible.
- Wet carpeting should be removed and wet furniture and standing water should be removed. Even if the carpeting appears dry, it must be checked underneath to ensure that both the carpet and the padding are dry.
- If the climate control system is not sufficient to reduce the temperature and humidity to the desired levels, outside assistance will be needed. See Appendix D: External Suppliers and Services for companies that specialize in building dry out.
- Staff must monitor the temperature and humidity in the recovery area several times a day to ensure that the desired conditions are reached and maintained for the duration of the recovery effort. See Appendix E: Record-Keeping Forms for an Environmental Monitoring Form.
- Facilities maintenance personnel and the Building Recovery Coordinator should work together to coordinate building recovery issues.

Facilities Maintenance Personnel –

Name:	City of El Paso - El Paso Museum of Art
Contact:	Operations Assistant Miguel Castro
Address:	One Arts Festival Plaza El Paso, TX 79901
Phone:	(915) 212-3060
After-hours phone:	(915) 471.9609
Email:	CastroMA@elpasotexas.gov
Building Recovery Coordinator –	
Primary:	Operations Assistant Miguel Castro
Backup:	Lead Preparator/Facility Manager Nick Munoz

1.9.5 Communicate with the Media and the Public

- The disaster response teams Public Relations Coordinator will be responsible for all interaction with the media and the public. It is essential that no one else provide information.

- Press releases should be issued periodically to local newspapers, and to TV and radio stations. It is important to inform patrons and other interested parties of the extent of the damage and the progress of recovery efforts.

Public Relations Coordinator –

Primary:

Backup:

Marketing Coordinator Jackie Sierra

Director Edward Hayes

Chapter 2

RECOVERY

2.1 GENERAL SALVAGE PROCEDURES

This section provides general background information on salvage techniques for water, mold, and fire-damaged collections.

2.1.1 Freezing

If wet materials cannot be dried within 48-72 hours, they should be frozen because they are at risk of developing mold, particularly if there is high humidity. Freezing wet materials also stabilizes them, keeping water damage from worsening. Water causes a variety of damage to paper-based collections: book bindings and pages swell and distort, pages and documents cockle, water-soluble inks can bleed, and coated papers begin to adhere to each other as soon as the volumes begin to dry. However, once wet collections are frozen, no additional damage occurs. Thus, if freezing occurs quickly there is less physical damage and more chance that the materials can be salvaged rather than replaced. It is difficult to transfer wet collections directly to a salvage company for freezing quickly enough to prevent mold and minimize water damage, since there are only a few of these companies nationwide. In addition, institutions often require time to make decisions about what should be done and allocate funding for salvage. Thus, it is usually best to freeze collections locally, even if they will ultimately be sent to a salvage company to be vacuum freeze dried. A commercial blast freezer will provide the best results; materials should be frozen at -10 degrees Fahrenheit or lower.

Local freezing companies are –

Local freezer (1) –

Name:

Contact:

Address:

Phone:

After-hours phone:

EPT Terminal Warehouse, Inc.

Scott A. McLaughlin – President,

scott@stagecoachcartage.com

5850 Welch

El Paso, TX 79905

(915) 790.1000, (800) 327.1204

(915) 772.2758

Local freezer (2) –

Name:

Contact:

Phone:

Regulations that must be complied with:

Southwest Refrigerated Services

Ike Gutierrez

12190 Rojas Drive

El Paso, TX 79936

(915) 860.2200, (915) 538.7935

Be aware, however, that not all paper-based materials can be frozen. The *Salvage of Specific Media* section indicates which materials should not be frozen. In general, bound volumes and paper records can be frozen. If necessary, most photographic materials can be frozen, although it is better to dry them immediately. Cased photographs (such as daguerreotypes, ambrotypes, tintypes) should **never** be frozen. If there is no local freezer facility available (due to a widespread disaster or other reason), a refrigerated truck may be needed to transport materials to the nearest freezer facility. A refrigerated truck will not freeze the collections, but it may keep them cool enough to avoid mold growth. See *Appendix D: External Suppliers and Services* for a source of refrigerated trucks.

2.1.2 Drying Options

There are several options for drying wet collections. The method chosen will depend on the extent of the damage to collections and to the building, the amount of material involved, the rarity/scarcity of the damaged material, the number of staff or others available to provide assistance, and the funding available for salvage. If you choose to contract out for drying services, it is important to put a contract in place with the vendor. A sample contract is provided in *Appendix K: Disaster Recovery Contract*. A general summary of the drying options is provided here to assist your institution in making decisions. Remember that no drying method will undo the damage that has already been done, however. The materials will not look better after drying than they looked before drying began. However, some drying methods can minimize or prevent additional damage, and in general, the quicker collections can be dried (or frozen, as described above) the less damage there will be.

Air-Drying

Air-drying is best used for small numbers of damp or slightly wet books or documents. It is less successful for large numbers of items or for items that are very wet. It requires no special equipment and can be done on site using staff or volunteers, but it is very labor-intensive, requires a lot of space, and often results in bindings and paper that are very distorted. It is seldom successful for drying bound volumes with coated paper. There will also likely be additional costs for rehabilitating collections, such as rebinding, flattening of single sheets, and additional shelf space to store volumes that remain distorted after drying. It is important to always contact a conservator or other preservation professional about drying unique or rare materials; they will sometimes choose to air-dry the item(s) using special techniques, or they will suggest another drying option. In general, air-drying must be done in a clean, dry environment where the temperature and humidity are as low as possible. At a minimum, temperature must be below 70 degrees Fahrenheit and humidity must be below 50%. The air should be kept moving at all times to accelerate the drying process and discourage mold growth, but care must be taken not to blow away loose documents. Single documents can be laid out on tables, floors, and other flat surfaces, protected if necessary by paper towels or clean, unprinted newsprint. Bound volumes can be dried on tables covered with plastic or unprinted newsprint. The volume should be interleaved about every fifty pages with paper towels or unprinted newsprint, and then stood on its head, fanned open, and placed on several sheets of absorbent paper. If the edges are only slightly wet, interleaving is not required. When volumes are dry, but still cool to the touch, they should be closed, laid flat on a table or other horizontal surface, gently formed into their normal shape, and held in place with a lightweight. **Do not** stack drying books on top of each other, and check frequently for mold growth, particularly along the gutter margin. **The above instructions provide only very general guidance; additional instructions will be needed if air-drying is to be undertaken.** There are a number of resources that provide detailed directions for air-drying wet materials.

See *Appendix L: Additional Resources for Salvage of Specific Media*.

Potential locations for air-drying wet collections are –

Within the building/institution –

Location: art storage

Space Available:

Contact: Nick Munoz
 Phone: (915) 212.3070
 Cell phone: (915) 329.0863

Location: Hunt Gallery
 Space Available: 7535 square feet, space available depending on current exhibition

Contact: Nick Munoz
 Phone: (915) 212.3070
 Cell phone: (915) 329.0863

Off-site -

Location: El Paso Museum of History

Space Available:

Contact: Erica Marin
 Phone: (915) 212.3165

After-hours phone: (915) 309.4328

Location: El Paso Public Library - Main Branch

Space Available:
 Contact: Dane Aguilar
 Phone: (915) 543.5419

Location: El Paso Museum of Archaeology

Space Available:
 Contact: Sebastian Ribas-Normand
 Phone: (915) 240.9217

Freezer-Drying

Books and records that are only damp or moderately wet may be dried successfully in a self-defrosting blast freezer if left there long enough. Materials should be placed in the freezer as soon as possible after becoming wet. Books will dry best if their bindings are supported firmly to inhibit initial swelling. The equipment should have the capacity to freeze very quickly, and temperatures must be below 10 degrees Fahrenheit to reduce distortion and to facilitate drying. Expect this method to take from several weeks to several months, depending upon the temperature of the freezer and the extent of the water damage. Caution is advised when using this method for coated paper, as leaves of coated paper may stick to each other.

Vacuum Freeze-Drying

This process calls for very sophisticated equipment and is especially suitable for large numbers of very wet books and records as well as for coated paper. Books and records must be frozen, then placed in a vacuum chamber. The vacuum is pulled, a source of heat introduced, and the collections, dried at temperatures below 32 degrees Fahrenheit, remain frozen. The physical process known as sublimation takes place; that is, ice crystals vaporize without melting. This means that there is no additional swelling or distortion beyond that incurred before the materials were placed in the chamber. Many coated papers can be difficult to dry without sticking together once they are wet. Because it is nearly impossible to determine which papers will block, all coated papers should be treated the same way for the purpose of vacuum freeze-drying: before any drying takes place, and ideally within

six hours of becoming wet, materials should be frozen at -10 degrees Fahrenheit or lower. Then they may be vacuum freeze-dried with a high potential for success. Rare and unique materials can be dried successfully by vacuum freeze-drying, but leathers and vellums may not survive. Photographs should not be dried this way unless no other possibility exists. Consult a photograph conservator. Although this method may initially appear to be more expensive because of the equipment required, the results are often so satisfactory that additional funds for rebinding are not necessary, and mud, dirt, and/or soot is lifted to the surface, making cleaning less time-consuming. If only a few books are dried, vacuum freeze-drying can indeed be expensive. However, companies that offer this service are often willing to dry one client's small group of books with another client's larger group, thus reducing the per-book cost and making the process affordable. See Appendix D: External Suppliers and Services for vacuum freeze-drying service providers.

Vacuum Thermal Drying

Books and records that are slightly to extensively wet may be dried in a vacuum thermal drying chamber into which they are placed either wet or frozen. The vacuum is drawn, and heat is introduced. Drying typically occurs at temperatures above 100 degrees Fahrenheit, but always above 32 degrees Fahrenheit. This means that the materials stay wet while they dry. It is an acceptable manner of drying wet records, but often produces extreme distortion in books, and almost always causes blocking (adhesion) of coated paper. For large quantities of materials, it is easier than air-drying and almost always more cost-effective. However, extensive rebinding or recasing of books should be expected. Given the elevated temperature used in drying, it is most appropriate for materials with short-term (under 100 years) value.

On-Site Dehumidification

This is the newest method to gain credibility in the library and archival world, although it has been used for many years to dry out buildings and the holds of ships. Large commercial dehumidifiers are brought into the facility with all collections, equipment, and furnishings left in place. Temperature and humidity can be carefully controlled to specifications. Additional testing is being undertaken, but the technique is certainly successful for damp or moderately wet books, even those with coated paper, as long as the process is initiated before swelling and adhesion have taken place. The number of items that can be treated with dehumidification is limited only by the amount of equipment available and the expertise of the equipment operators. This method has the advantage of leaving the materials in place on the shelves and in storage boxes, eliminating the costly, time-consuming step of moving them to a freezer or vacuum chamber. See Appendix D: External Suppliers and Services for on-site dehumidification service providers.

2.1.3 Packing

Whether collections are to be moved to another location for immediate air-drying or transported to a local freezer or commercial drying facility, the materials will need to be properly packed and the location/transport of all items will need to be documented. The order for packing collections will depend on the extent of the damage and the institutions salvage priorities. If collections will be frozen and vacuum-freeze dried, it is usually best to begin with the wettest materials first so that they can be frozen quickly. If only air-drying will be possible, however, it is better to begin with the collections that are the least damaged and most easily salvaged. If sufficient staffing is available, one or more packing crews should be put together. This will be the responsibility of the Collections Recovery Specialist and the Work Crew Coordinator. See the Disaster Response Team for names and backups for these two positions. The packing crew would consist of a crew leader, box assembler, retriever of collections, wrapper, packer, sealer, record-keeper, and transporter. Book trucks, handcarts, or dollies can be used to move packed materials within the building. See Appendix C: In-House Supplies and Appendix D: External Suppliers and Services for resources. Materials can be placed in cardboard boxes, milk crates, Rescubes, or other containers as appropriate. If cardboard boxes are used they should be no larger than 1.5 cubic feet, they should be lined with heavy-duty trash bags to prevent them from becoming wet, and they should never be stacked more than four boxes

high. Packing instructions for specific types of collections can be found in the Salvage of Specific Media section below. If materials are muddy, sandy, or otherwise dirty, it may be necessary to rinse them before packing (assuming enough time and personnel are available). If materials have been damaged by salt water it is especially important to rinse them. Collections with soluble inks (watercolors, many manuscripts), animal skins (leather, vellum, or parchment), or works of art paper should not be rinsed, since rinsing may cause further damage. The area to be used for rinsing must have running water and good drainage. Personnel should be provided with rubber boots and waterproof clothing; see Appendix D: External Suppliers and Services for resources. If deposits of dirt are light, individual folders or volumes can be rinsed with a garden hose with a spray nozzle, keeping the item tightly closed to avoid transferring dirt between the pages. If deposits are heavy, a series of 3-8 large plastic garbage cans should be set up with a garden hose running into each can and the nozzle resting at the bottom. The water should be turned on to provide a slow but continuous flow into each can. Each item should be taken to the first can, held tightly closed, and immersed, and then to subsequent cans. The last station should have a hose with a spray nozzle for a final rinse. Excess water should then be squeezed from the volumes or folders. **Do not** try to remove mud or stubborn stains; this slows down the rinsing process and may further damage the materials. Note that the same rinsing procedure can be used for photographic materials and computer media, except that shallow dishpans or photo processing trays may be used instead of garbage cans.

2.1.4 Documentation

It is essential to document where collections were moved and what was done with them. This documentation allows the institution to keep track of which collections were damaged and where they have been taken. It will also be needed for insurance purposes. Both written and photographic documentation should be maintained. Forms that will assist in documentation are provided in Appendix E: Record-Keeping Forms. These include the Packing and Inventory forms and the Incident Report Form (which should be used to document salvage decisions and who authorized them). In general, all boxes or other containers must be labeled on all four sides. The contents should be described as appropriate (e.g., by shelf range, call number, cabinet, drawer, record group, series). It is also helpful to indicate the quantity of material, the type of damage, the priority ranking of the material, and the destination of the container (e.g., freezer, air-drying). Alternatively, each container can be given a brief designation (e.g., floor/section and box number) and the Packing and Inventory forms can be used to record the detailed information described above.

2.1.5 Fire Damage

Collections that have been involved in a fire often also suffer water damage, which has been addressed above. Problems that result specifically from fire include charring (either completely or just around the edges), smoke or soot deposits, and smoke odor. If collections have been charred but are still readable, they can be microfilmed or photocopied if they are of value, but great care must be exercised because the paper may be extremely brittle. Bound volumes that have been smoke-damaged or charred only around the edges can be sent to a library binder for trimming and rebinding. General materials with smoke or soot deposits on the edges can also be sent to a library binder for trimming, or they can be cleaned in-house using natural latex sponges to remove the deposits. Any rare, archival, or special collections materials should not be cleaned this way, however; a conservator should evaluate them. For collections with a residual smoke odor, there are professional companies that specialize in deodorization. Treatment in an ozone chamber will reduce the odor, but ozone is a powerful oxidizing agent that accelerates the aging of paper, so it should not be used on archival or other intrinsically valuable materials. Another possibility is to use storage boxes that incorporate zeolites; these have been shown to be effective in odor reduction.

2.1.6 Evaluation of Salvage Efforts

Once salvage has been completed, ensure that a Collection Incident Report Form (see Appendix E: Record Keeping Forms) has been filled out completely, documenting all decisions that were made during the recovery. It

is also a good idea to evaluate how successful the salvage efforts were and whether any changes need to be made to the disaster plan.

2.2 SALVAGE OF SPECIFIC MEDIA

Following are very basic initial salvage instructions for the types of material found in your collections. Please note that detailed instructions are not provided here. If you wish to add them, such instructions are referenced in Appendix L: Additional Resources for Salvage of Specific Media. Also, if you wrote in additional types of material when you filled out the online forms, you are responsible for locating salvage instructions for those materials and adding them here. Again, see Appendix L: Additional Resources for Salvage of Specific Media. The following salvage instructions have been adapted from: Walsh, Betty, Salvage at a Glance, in *WAAC Newsletter* Vol. 19 No. 2 (May 1997)

<http://palimpsest.stanford.edu/waac/wn/wn19/wn19-2/wn19-207.html>; Walsh, Betty, Salvage Operations for Water-Damaged Archival Collections: A Second Glance, in *WAAC Newsletter* Vol. 19 No. 2 (May 1997)

<http://palimpsest.stanford.edu/waac/wn/wn19/wn19-2/wn19-206.html>; the salvage instructions sheets at the Minnesota Historical Society Emergency Response web site at

<http://www.mnhs.org/preserve/conservation/emergency.html>;

Fox, Lisa, *Disaster Preparedness Workbook for U.S. Navy Libraries and Archives*; and the Emergency Response and Salvage Wheel (National Task Force on Emergency Response). See the bibliography for complete citations.

2.2.1 Archival Materials

Documents with stable media should be frozen or dried within 48 hours. They can be air-dried or vacuum freeze dried. **Do not** separate single sheets. Pick up files by their folders, interleave between folders every two inches with freezer paper, and pack in milk crates or cartons, filling them three quarters full. If it is known from the outset that the records will be vacuum freeze dried, interleaving is not necessary. *Documents with soluble inks (felt pens, colored pens, ball point pen)* should be dried or frozen immediately. **Do not** blot the surface. Interleave between folders with freezer paper and pack in milk crates or cartons. The documents can be air-dried or vacuum freeze dried.

2.2.2 Art on Paper

Prints and drawings with stable media should be frozen or dried within 48 hours. Air dry or vacuum freeze dry. Don't separate single sheets. To pack, interleave between folders and pack in milk crates or cartons. *Oversize prints and drawings* should be frozen or dried within 48 hours. If they are damp, air dry or vacuum freeze dry. If they are wet, vacuum freeze drying is preferred. Use extra caution if folded or rolled. Pack in map drawers, bread trays, flat boxes, on heavy cardboard or poly-covered plywood. *Framed prints and drawings* should be frozen or dried within 48 hours. If time permits, unframe and pack as for single sheets of paper (see archival materials and manuscripts, above). Once unframed and unmatted, air dry or vacuum freeze dry. Handle with care. Can be packed in map drawers, bread trays, flat boxes, on heavy cardboard or poly-covered plywood. *Soluble media (watercolors, soluble inks, and hand colored prints)* should be frozen or dried immediately. Air dry or vacuum freeze dry. **Do not** blot. To pack, interleave between folders and pack in milk crates or cartons.

2.2.3 Audio Recordings, Tapes and Cassettes

Separate tapes into categories: dry tape, wet boxes only, and wet tapes. If water has condensed inside a cassette, treat the tape as wet. Immediately rinse off tapes soaked by dirty water or seawater. **Do not** unwind tapes or remove them from the reel. If they cannot be dried immediately, keep tapes wet, at their initial level of wetness (e.g., **do not** immerse tapes that are only wet on the outside of the tape pack). Tapes can stay wet for up to 72 hours if necessary, but care must be taken with tapes that have labels with water soluble adhesives and inks, or

older tapes that may disintegrate if immersed too long. To pack, keep tapes wet in plastic bags. Pack vertically in plastic crates or tubs. **Do not** freeze magnetic media. Air dry by supporting the tapes vertically on blotting material or lay the reels on sheets of clean blotter. **Do not** touch magnetic media with bare hands. Use fans to keep the air moving, **but do not** blow air directly on the items. If humidity is high, use portable dehumidifiers to slowly bring the humidity down to 50 percent. Dry tapes that have paper boxes and labels within 48 hours if possible; be sure to keep the tapes near their boxes for identification purposes.

2.2.4 Books, General Collection

General books and pamphlets should be frozen or dried within 48 hours. They can be air-dried or vacuum freeze dried. **Do not** open or close wet books, and **do not** remove book covers. Gently shape closed books to reduce the distortion set into the book on drying. If the water is very dirty, and there is enough time and help, consider rinsing; see the *General Salvage* section above for instructions. To pack wet books, lay a sheet of freezer paper around the cover and pack spine down in a milk crate or cardboard box. Fill boxes only one layer deep. If books have fallen open, pack them as is in cartons or trays, stacking them in between sheets of freezer paper and foam. Oversized volumes can be packed flat in cartons or bread trays, 2-3 books deep. *Books with coated papers* will stick together unless frozen or dried quickly. Freeze them, or keep them wet in cold water until they can be air dried.

2.2.5 Books, Rare

Cloth bindings should be frozen or dried within 48 hours. They can be air-dried or vacuum freeze dried. **Do not** open or close wet books, and **do not** separate the covers. To pack wet books, lay a sheet of freezer paper around the cover and pack spine down in a milk crate or cardboard box. Fill boxes only one layer deep. If books have fallen open, pack them as is in cartons or trays, stacking them in between sheets of freezer paper and foam. Oversized volumes can be packed flat in cartons or bread trays, 2-3 books deep. *Leather and vellum bindings* must be air-dried under the supervision of a conservator, as they distort and disintegrate in water and are highly susceptible to mold growth. Dry them immediately or freeze them (if many books are involved) until they can be thawed and air-dried. **Do not** open or close wet books, and **do not** remove the covers. To pack them for freezing, separate with freezer paper and pack spine down in a milk crate or cardboard box, filling the box only one layer deep.

2.2.6 DVDs

Immediately air dry discs. Dry paper enclosures within 48 hours. **Do not** scratch the surface. Pack vertically in crates or cardboard cartons. Dry discs vertically in a rack. **Do not** vacuum freeze dry.

2.2.7 Objects

In general when air drying, raise items off the floor on trestles, pallets, or lumber to allow air to circulate underneath the items. Sponges, clean towels, paper towels, or unprinted newsprint may be used to absorb excess moisture. Exchange wet for dry blotting material at least daily until items are dry. Check daily for mold growth. Drying of *wood furniture* should begin within 48 hours to prevent mold growth. Wooden objects should be dried slowly, since fast drying can cause irreversible damage. In general, rinse and/or sponge surfaces gently to clean, blot, and air dry slowly. Inspect painted surfaces to identify blistered or flaking paint. **Do not** try to remove dirt or moisture; air dry slowly. Veneer should be held in place with weights or clamps while drying, but be sure to provide a protective layer between the weight and the veneer. Polychromed objects require immediate attention; consult a conservator. Drying of *upholstered furniture* should also begin within 48 hours to prevent mold growth, and these items should also be dried slowly. Rinse off mud and remove cushions and other removable pieces. Wrap upholstered items in cloths (e.g., sheets, towels) to air dry and replace the cloths as they become damp. Wood parts should be blotted and air dried slowly. *Many ceramics* generally will suffer little damage from short-term exposure to water, but there are exceptions. It is important to identify the type of ceramic and consult a conservator before drying, as procedures can vary. If the ceramic is broken, cracked, or has mineral deposits or

old repairs, place it in a clean, transparent polyethylene bag until it can be treated. Seal the bag and monitor it frequently for mold growth. If a *stone object* has a smooth surface, blot it gently and air-dry. If the object has a rough surface or an applied finish, **do not** blot it. Air-dry it on a plastic screen or clean towel. *Metal objects* can be rinsed and/or sponged and blotted, then air dried. If the object has an applied finish, **do not** blot or clean it. Air-dry it and keep any flaking surfaces horizontal.

2.2.8 Organic Materials

Leather and rawhide should be air-dried within 48 hours to avoid mold growth. Handle and move carefully, as leather (especially items with red rot) may be very fragile when wet. Rinse and/or sponge with clean water to remove mud. Drain and blot to remove excess water, and pad with toweling or unprinted newsprint to maintain proper shape. *Basketry* should be air-dried as soon as possible. Handle carefully, as it may be fragile and heavy when wet. Rinse, drain, then blot to remove excess moisture. Pad with clean paper towels or cotton sheets to retain the proper shape and absorb moisture. Cover with clean towels. Change the blotting material when it becomes wet. Air-drying of *bone, hair, horn, shell, and ivory* should begin within 48 hours. Handle carefully as these items may be extremely fragile when wet. Rinse, drain, and blot to remove excess moisture. Air-dry slowly on blotters on non-rusting screens.

2.2.9 Paintings

Air dry immediately. Tilt the painting to drain off excess water, and carry it horizontally to a work area. If you cannot hold it horizontally, carry it facing toward you, holding the side of the frame with the palms of your hands. Two people should carry larger paintings. Carefully remove paintings from frames in a safe, dry place. **Do not** separate paintings from their stretchers. Pack face up without touching the paint layer, and avoid direct sunlight. The order of removal and treatment is: first, the most highly valued; second, the least damaged; third, slightly damaged; and fourth, severely damaged. Consult a conservator for drying techniques.

2.2.10 Photographic Prints, Black and White

Albumen prints should be frozen or dried within 48 hours. They should be air-dried immediately or thawed and air-dried later. **Do not** touch the binder with bare hands. Interleave between groups of photographs with freezer paper. *Matte and glossy collodion prints* should be frozen or dried within 48 hours. They should be air-dried immediately, thawed and air-dried later, or vacuum freeze dried. Avoid abrasion. **Do not** touch the binder with bare hands. *Silver gelatin printing out and developing out papers* should be frozen or dried within 48 hours. Drying methods in order of preference are: air dry immediately, thaw and air-dry later, or vacuum freeze dry. **Do not** touch the emulsion with bare hands. To pack, keep wet and pack in plastic bags inside boxes. *Carbon prints and Woodburytypes* should be frozen or dried immediately. They should be air-dried or thawed and air-dried later. Handle them carefully, due to swelling of the binder. Pack horizontally. *Photomechanical prints (e.g., collotypes, photogravures) and cyanotypes* should be frozen or dried within 48 hours. They should be air-dried or vacuum freeze dried. **Do not** separate single sheets. To pack, interleave every two inches with freezer paper and pack in boxes or crates.

2.2.11 Photographic Prints, Color

Dye transfer prints should be air-dried face up immediately. The recovery rate is poor. **Do not** touch the emulsion and transport horizontally. *Chromogenic prints and negatives* should be frozen or dried within 48 hours. Drying methods in order of preference are: air dry immediately, thaw and air-dry later, or vacuum freeze dry. **Do not** touch the binder with bare hands. To pack, keep wet and pack in plastic bags inside boxes.

2.2.12 Photographs, Cased

Ambrotypes and pannotypes should be dried immediately, as the recovery rate is low. They should be air-dried face up, and should never be frozen. Handle them with care, since the glass supports and binder are extremely fragile. Pack horizontally in a padded container. *Daguerreotypes* should be dried immediately. They should be air-dried face up, and should never be frozen. Handle them with care, since they have a fragile surface and cover glass. Pack horizontally in a padded container. *Tintypes* should be dried immediately. They should be air-dried face up, and should never be frozen. Handle them with care, since they have a fragile binder. Pack horizontally.

2.2.13 Posters

Freeze or dry immediately. Vacuum freeze-drying is preferred due to coated paper. Can also be air-dried by separating pages and interleaving. Keep wet in containers lined with garbage bags.

2.2.14 Scrapbooks

Scrapbooks should be frozen or dried within 48 hours. If the scrapbook is not boxed and the binding is no longer intact, wrap in freezer paper before freezing. Vacuum freeze drying is preferred, although it should not be used for photographs. If scrapbooks are to be vacuum freeze dried, the photographs should be removed first. Air drying may be used for small quantities that are only damp or water-damaged around the edges. The scrapbooks should not have large amounts of coated paper or soluble adhesives. **Do not** move items until an area has been prepared to receive them. Large scrapbooks must be supported with boards.

2.2.15 Textiles

Dry textiles with bleeding dyes as quickly as possible. Dry all other textiles within 48 hours to prevent mold growth. Air drying indoors in an air-conditioned area is recommended. If textiles cannot be dried within 48 hours, they can be frozen, but **do not** freeze beadwork or painted/stenciled items. To pack textiles for freezing, separate them with freezer paper to prevent transfer of dyes and pack flat. Handle wet textiles only as necessary since they are fragile; **do not** unfold delicate fabrics that are wet. Rinse, drain, and blot items with clean towels/cotton sheets to remove excess water. Provide adequate support when moving textiles, and **do not** stack wet textiles. Be sure to retain all identifying information, such as labels or tags, with each item. See the Minnesota Historical Society salvage instructions for details on air drying.

2.2.16 Transparencies, Color

Mounted *color slides and chromogenic color transparencies* should be frozen or dried within 48 hours. Drying methods in order of preference are: air dry in mounts if possible, thaw and air dry, or vacuum freeze dry. Handle by mounts or edges. To pack, keep wet and pack in plastic bags inside a box. *Additive color transparencies (Autochromes, Dufaycolor)* have a poor recovery rate because the dyes dissolve. They should be packaged to prevent damage. If they become wet, air dry immediately. **Do not** freeze. Handle carefully due to loose binding tapes and glass.

2.2.17 Videotapes

Immediately rinse off tapes soaked by dirty water. Dry within 48 hours if they have paper boxes and labels. Otherwise, tapes can stay wet for several days. **Do not** freeze. Air dry. **Do not** touch magnetic media with bare hands. To pack, keep tapes wet in plastic bags. Pack vertically in plastic crates or tubs.

Chapter 3

REHABILITATION

(The following is adapted from Fox, Lisa, Disaster Preparedness Workbook for U.S. Navy Libraries and Archives, and Wellheiser, Joanna and Jude Scott,

An Ounce of Prevention: Integrated Disaster Planning for Archives, Libraries, and Records Centres. See bibliography for full citations.

Rehabilitation of collections is the process of returning collections to a usable state once they have been salvaged. Once wet collections have been dried, they are not simply ready to put back on the shelf. Depending on the nature and extent of the disaster, the rehabilitation process may be relatively quick and easy, or it may take a great deal of time and money. If there is a great deal to be done, it may be necessary to hire and/or train additional personnel to handle the work. Unfortunately there is no quick or easy way to make rehabilitation decisions; all damaged items must be examined and sorted, and categorized according to their needs. Options for rehabilitation of water-damaged collections include –

- Cleaning Some materials may have been rinsed before being allowed to dry. If dry paper-based collections still have mud or other debris, they can be cleaned by brushing or vacuuming. However, any works of art or other valuable materials need to be cleaned by a conservator. If materials have sewage contamination, they should be discarded or cleaned by a professional.
- Repair and rebinding If trained staff is available, it may be possible to do minor repairs to books and paper documents in-house. If there are a large number of books requiring rebinding, they should be sent to a commercial binder.
- Professional conservation treatment Treatment by a conservator is usually reserved for materials of significant value, due to the high cost of treating individual items. Treatment might include cleaning, removal of stains, rebinding, etc.
- Rehousing/relabeling Water-damaged boxes, folders, envelopes, sleeves, etc. will need to be replaced. Be sure to copy all identification information to the new enclosures. It may also be necessary to replace labels, card pockets, book plates, security tags, and other items.
- Data verification Tapes and disks that have been dried onsite or sent out to a commercial company for recovery need to be checked to verify that the data is readable.

Options for rehabilitation of fire-damaged materials include –

- Cleaning Dry-cleaning can be used to remove smoke and soot deposits. Vacuuming, cleaning with dry-chemical sponges, or dry-cleaning powder and erasers are common methods. Wet cleaning should not be used.
- Odor removal For collections with a residual smoke odor, there are professional companies that specialize in deodorization. Treatment in an ozone chamber will reduce the odor, but ozone is a powerful oxidizing agent that accelerates the aging of paper, so it should not be used on archival or other intrinsically valuable materials. Another possibility is to use storage boxes that incorporate zeolites; these have been shown to be effective in odor reduction. Placing collections in an enclosed container with baking soda, activated charcoal, or kitty litter may also help (these materials should not come into direct contact with the collections, however).
- Recovery of information in charred items In rare cases of collections that are badly charred but very important, it may be possible for a forensic science laboratory to retrieve information from the materials. This treatment is very expensive and would only be justified for unusually valuable items.
- Repair and rebinding As with water-damaged collections, charred items can be repaired and rebound. Charred edges would be trimmed and the volumes rebound, as long as the pages are not too brittle.

- **Professional conservation treatment** As with water-damaged collections, treatment by a conservator is usually reserved for materials of significant value, due to the high cost of treating individual items.
- **Rehousing/relabeling** Boxes, folders, and other enclosures that have suffered fire damage will need to be replaced. In addition, items that have suffered fire damage may be very brittle and may need special enclosures to protect them from future damage.

Also remember that additional activities will be required before collections can be returned to the shelves. Catalog records and finding aids will need to be updated to reflect any withdrawals, replacements, or other changes. Furnishings and shelving will need to be cleaned, repaired, and/or replaced. Finally, the collections themselves will need to be reshelfed or refiled. In some cases, rehabilitation of the collections may not be possible due to excessive damage, or rehabilitation may be more expensive than other options such as replacement. Thus, in making rehabilitation decisions, there are several alternatives that must be considered. It may be possible to discard some damaged materials, if they are non-essential or easily replaced. There are several options for replacement: photocopying, microfilming, purchase of a replacement copy, or purchase of a reprint or other edition. It is difficult to plan ahead for specific rehabilitation activities, since it is impossible to know the extent or nature of the disaster in advance. When the time comes to plan for rehabilitation, these general planning issues will need to be considered –

- What specific steps are needed for each rehabilitation activity?
- Who will carry them out?
- Who will supervise the work?
- Where will the work be done?
- Will temporary storage space be needed?
- What kind of work flow makes sense?
- Who will have authority to discard badly damaged items?
- What funds will be available? From the operating budget? From insurance?
- How should rehabilitation priorities be set to allow quick resumption of essential services?
- How much of the work can be done by staff and how much needs to be contracted out?

Chapter A

FACILITIES INFORMATION

A.1 Utility/Shut-Off Control Locations and Procedures

<u>Item</u>	<u>Location</u>	<u>Procedures</u>
Main water shut-off valve	There are three main water shut-offs for domestic water	The main shut-off valve is located outside the building on the sidewalk of Main and El Paso Streets. The secondary valve is located on the northeast corner of the building which includes back flow prevention. The third one is located inside the building in the fire room in the basement.
Sprinkler shut-off valve	There are three fire sprinkler shut-off valves	The main shut-off value is located outside the building next to the domestic shut-off in the pit at Main and El Paso Streets. The secondary

Heating system controls	boilers - see appendix S	valve is located outside next to the domestic valve at the northeast corner of the building. The third one is located inside the building in the fire room in the basement. Shut-off in basement operations office with Johnson Control computer, also in at mechanical room 256.
Cooling system controls	HVAC	Shut-off at upper level electrical room 267, also in basement office with Johnson Control computer.
Security system controls	@ security booth	Reset panels are located in electrical room 274.
Fire alarm annunciator panel	@ security booth and fire room in basement	Reset fire control panel and at basement main valve.

A.2 Fire Protection Systems

Fire alarm pull boxes

Fire alarm pull box

14 standard boxes, 4 feet off ground

- standard box

- standard box
- standard box
- standard box
- standard box
- standard box
- standard box
- standard box
- standard box
- standard box

Location

- throughout building , see appendix S
- outside security booth near roll up door/registration
- in auditorium, backstage
- in auditorium, in audience at front of stage R
- in auditorium, projector room
- outside of auditorium, second floor, near emergency exit
- outside of auditorium, second floor, near restrooms
- inside main front doors, on right
- outside of seminar room, first floor
- outside of classroom A, near restrooms
- in C2, near restrooms
- in corridor near archives
- in administration near break room
- inside security booth
- outside security booth in waiting area

Fire extinguishers

Type of extinguisher

ABC

Location

throughout building, see appendix S

Date of last inspection

11/2024

Smoke and heat detectors

Type of detector

smoke and combo smoke/heat

Location

throughout building, see appendix S

Date of last inspection/maintenance:

2024

Date system was last tested:

2024

Description of monitoring procedures: Matrix Special Systems, 3634 Wooster Lane, El Paso TX 79936, (915) 591.9710.

Board monitored 24/7 all year round, audible and strobes, trouble reported by phone to security booth, then line of security.

Detection system monitoring agency

Name/Organization: National Security
 Contact:
 Address: 2507 Yandell Drive
 El Paso, TX 79903
 Phone: (915) 533.8524

Detection system service company

Name/Organization: National Security
 Contact:
 Address: 2507 Yandell Drive
 El Paso, TX 79903
 Phone: (915) 533.8524

Sprinklers

Location (e.g., rooms or areas): see appendix S
 Description/type of sprinkler system: wet fire system
 Date of last inspection: 10/2022
 Date system was last flushed: 10/2022

Description of monitoring procedures: Low flow water alarms, monitored 24 hours a day, have sound alarms and monitoring company call on any trouble to security booth, then calls provided list.

Sprinkler system monitoring agency

Name/Organization: National Security
 Contact:
 Address: 2507 Yandell Drive
 El Paso, TX 79903
 Phone: (915) 533.8524

Sprinkler system service company

Name/Organization: Matrix Special Systems
 Contact:
 Phone: (915) 591.9710
 Email: matix3915@sbcglobal.net

A.3 Water Detectors

<u>Type of water detector</u>	<u>Location</u>
flat floor style	mechanical room, and boiler room - see appendix S

Description of monitoring procedures: 24/7, panel alarm, notified by monitoring company by phone to list of responsibilities

Water detector monitoring agency

Name/Organization: National Security
 Contact:
 Address: 2507 Yandell Drive
 El Paso, TX 79903
 Phone: (915) 533.8524

A.4 Security

<u>Location</u>	<u>Type of security</u>
motion/glass breakage, security guards, magnetic door locks/sensors, CCTV cameras	throughout building, see appendix S

Date of last inspection of automated security system: 12/2021

Location of access codes for automated security system: facilities maintenance supervisor's office

Description of monitoring procedures: 24/7 monitoring, calling list communication by phone

Security monitoring agency

Name/Organization: National Security
 Contact:
 Address: 2507 Yandell Drive
 El Paso, TX 79903
 Phone: (915) 533.8524

Security system service company

Name/Organization: National Security
 Contact:
 Address: 2507 Yandell Drive
 El Paso, TX 79903
 Phone: (915) 533.8524

A.5 Building Access

<u>Staff member</u>	<u>Type of access</u>	<u>Area(s) person may access</u>
Lead Preparator/Facility Manager Nick Munoz	master key and codes may access building after hours	all areas, all staff must swipe before entrance to art storage
Operations Assistant Mundo Bueno	master key and codes may access building after hours	all areas, all staff must swipe before entrance to art storage
Art Handler Diego Arias	master key and codes	all areas, all staff must swipe before entrance to art storage
Art Handler Kate Bujanda	master key and codes	all areas, all staff must swipe before entrance to art storage
Registrar Bernadette Ramos	master key and codes	all areas, all staff must swipe before entrance to art storage

Location of access codes for automated security system: in facilities maintenance supervisor's office

Indicate how the fire department would gain access to the building, if necessary: After initial contact, meet with person to open and gain access after disabling alarm system.

A.6 Climate Control Systems

Heating System

<u>Location</u>	<u>Description</u>	<u>Procedures for operation</u>
services entire building, located in mechanical rooms, basement office, see attachments H1 & H2	boilers and re-heating boilers	Re-circulating pumps warm water throughout building to air handlers heated by boilers, controlled by valves and auto system.
services art storage and second floor galleries	with humidifiers	

Heating system service company

Name/Organization: City of El Paso – Facilities Maintenance Division
 Contact: 1059 Lafayette
 El Paso, TX 79907
 (915) 212.0145
 Phone:
 Date of last inspection and maintenance of the heating system: 1/2021

Cooling System

<u>Location</u>	<u>Description</u>	<u>Procedures for operation</u>
see appendix S, services entire building, control access in mechanical rooms and basement office	closed loop system with air handlers and chillers	Water throughout building to air handlers, controlled by valves and automatic control system.
services art storage and galleries	with de-humidifying	

Cooling system service company

Name/Organization: City of El Paso – Facilities Maintenance Division
 Contact: 1059 Lafayette
 El Paso, TX 79907
 (915) 212.0145
 Phone:
 Date of last inspection and maintenance of the cooling system: 12/2022

Chapter B

DISASTER TEAM RESPONSIBILITIES

Disaster Team Leader: Activates the disaster plan; coordinates all recovery activities; consults with and supervises all members of the disaster team; establishes and coordinates an internal communications network; and reports to the director or governing body, as appropriate. Important: be sure that this person has authorization to act from the upper levels of the administration, if necessary.

Administrator/Supplies Coordinator: Tracks personnel working on recovery; maintains in-house disaster response supplies; orders/coordinates supplies, equipment, and services with other team members; authorizes expenditures; deals with insurance company.

Collections Recovery Specialist: Keeps up to date on collections recovery procedures; decides on overall recovery/rehabilitation strategies; coordinates with administrator regarding collections-related

services/supplies/equipment, such as freezing and vacuum freeze drying services; trains staff and workers in recovery and handling methods.

Work Crew Coordinator: Coordinates the day-to-day recovery work of library staff and volunteers to maintain an effective workflow; arranges for food, drink, and rest for staff, volunteers, and other workers.

Subject Specialist/Department Head: Assesses damage to the collections under his/her jurisdiction; decides what will be discarded and what will be salvaged; assigns salvage priorities among collections. Unless the institution is very small, there will be more than one subject specialist.

Technology Coordinator: Assesses damage to technology systems, such as hardware, software, telecommunications; decides on recovery/rehabilitation strategies; sets priorities for recovery; coordinates with administrator for external services/supplies/equipment related to technology.

Building Recovery Coordinator: Assesses damage to the building and systems; decides on recovery/rehabilitation strategies for the building; coordinates with administrator for external services/supplies/equipment related to building recovery.

Security Coordinator: Maintains security of collections, building, and property during response and recovery; oversees response to medical emergencies.

Public Relations Coordinator: Coordinates all publicity and public relations, including communication with the media and the public. Provides regular updates of information to the media and the public. Takes names and phone numbers of potential volunteers.

Documentation Coordinator: Maintains a list of the priorities for recovery; keeps a written record of all decisions; maintains a written and photographic record of all damaged materials for insurance and other purposes; tracks collections as they are moved during salvage and treatment.

Chapter C

IN-HOUSE SUPPLIES

C.1 Basic Disaster Supply Kit

Person responsible for inventorying supplies/equipment: Lead Preparator/Facility Manager Nick Munoz

Frequency of inventory (four times per year is recommended): semi-annually

<u>Item</u>	<u>Recommended Quantity</u>	<u>Quantity</u>	<u>Location(s)</u>
Aprons, plastic	1 box (100)	0	
Book trucks, hand carts	2	11	art storage/registration office
Brooms and dustpans	2	3-4	custodial closet
Buckets (plastic)	2	2-3	custodial closet
Camera with film (disposable)	1	0	
Clipboard	2	2	registration office
Dehumidifiers, portable	2	2	carpenter shop
Ear plugs	20 pairs	20 pairs	carpenter shop
Extension cords (50 ft., grounded)	2	4	carpenter shop
Fans, portable	2	2	carpenter shop
First aid kit	1	1	outside security booth
Flashlights (waterproof)	4 (or one per department)	1	at each department office

Freezer bags (polyethylene, various sizes)	40	0	
Garbage bags, plastic (30 or 42 gallon)	1 box (40)	1	carpenter shop
Gloves (nitrile)	1 box (100)	1	preparator's workroom
Markers (waterproof)	1 pkg.	1	preparator's toolbox
Masks, protective	1 box (20)	1 box	carpenter shop
Milk crates/Rescubes	50	0	
Mops	2	2	custodial closet
Paper - absorbent white blotter paper (used for drying loose paper materials)	200 sheets (11 x 13" ea.)	1	preparator's workroom/art storage
Paper - uninked newsprint (used for interleaving wet materials)	2 large rolls (15" x 1100' ea.)	0	
Paper pads (for clipboards)	1 pkg. of 12	1	supply closet in board room
Paper towels	1 case (30 rolls)	1	carpenter shop
Pencils (sharpened)	1 pkg. of 12	1	supply closet in board room
Pencils sharpener (handheld)	1	1	registration office/art storage
Plastic sheeting, heavy (polyethylene)	5 rolls	1	registration office/ preparator's workroom
Scissors	2	2	preparator's toolbox
Sponges cellulose	2	2	carpenter shop
Tape (clear, 2 inches wide, with dispenser)	1 roll	3	preparator's workroom
Tape (duct)	2 roll	3	preparator's workroom
Tape (yellow caution)	1 roll	0	
Toolkit (crowbars, hammers, pliers, flat-head and philips-head screwdrivers)	1	1	preparator's toolbox
Utility knife	1	1	preparator's toolbox
Utility knife blades	pkg. of 5	1	preparator's workroom
Waxed or freezer paper	7 boxes (75 ft. ea.)	0	
Wet/dry vacuum	2	4	carpenter shop/registration office

C.2 Additional Supplies

<u>Item</u>	<u>Quantity</u>	<u>Location(s)</u>
Boots, rubber (or galoshes)	0	
Boxes, cardboard	6-8	preparator's workroom
Bubble wrap	1	preparator's workroom
Clothesline (nylon or 30 lb. monofilament)	0	
Clothespins	0	
Glasses (protective)	6	carpenter shop
Hard hats	0	
Labels, self adhesive (even when wet)	0	
Radio, battery-operated (with weather band)	0	
Sponges, dry chemical (for removing soot)	0	

Sump pump (portable)	0	
Tables, portable folding	3	art storage/registration office
Tags with twist ties	0	
Trash cans	1	preparator's workroom
Walkie-Talkies	8-10	Security booth

Chapter D

EXTERNAL SUPPLIERS AND SERVICES

D.1 Freezing Services

Local freezer (1) –

Name: EPT Terminal Warehouse, Inc.
 Contact: Scott A. McLaughlin – President,
scott@stagecoachcartage.com
 Address: 5850 Welch
 El Paso, TX 79905
 Phone: (915) 790.1000, (800) 327.1204
 After-hours phone: (915) 772.2758
 Cell phone:
 Regulations that must be complied with:

Local freezer (2) –

Name: Southwest Refrigerated Services
 Contact: Ike Gutierrez
 12190 Rojas Drive
 El Paso, TX 79936
 Phone: (915) 860.2200, (915) 538.7935
 After-hours phone:
 Cell phone:
 Regulations that must be complied with:

D.2 Building Recovery/Collection Salvage Services

There are a relatively small number of reputable companies experienced in salvaging buildings and collections (e.g., drying and cleaning buildings, wet books, documents, computer data, microfilm, and audio/video) for cultural institutions. The names of recommended companies follow.

American Freeze-Dry, Inc.

39 Lindsey Avenue
 Runnemede, NJ 08078
 Telephone: (856) 546-0777
 Hours: 9:00 a.m. - 5:00 p.m. M-F

American Freeze-Dry is able to vacuum freeze-dry 50 cubic feet of wetted library materials (approximately 625 volumes) at a cost of \$55-60 per cubic foot. The company can also make arrangements for larger quantities with McDonnell Douglas (thermal vacuum drying) or a Canadian company with a 500-cubic-foot vacuum freeze-dry chamber.

Blackmon-Mooring Steamatic Catastrophe, Inc.

International Headquarters

303 Arthur Street

Fort Worth, TX 76107

Toll Free: (800) 433-2940; 24 hr. hotline

Telephone: (817) 332-2770

Fax: (817) 332-6728

URL: <http://www.bmscat.com/index.asp>

Hours: 8:00 am - 5:30 pm M-F

Disaster recovery services, odor removal, vacuum freeze drying BMS-Cat provides extensive recovery and restoration services and is able to handle almost any size emergency. Recovery services include paper based materials as well as electronic equipment and magnetic media. Book and document collections are vacuum freeze dried for approximately \$40 per cubic ft. based on a 500 cubic foot (approx. 6,250 volumes) load. BMS Cat offers a free standby service agreement that creates a customer profile, capturing information that is vital in an emergency prior to an event. A portable blast freezer is available.

Disaster Recovery Services

2425 Blue Smoke Court South

Ft. Worth, TX 76105

Toll Free: (800) 856-3333 (24-hr. hotline)

Telephone: (817) 535-6793

Fax: (817) 536-1167

Hours: 8:00 am - 5:00 pm M-F; 24-hr hotline

Disaster recovery and recovery planning services, vacuum freeze drying

Document Reprocessors

5611 Water Street

Middlesex (Rochester), NY 14507 Telephone: (585) 554-4500 Toll Free: (888) 437-9464; 24-hr. hotline Fax: (585) 554-4114

URL: <http://www.documentreprocessors.com>

Hours: 8:00 am - 5:00 pm M-F

Vacuum freeze-drying, disaster recovery of computer media, microfiche and microfilm, books, business records. Uses vacuum freeze-drying to recover water damaged materials. The vacuum freeze-dry chamber has an 800-cubic-ft. capacity which translates to approximately 10,000 volumes. The rate for freeze-drying varies but is generally about \$60 per cubic foot. Document Reprocessors also has a thermal freeze-drying process that employs heat and a cold trap. During the drying operation, materials cycle between from -40 to 60 degrees.

Midwest Freeze-Dry, Ltd.

Midwest Center for Stabilization and Conservation

7326 North Central Park

Skokie, IL 60076

Telephone: (847) 679-4756

Fax: (847) 679-4756

URL: <http://www.midwestfreezedryltd.com>

Hours: Open by Appointment M-F; 24-hr. call monitoring

Freeze-drying of historical volumes, manuscripts, microfilm, blueprints. Uses vacuum freeze-drying to salvage wet books and documents. Their chamber will hold 150 milk crates (approximately 2500 cubic feet, or 31,250 volumes). The cost to dry materials is based on the amount of water extracted from materials. Please call for price.

Polygon

79 Monroe Street

Amesbury, MA 01913

Toll-Free: (800) 686-8377 (24-hr.)

Telephone: (978) 388-4900

Fax: (978) 241-1215

URL: <http://www.muntersmcs.com>

Hours: 7:30 am - 8:00 pm M-F

Disaster recovery services, building dehumidification, drying services, microfilm drying services. Will dry to customer's specifications or will recommend an appropriate method. Choices include: vacuum freeze-drying, in-situ drying through dehumidification, or stabilization by freezing materials to be dried at a later time. The vacuum freeze-dryer has a 100-cubic-foot, or 1,250 volume, capacity. Cost is approximately \$50 per cubic foot with a reduction for quantities greater than 500-cu.-ft.

Solex Environmental Systems

P.O. Box 460242

Houston, TX 77056

Toll Free: (800) 848-0484; 24-hr. hotline

Telephone: (713) 963-8600

Fax: (713) 461-5877

Hours: 8:00 am - 6:00 pm M-F

Disaster recovery, dehumidification, building drying services. Specialty is drying wet materials. Solex's cryogenic dehydration chamber can accommodate a 40-ft. trailer of materials. Solex also offers vacuum freeze-drying and additional services, such as dehumidification of large spaces. The vacuum freezer has a capacity of 1000 cubic feet (12,500 volumes) at \$40 per cubic foot. The minimum job is 250 cubic feet.

D.3 Salvage - Electronic Data & Equipment

Aver Drivetronics Data Recovery Service

42-220 Green Way, Suite B

Palm Desert, CA 92211

Telephone: (760) 568-4351

Fax: (760) 341-8694

Email: aver@averdrivetronics.com

URL: <http://www.averdrivetronics.com/>*In business since 1979.*

Specializing in repairing damaged data caused by hardware failure, virus contamination, and user error.

Data Mechanix Services

18271 McDermott Street, Suite B

Irvine, CA

Toll Free: (800) 886-2231

E-mail: help@datamechanix.com
URL: <http://www.datamechanix.com>

Specializing in the rescue of lost data from hard disk drives and other storage media.

Data Recovery Labs

85 Scarsdale Road, Suite 100
Toronto, ON M3B 2R2
Canada

Toll Free: (800) 563-1167
Toll Free: (877) datarec
Telephone: (416) 510-6990
Toll Free Fax: (800) 563-6979
Fax: (416) 510-6992
Telephone Support: 8 am - 8 pm EST
E-mail: helpme@datarec.com
URL: <http://www.datarec.com>

Provides custom-engineered data recovery solutions and data evidence investigations. Free pre-recovery analysis.

Data Recovery and Reconstruction (Data R&R)

P.O. Box 35993
Tucson, AZ 85740
Telephone: (520) 742-5724
E-mail: datarr@datarr.com
URL: <http://www.datarr.com>

A charge of \$75.00/per drive is required for decontamination of fire- or water-damaged drives. Offers a \$150.00 discount for non-profit organizations. No charge for preliminary diagnostics.

ECO Data Recovery

4115 Burns Road
Palm Beach Gardens, FL 33410
Toll Free: (800) 339-3412
Telephone: (561) 691-0019
Fax: (561) 691-0014
Email: info@eco-datarecov.com
URL: <http://www.eco-datarecov.com>

Specializing in electronic data retrieval and restoration of failed hard drives.

ESS (Electronic System Services)

239 South Lewis Lane
Carbondale, IL 62901
Toll Free: (800) 237-4200
Toll Free: (888) 759-8758
Telephone: (618) 529-7779
Fax: (618) 529-5152
E-mail: info@savemyfiles.com
URL: <http://www.datarecovery.org>

Charges no evaluation fee, and can provide 24-hour turnaround. Disks may be sent to the address above with or without prior approval. Please enclose your contact information with your hard drive.

Excalibur

101 Billerica Avenue

5 Billerica Park

North Billerica, MA 01862-1256

Toll Free: (800) 466-0893

Telephone: (978) 663-1700

Fax: (978) 670-5901

Email: recover@excalibur.ultranet.com

URL: <http://www.excaliburdr.com>

A computer recovery service that can recover data from loss caused by many types of disaster. They have experience working with many types of media and more than twenty operating systems.

Micro-Surgeon

6 Sullivan Street

Westwood, NJ 07675

Telephone: (201) 666-7880

After 5:00 PM EST: (201) 619-1796 (please enter " #" after leaving your number)

E-mail: info@msurgeon.com

URL: <http://msurgeon.com/>

Offers evaluations based upon a flat rate of \$75 per drive and includes all diagnostic services related to determination of recovery feasibility. Special discounts for the educational market are offered.

Ontrack

6321 Bury Drive

Eden Prairie, MN 55346

Toll Free: (800) 872-2599

Phone: (952) 937-5161

Fax: (952) 937-5750

URL: <http://www.ontrack.com>

Offers emergency and on-site data recovery services as well as Remote Data Recovery (RDR);

Restoration Technologies, Inc.

3695 Prairie Lake Court

Aurora, IL 60504

Toll Free: (800) 421-9290

Fax: (708) 851-1774

Offers a broad range of cleaning services, from cleaning and disinfecting heating ventilation and air conditioning systems (HVAC), to computer media. However their specialty is electronic equipment, including computers, printers, video tape recorders, cameras, etc.

TexStar Technologies

3526 FM 528, Suite 200

Friendswood, Texas 77546

Telephone: (281) 282-9902

Fax: (281) 282-9904

Email: texstar@texstartech.com

URL: <http://www.texstartech.com/index.html>

Specializes in data recovery, computer security, software design, systems integration, and Internet services.

D.4 Professional Preservation Advice - Regional Centers

Organization:	Balboa Art Conservation Center
Organization:	Janet Ruggles, Director
Contact:	1649 El Prado
Address:	San Diego, CA 92101
Phone:	(619) 236.9702
Web site:	info@bacc.org
Specialty:	fine art conservation
Organization:	Western States & Territories Preservation Assistance Service
Contact:	Barclay Ogden, Julie Page
Address:	20 Doe Library University of California Berkley, CA 94720
Phone:	(510) 642.4946, (760) 224.0419
After hours phone:	(888) 905.7737
Web site:	bogden@westpas.org , jpage@westpas.org
Specialty:	disaster assistance

D.5 Professional Preservation Advice - Conservators

Organization:	Heugh Edmonson Conservation
Contact:	Nancy Heugh/Tom Edmonson P.O. Box 10408 Kansas City, MO 64171
Phone:	(816) 283.0660
Web site:	heughed@heugh-edmondson.com
Specialty:	paper conservation
Organization:	Andolsek Restoration
Contact:	John Andolsek 1807 2nd Street #8 Santa Fe, NM 87505
Phone:	(505) 989.4698
Web site:	andolsek@earthlink.net
Specialty:	paintings conservation

D.6 External Sources for Supplies

<u>Item</u>	<u>Local Supplier Contact</u>
Aprons, plastic	Uline Suppliers
Book trucks, metal	Gaylord Brothers
Boots, rubber	Uline Suppliers
Boxes, cardboard	Uline Suppliers
Brooms/dustpans	Lowe's
Buckets, plastic	Lowe's
Camera/film	Lowe's
CB radio/ham radio, nearest	Gaylord Brothers
Clothesline (nylon or 30 lb. monofilament)	Lowe's
Construction materials (wood, screws, nails)	Lowe's
Dehumidifiers, portable	Lowe's
Dry ice	
Extension cords (50 ft, grounded)	Lowe's
Fans, portable	Lowe's
Freezer bags, polyethylene (various sizes)	Uline Suppliers
Freezer or waxed paper	Lowe's
Garbage bags, plastic (30 or 42 gallon)	Lowe's
Generator, portable	Lowe's
Glasses, protective	Lowe's
Gloves (leather work gloves)	Lowe's
Gloves (nitrile)	Gaylord Brothers
Hard hats	Lowe's
Ladders	Lowe's
Lighting, portable	Lowe's
Milk crates, plastic or Rescubes	Lowe's
Mops	Lowe's
Other	
Paper towels	Lowe's
Paper absorbent white blotter paper (used for drying loose paper materials)	Gaylord Brothers
Paper uninked newsprint (used for interleaving wet materials)	Gaylord Brothers
Phone, nearest off-site	Lowe's
Plastic sheeting (heavy)	Lowe's
Protective clothing, disposable	Lowe's
Pump, portable	Lowe's
Respirators	Lowe's
Sand bags	Lowe's
Security personnel (additional)	
Sponges (cellulose)	Lowe's
Sponges, dry chemical (for removing soot)	Gaylord Brothers
Tables, portable	Lowe's
Thermohygrometer	Lowe's
Toilets, portable	
Trash cans	Lowe's
Truck, refrigerated	
Walkie-talkies	Lowe's
Water hoses (with spray nozzles)	Lowe's

Wet/dry vacuum

Lowes

D.7 External Suppliers

Name/Organization:
Address:

Gaylord Brothers

Phone:
Type of Materials Available:

(800) 962.9580
archival materials

Payment Info:
Name/Organization:
Address:

Lowes
430 E. Redd Road
El Paso, TX 79912

Phone:
Type of Materials Available:

(915) 581.4401
Building materials, hardware, tools

Payment Info:
Name/Organization:
Address:

Uline Suppliers

Phone:
Type of Materials Available:
Payment Info:

(800) 958.5463
packing materials

Chapter E

RECORD KEEPING FORMS

The following basic forms have been provided to assist you in documenting any incidents that may damage your building and/or collections. Use them as is, modify them for your circumstances, or devise others as needed. Please consider keeping multiple photocopies of any forms that you anticipate using with your in-house disaster supplies since access to a photocopier may not be possible in an emergency.

E.1 Collection Incident Report Form

This form should be used to keep a record of any incident that causes damage to collections. The second section of the form provides a salvage timeline form to keep track of salvage decisions.

Initial Report

Person Completing Form: _____
 Today's Date: _____
 Date of incident: _____
 Time of incident: _____
 Collection(s) involved (type and quantity): _____
 Description of incident: _____
 Damage to collections: _____
 Immediate action taken to minimize damage: _____

Collection Incident Report Form, page 2

Salvage Timeline

method (e.g., air dry, freeze, vacuum freeze dry, professional conservation)	Description of items	Quantity of items	Person who authorized salvage	Date begun	Date finished

Collection Incident Report Form, page 3

Collection Rehabilitation Timeline

Date disaster area cleaned: _____

By whom: _____

Disposition (e.g., discard, replace, microfilm, photocopy, clean, repair, rebind)	Description of items	Quantity of items	Person who authorized decision(s)	Date(s) treated	Date returned to shelf

E.2 Building Incident Report Form

Use this form to document any building problems, whether or not they caused collections damage. These forms should be maintained in a building log notebook, so that a history of building problems will be available.

Location: _____

Date: _____

Person reporting problem: _____

Description of problem: _____

Description of action taken: _____

If collections were damaged, describe briefly (and fill out an *Incident Report Form*):

E.3 Packing and Inventory Form

(Adapted from Packout Form, in Disaster Preparedness Workbook for U.S. Navy Libraries and Archives, by Lisa Fox. Newport, RI: U.S. Naval War College Library, 1998, rev. 2000.)

Number	Original storage location (e.g., 2nd floor)	Contents (e.g., call numbers, record series)	Format of material (e.g., books, photographs)	Quantity of material (e.g., number of volumes, items, folders)	Damage (e.g., wet, damp, mold, smoke)	Salvage priority (e.g., number 1, 2, ...)	Destination (e.g., air dry, freezer, vacuum freeze drying)

E.4 Volunteer Sign-In/Sign-Out Form

Name, address, and phone number	Time In	Time Out	Work performed	Date

E.5 Environmental Monitoring Form

(Use one form for each room/area that needs to be monitored. Readings should be taken at least every four hours.)

Relative Humidity	Time	Person taking reading	Equipment used

E.6 Bomb Threat Form

Date: _____

Time: _____ *am/pm*

Person receiving the call: _____

ASK THE FOLLOWING QUESTIONS –

Where is the bomb? _____

What does it look like? round square package briefcase

Other: _____

When will it detonate? _____

What will cause it to explode? _____

Why are you calling? _____

Why was it placed? _____

Who placed the bomb? _____

What is your name? _____

KEEP ASKING QUESTIONS UNTIL THE CALLER REFUSES TO ANSWER OR HANGS UP! !

Additional Information (write down everything you can remember):

Approximate age of caller: _____

Sex of caller: _____

Callers exact words: _____

Describe the callers voice and speech (e.g., high pitched, deep, raspy, soft, calm, angry):

Describe any background noise: (e.g., street noises, voices): _____

E.7 Donors Form

(Use this form to keep track of supplies or other materials donated for the recovery effort.)

Date: _____

Donor (name, address, and phone: _____

Supplies or other materials donated: _____

Chapter F

SALVAGE PRIORITIES (DETAILED)

F.1 Salvage Priorities - Institutional Records

Administrative Records

Name of record group

1 – object files

2 – donor files

3 – exhibition files

4 – loan files

Location of records

registration file cabinets, inside outer office against south wall, cabinets 1-3

registration file cabinets, inside outer office against south wall, fireproof cabinets 11-12

registration file cabinets, inside outer office against south wall, cabinets 7-10

registration file cabinets, inside outer office against south wall, black cabinets 13-14, also inner office desktop

Bibliographic Records

Name of record group

1 – Past Perfect

2 – collection document

Location of records

City server, Hard drive (registration top right desk cabinet)

Registration folder on shared drive

F.2 Salvage Priorities - Collections by Department or Area

Salvage Priorities by Department

<u>Collection</u>	<u>Department</u>	<u>Location</u>
1 – European Collection	Art	European Galleries - on the second floor, south side of building

F.3 Salvage Priorities - Collections Overall

<u>Collection</u>	<u>Location</u>
1 – Art - loans	loans - most likely in Hunt Gallery
2 – Art - European Collection	European Galleries, second floor, south
3 – Art - American Impressionism	Mithoff Gallery, second floor, east
4 – Art - Regional	Tom Lea Gallery, second floor, west

F.4 Overall Institutional Salvage Priorities

<u>Collection</u>	<u>Location</u>
1 – Permanent Collections	galleries, art storage, registration storage
2 – Registration records	Registration
3 – Computer equipment	throughout building

Chapter G

INSURANCE INFORMATION

G.1 Property Insurance - Buildings, Machinery, and Equipment - Commercial Insurance

Please note: much of the information printed here should be found in your Summary of Insurance and your Claims Manual(s), if your insurance agent has provided them.

The institutions risk/insurance officer –

Name:	Antonio Bernal
Title:	Risk Manager, Human Resources, City of El Paso
Work phone - Extension:	(915) 212.1290 cell: (915)820.1321

G.1.1 Type and Extent of Coverage

Policy number:	
Insurance policy held by the institution –	B1161K24AP961
Policy inception date:	07/01/24
Policy expiration date:	06/30/25
Property covered:	building, contents, EDP, equipment breakdown, contractors equipment

Amount of coverage: blanket - \$400,000,000
 Amount of deductible, if there is one: \$50,000

Insurance carrier

Company/Organization: Affiliated FM Insurance
 Contact Person: Jim Brundage
 Address: 2505 East Missouri
 El Paso, TX 79903
 Phone: (915) 534.9457
 Cell phone: (915) 204.5292
 After hours phone: (915) 544.3111

Insurance agent or broker

Company/Organization: USI Southwest, Inc.
 Contact Person: Jim Brundage
 Address: 2505 East Missouri
 El Paso, TX 79903
 Phone: (915) 534.9457
 Cell phone: (915) 204.5292
 After hours phone: (915) 544.3111
 Frequency of review and updating of this policy: Annually by Jim Brundage
 Person responsible for reviewing and updating this policy: N/A
 How insurable values on the policy are determined: by City of El Paso

Property appraisal(s) –

Material(s) appraised:

Date of last appraisal:

Person conducting appraisal:

Procedures required by the insurance company in case of damage or loss: take precautions to prevent further damage and contact agent

Documentation required to prove loss:

Describe the insurance company procedures for inspecting the building and/or machinery and/or equipment covered under this policy, and the steps taken if a serious exposure is discovered: photographs, written loss report, police report
 annual loss control visits, inspections

G.1.2 Business Interruption Insurance

Policy number: GQ738
 Policy inception date: 1/3/17
 Policy expiration date: 7/1/23
 Amount of deductible, if there is one: \$250,000.00
 Amount of Business Interruption insurance provided: \$10,000,000.00

Insurance Carrier

Company/Organization: Affiliated FM Insurance
 Contact Person: Jim Brundage
 Address: 2505 East Missouri
 El Paso, TX 79903
 Phone: (915) 534.9457
 Cell phone: (915) 204.5292

After hours phone: (915) 544.3111

Insurance agent or broker

Company/Organization: USI Southwest, Inc.
 Contact Person: Jim Brundage
 Address: 2505 East Missouri
 El Paso, TX 79903

Phone: (915) 534.9457
 Cell phone: (915) 204.5292

After hours phone: (915) 544.3111

Frequency of review and updating of this policy: annually by Jim Brundage
 Person responsible for reviewing and updating this policy: N/A

Procedures required by the insurance company in case of damage or loss:

G.1.3 Extra Expenses Insurance

Policy number: GQ738
 Policy inception date: 1/3/17
 Policy expiration date: 7/1/23
 Amount of deductible, if there is one: \$250,000.00
 Amount of Extra Expenses insurance provided: \$10,000,000.00

Insurance Carrier

Company/Organization: Affiliated FM Insurance
 Contact Person: Jim Brundage
 Address: 2505 East Missouri
 El Paso, TX 79903

Phone: (915) 534.9457
 Cell phone: (915) 204.5292
 After hours phone: (915) 544.3111

Insurance agent or broker

Company/Organization: USI Southwest, Inc.
 Contact Person: Jim Brundage
 Address: 2505 East Missouri
 El Paso, TX 79903

Phone: (915) 534.9457
 Cell phone: (915) 204.5292

After hours phone: (915) 544.3111

Frequency of review and updating of this policy: annually by Jim Brundage
 Person responsible for reviewing and updating this policy: N/A

Procedures required by the insurance company in case of damage or loss: by City of El Paso

G.2 Property Insurance - Rare Books, Manuscripts, Valuable Papers and Records, and Special Collections - Commercial Insurance

Please note: much of the information printed here should be found in your Summary of Insurance and your Claims Manual(s), if your insurance agent has provided them. **The institutions risk/insurance officer –**

Name: Antonio Bernal
 Title: Risk Manager, Human Resources, City of El Paso
 Work phone - Extension: (915) 212.1290 cell: (915)820.1321

G.2.1 Type and Extent of Coverage - General Collections

Insurance policy held by the institution –

Policy number:	B1161K24AP96I
Policy number:	07/01/24
Policy inception date:	06/30/25
Policy expiration date:	Fine art
Category of material:	\$400,000,000
Amount of coverage:	\$50,000. each claim for loss or damage separately occurring
Amount of deductible, if there is one:	

Insurance carrier

Company/Organization:	Alliant Insurance Services, Inc.
Contact Person:	PJ Skarlanic
Address:	100 Pine Street 11 th Floor San Francisco, CA 94111
Phone:	(415) 403.1400
Direct phone:	(415) 403.1455
After hours phone:	

Insurance agent or broker

Company/Organization:	Alliant Insurance Services, Inc.
Contact Person:	PJ Skarlanic
Address:	100 Pine Street, 11 th Floor San Francisco, CA 94111
Phone:	(415) 403.1400
Cell phone:	(415) 403.1455
After hours phone:	
Frequency of review and updating of this policy:	annually
Person responsible for reviewing and updating this policy:	Registrar
<i>Collection appraisal(s) –</i>	
Collections appraised:	top 500 valued objects
Date of last appraisal:	June 2009
Person conducting appraisal:	Barbara Stone
Procedures required by the insurance company in case of damage or loss:	Immediately contact City of El Paso Risk Management and Alliant Insurance Services
Documentation required to prove loss:	Depends on loss. General documents that are helpful: loan agreement, condition reports, bill of lading, etc...

Describe the insurance company's procedures for inspecting general collections covered under this policy, and the steps taken if a serious exposure is discovered:

Insurer would likely hire a fine arts specialist inspector to inspect the museum. Upon receipt of the inspector's report, underwriters may require the museum to adhere to the recommendations within an established period of time.

Chapter H

VOLUNTEER/TEMPORARY PERSONNEL

In the case of a large disaster, additional help may be needed (e.g., to dry materials, to pack out wet collections). The Disaster Team Leader should determine whether or not volunteers or temporary workers are needed. Possible sources of volunteers include local community organizations and staff members of other area libraries. While it is difficult to plan ahead for specific circumstances, you should take a few minutes to consider a number of issues relating to volunteers and/or temporary workers –

- Where will you get volunteer workers?
- What will you do if volunteers simply arrive on the scene? If you do not need them, or you are not yet prepared to organize and train them, it is best to take names and phone numbers and tell them they will be contacted when they are needed. The public relations coordinator should do this.
- In cases where there is a lot of recovery work to be done, it may be necessary to hire temporary workers rather than to rely on volunteers. If this were necessary, would the institution be required to put out bids? If so, could this be done ahead of time?
- How will insurance coverage be provided for volunteers or temporary workers? Specific provision must be made for such workers within the institutions insurance policy if they are to be properly covered and the institution is to avoid liability.

Once volunteers or temporary workers are on the scene, they must be properly managed –

- Volunteers and/or temporary workers must be registered, and all workers (including staff) must be provided with some type of identification. Volunteers and other workers must be required to sign in and out every day.
- You will need to determine their qualifications (e.g., what experience do they have with library collections, are they capable of strenuous physical activity such as lifting and carrying boxes), find out when and for how long they are available, and draw up a work schedule for each person.
- Volunteers and/or hired workers must also be properly trained and supervised. It is recommended that the Collections Recovery Specialist provide training and the Work Crew Coordinator provide day-to-day supervision.
- Volunteers and/or workers must be supplied with any protective gear that is needed, such as gloves and protective clothing, and they must be trained to use them properly.
- Just like staff members, volunteers and temporary workers will need periodic breaks and refreshments. Breaks are normally needed about every two hours, and must be mandated so that workers do not become too tired.
- In a large disaster, you may also need to arrange for a second group of volunteers or workers to take over from the initial group.

H.1 Potential Volunteers/Workers

Experienced Volunteers/Workers (Staff members from other cultural institutions who would be able to assist in an emergency) –

Name: Sebastian Ribas-Normand
 Title: Director
 Institution: El Paso Museum of Archaeology
 Address: 4301 Woodrow Bean Transmountain Drive
 El Paso, TX 79925
 Work phone: (915) 212.3271 cell: (915) 240.9217
 Trained in CPR/First Aid? No

Name: Erica Marin
 Title: Director
 Institution: El Paso Museum of History
 Address: 510 N. Santa Fe
 El Paso, TX 79901
 Work phone: (915) 212.3160
 Trained in CPR/First Aid? No

Name: Stephanie Gardea
 Title: Registrar
 Institution: El Paso Museum of History
 Address: 510 N. Santa Fe
 El Paso, TX 79901
 Work phone: (915) 212.3165
 Trained in CPR/First Aid? No

General Volunteers/Workers (Potential volunteers or organizations that might provide volunteers if asked)

Name/Organization: El Paso Museum of History
 Contact: Erica Marin, Director
 Address: 510 Santa Fe
 El Paso, TX 79901
 Work phone: (915) 212.3160
 Trained in CPR/First Aid? No
 Name/Organization: EPMA Docents
 Contact: Contact Museum School Coordinator (915) 212.3056
 Address: One Arts Festival Plaza
 El Paso, TX 79901
 Trained in CPR/First Aid? No

Temporary Workers (Potential sources for hiring temporary workers)

Organization:
 Contact:
 Address:
 Phone/ext.:
 After-hours phone:

H.2 Services for Staff/Volunteers/Workers

It is very important to remember that in any disaster you must also provide for the emotional needs of staff members, volunteers, and temporary workers. In a widespread disaster, some of them may also be dealing with the disaster at home. Even a relatively small event that is confined to the building (or even to a single department) can be emotionally upsetting. You should consider who might provide counseling or other assistance to staff, volunteers, or other workers if needed. The Red Cross web site <http://www.redcross.org> provides a search tool to locate your local chapter.

The American Red Cross provides counseling and other services –

The American Red Cross National Headquarters

2025 E Street, NW

Washington, DC 20006

Phone: (202) 303-4498 The Red Cross web site <http://www.redcross.org> provides a search tool to locate your local chapter.

Additional local organizations that would be able to provide counseling and other assistance –

Organization: City of El Paso Employee Assistance Program

Contact: Deer Oaks EAP Services

Address:

Phone/ext.: (866) EAP.2400, (915) 212.1275

After-hours phone: (800) 735.2989

Chapter I

EMERGENCY FUNDS

I.1 In-House Funds

Persons who are authorized to disburse funds –

Name/Title

N/A

Disbursement procedures

All fund dispersal must go through the proper channels. Final approval is by the City of El Paso CFO.

Persons authorized to use the institutional credit card –

Name/Title

Lead Preparator/Facility Manager Nick Munoz

Procedures

Persons who can provide authorization for large purchase orders –

Name/Title

N/A

Procedures

The Director is authorized to approve POs up to \$3,499.99. The City of El Paso Purchasing Director is need for POS between \$3,500-\$49,999.99. Anything higher requires the approval of City Council.

I.2 Additional Funds

If additional funds are needed, contact

Name/Organization:	City of El Paso, Office of Management & Budget
Contact:	Robert Cortinas, Director
Address:	City Hall, 2 nd Floor 300 N. Campbell, El Paso, TX 79901
Phone/ext.:	(915) 212.1092, (915) 212.0037
Access procedures:	Request must go through department assigned analyst

Chapter J

DISASTER RECOVERY CONTRACT

J.1 Disaster Recovery Contract

This is a draft of a proposed **Disaster Recovery Contract** that the FLICC Preservation & Bindery Working Group has developed for Federal Agencies, especially, Federal Libraries and Archives. A **Disaster Recovery Contract** is usually not in place at the time a disaster occurs, and will have to be instituted on an emergency basis after a disaster has occurred. The affected Federal Agency will have to work with their Procurement Office to put such a contract into place. **What follow are recommendations that should be in a Disaster Recovery Contract and what should be expected from a credible recovery firm.** The most critical part of the contract is developing a **SCOPE OF WORK** that describes the services to be performed. The nature of the work to be performed will have to be written in order to place the contract. The **SCOPE OF WORK** should be written using an institution's existing Disaster Preparedness Plan. The **SCOPE OF WORK** will have to be flexible, as the initial assessment of the disaster will often not reveal the full extent of the damage to the facility or to the collections. A major factor that must be considered is **SECURITY**. If a disaster site has been designated a crime scene due to a criminal activity or terrorism, security will become paramount. It will complicate your efforts for disaster recovery, as the disaster site will not be accessible until the security authorities release it. An additional security factor will be if the disaster site holds classified records. The procurement office in awarding the disaster recovery contract must address this concern. Another important consideration is the **TERMS of the CONTRACT**. The contract must start on a specific date and continue until the services have been rendered and the work described in the **SCOPE OF WORK** is completed. A third consideration is **PRICE**. This will have to be negotiated between the vendor, librarian/archivist and the procurement office. The vendor will have a rate schedule for standard items and the ability to obtain needed equipment at a cost plus price. It is vital to place the contract as soon as possible after the disaster to avoid additional damage to the facility and to the collections. **TIME IS CRITICAL IN A DISASTER. THE FASTER THE CONTRACT CAN BE PLACED, (WITHIN 24 to 48 HOURS), THE MORE LIKELY THAT THE FACILITY CAN BE STABILIZED AND THE DISASTER RECOVERY OF COLLECTIONS STARTED. THE LONGER THE WAIT----THE HIGHER THE RECOVERY COST AND THE LESS CHANCE THAT RECOVERY EFFORTS WILL BE SUCCESSFUL.** Remember, that once the requirements are stated in the **SCOPE OF WORK** for the Disaster Recovery Contract, it is very important that the contract negotiations be followed very closely. The selection of the right contractor is absolutely essential for the clean-up of a disaster site. A review of the contractor qualifications is imperative and the Library - Archives must have input into the selection process. **This document deals primarily with the recovery of the site and the collections. For information on a sample Disaster Recovery Planning document for a Business Resumption Plan see the University of Toronto website at <http://www.utoronto.ca/security/drp.htm>. It is an example of this type of a plan. (Other plans will be added)** Some of the items you need to consider when writing the **SCOPE OF WORK** are described below.

J.2 Contract and Performance Specifications

Vendor Qualifications

Have the facilities, experience, qualifications, and expertise to provide professional advice and packing, freezing, and drying services to Federal Agencies affected by a disaster. Other services will include air treatment, smoke neutralization, sanitization, deodorization and the treatment and removal of mold. The recovery of damaged technology is another facet that must be considered. Provide freezer and/or drying trucks, packing supplies, and personnel to assist Federal Agencies that have been affected by a disaster that is beyond their capability of handling. Have systematic procedures and policies in place for the removal of library materials from a disaster-struck Federal Agency to ensure that all the materials have been identified, inventoried, and kept in as much order as possible given the situation in the Federal Agency. Have the capacity to freeze large quantities of library materials if the quantity to be dried is too large for the current drying capacity of the firm due either to the current available space or the amount of the material. Have the facilities and expertise to dry varying amounts of materials of varying degrees of humidity and to remove mold and decontaminate materials when necessary. Have drying policies and procedures in place to determine when the materials have reached normal equilibrium. Ensure that all materials are completely dry. When appropriate, have the capability, and/or arrangements, for cleaning the materials after they have been dried. Be capable of returning the materials to the affected Federal Agency in order, in appropriate boxes, etc., and in as usable a form as possible considering the degree of the disaster.

Required Services Respond to a disaster scene within 24 hours of being called by the Federal Agency or designated preservation site. Provide the most practical and efficient options for the salvage, recovery and rehabilitation of the collections, whether this means packing, freezing, and vacuum-freeze drying; packing, freezing, and drying at another facility; drying the materials and building in place; or other options. Freeze and completely dry the library and/or archival materials affected by a disaster and return these materials to the Federal Agency in usable form when completed. During the drying process constantly monitor and manipulate the materials to ensure that they are completely dried and not stuck together. Under the direction of Federal Agency staff or designated preservation professional, provide advice to affected libraries/archives, on their damaged materials.

Time and Materials Schedule

I. Labor

A. Operations Personnel Labor (Samples) This listing applies to personnel engaged to fulfill the terms of the contract, whether regular full time employees of the vendor or temporary hires employed directly by the vendor or secured through a labor service. The rates, which will be established by the vendor, are per person per hour.

CLASSIFICATION –

General Cleaning Laborer
 Clerical
 General Restoration Supervisor/Technician
 Remediation Supervisor/Technician
 Resource Coordinator
 Project Accountant
 Assistant Superintendent
 Electronics Restoration Supervisor/Technician
 Industrial Corrosion Control –

- Supervisor/Technician

Documents Recovery Specialist

Superintendent

Project Manager

Project Director

Health and Safety Officer

Certified Industrial Hygienist

Technical Consultants/Engineers

Operation Technician

Variable Labor

Labor Pool (Temp labor)

Labor Management Fee* –

- Where customer supplies labor force

Dry Laborer, Customer Site Dry Room Setup

Dry Supervisor, Customer Site Dry Room Setup

File Jackets Labor Only

File Labels Labor Only

Fire Damage Edge Trim Labor Only

Inventory Pack out Supervisor

Inventory Pack out Labor Laborer

Mold & Mildew Removal Labor Only

Pack-In Labor Laborer

Pack-In Labor Supervisor

Pack out Labor Laborer

Pack out Labor Supervisor

Photo Copy Documents Labor Only

Retrieval & Delivery Labor* (Time and one-half after 8 hours and on Saturdays. Double time on Sundays/Holidays)

B. Other Labor Provisions

1. Standard Hours - All labor rates are for the first 40 hours worked in a workweek, exclusive of the vendor holidays.
2. Non-Standard Hours - The rates for labor performed by all classifications in a workweek over 40 hours, will be 1.5 times the rates scheduled. Rates for labor performed on the vendor recognized holidays would be 2.0 times the rates scheduled. In the event the vendor is required to pay double time for any work performed, pursuant to state or federal law or the terms of any collective bargaining agreement, the rates for such labor hours shall be 2.0 times the rates scheduled.
3. Travel time for personnel shall be billed to the contract at the rates provided by the vendor.
4. These rates and provisions are predicated upon the vendor standard wage rates and overtime compensation practices. To the extent the work under a particular contract is subject to Federal and State minimum wage or hour laws or collective bargaining agreements which modify the vendor standard rates and practices, adjustments shall be made to the hourly rates and other labor provisions stated above.

C. Consulting

These sample rates apply to personnel who have been retained to provide project management of a job.

CLASSIFICATION –

Project Engineer/Scientist/Hygienist or other Environmental Specialists.

Preservation Consultants.

Project Manager

Superintendent

Accountant
 Supervisor
 Secretary/Clerical
 Administrator

II. Equipment Rental

A. Equipment Rental - Vendor Owned Equipment

The vendor will establish rates that apply to equipment that is owned by the vendor and utilized in the performance of the work (whether supplied from the vendor inventory or specially purchased by the vendor for performance of the work).

CLASSIFICATION – Air Compressor

Air Mover/Carpet Dryer

Boroscope

Dehumidifiers

Distribution Panel

EDP - Tool Set

EDP - High Pressure Sprayer

EDP - Instrument Drying Oven

Foamer

Fogger - Spray Mist

Fogger - Thermo-Gen

Generator - Less than 100 Kilowatt

Heaters (In-Line)

HEPA Air Filtration Unit - 2000 CFM

High Pressure Moisture Extractors

HVAC - Air Tool Kit

HVAC - Cutting/Spray Kit

HVAC - Duct Auger

HVAC - Duct Sweeper

Hygrothermograph - Recording

Injectidry

Interseptor

Lambrite - Dry Clean Machine

Lights - Quartz Demolition

Micromanometer

Micromanometer - Recording

Moisture Meter - Penetrating or Non-Penetrating

Negative Air Machine

Ozone Generator - Model 330

Ozone Generator - Model 630

Radio - Personnel Communication

Refrigeration –

- Cooling Coils Only
- Chillers
- DX Units

Refrigerant Dehumidification Units

Respirator

Sprayer - Industrial Airless
 Steamtic 8100E Extraction System
 Steamatic TMU Extraction System
 Thermohygrometer
 Trailer - 40 ft. Storage
 Trailer - Refrigerated 40 ft. Storage
 Trailer - Utility (inclusive of mileage)
 Truck - Box (inclusive of mileage)
 Ultrasonic Decontamination Vat - 500 Watt
 Vacuum - Barrel
 Vacuum - Commercial Canister
 Vacuum - EDP Anti-static
 Vacuum - Handheld
 Vacuum - HEPA
 Vacuum - MV II
 Vacuum - Upright
 Van - Cargo/Passenger
 Washer - High Pressure

1. The daily rental rate by the vendor shall be charged for each calendar day or portion thereof during which the equipment is utilized to perform the work, regardless of the number of shifts on which the equipment is used during the day.

2. During the course of performance of the work, the vendor may add additional equipment to the schedule above at rates to be determined by the vendor.

3. The customer shall pay for any repairs or maintenance performed on the equipment on the basis of cost plus twenty percent (20%) mark up.

4. In the event any item of rental equipment is damaged beyond reasonable repair by conditions at the work site, the customer shall be charged the replacement cost plus twenty percent (20%).

B. Equipment Rented by The Vendor

The rental rate for any items of equipment the vendor rents from third party vendors specifically for use in performing the work shall be the vendor 's cost thereof plus twenty percent (20%).

III. Materials

A. Materials

CLASSIFICATION – Anti-Microbial Sealer

Applicators - 6" Cotton
 Biocides/Disinfectants
 Box - Book
 Box - Dish
 Box - Freeze Dry
 Carpet Deodorizer
 Cartridge - N-95
 Cartridge - Respirator
 Coil Cleaner
 Cotton Cleaning Cloths
 Desiccant 25
 Desudser
 Dry Solvent Stain Remover

EDP-Corrosion Control Lubricant #1
 EDP-Corrosion Control Lubricant #2
 EDP - VCI Device
 Emulsifier - Powder
 Emulsifier - Liquid
 Filter - HEPA for Air Filtration Unit
 Filter - HEPA for Vacuum
 Filter - Primary
 Filter - Secondary

Fireman's Friend Abrasive Compound
 Furniture Blocks
 Furniture Pads
 Furniture Polish
 Glass Cleaner
 Gloves - Cotton
 Gloves - Latex
 Gloves - Leather
 Gloves - Nimble Finger (N-Dex)
 Goggles
 Hexathane (MS, CS, or LO)
 Lemon Oil
 Mop Heads
 Odromatic
 Paper - Corrugated
 Paper - Craft
 Pigmented Sealer
 Polishing Pads
 Polyester Filter Material
 Polyethylene Bags - 3-6 mil
 Polyethylene Sheeting
 Pump - Barrel Syphon
 Reodorant
 Restoration Sponge
 Safety Glasses
 Shrink Wrap
 Stainless Steel Polish
 Steel Wool
 Suit - Tyvek
 Tape - Boxing
 Tape - Duct
 Tape - Masking
 Thermo Fog Spray
 Trash Bags - Disposable
 Vinyl & Leather Conditioner

Please note that vendors will have proprietary products.

B. Additional Provisions Respecting Materials

1. All prices shall be applied to all materials on the schedules above which are utilized in the performance of the work, whether shipped to the site from the vendor inventory, shipped directly to the site

from the vendor's sources, or purchased locally by the vendor from either an affiliated or non-affiliated entity.

2. During the course of performance of the work, the vendor may add additional materials to the schedule above at rates to be determined by the vendor.

IV. Document Remediation

Specific freeze drying costs will be determined *per job*, based on the factors relevant to each job and pricing per cubic foot. These factors include, but are not limited to –

- Nature of Damage
- Moisture Saturation
- Degree of Char/Soot Residue
- Mold/Mildew Infestation
- Smoke Odor
- Deodorization Requirements
- Contamination Factors Include – Debris, Sewage, Silt, and/or Hazardous Materials

The above rates represent the charges for freeze-drying only. Labor, equipment, materials and other costs incurred in connection with document remediation will be billed in accordance with the appropriate schedules and provisions.

V. Desiccant Dehumidification

Specific costs for Desiccant Dehumidification services will be determined *per job*, based on factors relevant to each job and pricing per square foot. These factors include, but are not limited to –

- Nature of Damage
- Moisture Saturation
- Height of Buildings, Ceilings and Affected Space
- Length of Job and/or Time Constraints
- Other Contamination Factors

The above rates represent the charges for Desiccant Dehumidification only. Labor, equipment, materials and other costs incurred in connection with remediation, deodorization and other services will be billed in accordance with the appropriate schedules and provisions contained in this Exhibit.

VI. Small Tools

Items such as, shovels, ladders, demolition carts, extension cords, small hand tools, etc. are provided by the vendor but are not included in the Schedules above. The vendor shall be compensated for these items by application of a small tool charge in the amount of three percent (3%) of total labor billings.

The compensation paid the vendor for all services such as laboratory services, testing services, and other services which are not identified in Sections IV or V above or performed by individuals billed to the customer in accordance with Section I above, but are subcontracted by the vendor, shall be the vendor's cost for such subcontract service plus twenty percent (20%) the vendor mark-up on such costs.

The vendor shall be compensated for costs incurred for travel, lodging and per diem costs for vendor employees assigned to the work on the basis of the vendor's cost for such items plus twenty percent (20%) the vendor mark-up on such costs.

The vendor shall be compensated for costs incurred for the transportation of equipment, supplies and materials to and from the site of work and for other job related charges not listed in the sections above on the basis of the vendor's cost for such charges plus twenty percent (20%) the vendor mark-up on such charges.

The rates contained in this schedule are exclusive of federal, state and local sales or use taxes and any applicable federal, state or local approvals, consents, permits, licenses and orders incident to performance of the work. The vendor shall be compensated for all costs incurred which are described above on the basis of the vendor's actual cost incurred for such items.

Prepared by Robert E. Schnare, Co-Chair of the FLICC Preservation & Binding Working Group November 8, 2002.

Chapter K

ADDITIONAL RESOURCES FOR SALVAGE OF SPECIFIC MEDIA

Albright, Gary, Emergency Salvage of Wet Photographs, in Preservation of Library and Archival Materials: A Manual, edited by Sherelyn Ogden. Andover, MA: Northeast Document Conservation Center, 1999. Available online at <http://www.nedcc.org/plam3/tleaf38.htm>. Buchanan, Sally, Emergency Salvage of Wet Books and Records, in

Preservation of Library and Archival Materials: A Manual, edited by Sherelyn Ogden. Andover, MA: Northeast Document Conservation Center, 1999. Available online at <http://www.nedcc.org/plam3/tleaf37.htm>. Conservation Center for Art and Historic Artifacts.

Managing a Mold Invasion: Guidelines for Disaster Response. Technical Series No. 1. Philadelphia: Conservation Center for Art and Historic Artifacts, 1996. Available at <http://www.ccaha.org>. Conservation Center for Art and Historic Artifacts. *Disaster Recovery: Salvaging Photograph Collections*. Philadelphia: Conservation Center for Art and Historic Artifacts, 1998 Available at

<http://www.ccaha.org>. Conservation Center for Art and Historic Artifacts. *Disaster Recovery: Salvaging Art on Paper*. Philadelphia: Conservation Center for Art and Historic Artifacts, 2000. Available at

<http://www.ccaha.org>. Conservation Center for Art and Historic Artifacts. *Disaster Recovery: Salvaging Books*. Philadelphia: Conservation Center for Art and Historic Artifacts, 2002. Available at

<http://www.ccaha.org>. Balloffet, Nelly. *Emergency Planning and Recovery Techniques*. Elmsford, NY: Lower Hudson Conference, 1999. Available at <http://www.lowerhudsonconference.org>. See Section 4: Recovery for information on salvaging books, documents, maps, art on paper, parchment, leather, film, computers, magnetic tape, paintings, textiles, wooden objects, and furniture. *Interactive Emergency Response and Salvage Wheel*, available at

http://www.fema.gov/ehp/ers_w1.shtm. This information is from the *Emergency Response and Salvage Wheel*, a sliding chart designed for archives, libraries, and museums. It is also a useful tool for home or business and is available in English and Spanish versions. The Wheel was produced by the Heritage Emergency National Task Force, a public-private partnership sponsored by FEMA and Heritage Preservation **Error! Hyperlink reference not valid.**) For further information or to order the Wheel, call toll-free 1-888-979-2233. Minnesota Historical Society Emergency Response web site, at

<http://www.mnhs.org/preserve/conservation/emergency.html>.

Detailed salvage instruction sheets are provided for the following types of objects: Archaeological artifacts
Books: Cloth or Paper Covers

Books: Leather or Vellum Covers
 Disaster Salvage Tip Sheet
 Inorganics: Ceramics, Glass, Metals, Stone
 Leather and Rawhide
 Magnetic Media: Computer Diskettes
 Magnetic Media: Reel-to-Reel Tapes
 Microfiche
 Microfilm and Motion Picture Film
 Organics: Bone, Hair, Horn, Ivory, Shell
 Paintings on Canvas
 Paper: Coated
 Paper: Framed or Matted, Preparation for Drying
 Paper: Uncoated
 Photographs and Transparencies
 Record Albums
 Scrapbooks
 Textiles and Clothing
 Textiles: Costume Accessories
 Vellum and Parchment: Bindings and Documents
 Wood

National Park Service. *Conservograms*. Available at
http://www.cr.nps.gov/museum/publications/conservogram/cons_toc.html.

See the section on Emergency Preparedness, which includes the following:

21/1 Health and Safety Hazards Arising from Floods
 21/2 An Emergency Cart for Salvaging Water-Damaged Objects
 21/3 Salvage of Water-Damaged Collections: Salvage at a Glance
 21/4 Salvage at a Glance, Part I: Paper Based Collections
 21/5 Salvage at a Glance, Part II: Non-Paper Based Archival Collections
 21/6 Salvage at a Glance, Part III: Object Collections
 21/7 Salvage at a Glance, Part IV: Natural History Collections
 21/8 Salvage at a Glance, Part V: Textiles Patkus, Beth Lindblom, Emergency Salvage of Moldy Books and Paper, in
Preservation of Library and Archival Materials: A Manual, edited by Sherelyn Ogden. Andover, MA: Northeast Document Conservation Center, 1999. Available at
<http://www.nedcc.org/plam3/tleaf39.htm>. Walsh, Betty, Salvage Operations for Water-Damaged Archival Collections: A Second Glance, in *WAAC Newsletter* Vol. 19 No. 2 (May 1997). Available at <http://palimpsest.stanford.edu/waac/wn/wn19/wn19-2/wn19-206.html>.
 Walsh, Betty, Salvage at a Glance, in *WAAC Newsletter* Vol. 19 No. 2 (May 1997). Available at <http://palimpsest.stanford.edu/waac/wn/wn19/wn19-2/wn19-207.html>. Waters, Peter, Procedures for Salvage of Water-Damaged Library Materials. Extracts from unpublished revised text, July 1993, the Library of Congress. Available at
<http://palimpsest.stanford.edu/bytopic/disasters/primer/waters.html>.

Chapter L

PRE-DISASTER COMMUNICATION WITH EMERGENCY SERVICES

L.1 Fire Department

Date of last inspection by the fire marshal: 3/29/18
 Date of last site-visit: Art Vega
 Contact person within fire department: (915) 485.5699
 Phone: Operations Assistant Mundo Bueno
 In-house liaison to fire department: Lead Preparator and Facilities Manager Nick Munoz
 Backup liaison: 4/2/18
 Date of last in-house review of collection priorities: 4/2/18, Site visit on 12/9/22
 Date of last on-site review of collection priorities, collections salvage procedures, and building re-entry procedures with fire department personnel:

L.2 Police Department

Contact person within police department: Lt. Tyler Grossman
 Title: Centralized Intelligence Unit
 Phone: (915) 564.7100
 Cell phone: (915) 240.4904
 In-house liaison with the police department: Operations Assistant Mundo Bueno
 Backup liaison: Lead Preparator and Facilities Manager Nick Munoz
 Date of last on-site review of the building and contents with police department personnel: 7/22/09

L.3 Local Emergency Management Agency

Local emergency management agency: City of El Paso
 Contact person(s): David Holden
 Title: Safety Manager
 Phone: Operations Assistant Mundo Bueno
 In-house liaison with local emergency management agencies: Lead Preparator and Facilities Manager Nick Munoz
 Backup liaison: 5/2017
 Date of last on-site review of the building and contents with emergency management personnel: Will follow HAZ-MAT, Police, Fire and Homeland Security instructions as per each command setups depending on disaster being managed.
 Describe applicable local procedures for managing disasters (e.g., area-wide evacuation procedures, local emergency shelters, etc.):

L.4 Regional Emergency Management Agency

Regional emergency management agency:
 Contact person(s):

Title:
Phone:
Cell Phone:

Chapter M

COMMAND CENTER/TEMPORARY SPACE

In a disaster, temporary space may be needed onsite or offsite for a command post, temporary relocation of collections, or for drying collections.

Command Center During a disaster, a command center will be needed to serve as a base of operations for the Disaster Response Team. It is essential to have one central location through which all recovery activities are coordinated. All communications and decisions should be made through the command center. Locations that might be used as a command center are:

Primary location:	El Paso Museum of History
Alternate location #1:	Museums and Cultural Affairs Department
Alternate location #2 (<i>off-site</i>):	El Paso Museum of Archaeology

M.1 Relocation/Temporary Storage of Collections

Areas (within the building, in another building within the institution, or off-site) to which collections in imminent danger of becoming damaged can be relocated, or where undamaged collections can be temporarily stored are listed below.

Within the building/institution:

Location:	art storage
Space Available:	depends on location of permanent collections and loans
Contact person:	Nick Munoz
Phone:	(915) 212.3070
Cell phone:	(915) 329.0863
Location:	Hunt Gallery
Space Available:	7535 square feet, space available depending on current exhibitor
Contact person:	Nick Munoz
Phone:	(915) 212.3070
Cell phone:	(915) 329.0863
After-hours phone:	

Off-site:

Location:	El Paso Museum of History
Space Available:	
Contact person:	Erica Marin
Phone:	(915) 212.3165
After-hours phone:	

Location:	El Paso International Airport
Space Available:	
Contact person:	Monica Lombrana
Phone:	(915) 780.4781

Location: El Paso Museum of Archaeology
 Space Available:
 Contact person: Sebastian Ribas-Normand
 Phone: (915) 240.9217

M.2 Drying Space

Areas (within the building, in another building within the institution, or off-site) that can be used to air-dry wet collections are: *Within the building/institution:*

Location:
 Location: art storage
 Space Available:
 Contact person: Nick Munoz
 Phone: (915) 212.3070
 Cell phone: (915) 329.0863
 Location: Hunt Gallery
 Space Available: 7535 square feet, space available depending on current exhibitior
 Contact person: Nick Munoz
 Phone: (915) 212.3070
 Cell phone: (915) 329.0863

Off-site:

Location: El Paso Museum of History
 Space Available:
 Contact person: Erica Marin
 Phone: (915) 212.3165
 Location: El Paso Public Library - Main Branch
 Space Available:
 Contact person: Dane Aguilar
 Phone: (915) 543-5419
 Location: El Paso Museum of Archaeology
 Space Available:
 Contact person: Sebastian Ribas-Normand
 Phone: (915) 240.9217

Chapter N

INFORMATION TECHNOLOGY

N.1 Emergency Contact Information

The following people and organizations can provide assistance in case of temporary information systems failure or damage.

Remember that it is very important to keep all account numbers and passwords current, and to indicate who on staff knows them.

Information Technology Department (for problems with hardware and software)

Department name: City of El Paso - Information Technology Department
 Contact: Help Desk
 Address: 300 N. Campbell
 El Paso, TX 79901
 Phone: (915) 212.0072

Remote Storage Site for Backups

In-house staff member who is familiar with account details and passwords: Bernadette Ramos, Registrar

Organization name: City of El Paso - Information Technology Department
 Contact: Enrique Martinez, Jr.
 Address: 300 N. Campbell
 El Paso, TX 79901
 Phone: (915) 212.1400
 Account number:
 Procedures for retrieving backups in an emergency:

Internet service provider

In-house staff member who is familiar with account details and passwords:

Organization name: City of El Paso - Information Technology Department
 Contact: Cindy Loya
 Address: 218 N. Campbell
 El Paso, TX 79901
 Phone: (915) 212.1445
 Account number:
 Procedures for reactivating service in an emergency: All calls for any IT service go through the Help Desk. A work ticket is created and routed to the appropriate person. That person will then analyze the request and plan a course of action. If an emergency, all current tasks are suspended and the problem is dealt with.

Web site host

In-house staff member who is familiar with account details and passwords:

Organization name: City of El Paso - Information Technology Department
 Contact:
 Address: 218 N. Campbell
 El Paso, TX 79901
 Phone: (915) 212.0072
 Account number:
 Procedures for retrieving service in an emergency: All calls for any IT service go through the Help Desk. A work ticket is created and routed to the appropriate person. That person will then analyze the request and plan a course of action. If an emergency, all current tasks are suspended and the problem is dealt with.

N.2 Software and Equipment Inventory

Software Inventory

The following software is used within the institution –

Name of software package: Past Perfect

Supplier and version: Past Perfect Software 5.0E3

Computer(s) on which software is installed: Artmuseum 01, 02, 06, 07, 09, 11, 12, Art-085

Registration number:

Help-line telephone number: (800) 562.6080, support@museumsoftware.com

Location of backup copy:

Insurance Coverage:

Computer Equipment Inventory

The following computer hardware is in use within the institution –

Make and model: Dell Optinex 745

Serial number:

Location of equipment: Museum

Vendor: Dell

Vendor help line number: (800) 931.3355

Drives and configuration: RAID 5

Insurance Coverage:

N.3 Data Backup

The following electronic data is unique and maintained solely in-house –

If any of this data is not currently backed up, devise backup procedures immediately.

Type of data: Database

Location of data: City 1

Person responsible for backup: N/A

On site location of backup: City 1

Off site location of backup: Mission Valley Regional Command Center - Police Dept.

Frequency of backup: GFS rotation

N.4 Data Restoration

The following people on staff know how to restore backed up data –

Staff Person: N/A

The following people outside the institution can assist in restoring backed up data –

Organization name: City of El Paso - IT Department

Title: Enrique Martinez, Jr.

Address: 218 N. Campbell
El Paso, TX 79901

Phone: (915) 212.1400

N.5 Software and Hardware Reconfiguration

The following people within the institution know how to reinstall and reconfigure software and hardware in the event of a disaster –

Staff Person: N/A

The following people outside the institution can assist in reinstalling and reconfiguring software and hardware in the event of a disaster –

Organization name: City of El Paso - Information Technology Department
 Title: Enrique Martinez, Jr.
 Address: 218 N. Campbell
 El Paso, TX 79901
 Phone: (915) 212.1400

N.6 Relocation of Computer Operations

Temporary sites for relocation of computer operations are –

Location: Police Department Headquarters
 Contact person: City of El Paso - Information Technology Department
 Phone:
 Cell phone:
 Beeper:
 Procedures: Contact the IT Help Desk at (915) 212.0072 for instructions

N.7 Alternate Access to Telecommunications and Online Services

In the event of an emergency that requires your institution to provide services from an alternate site, it may be necessary for staff and/or patrons to access email, Internet, and online services from that site. This may be done by redirecting existing accounts, or it may be necessary to provide alternative ways to access online resources. Information and instructions are provided below.

Procedures for emergency remote access are as follows –

Telephone/Voice Mail (*procedures for switching fax and phone numbers to the remote site*): contact IT help desk for instructions
 Email (*may need to be accessed via modem or Internet*): contact IT help desk for instructions
 Intranet:
 Library website:
 Regional library network:
 Local online catalog:
 Online Subscription Services:
 Other:

N.8 Emergency Procedures for Manual Operations

During an emergency, it may be necessary to switch to manual operations for a limited time, either until computer systems are back up or until services can be switched to an alternate location. Instructions for conducting services such as circulation manually or financial recordkeeping are as follows –

Service/Activity:

Instructions:

Chapter O

PREVENTION AND PROTECTION

Assessing risks, engaging in preventive building maintenance, maintaining information about building systems, and putting in place consistent opening and closing procedures can prevent disasters that might damage collections, as well as protect collections from any disasters that do occur.

O.1 Natural - Hazards and Risks

O.1.1 Priority 1 - Must be Addressed

Thunderstorms/Lightning

Thunderstorms are a fairly common occurrence, but they can cause severe damage. They can involve heavy rain (which can in turn cause flash flooding), high winds, lightning, and hail. They can also cause tornadoes. Lightning is a serious danger whenever there is a thunderstorm. Lightning is very powerful; it can start fires, cause electrical failures, and seriously injure or even kill people. Hail (which can be as large as a softball) can also cause damage and injury, making it even more important to take cover. Preventive actions to reduce the risk of thunderstorm/lightning damage –

- Be sure staff members know and take seriously the signs that a thunderstorm is imminent (threatening clouds, distant thunder and lightning).
- Keep a disaster kit stocked in case staff members are unable to leave the building for some time (flashlights, radio with weather band, batteries, food and water, first aid kit, etc.). Check all items every six months and replace any expired items (e.g., water, food, batteries).
- Ensure that staff members know how to turn off the electricity and water in case this becomes necessary.
- Check for hazards near your building, such as dead or rotting trees and branches that could fall during a severe thunderstorm.
- Consider installing lightning rods to carry the electrical charge of lightning bolts safely to the ground.

Flooding (Floodplain, River, Lake, and/or Stream)

Flooding is very common in the United States and can be caused by a variety of events. Flooding often develops over a number of days, as a result of prolonged heavy rain or melting snows that create high river, stream, or reservoir levels. In winter, ice jams in rivers can also contribute to flooding, stopping the rivers flow. Other factors

that can make conditions worse are frozen ground (which cannot absorb as much water) and wet or saturated soil. Urban areas, and areas with many buildings and parking lots, may also be at risk of flooding, since there is less soil to absorb the water and storm drains may get overloaded. Flooding can be extremely dangerous; even shallow floodwaters can sweep away cars or people. A floodplain is defined as a low-lying area near a stream or river that becomes flooded during heavy rains. The terms 500-year-flood and 100-year-flood are sometimes used. A 500-year-flood is so large and unusual that it would normally happen only every 500 years. However, it is more accurate to say that each year there is a one in 500 chance of a 500-year-flood occurring (e.g., if a 500-year-flood occurred, it would be possible for another to occur the next year). Flash flooding is particularly dangerous, as it occurs very quickly with little warning. Flash flooding occurs most often from storms that produce large amounts of rain in a short time, but can also be caused by a river ice jam, or by a catastrophic event such as a dam failure or a tsunami following an earthquake. A flash flood can cause severe damage, destroying buildings and bridges, uprooting trees, etc. There are a number of flood watches and warnings issued by forecasters. A **flood watch** is issued when water levels or other conditions indicate that flooding is possible in the given time period. A **flood warning** is issued when a flood is occurring or is imminent. In the latter case, time and location is usually provided, and orders are given to evacuate vulnerable areas. A **flash flood watch** is issued when flash flooding is possible in the given time period. A **flash flood warning** is issued when flash flooding is occurring or is imminent. Preventive actions to reduce the risk of damage from flooding –

- Consider constructing barriers, such as levees, to protect your building and property.
- Purchase flood insurance. Flood insurance is guaranteed through the National Flood Insurance Program (NFIP) <http://www.fema.gov/nfip/>, administered by the Federal Emergency Management Agency. Be aware that it normally takes 30 days after purchase for a flood insurance policy to go into effect, so purchasing insurance at the last minute is not possible.
- If flooding occurs frequently in your area, stockpile supplies for protecting your building, including plywood, plastic sheeting, lumber, nails, hammer, saw, pry bar, shovels, and sandbags.
- Be aware of the locations of nearby storm sewers and water mains.
- Install sewer backflow valves (this keeps flood waters from backing up in sewer drains).
- Identify any stored hazardous materials or other chemicals that could be flooded. Move or raise them.
- Consider making changes to your building to reduce potential damage from flooding. Remember that a licensed contractor must make any changes. Potential changes (explained in more detail on FEMA's web site

<http://www.fema.gov/hazards/floods/whatshouldidoprotect.shtm> include –

- Raising your electrical system components
- Adding a waterproof veneer to the exterior of your building
- Anchoring your fuel tank(s)
- Raising or flood proofing your HVAC equipment
- Providing openings in foundation walls that allow floodwaters in and out, thus avoiding collapse
- Building and installing flood shields for doors and other openings (have your building evaluated to ensure it can handle the forces)
- Put together a disaster kit (drinking water, canned/no-cook food, non-electric can opener, first aid kit, battery-powered radio with weather band and alert, flashlights and extra batteries). Check all items every six months and replace any expired items (e.g., water, food, batteries).

O.1.2 Priority 2 - Should be Addressed

Dam Failure

The failure of a dam is potentially the most serious of all flood threats; such failures can be catastrophic, producing a wall of water that destroys everything in its path. Most of the approximately 80,000 dams in the United States

today are privately owned, with the remainder owned by state and local authorities, public utilities, and federal agencies. Dams have many benefits (they can provide water for drinking and irrigation, they generate hydroelectric power, and they can prevent or reduce flooding), but if they are poorly designed, neglected, or damaged, they can pose a serious risk to nearby communities. Due to the nature of dam failure, there is usually little or no warning. If a dam failure occurs or is found to be imminent, a **flash flood warning** will be issued if time allows. Although dams throughout the country are owned by many different companies and agencies, the states have primary responsibility for protecting their populations from dam failure. There is a National Dam Safety Program <http://www.fema.gov/fima/damsafe/>, which encourages states to inspect dams, put remediation measures in place if needed, and put together Emergency Action Plans in case of disaster. If your institution is at risk from flooding due to a nearby dam –

- Consult state officials to determine the schedule for inspections and repair.
- Determine whether an Emergency Action Plan has been prepared by the state to address potential dam failure.
- Purchase flood insurance. Flood insurance is guaranteed through the National Flood Insurance Program (NFIP) <http://www.fema.gov/nfip/>, administered by the Federal Emergency Management Agency. Be aware that since it normally takes 30 days after purchase for a flood insurance policy to go into effect, purchasing insurance at the last minute is not recommended.
- Install sewer backflow valves (this keeps flood waters from backing up in sewer drains).
- Identify any stored hazardous materials or other chemicals that could be flooded. Move or raise them.
- Consider making changes to your building to reduce potential damage from flooding. Remember that any such changes must be made by a licensed contractor. Potential changes (explained in more detail on FEMA's web site

<http://www.fema.gov/hazards/floods/whatshouldidoprotect.shtm>) include –

- Raising your electrical system components
- Adding a waterproof veneer to the exterior of your building
- Anchoring your fuel tank(s)
- Raising or flood proofing your HVAC equipment
- Providing openings in foundation walls that allow floodwaters in and out, thus avoiding collapse
- Building and installing flood shields for doors and other openings (have your building evaluated to ensure it can handle the forces)
- Put together a disaster kit (drinking water, canned/no-cook food, non-electric can opener, first aid kit, battery-powered radio with weather band and alert, flashlights and extra batteries). Check all items every six months and replace any expired items (e.g., water, food, batteries).
- Make all staff members aware of evacuation routes
- Raise all collections at least 4 inches off the floor.

O.1.3 Priority 3 - Could be Addressed

Tornado

Tornadoes are very violent and destructive storms; they have a funnel shape and sound like a roaring train when they approach. They are usually spawned by a thunderstorm, but can also be caused by a hurricane. Tornadoes are more localized and less easy to predict than other storms; there is often little warning of their approach. A **tornado watch** is issued when tornadoes and/or severe thunderstorms are likely to strike an area, while a **tornado warning** is issued when the funnel of the tornado has been sighted in the area. At that point, immediate shelter must be sought and there will be no time to secure collections. Tornadoes generally occur between March and August, mostly during the afternoon or evening. *It is important to remember that due to the violence of these storms and the short advance warning, human safety will likely be the highest priority.* It is very important to

know what to do and where to go if a warning is issued. Preventive actions to reduce the risk of tornado damage

- Conduct tornado drills each tornado season.
- Investigate methods of protecting your building against wind damage.
- Consider having unreinforced masonry strengthened.

Severe Winter Storm

The term **winter storm** covers a variety of weather events. Winter storms often involve heavy snow, sleet or freezing rain. If very heavy snow is accompanied by high winds and extreme cold, the storm is termed a **blizzard**. A **Noreaster** is a specific type of storm characteristic of the eastern U.S. coast, in which a low-pressure system gathers strength as it moves up the mid-Atlantic coast, bringing heavy snow and hurricane force winds, along with coastal flooding and beach erosion. Noreasters usually occur between October and April (although they can occur at any time and sometimes involve rain rather than snow). When rain falls on surfaces with a temperature below freezing, an **ice storm** can occur. A **winter weather advisory** is used when poor weather conditions are expected. A **winter storm watch** is issued when a storm is possible. A **winter storm warning** is issued when a storm is occurring or will occur shortly. A **frost/freezing warning** is issued when below freezing temperatures are expected. A **blizzard warning** is issued when heavy snow, near zero visibility, deep drifts, and severe wind chill are expected. Preventive actions to reduce the risk of severe winter storm damage –

- Install storm windows in your building (or cover windows with plastic), insulate walls and attics, and caulk and weather-strip doors and windows.
- Winterize your building. Make sure gutters are clear, repair any roof leaks, and trim any tree branches that could fall on your building during a storm.
- Insulate pipes in your building and allow faucets to drip a little during cold weather to avoid freezing.
- Learn how to shut off the water in the building (in case a pipe bursts).
- Ensure that the roof of your building is able to sustain the weight of heavy snow accumulation.
- Put together a disaster kit in case staff members must remain in the building during the storm (drinking water, canned/no-cook food, non-electric can opener, first aid kit, battery-powered radio with weather band and alert, flashlights and extra batteries, blankets/cots/pillows). Check all items every six months and replace any expired items (e.g., water, food, batteries).

Earthquake

An earthquake is a sudden, violent shaking of the Earth caused by the shifting of the Earth's crust. The outer layer of the earth's crust consists of a number of large plates that slowly move over, under, and past each other. Sometimes, however, some of the plates are locked together. Once enough energy accumulates, the plates suddenly break free, causing an earthquake at the point where the plates join. The Richter Scale is used to measure the magnitude of earthquakes. This is a logarithmic scale, meaning that an earthquake measuring 5 on the Richter scale is ten times as large as an earthquake measuring 4). Any earthquake that measures 6 or more on the Richter scale is considered major; earthquakes with a magnitude of 8 or more on the Richter scale can do catastrophic damage. Minor earthquakes usually do not cause much damage, but larger earthquakes can cause extensive damage, including collapsed buildings and bridges, broken gas lines, and downed power and phone lines. In a worst-case scenario, an earthquake could trigger landslides, avalanches, flash floods, fires, and/or tsunamis. Buildings that are constructed on unconsolidated landfill, old waterways, or other unstable soil are most at risk. Trailers and manufactured homes not tied to a reinforced foundation anchored to the ground are also at risk. Earthquakes can occur at any time of the year. Recommended procedures for prevention of earthquake damage are as follows –

- Ensure that staff members are aware of evacuation routes (provide an alternate in case the primary route is blocked)

- Put together a disaster kit (drinking water, canned/no-cook food, non-electric can opener, first aid kit, battery-powered radio with weather band and alert, flashlights and extra batteries).
- Bolt bookshelves to wall studs and use solid back and end panels (these should be metal or ¾ inch plywood, but not particle board). Cross bracing can be used if solid panels are impossible. Use more than one cross brace on tall units, and weld or bolt the braces securely to the unit.
- Enclose document collections in boxes to prevent damage from falling. Rare and/or fragile books should be in boxes or wrappers, as should unbound serials.
- Consider some method of restraint to keep books from falling off shelves during an earthquake. A number of methods are available, including tilting shelves slightly from front to back, using bungee cords, or installing protective bars that extend from the upper shelves. Consult other libraries with experience in earthquake protection before making a decision.
- Bolt filing cabinets securely to the wall or to each other, and ensure that all drawers are latched to prevent the contents spilling out.
- Secure medium-sized items that might fall (telephones, lamps, computers, etc.), using Velcro-like fastening sets available for this purpose (note that this is appropriate for items weighing 20-80 pounds). Small items can be anchored to shelves using soft dental wax.
- Large or very heavy equipment may require special straps, brackets, bracing, or tethering cables. Consider strapping the water heater to wall studs and bolting down any gas appliances.
- Install flexible pipefittings, which are less likely to break, to avoid gas or water leaks.
- Install strong latches or bolts on cabinets so that content do not fall out.
- Store large, heavy, and/or fragile items on lower shelves.
- Store any chemicals or other hazardous materials in closed cabinets with latches, on bottom shelves.
- Hang heavy items, such as pictures and mirrors, away from anywhere people sit, since earthquakes can knock things off walls.
- Brace overhead light fixtures so they do not fall.
- Consider installing laminated safety glass if you have a large expanse of windows, or install protective film over existing windows to help prevent shattering of glass.
- Repair any deep cracks in ceilings or foundations, and consult an expert if you see signs of structural problems.
- Consider having your building evaluated by a professional structural design engineer, who can give advice on how to reduce earthquake damage to your building.

Other Natural Hazards

Additional details on your institutions risk, and additional actions that should be taken: High winds tend to occur in spring months.

O.2 Industrial/Environmental - Hazards and Risks

O.2.1 Priority 1 - Must be Addressed

Water Main Break

Water main breaks can occur at any time, for various reasons. Since many underground water mains are very old and deteriorated, they often break unexpectedly. It is also possible for a water main to be broken accidentally by digging or construction in the area. The primary threat to institutions and collections is flooding, which can be significant, particularly if some time passes before workers can cap the water main.

Power Outage

Power outages can occur in many different situations. Sometimes they are precipitated by a storm or natural disaster, in which case the power outage may be only part of the emergency. Sometimes, particularly in summer, a power outage occurs due to overuse of electricity resources. While a power outage alone rarely poses a direct threat to collections, it may cause damaging conditions (e.g., rise in temperature and/or humidity when the HVAC system shuts down), and it may pose a threat to staff and/or patrons.

O.2.2 Priority 2 - Should be Addressed

Sewer System Backup

Sewer system backups often occur because of heavy rains that increase the water pressure in the sewer system, causing sewage to flow into buildings through the basement drains. If there is a widespread power outage in the area, the sewer system may fail due to lack of power to parts of the system. Sewer backups can also result from inappropriate materials being disposed of down the drains, or from shrub or tree roots cracking or breaking the sewer lines. Sewage backup presents a number of risks: damage to the building, damage or destruction of materials stored in the basement, possible electrical malfunctions in the building, and the possibility of disease. Preventive actions to reduce the risk of sewer backup –

- **Do not** pour grease down a drain, as it will solidify after it cools off, either in the property owner's sewer line, or in the main sewer line.
- **Do not** dispose of anything in the toilet except bathroom tissue.
- Avoid planting trees or shrubs near the sewer line, to reduce the chances of roots damaging the pipes. It is also possible to replace older sewer pipes with plastic piping, which is not damaged by roots.
- Consider modifying your plumbing system to prevent sewage backup into your building. Modifications might include installing a sump pump, check valve, shut-off valve, and/or ejector pump. Consult a qualified plumber for advice on appropriate modifications for your building.

O.2.3 Priority 3 - Could be Addressed

Gas Leak

Natural gas is a general term for a commonly used fuel used for heating, cooking, and heating water. It is primarily composed of methane, which is mixed with varying quantities of other gases. Natural gas can be dangerous if it leaks, as this can result in explosion or fire, or poisoning through inhalation. Natural gas has no odor, color, or taste, so local gas companies add a rotten-egg smell to the gas to enable people to smell a leak. If your institution or nearby buildings use natural gas, there is a possibility of leakage in the gas lines serving the area or in those inside your building. The causes of gas leaks vary. Common causes include accidental damage due to digging or construction in the area, and damage from natural disasters. Gas leaks pose a significant risk to your staff, building, and collections. While indoor gas leaks are the most dangerous because the gas is concentrated in a confined area, an outdoor gas leak is also dangerous. Preventive activities include –

- Be aware of the location of nearby gas mains.
- Be aware of the signs of a leak in a gas pipeline (e.g., odor, a blowing or hissing sound, dirt or water being thrown or blown into the air, fire coming from the ground, brown patches in vegetation near a pipeline)
- Consider purchasing one or more natural gas detectors that will warn you of a gas leak within your building, particularly if you have staff members with a diminished sense of smell. These detectors vary in price, features, and ease of installation. How many you need depends on how many sources of gas there are in your building and how far apart they are.
- Maintain up-to-date contact information for the local gas company.

Oil Leak

Oil is commonly used for heating in homes and businesses in many areas of the country. Any building that uses heating oil has at least one storage tank and delivery line that carries the oil from the storage tank to the furnace. Common places for storage tanks (particularly older ones) to be found include: buried outdoors, above ground outdoors, and inside in basements. Depending on the circumstances, delivery lines can also be buried underground, buried under concrete basement floors, or exposed outdoors. If the storage tank or delivery line leaks, the oil migrates into the surrounding soil and would eventually affect the groundwater, causing health problems for anyone who comes in contact with it. Leaks might occur for a number of reasons: delivery lines may corrode if they come into contact with soil or concrete and water; outdoor delivery lines may be damaged by falling ice or tree limbs; delivery lines may break if there is a shifting of the buildings foundation; piping connections may fail; or the storage tank itself may corrode due to contact with water contained in the fuel. In general, the life expectancy of a buried oil tank is 10-15 years. Oil leaks are very expensive and time-consuming to clean up, so it is best to take preventive measures to avoid leaks. Preventive actions to avoid oil leaks –

- Consider having a non-metallic protective sleeve installed over your oil delivery line if it is buried or outdoors above ground. This will protect the line from corrosion and other damage.
- Check with your insurance agent to determine whether your insurance policy covers damage from oil leaks and the costs of environmental cleanup. If you are not covered, consider purchasing additional insurance.
- Maintain your oil heating system routinely, making sure it is checked for leaks.
- Be aware that some state environmental protection agencies have programs that require the registration of buried tanks at any site storing more than 1000 gallons of heating oil. Consult the appropriate agency in your state for more information.

Hazardous Materials Incident

The term hazardous materials refers to chemicals that can pose a threat to human health, to the environment, or to collections if they are mistakenly released into the air or spilled. Such chemicals are used in a wide range of activities, including manufacturing, agriculture, medicine, and research. They are also routinely transported around the country via air, highways, trains, and waterways. There are several general types of hazardous materials: explosives, flammable and combustible substances, poisons, and radioactive materials. Hazardous materials are not only used in large-scale industries; many products that are routinely used in homes or workplaces contain hazardous chemicals (e.g., cleaning products, paint removers and thinners). However, most serious accidents involving hazardous materials are the result of transportation accidents or accidents in manufacturing plants. There are laws governing the public's right to know about hazardous materials that are used, stored, or transported in or near their communities. The *Emergency Planning and Community Right-to-Know Act* provides for penalties against any company or agency that does not provide the required information. In addition, the *Superfund Amendments and Reauthorization Act of 1986* requires communities to establish a Local Emergency Planning Committee to develop a response plan for chemical emergencies; these plans must be tested and updated every year. Depending on the amount of chemical and the level of exposure, hazardous materials can cause injury, chronic health problems, and even death, as well as damaging buildings and collections. It is very important to know the proper procedures to follow if a hazardous materials accident occurs in or near your building. In the case of a large event, the local authorities may request that you evacuate or shelter in your building until the danger passes. Preventive actions to mitigate the effects of a hazardous materials emergency –

- Be aware of any nearby transportation routes for hazardous materials or local facilities that are storing and using such materials. This information should be available from your Local Emergency Planning Committee.
- Become familiar with existing community response plans for a hazardous materials emergency.
- Ensure that all staff members are familiar with evacuation plans, both for the building and for the community.

- Put together a disaster kit (drinking water, canned/no-cook food, non-electric can opener, first aid kit, battery-powered radio with weather band and alert, flashlights and extra batteries). Consider adding potassium iodide tablets to your emergency supplies, as these can help block radiation absorption in a radiological emergency.

Riot/Civil Disturbance

Riots and civil disturbances can threaten staff, buildings, and collections. The causes of riots and civil disturbances are various, ranging from originally peaceful protests that get out of control, to angry responses to particular events, to panic after a natural disaster. Institutions located in urban areas are always more vulnerable, due to the high population concentration. No matter what the cause, knowing how to respond will reduce the risk of injury to your staff and damage to your building and collections. Preventive actions to mitigate the effects of a riot/civil disturbance –

- Be aware of any planned protests or other civil disobedience that may occur on your property or on nearby properties.
- Ensure that all staff members are familiar with evacuation plans, both for the building and for the community.
- Put together a disaster kit, in case staff cannot leave the building for a period of time (drinking water, canned/no-cook food, non-electric can opener, first aid kit, battery-powered radio with weather band and alert, flashlights and extra batteries).

Terrorist Attack

Since September 11, 2001 terrorism has become a threat that must be taken very seriously by institutions throughout the United States. Terrorism is usually categorized into two types: domestic and international, depending on the origin of those carrying out the terrorist act. Most terrorist attacks that have occurred in the United States have been bombing attacks, but attacks against transportation facilities and/or public services, or chemical or biological attacks, are possible. Chemical agents are poisonous gases, liquids, or solids that have toxic effects on people. Biological agents are organisms or toxins that can make people sick; these can include anthrax, smallpox, Ebola, botulism, etc. It is difficult to predict terrorist targets, but if your institution is a government agency or other prominent public facility, it could be a target. Similarly, if your institution is located near railways, highways, waterways, power plants, government buildings, or other prominent public facilities, there is some risk of terrorist attack. Preventive actions to mitigate the effects of a terrorist attack –

- Ensure that all staff members are familiar with evacuation plans, both for the building and for the community.
- Ensure that all staff members are familiar with procedures to follow in the event of a bomb threat (see below for details).
- Put together a disaster kit (drinking water, canned/no-cook food, non-electric can opener, first aid kit, battery-powered radio with a weather band and tone-alert, flashlights and extra batteries). Consider adding potassium iodide tablets to your emergency supplies, as these can help block radiation absorption in a radiological emergency.
- Ensure that fire extinguishers are in working order.
- Know which staff members have first aid/CPR training.

O.3 Building/Systems/Procedures - Hazards and Risks

O.3.1 Water Hazards

O.3.1.1 Priority 1 - Must be Addressed

Water in the basement

A very small amount of water was found in art storage on an isolated occasion. This was due to a systems issue in an adjoining room. Art storage area should be checked on a regular basis.

O.3.1.2 Priority 2 - Should be Addressed

Roof

The roof has many reoccurring leaks. The building should be closely monitored during and after rains, with particular attention paid to the areas containing artwork, i.e. galleries, art storage and registration. The insulation on the roof over Hunt Gallery was upgraded and replaced in 2019.

Skylights

Particular attention should be paid to the lobby area during and after rains.

Collections stored on the floor

EPMA staff are in the process of moving large sculptures and boxes in art storage onto plastic pallets.

O.3.1.3 Priority 3 - Could be Addressed

Gutters and downspouts

Internal roof drains

The museum's gutters and drains tend to overflow when heavy rains occur, and cause leaks in registration storage rooms. The museum's gutters and drains tend to overflow when heavy rains occur, and cause leaks in registration storage rooms.

Foundation Sump pump problems

Bathrooms/kitchens nearby or above collections

Water pipes running through collection areas

The pipes in the Hunt Gallery should be closely monitored when conditions are unstable. We have had one instance where condensation has formed and dripped in this space. Since then, the roof insulation has been upgraded.

Water-bearing HVAC equipment (chillers, etc.) nearby or above collections

Room next to art storage area should be closely monitored.

No water detection system

O.3.2 Fire Hazards

O.3.2.1 Priority 1 - Must be Addressed

O.3.2.2 Priority 2 - Should be Addressed

O.3.2.3 Priority 3 - Could be Addressed

Fire drills not held routinely

Electrical system is outdated

O.3.3 Climate Control

O.3.3.1 Priority 1 - Must be Addresses

O.3.3.2 Priority 2 - Should be Addressed

O.3.3.3 Priority 3 - Could be Addressed

Collections stored in the basement

Collections storage is in the basement, however no problems have occurred in over 20 years.

O.3.4 Security

O.3.4.1 Priority 1 - Must be Addresses

O.3.4.2 Priority 2 - Should be Addressed

O.3.4.3 Priority 3 - Could be Addressed

O.3.5 Housekeeping/Pests

O.3.5.1 Priority 1 - Must be Addresses

O.3.5.2 Priority 2 - Should be Addressed

O.3.5.3 Priority 3 - Could be Addressed

Inadequate written polices/procedures for housekeeping

Food waste from special events not cleaned up promptly

Food and drink allowed in the building.

O.3.6 Storage

O.3.6.1 Priority 1 - Must be Addresses

O.3.6.2 Priority 2 - Should be Addressed

O.3.6.3 Priority 3 - Could be Addressed

Shelving is not anchored to the wall, floor, ceiling, or other shelving (where appropriate)

Shelving not braced

O.3.7 Personnel

O.3.7.1 Priority 1 - Must be Addresses

O.3.7.2 Priority 2 - Should be Addressed

Frequent staff turnover

O.3.7.3 Priority 3 - Could be Addressed

Staff members not trained in emergency procedures

Staff members not sufficiently trained in security procedures

Security staff not trained to recognize hazards and respond properly to collections emergencies

Collections Care and Management training is given periodically.

Security staff is slow to respond to alarms or requests for aid

O.4 Preventive Maintenance Checklist

Use the following checklist(s) as a reminder for carrying out preventive maintenance activities.

Daily

Person responsible for checking that all activities have been completed:

Clean restrooms	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Empty garbage and remove all trash from the building	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Vacuum carpets, floors, etc.	<i>Person responsible:</i>	Operations Assistant Miguel Castro

Weekly

Checking that all activities have been completed	<i>Person responsible:</i>	Lead Preparator/Facility Manager Nick Munoz
Check posting of emergency numbers/instructions	<i>Person responsible:</i>	Registrar Bernadette Ramos
All elements of security system are operable	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Emergency lights operable	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Emergency power operable	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Alarm panels operable	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Flashlights are present in all appropriate locations and are charged	<i>Person responsible:</i>	Preparator Kate Bujanda
Check pest monitoring traps for pests	<i>Person responsible:</i>	Preparator Diego Arias
Stack maintenance (straighten shelf contents)	<i>Person responsible:</i>	Registrar Bernadette Ramos
Download data from datalogger	<i>Person responsible:</i>	Registrar Bernadette Ramos

Seasonally

Checking that all activities have been completed	<i>Person responsible:</i>	Lead Preparator/Facility Manager Nick Munoz
Check and clean storm drains	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Winterize grounds (fall); drain pipes, mulch plants, etc.	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Seasonal check of heating/cooling systems (spring/fall)	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Check caulking, windows, and door seals for winter	<i>Person responsible:</i>	Operations Assistant Miguel Castro

Twice per Year (Minimum)

Use the following checklist as a reminder for carrying out preventive maintenance activities.

Person responsible for checking that all activities have been completed:	<i>Person responsible:</i>	Lead Preparator/Facility Manager Nick Munoz
Hold fire drill	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect roof and drainage systems	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect windows and skylights	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect building foundation for cracks, leaks, etc.	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect fire detection system	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect fire suppression system	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect security system	<i>Person responsible:</i>	Operations Assistant Miguel Castro
General inspection of building and grounds to identify problems	<i>Person responsible:</i>	Operations Assistant Miguel Castro

Annually

Use the following checklist as a reminder for carrying out preventive maintenance activities.

Person responsible for checking that all activities have been completed:	<i>Person responsible:</i>	Lead Preparator/Facility Manager Nick Munoz
Check/update insurance on building and equipment	<i>Person responsible:</i>	Registrar Bernadette Ramos
Check/update insurance on collections	<i>Person responsible:</i>	Registrar Bernadette Ramos
Revise/prepare building maintenance budget	<i>Person responsible:</i>	Lead Preparator/Facility Manager Nick Munoz
Pump septic system	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Arrange for inspection of building by local fire marshal	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Arrange for inspection of fire extinguishers	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Arrange for inspection of elevators	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect electrical system	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inspect plumbing system	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Update service contracts	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Ensure that plans of the building and mechanical drawings are updated and accessible	<i>Person responsible:</i>	Operations Assistant Miguel Castro
Inventory collections	<i>Person responsible:</i>	Registrar Bernadette Ramos

0.5 Opening Procedures Checklist and Schedule

The purpose of the opening checklist is to ensure that no hazards are present and that no problems have occurred while the building was closed. Use the following checklist when opening the building.

Opening Checklist

- No signs of unusual or off-hours activity
- No evidence of water leakage (walls, ceilings, floors, storage areas)
- No unusual smells or sounds
- No apparent major change in temperature overnight
- No apparent major change in relative humidity overnight
- No small appliances left plugged in overnight
- Lights are working (including emergency lighting)
- Windows locked and fire doors closed
- Security system is disarmed as required
- Sinks and toilets in working order
- Equipment is operating properly –*
 - HVAC
 - Pumps

Opening Procedures Responsibilities and Schedule

Monday (closed to public/open to staff)	**varies according to weekly schedule Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Tuesday (closed to public/open to staff)	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Wednesday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Thursday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Friday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Saturday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Sunday	Operations or Preparator on duty	Operations or Preparator on duty

O.6 Closing Procedures Checklist and Schedule

Regular closing procedures are essential to preventing disasters. The purpose of the closing checklist is to ensure that no hazards are present and that all protection equipment is working properly. Use the following checklist when opening the building.

Closing Checklist

- Keys secure and accounted for
- Doors to secure areas closed and locked
- Windows locked
- Fire doors closed
- No one hiding/sleeping in building (check bathrooms)
- No trouble indicators on fire panels or monitors
- Security system is armed as required
- No unusual smells or sounds
- No evidence of water leakage (walls, ceilings, floors, storage areas)
- Refrigerators and freezers plugged in and operating
- All small appliances unplugged
- Sinks and toilets in working order
- Equipment is operating properly –*
 - HVAC
 - Pumps

Closing Procedures Responsibilities and Schedule

Monday (closed to public/open to staff)	**varies according to weekly schedule Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Tuesday (closed to public/open to staff)	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Wednesday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz

Thursday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Friday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Saturday	Operations Assistant Miguel Castro	Lead Preparator/Facility Manager Nick Munoz
Sunday	Operations or Preparator on duty	Operations or Preparator on duty

O.7 Construction and Renovation

Construction and/or renovation is NOT planned for my institution/building.

Chapter P

STAFF TRAINING

Staff training is crucial to successful disaster planning. It should begin with the members of the disaster planning and response teams, and expand to include all staff. In particular, training staff in the mechanics of the plan ensures that they will be familiar with it and be able to use it effectively if an emergency occurs.

Disaster Planning Team

The disaster planning team can be trained in a variety of ways. Team members should certainly be encouraged to educate themselves through the use of books and articles on disaster planning, and to monitor online resources such as list-servs and web sites relating to disaster planning. More formal types of training should also be offered, such as disaster planning workshops by outside agencies or in-house training sessions (e.g., seminar, group discussion, case study exercise). Whatever type of training is chosen, the leader of the disaster planning team should be responsible for ensuring that all members of the team are periodically given the opportunity for additional training to keep up to date on new developments in disaster planning.

Team member in charge of coordinating training for the disaster planning team: Registrar Bernadette Ramos

Disaster Response Team

It is crucial for all members of the Disaster Response Team to receive training (preferably hands-on) in first response procedures, salvage methods for damaged collections, and procedures for recognizing and dealing with any hazards that might be present at the disaster site. The fundamental goals of training should be to familiarize the team with all elements of the disaster plan and to give them experience working together as a team.

Team member in charge of coordinating training for the disaster response team: Registrar Bernadette Ramos

There are various possible training methods, but remember that practical and hands-on training will be the most effective. Options include:

- Formal disaster response/recovery workshops (offered by library and conservation organizations)
- First aid and/or CPR training

- In-house training (e.g., hands-on sessions focused on specific topics, tabletop disaster exercises, or mock disasters)
- Individual use of books and articles on disaster response, salvage, recovery, and rehabilitation
- Individual use of online resources (such as list-servs and web sites) to keep up-to-date on new developments in disaster response, salvage, and recovery methods for collections. Subjects that should be addressed include:
 - Team-building
 - Handling wet and damaged collections
 - Recovery procedures and the use of equipment
 - Workplace health and safety (relating to emergency response)
 - Proper use of protective clothing and equipment
 - Hazards of exposure to mold
 - Crisis counseling

General Staff Training

The importance of training all staff in emergency procedures and implementation of the disaster plan cannot be overstated. Staff members are often the first line of defense against disasters, observing problems as they occur. They must be able to recognize that there is a problem, know how to respond, and know whom to call. The following training activities should be carried out regularly.

Person responsible for seeing that all training has been done: Registrar Bernadette Ramos

Review basic preventive measures during staff meetings (e.g., protection from water/fire, security procedures)

Suggested frequency: Semi-annually
 Frequency: Annually
 Person responsible: Operations Assistant Miguel Castro

Review specific evacuation routes and general emergency procedures during all-staff meeting

Suggested frequency: Semi-annually
 Frequency: Annually
 Person responsible: Operations Assistant Miguel Castro

Review procedures for operation of the security system with appropriate staff

Suggested frequency: Semi-annually
 Frequency: Annually
 Person responsible: Operations Assistant Miguel Castro

Review procedures for operation of the climate control system with appropriate staff

Suggested frequency: Semi-annually
 Frequency: Annually
 Person responsible: Operations Assistant Miguel Castro

Review procedures for operation of the fire detection system with appropriate staff

Suggested frequency: Semi-annually
 Frequency: Annually
 Person responsible: Operations Assistant Miguel Castro

Review proper procedures for operation of the fire suppression system with appropriate staff

Suggested frequency: Semi-annually

Frequency: Annually
Person responsible: Operations Assistant Miguel Castro

Review how to operate a fire extinguisher with all staff

Suggested frequency: Annually
Frequency: Annually
Person responsible: Operations Assistant Miguel Castro

Hold staff meeting to review proper implementation of the disaster plan (e.g., how to recognize a potential threat, what to do, how to report a problem, how and when to activate the plan)

Suggested frequency: Annually
Frequency: Annually
Person responsible: Registrar Bernadette Ramos

First Aid/CPR Training

Staff member: N/A

Date of training:

Description of training:

CPR

Staff member:

Date of training:

Description of training:

Chapter Q

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See also Appendix L: Additional Resources for Salvage of Specific Media.

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Information here/below is ONLY for institution's located in Massachusetts.



COLLECTIONS CARE & MANAGEMENT POLICY

Effective 5/18/2023, approved by the El Paso City Council and the El Paso Museums and Cultural Affairs Advisory Board (MCAAB)

Previously approved versions of policies contained herein shall be obsolete.

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I. Introduction

The purpose of this policy is to provide guidelines for the acquisition, exhibition, preservation and management of owned and borrowed art collections. The El Paso Museum of Art is committed to the stewardship of the Museum collections and loans entrusted to its care. The Collections Care and Management Policy will identify the duties and responsibilities of the Museum staff and the governing authority in accordance with the mission of the Museum, which states:

The mission of the El Paso Museum of Art is to collect, preserve, interpret, and exhibit works of art that support and illuminate the Museum's permanent collection of American, European, and Mexican art. The Museum celebrates the region's diverse cultures through exhibitions, acquisitions, and educational programs and is dedicated to scholarship while providing a stimulating and inspiring environment for all audiences.

II. Authority

The El Paso Museum of Art was established as a department within the City of El Paso by the City Council in 1959, and opened to the public in 1960. Today the Museum is a division of the City of El Paso's Museums and Cultural Affairs Department (MCAD). It receives annual funding from the City for facility operations and security, and to provide staff salaries to those who manage the facility and grounds, the permanent collection, and community program services. This governing role does not allow the City to approve or disapprove of collection accessions or to select program content.

The purchase of artworks is exempt from the City of El Paso's Purchasing Guidelines. However, because the City does oversee the Museum's budget for any expenditure, including any purchase over \$3,499.99, art purchases valued at over this threshold must be approved by the Deputy City Manager for Quality of Life or a similar City office who oversees MCAD or their delegate. Furthermore, Museum policy requires the approval of each accession by the Museums and Cultural Affairs Advisory Board (MCAAB). Gift offers with values over \$50,000.00, which are not transferred by the pre-approved Deed of Gift form, will need to be approved by City Council.

The responsibility for day-to-day management of the Museum as it pertains to contracts is delegated to the Director by Section 3.1 of Ordinance No. 016015 dated March 15, 2005, and by subsequent memos from the City Manager to the Director of MCAD, and further to the Director of the El Paso Museum of Art on December 18, 2006 and again on August 5, 2009.

III. Scope of Collections

The El Paso Museum of Art celebrates the region's diverse cultures through exhibitions and acquisitions, as well as educational programs dedicated to scholarship and providing a stimulating and inspiring environment for all audiences. EPMA mounts approximately twelve temporary exhibitions per year, presenting original, permanent collection, and traveling shows, and annually grows its collection through acquisitions and gifts. Using its collection and exhibitions as a foundation, EPMA organizes lectures with regional, national, and international scholars, trains volunteer docents to lead free gallery and exhibition tours, offers classes and workshops in its Art School, and shares its collection internationally by loaning artworks to institutions and traveling exhibitions and continuing to digitize its collection.

The mission of EPMA is to collect, preserve, interpret, and exhibit works of art that support and illuminate its permanent collection of American, European, and Mexican art. The permanent collection

spans nearly one thousand years of global history, from the thirteenth century to the present day, and encompasses more than seven thousand objects. Its strengths include European paintings and prints spanning the thirteenth through nineteenth centuries; Latin American art from Mexico spanning the seventeenth through twentieth centuries with particular strengths in Spanish Colonial era art and *retablos*; and American art spanning the eighteenth through twenty-first centuries with particular strengths in American Impressionism, early Texas art, contemporary art, and works on paper. EPMA's philosophy of collecting is to continually strengthen and broaden its collection areas while simultaneously responding to the changing demographics of the communities it serves. As the El Paso Museum of Art endeavors to balance its exhibitions between historical and contemporary, so too does it endeavor to balance its collecting.

IV. Categories of Collections

A. **Permanent Collection** – This is the Museum's primary collection and is the core that fulfills the Museum's mission. Objects entering the Permanent Collection must fully adhere to the conditions and terms set forth in all sections of this policy. Works in this collection are maintained at the highest standards and require the most complete documentation and staff accountability. Accessions to the Permanent Collection are intended to be in the Museum's care, held in public trust, for the near future. When not on exhibition, works from this collection are stored in the main art storage room.

B. **Study Collection** – Works in the Study Collection may be handled and exhibited under less rigorous standards and require less documentation than those in the Permanent Collection, although **Collections Staff** will manage access to these works. Works may come into this collection as gifts (designated on their Deed of Gift as Study Collection), purchases, or transfers of deaccessioned items from the permanent collection. The accession and deaccession processes as noted in this policy are not necessary for objects in this category although objects will be monitored and tracked as museum assets. Study Collection objects are primarily used as auxiliary supporting material to the permanent collection. These works may be stored in the art storage room or in other secured spaces within the Museum. This group contains works of good quality, which may fit one or several of the following descriptions:

1. They may not fulfill the mission of the Museum.
2. They may have minimal documentation.
3. They may have minor condition problems.
4. They may be unsolicited gifts to the Museum or staff.
5. They may be non-original works from large editions.
6. They may be duplicates of works in the Permanent Collection.
7. They may be intended only for research.

C. **Ancillary Collection** – Works in the Ancillary Collection are not accessioned, require minimal documentation, and may be handled and exhibited under much less rigorous standards than

those in the Permanent or Study Collections. These objects may be displayed in non-gallery spaces (such as classrooms or Museum administrative offices), or off-site (at City Hall or other City buildings), and may be stored in a separate space from the Permanent and Study Collections. However, works from this collection are housed and exhibited in secure areas, and are managed and inventoried by Museum staff. Objects in this collection may have entered the inventory in a variety of ways:

1. Transfer from other City of El Paso Departments.
2. Transfer from other museums.
3. As abandoned property.
4. Purchased for office décor only.

V. Acquisitions - To acquire shall include acquisitions completed through purchase, gift, bequest, or exchange. All potential acquisitions must be evaluated first by Museum staff in light of the objectives and purposes of the Museum as outlined in the Mission Statement.

A. All potential acquisitions must be evaluated in terms of:

1. Documentation as to origin, previous ownership and use.
2. Whether the work fills a gap in the collection.
3. Whether the work possesses potential for research and scholarship.
4. Whether the work is desired for exhibition purposes.
5. Whether the work's condition is such that it can be preserved and maintained properly by the Museum.
6. Whether the Museum has adequate facilities for storing the work.
7. Whether the gift presents a possible violation of legal or ethical standards regarding possession and use.

B. All acquisitions shall have permanency in the collections as long as they retain their physical integrity, their identity, and their authenticity, and as long as they remain useful within the mission, objectives and purposes of the Museum.

C. Objects collected by the Museum should be accompanied by a valid legal title. The Museum will consider only those objects for acquisition when it has been determined with reasonable certainty by the Museum's Curatorial and Administrative Staff together with their technical associates that the object under consideration has not been stolen or derived from illicit trade, the destruction of sites, or in violation of national export laws.

D. The Museum may acquire an ancient work of art only after research proves that the object was either outside the country where it most likely was discovered before 1970, or was legally

exported from its probable country of discovery after 1970. That is the year that UNESCO ratified a landmark convention prohibiting the trafficking of illicit antiquities, and it is widely accepted that objects that appear on the market without historical documentation are likely to have been stolen, illegally excavated, or smuggled out of their country of origin.

E. "Country of origin" shall mean both "country of ultimate origin," when the object has been recently transported across several international boundaries, or also "country of intermediate origin," when applied to an object formerly transported and then deposited in an archaeological or historical context, i.e. the provenance of the object.

F. Adequate accession records shall be obtained and maintained in a central location, documenting the provenance and circumstances of the origin of each object acquired by the Museum and the history of the object in the Museum's collections.

G. Acquisitions through purchase, gift, bequest, or exchange shall be made so that title to all objects acquired for the collections shall be obtained free and clear, without restrictions as to use or future disposition. An instrument of conveyance or transfer (Deed of Gift) must be signed by the donor. Offers of gifts are considered by the Director upon the recommendation of the appropriate Curator(s). Gift offers with values over \$50,000 which are not transferred by the pre-approved Deed of Gift form (which is part of this policy) will need to be approved by City Council.

H. A promised gift is made when a donor signs an irrevocable agreement pledging to make a gift of a work of art to the museum at a future time, which may be any time prior to or at the donor's death. A promised gift allows the museum to count on receiving the work, while allowing the donor to continue to enjoy the use of the work of art.

I. It is the policy of the Museum not to make appraisals of donated or bequeathed works of art. It is a conflict of interest for the Museum to directly recommend an appraiser to a donor. The American Society of Appraisers has a searchable website which can be recommended.

J. All vendors and donors are required to warrant that the work(s) they sell or gift to the Museum are authentic, free of all liens and encumbrances, and are exported from their country of origin legally and imported into the United States legally.

K. All vendors and donors are required to warrant that they are the owners or agents of the work(s) of art and are competent to make the sale and to transfer full legal and equitable title to such work(s) of art to the Museum.

VI. Accessions – An accession is an acquisition that a museum formally adds to its collection, is held in public trust, and is administered according to this policy.

A. Acceptance of works shall be in accordance with the Acquisition Policy and Mission Statement of the Museum.

B. Works being considered as gifts, bequests, or exchanges to the Museum will be evaluated by the Director and Curator(s), who will provide their recommendation to MCAAB for final

approval. This group is scheduled to convene ten times per year and ratifies or denies the recommendations of Museum staff.

C. The purchase of artworks is exempt from the City of El Paso's Purchasing Guidelines. However, because the City does oversee the Museum's budget for any expenditure, including any purchase over \$3,499.99, art purchases valued at over this threshold must be approved by the Deputy City Manager for Quality of Life or a similar City office who oversees MCAD or their delegate.

VII. Deaccessions - To deaccession is to remove permanently from the collections any given object or objects. Additionally, deaccessioning is defined as the formal adjustment of records to reflect the removal of a work of art from the Museum's permanent collection.

A. **Criteria for Deaccessioning** - Objects in the collections will be retained permanently in the Museum as long as they continue to serve the objectives and purposes of the Museum and as long as the objects can be maintained, preserved, and used. Deaccessioning of objects may, in some cases, be considered when these conditions can no longer be met or in the interest of improving the collections in furthering the objectives, purposes, and scope of the Museum's activities. There are a number of reasons why deaccessioning might be contemplated, primary among these are:

1. The work is of poor quality and lacks value for exhibition or study purposes.
2. The work is a duplicate that has no value as part of a series. An example would be two prints of the same state, in which case the Museum shall retain the superior example. Redundant works include objects that are either duplicates, or similar variants, they also include works closely related in subject and style by the same artist or school by varying in quality or condition.
3. The Museum's possession of the work may not be consistent with applicable law, e.g. the work may have been stolen or illegally imported in violation of applicable laws of the jurisdiction in which the Museum is located or the work may be subject to other legal claims.
4. The authenticity or attribution of the work is determined to be false or fraudulent and the object lacks sufficient aesthetic merit or art historical importance to warrant retention. In disposing of or retaining a presumed forgery, the Museum shall consider all related ethical issues including the consequences of returning the work to the market.
5. The physical condition of the work is so poor that restoration is not practicable or would compromise the work's integrity or the artist's intent. Works damaged beyond reasonable repair that are not of use for study purposes may be destroyed.

B. **Method** - Objects in the collections shall be deaccessioned only upon the recommendation of the appropriate Curator(s) and the Director, followed by the approval of **MCAAB**. A deaccession worksheet containing the reasons for the proposed deaccession will be prepared by the Registrar in conjunction with the appropriate Curator(s) and submitted by the Director to

MCAAB. This documentation will contain a recommendation for the method of disposal as well as a statement of what is intended for any funds realized from the sale of the work.

C. Restrictions - Before objects in the collections are disposed of, reasonable effort will be made to ascertain that the Museum has clear title to the objects. If restrictions exist as to the use or disposal of the object under question, the Museum shall observe these conditions strictly, unless deviation from the restrictions is authorized by a court of competent jurisdiction.

Reasonable effort will be made to comply with all conditions set forth in prefatory restrictions on acquisitions. When necessary the Museum shall seek the advice of the City Attorney's Office in actions involving restrictions.

D. Manner of Disposal - Disposal is defined as the transfer of ownership by the Museum after a work has been deaccessioned. The manner chosen for disposal of objects shall represent the best interest of the Museum, the public it serves, the public trust it represents in maintaining and preserving the collections, the scholarly community it represents, and the object. Primary consideration will be given to placing removed objects, through gift, exchange, or sale within another tax-exempt public institution wherein they may serve a valid purpose in research, exhibition, education, or public service. If objects are offered for sale, consideration will be given for sale at advertised public auction or the public marketplace in a manner that will best protect the objective, purpose, activities, and legal status of the Museum. In the case of false or fraudulent works, or works that have been irreparably damaged and cannot practically be restored, removal from the collection and disposal is determined by the Museum and may include destruction of the work. Objects will not be deaccessioned directly or indirectly or in any manner that would personally benefit Museum or City employees, officers and members of Advisory Boards, or of the Mayor or City Council. Ethical considerations prohibit the acquisition of deaccessioned objects by the Museum or City employees, officers and members of Advisory Boards, and the Mayor or City Council.

E. Proceeds - All proceeds realized from sales of objects removed from the collections shall be allocated solely for the acquisition of additional works of art for the collections. This will include costs associated with the acquisitions and deaccessioning processes, including framing, mounting, photography, conservation, staffing, packing, transportation, evaluation, sales fees, and processing costs. Works of art purchased with deaccession funds will be publically credited to the original donor(s) as follows: "Gift of (donor's original credit) by exchange" or "Through prior gift of (donor's original credit)". Funds received from the disposal of a deaccessioned work shall not be used for operations or capital expenses.

F. Notice to donors (and heirs) and living artists - If the work proposed for deaccession has been given or bequeathed to the Museum, a reasonable attempt will be made to contact the donor(s) or heir(s) to advise them as a courtesy of the deaccession. Documentation shall include information on attempts made to contact donors, testators, or their heirs. Such action shall not be construed as a request for permission to deaccession or as an attempt to return the object. A reasonable effort to contact a donor, whose gift occurred within twenty years of the deaccession date, may include but is not limited to an internet search, a review of obituary records, or telephone records. If a deaccessioned object was given to the Museum more than twenty years prior, one attempt to contact or located the donor or their immediate heir is

sufficient (e.g. internet search). When a work by a living artist is deaccessioned, consideration must be given to notifying the artist.

G. Documentation – The Registrar will document the deaccession in the permanent files, accession card files, and in the collection management database. A photograph must be on record prior to an objects disposal. A completed Deaccession Form (including the amount realized in the event of a sale) will become part of the object's permanent historical file. The list of deaccessions and funds realized by any sales will be made available to the public upon request.

H. Prioritized List - A list of works currently under consideration to be recommended for deaccessioning is managed by the Registrar in conjunction with the Curator(s).

I. Exceptions - Works that are lost, stolen, or destroyed shall not be deaccessioned. The record on these works is maintained with appropriate comment as to the disposal, condition, or absence of the object.

VIII. Outgoing Loans - The Museum, in keeping with its educational mission, loans objects from its permanent collection on short- and long-term basis for a maximum of one-year (which may be annually renewable). Outgoing loans are made to museums, libraries, galleries, and other institutions, which are engaged in non-profit, educational, cultural, or scholarly purposes under the condition they follow professional collections care guidelines. The general mission and activities of the borrowing organization must be consistent with those of this Museum.

A. Requests - Loans must be requested by an official representative of the borrowing agency and be addressed to the Director or Senior Curator of the Museum. The request must include the name of the institution and the exhibition, the location of the exhibition, the loan period, the dates of exhibition, as well as any other conditions of the loan.

1. Loan requests for domestic venues must be received at least six months in advance of the exhibition opening date. All supplementary materials for any domestic request (facility reports, environmental readings, etc.) must be received no later than four months in advance of the exhibition opening date in order for the request to be considered.

2. For loan requests to foreign venues, the schedule expands to nine and seven months respectively in advance of the exhibition opening date.

3. After a loan has been approved by the Museum and authorized by MCAAB, it is required that any additional venues requested for a borrowed object or an exhibition tour be submitted for review at least three months in advance of the opening date of the exhibition. This subsequent request must follow the same protocol as the initial request.

4. Requests for loan renewal should be made in writing to the Director and/or Registrar, who will maintain the requisite paperwork.

5. Exceptions to the timelines described above may be made at the discretion of the Director in consultation with the Registrar and Curator(s).

B. Facilities Report - Borrowers must provide a completed AAM General Facility Report for evaluation or must make available a report that responds to all required information found in the AAM General Facility Report. The Museum does not lend objects to facilities that lack adequate security, environmental controls, storage facilities, safety procedures, staff training, etc.

C. Staff Review - In reviewing loan requests, the protection of objects and the integrity of the permanent collection are of foremost consideration. Loan requests must be evaluated in light of their scholarly value and importance to the museum community. The Registrar and **Curatorial Staff** review objects requested for conservation and preservation concerns, any legal restrictions, general object stability, and the ability to withstand travel or handling. The Museum does not lend objects that are actively unstable or unable to withstand the rigors of travel and exhibition.

D. Approval Process – All loan requests meeting the previous requirements are presented to **MCAAB** for approval. A PowerPoint containing all relevant information should be prepared by the Registrar for presentation by the Director, Curator(s) or Registrar. The Museum's Registrar informs the borrower in writing as to the approval/rejection of its loan request, noting any conservation requirements, installation restrictions, fees, or other conditions of the loan.

E. Financial Responsibilities - Borrowers are responsible for all fees and costs involved with the loan including, but not limited to, any conservation treatment, appraisals, framing, copyright clearances, photography, packing, crating, courier costs, transportation, insurance, loan fees, etc. Furthermore, copies of publications and/or research regarding said loan object(s) are requested by the Museum.

F. Loan Fees - Objects on outgoing loan are subject to a one-time loan fee determined by the Fees Schedule approved annually by the City of El Paso Mayor and Council during annual budget hearings, and reviewed annually by the Museum staff. This is a one-time set fee designed to offset costs involved in the processing, preparing, and handling of the loan request.

G. Documentation – All paperwork must be completed, signed and returned to the Museum prior to object shipment. Documentation for all outgoing loans must include: the Museum loan agreement and/or Borrower loan agreement (content and form approved by the Director and City Attorney's Office), the Museum outgoing receipt with condition report, and a certificate of insurance from the borrowing institution naming the El Paso Museum of Art as additional insured (if applicable).

H. Insurance - The collections of the Museum are required to be insured in transit and off-site while in the custody of borrowing institutions. Although as a matter of policy insurance is requested of all borrowing institutions, if the borrowing institution is unable to provide

insurance coverage, the Museum will insure and may invoice the borrower for all applicable premium costs.

I. Credit Line - All loan objects must be displayed with the object's proper credit line, crediting the El Paso Museum of Art, as well as the name of the donor and/or purchase fund.

J. Photography - Museum objects on outgoing loan may be photographed by the public or borrower without flash for educational, promotional, or other use to be determined at Museum discretion. General, overall gallery installation photographs are permitted without flash. All individual images for publication must be purchased from the Museum. Reproductions of copyrighted materials used by borrowing institutions or individuals must obtain release from the Museum. The borrowing institution must also secure releases for any copyrights not held by the Museum.

K. Return/Retrieval of Loans - The Registrar, in consultation with Museum staff, may recall any object on outgoing loan if terms of the loan contract have been violated.

L. Loan Administration - All loans will be administered by the Registrar's office. The Registrar will be responsible for the creation and maintenance of all loan-related files and for insuring compliance with all loan terms and restrictions. All conservation, packing, shipping, and other procedures will be scheduled by the Registrar or the above authorized by the Registrar should the borrowing institution prefer to arrange for those services. Requests for loan renewal or extension should be made in writing to the Director and/or Registrar and will be reviewed and processed by the Registrar.

M. Courier Policy – If deemed necessary by the Director, Registrar or Curator(s), the borrower will assume all travel-related expenses (transportation, lodging, per diem) for a designated Museum courier(s) to accompany the loan. Some objects may require more than one courier.

1. Determination – The decision to assign a courier to travel with a particular work will be made by the Registrar in conjunction with the Director and Curator(s). The Museum will require that a courier accompany works from the Permanent Collection that have special handling or installation requirements; that are of fragile nature or of extreme value; or are objects that will travel on routes that may prove dangerous due to natural or human hazards.

2. Selection - If a courier is deemed necessary, the Director or a member of the **Collections Staff** who is familiar with the object(s) will be selected to accompany the loan.

3. Qualifications – Selected couriers must be experienced in art handling techniques, must be able to make accurate and complete condition reports, and must be familiar with shippers, brokers, customs agents, as well as surface or air transportation vendors and procedures.

4. Requirements – Designated couriers must stay with the shipment at all times, must supervise the shipment's loading and unloading, must know how the shipment is packed, must be knowledgeable about any special handling requirements, must be

familiar with all applicable custom clearance procedures, and must communicate with Museum management regarding any delays and the status of the shipment.

N. Other City Departments - Loans may be made to other Departments within the City of El Paso or other museums within MCAD. For these situations a Memo of Understanding (MOU) between departments or museums will be the official document outlining the requirements of the loan. Loan approval for these situations will be determined by the Director.

O. Exceptions - In general, loans to institutions not listed above, including private corporations, public spaces, residences, etc. will not be considered. Exceptions to this policy can be made, but must be reviewed by the Director and Curator(s), and must be approved by MCAAB. Exceptions are subject to the borrower's ability to meet the security, environmental, installation, and handling requirements set by the Museum, as well as being subject to verification that they do not represent a conflict of interest for the Museum or City.

IX. Incoming Loans – The Museum may borrow works for exhibition, research, and consideration for acquisition. Objects accepted for loan must meet the same criteria as objects accepted into the Museum's collections. The purpose for incoming loans is to enhance the collection or an exhibition, not to provide free storage to private or institutional lenders. Incoming loans may also be from other Departments in the City of El Paso.

A. Time Period - All loans to the Museum must be made for a specific period. The Museum Director may approve all incoming loans and may sign all agreements and documents necessary to obtain these loans. Approval of loan agreements originating with the lender (i.e. not using the pre-approved Incoming Loan Agreement which is attached to this policy) must be reviewed by the City Attorney's Office.

B. Care and Maintenance - The Museum will give the same professional care to incoming loan objects that it gives to objects in its Permanent Collection. Objects will not be unframed, removed from mats, mounts, or bases, cleaned, repaired, or otherwise altered in any way without prior written permission from the lender.

C. Insurance - Incoming loan objects will be insured under the Museum's fine arts insurance policy while the loan object is on Museum premises. If the lender wishes to maintain its own insurance, the Museum must receive a certificate of insurance listing the City of El Paso and the El Paso Museum of Art as additional insured prior to shipment of the lent object. Insurance coverage for loaned objects during transportation will be determined by the Museum in conjunction with the Lender and detailed on the Museum loan agreement or the Lender loan agreement.

D. Documentation – All paperwork must be complete, signed, and returned to the Museum before the shipment of any incoming loan. Documentation includes: the Museum's pre-approved Incoming Loan Agreement (which is attached to this policy) or Lender's loan

agreement which has been reviewed and approved by the City Attorney's Office, an up-to-date condition report, as well as a certificate of insurance (if applicable).

E. Photography – As a minimum requirement, all Lender agreements must authorize Museum staff to photograph loan objects for record keeping purposes.

F. Return/Retrieval of Loans - Unless the Museum is notified in writing to the contrary, all incoming loans will be returned to the original lender at the address designated under the Museum loan agreement or the Lender Agreement. Any deviations from this policy may result in charges billed to the lender. The Museum will require at least one-month notice in the event the lender should wish to recall the loan. In the event that the lender wishes to recall their property with less than one-month notice, the lender will be responsible for all packing, shipping, and additional insurance costs.

G. Loan Administration - All loans will be administered by the Registrar's office. The Registrar will be responsible for the creation and maintenance of all loan related files and for insuring compliance with all loan terms and restrictions. All conservation, packing, shipping and other procedures will be scheduled through the Registrar's office.

H. Unclaimed loans or abandoned property – Occasionally Museum staff may find objects in the Museum that it does not own or cannot prove that it owns. Generally, these are objects that were loaned to the Museum in the distant past and are left unclaimed by the owner over a long period. Sometimes these are donated objects that lack proper documentation. Abandoned property is any object for which formal documentation does not exist.

1. The Museum is guided in managing such objects by Texas Property Code, Title 6A - Property Loaned to Museums, Chapter 80 - Ownership, Conservation, and Disposition of Property Loaned to Museum.

2. In order for the Museum to terminate a loan or assume title to an object, the Museum must make a good faith effort to contact the lender, if known, and to officially notify the lender by certified mail or by notice in a local newspaper.

3. Any property on loan to the Museum for 15 years or more, and to which no person has made claim according to the records of the Museum is considered abandoned and becomes the property of the Museum if the Museum has given the lender the appropriate notice, and after following due diligence and Texas Property Code, Title 6A, Section 80.004.

4. The Museum is also guided by Texas Property Code Chapter 72, Section 72.101, as it relates to the definition of Personal Property Presumed Abandoned and the requirements of government agencies to follow due diligence with the public.

X. Collections Care – The staff of the El Paso Museum of Art is committed to and responsible for the care of the Permanent Collection and borrowed objects on behalf of the City of El Paso and the public.

The inevitable physical deterioration of all objects may be mitigated by careful handling, and by storage in a clean and stable environment.

A. Movement of artwork

1. **Staff responsibility** – Artwork that is part of the Permanent Collection or on loan to the Museum must always be moved under the supervision of a trained member of the **Collections Staff**. All movement and location changes of artwork should be reported immediately to the Registrar. The Registrar will record changes to temporary and permanent locations of objects.
2. **Emergency situations** – Any artwork installed in the galleries or located in storage areas may be moved in the event of damage (or perceived potential damage) to the object that could be further aggravated by remaining in its current location. A member of the **Collections Staff** must be consulted, and should be present if possible, when moving damaged works. Damage must be reported immediately to a member of the Curatorial Staff and a damage report must be completed and shared with the Registrar, the Director and the lender (if applicable).
3. **Training** – All those with permission to assist the **Collections Staff** with art handling must be trained in the appropriate handling methods. Informal training will be provided on a case-by-case basis as needed by members of the **Collections Staff**.
4. **Packing and shipping** – The Registrar is responsible for managing the shipping arrangements for works in the Permanent Collection and works on loan to the Museum. Packing and shipping will be executed in accordance with professional standards, in a consistent manner, to provide the maximum protection for objects.

B. Preventative conservation

1. **Environmental conditions** – The El Paso Museum of Art is committed to the maintenance of a stable and appropriate environment, both in exhibition galleries and collection storage spaces, for all works in the permanent collections including works on loan to the Museum. Guidelines for the use of Museum spaces will be provided to all staff members. These standards will also apply when works are stored or loaned outside of the building at One Arts Festival Plaza.
 - a. To ensure appropriate levels, temperature and humidity will be constantly monitored via computer by building operations staff during operating hours. Additionally, the Registrar will monitor and record the conditions in the galleries and storage areas via HOBO data logger software. Temperature in all galleries should be set to 68-72 degrees Fahrenheit. The seasonal target range for relative humidity in the second floor galleries and storage during the spring, summer, and autumn months should be set to 48-52%. The seasonal target range for relative humidity in the second floor galleries and in storage during the winter months should be set to 43-48%. In the event of a drastic change in temperature (more than +/- 5 degrees) or humidity (+/- 5%), curatorial and operations staff must be alerted. If the temperature or RH ever exceeds the

range +/- 5 degrees or +/- 5%, the reason for the occurrence should be noted and explained along with the readings when at all possible.

b. In conjunction with the Registrar, **Collections Staff** is responsible for ensuring that light levels are appropriate for all works. Correct requirements for the amount and type of light are crucial for different types of artwork. No outside commercial lighting shall be allowed without the approval of the Registrar.

c. Smoking shall not be permitted in the building.

d. Food and drink will be limited to designated spaces within the Museum to be determined by the Director, Curator(s) and Registrar.

e. The use of open flames shall be limited to designated spaces within the Museum to be determined by the Director, Curator(s) and Registrar.

f. The use of cut flowers and live and dried plants shall be limited to designated spaces within the Museum to be determined by the Director, Curator(s) and Registrar. Flowers and plants should arrive pre-treated from a florist or other reputable outlet.

g. Live animals shall not be permitted in the Museum other than living-assistance animals.

h. No balloons will be allowed in the public spaces or galleries of the Museum.

i. Sketching, with pencil only, is permitted in the Permanent Collection galleries of the El Paso Museum of Art without supervision. Generally speaking, sketching of works on loan to EPMA is also permitted, with a few exceptions. The use of ballpoint pens, ink, markers, watercolors, paint, easels, or sketchpads larger than 9 x 12" is not permitted in the galleries at any time, without the supervision of a full-time member of the Museum staff. Students enrolled in Museum studio art classes should be supervised by the instructor at all times. With advance clearance, special permission may be given to professional artists, stationed at designated areas with contained materials at an easel desk. All others should check in at the Visitor Service and Security desk upon arrival, be instructed of the rules in advance, and be monitored by Museum staff in person and by video at all times.

2. Archival materials - The El Paso Museum of Art is committed to the consistent use of proper archival support materials and storage equipment for all works whenever feasible. All procedures used shall be reversible, and all materials will be non-reactive and stable. Through research and training, **Collections Staff** will stay informed of current materials and practices.

3. Condition reporting – The condition of all works will be monitored by **Collections Staff**. The Registrar is responsible for the completion of condition reports in a timely manner. Condition reports will be permanently stored in the object file along with

proper photographic documentation. Condition reports will be completed for works in the Permanent Collection or on loan to the Museum:

- a. Whenever a change occurs to an object's condition.
- b. Whenever an object leaves the Museum.
- c. Whenever an object arrives at the Museum.
- d. When an object enters the collections.

4. Conservation treatment – the **Curatorial staff** will stay informed of current practices in conservation treatment. Curatorial staff, in conjunction with the Registrar, is responsible for the maintenance of an up-to-date and prioritized listing of works which are in need of conservation treatment. This list shall be reviewed on a regular basis. When necessary, treatment should be performed by conservators who are certified by a professional association. Final approval of treatment, conservation and the conservator is by the Director upon recommendation of the Senior Curator and Registrar. When repair work is completed by living artists, an artist release form must be completed. No changes to the structure, make-up or concept of the artwork will be allowed.

5. Cleaning – Surface cleaning of the artwork and exhibition components will be the responsibility of the **Curatorial staff**. General cleaning and sweeping of the galleries and storage spaces will be completed by Museum staff members who have received training from the **Curatorial staff**. Cleaning of all other spaces may be undertaken by contract janitorial services under strict adherence to Curatorial guidelines regarding artwork installed in those spaces.

XI. Risk Management – The El Paso Museum of Art assumes the responsibility to identify and minimize potential risks in order to ensure the preservation of the collections, as well as the safety of visitors and staff members. A periodic review of risks should be conducted by the appropriate staff members, including Operations Staff and **Curatorial Staff** in conjunction with the Fire Department, Police Department, and Homeland Security. These risks may be related to infrastructure, systems, natural disasters, human error, or security.

A. Insurance – The Museum assumes the responsibility to provide fine art insurance coverage for the Permanent Collection and other collections on site or off premises and in transit; the policy also covers all works on loan to the Museum while on Museum premises and at designated times, in transit.

1. Staff responsibility – In conjunction with the **Curatorial staff** of the Museum, a designated member of the Risk Management division of the City of El Paso will be responsible for the negotiation and purchase of insurance coverage from an approved fine art insurance carrier. The Registrar shall keep records of the objects in the

collections and on loan to the Museum and act as the contact for the Museum's insurance agent.

2. Permanent Collection - The coverage for the Permanent Collection will be based on a value not less than the value of the top 500 works, and will aim for coverage for a maximum probable loss. Loss or damage of an object from the Permanent Collection must be reported immediately to the Registrar or a member of the **Curatorial staff**.

3. Incoming Loans - Coverage for incoming loans will be for fair market value on a "wall to wall" basis. Current fair market values for incoming loans should be provided by the lender and recorded on the loan agreement. The borrower is typically responsible for insurance costs. Loss of or damage to an object must be reported immediately to the Registrar or a member of the **Curatorial Staff**. In the case of an incoming loan, the lender is also notified within 48 hours.

4. Outgoing Loans - The collections of the Museum are required to be insured in transit and off-site while in the custody of borrowing institutions. Although as a matter of policy insurance is requested of all borrowing institutions, if the borrowing institution is unable to provide insurance coverage, the Museum will insure and may invoice the borrower for all applicable premium costs.

B. Emergency preparedness and disaster planning – Museum staff, in consultation with representatives from the Police Department, Fire Department, and Homeland Security will determine which hazards and/or natural disasters are most likely to affect the collections; from this information, Curatorial Staff will maintain an emergency preparedness plan (**dplan**) with the assistance of **dplan.org**. This plan outlines the procedures to be implemented during and after an emergency.

1. Staff responsibility - Annual review and revision of the **dplan** will be the responsibility of the Registrar and Curator(s). A committee of staff and volunteers will be formed to address specific issues as needed.

2. Training - All staff members should become familiar with the **dplan**. Disaster response training will be offered periodically in conjunction with Collections Care and Management training.

C. Integrated pest management – The El Paso Museum of Art devotes the staff time and resources necessary to prevent pests from reaching the collections.

1. Overall guidelines:

a. Food residues, pest carcasses, and mold will be removed so as not to attract pests.

b. Suitable environmental conditions will be maintained to discourage pests

c. All objects entering the Museum will be inspected for signs of infestation and quarantined as necessary.

d. Pest activity will be monitored by visual inspection and sticky pest traps.

e. Areas where pests may potentially enter the building will be controlled.

f. Chemical pesticides may be used but will be discouraged in areas where collections and staff members are present. This treatment will take place in common areas once a month.

g. If an infestation occurs, material will be isolated, treated and cleaned.

2. Staff responsibility – Inspection and maintenance of all public spaces will be the responsibility of the Operations staff. Inspection of gallery spaces, art storage, and works of art will be the responsibility of the Registrar and **Collections Staff**. Treatment of objects will be supervised by the Registrar and **Curatorial Staff**.

D. Security program – It is the responsibility of all El Paso Museum of Art staff to keep the collections safe from vandalism and theft, and they must identify potential security risks. The **Collections Staff** is responsible for the direct, hands-on care of the collections. Rules regarding access to the collections are determined by the Registrar and are included in the access section of this policy. Artwork shall not be removed from the building unless under the supervision of a member of the **Collections Staff**.

1. Training – General security information is provided to all employees on a periodic basis along with Collections Care and Management training. Specialized training is provided to Operations and **Collections Staff** at the beginning of their term of employment with the Museum.

2. Physical defense and alarms – The Museum is outfitted with magnetic contact sensors, break glass sensors, passive infrared motion detectors, closed circuit TV, and water detection devices. The security system is monitored by the Operations staff on a daily basis and the system is tested annually by the contract provider.

3. Fire detection and suppression – The Museum is equipped with fixed-temperature heat, humidity, and photoelectric smoke detectors throughout the building. The fire suppression equipment consists of a pre-action dry pipe system in the main galleries; and a wet pipe system in the Dede Rogers Special Events Gallery, public reception areas,

the lobby, and the fabrication shop. The fire detection and suppression systems are tested annually by the contractor and certified by the Fire Department.

4. Permanent workers – The City of El Paso has a thorough screening process which includes background checks and fingerprinting for all incoming permanent and full-time contract employees, and all volunteers.

5. Non-permanent workers

a. Contract employees - Repeat contract employees such as janitorial, security, and pest control workers must be trained and supervised by Operations staff when in non-public areas where artwork is present.

b. Vendors – One-time vendors with the El Paso Museum of Art (i.e. photographers, caterers, musicians, equipment maintenance, etc.) should be supervised by a member of the appropriate Museum department at all times when in non-public areas where artwork is present.

c. Volunteers – All volunteers must be authorized by the City of El Paso Human Resources Department and must be supervised by a member of the appropriate Museum staff at all times when in non-public areas where artwork is present.

XII. Access to and Use of the Collections – The El Paso Museum of Art will provide public access to its collections and the associated records, while ensuring the safety and security of the collections and records. Access to and use of the collections should not compromise collections care or security.

A. Access to galleries- The Museum allows open access to galleries and other public spaces during regular visitor hours. Staff reserves the right to deny access to anyone behaving in a disorderly manner or whose actions threaten the safety of the public or the collections. Special permission is required for the instances listed below.

1. Museum events – The use of second floor gallery spaces for receptions and special events is limited to Museum sponsored events and shall be held in accordance with the rules set within the Risk Management section of this policy.

2. Rentals - All public spaces are available for rental to departments of the City of El Paso, outside non-profit and for-profit organizations, and members of the general public in accordance with the rules set within the Risk Management section of this policy and for a fee annually approved by City Council during annual budget hearings.

3. Commercial usage – The use of Museum spaces for commercial purposes should be controlled and monitored closely by **Collections Staff**. Requests for commercial use must be accompanied by a written request and the appropriate completed form (i.e. Photography/Video Request or Access to Collections and/or Registration Materials). The request may be subject to fees as determined by the **Curatorial Staff**.

4. Installation periods - For the safety and security of artwork not yet installed, access to gallery spaces during the installation period between exhibitions is limited to members

of the **Collections Staff**. Other staff members or guests who wish to enter the gallery may do so under the supervision of a member of the **Collections Staff**.

B. Access to storage areas and the Registration office - The Museum does not allow open, unsupervised access to storage areas or the Registration office, however, under specific circumstances access will be allowed. Permission to access collections in storage areas shall follow the course of action as described in this section, as well as all rules of collections care as described in this policy or by **Collections Staff**.

1. Staff responsibility – It is the responsibility of the Registrar and **Collections Staff** to ensure that access to art storage or the Registration office is monitored and controlled. Outside contractors, building and equipment inspectors, and researchers must be supervised at all times when in art storage areas or the Registration office.

2. Requests for access - Appointments to view collections or Registration files for the purposes of research and other educational uses must be made with the Registrar at least one week in advance. An application for access to collections and/or Registration files must be completed by the researcher and approved by a member of the **Curatorial Staff**. Requests made by students, scholars, researchers, and donors will be considered. Researchers may be required to submit a description of the project and a resume.

3. Behind the scenes tours - Access to art storage and other non-public spaces should be requested at least two weeks in advance. Final approval will be made by the Director. In order to safeguard the collections, tour group sizes will be limited, and groups will be supervised by at least one member of the **Collections Staff** in addition to a second member of the professional staff.

C. Collection records –All requests for information will be handled in accordance with the City of El Paso’s Open Records Procedures. To the extent allowed by law, original records must not leave the premises where such records are stored and may only be handled by authorized Museum staff.

D. Artwork in staff offices – No artwork from the Permanent Collection will be installed in Museum staff offices, with the exception of public spaces such as the Director’s office, the main hallway of administration, and the conference room.

E. In order to provide the best professional standards of care for the artwork which is managed by the Museum in the public trust, artwork from the Permanent Collection is not available for installation at City Hall or in any office occupied by City staff, City Council or the Mayor. The Museum reserves the right to remove works on loan at any time if needed for exhibition, loan or other Museum use; or if the safety or condition of the artwork is in question. No objects will be moved, cleaned, or repaired unless the Registrar or a member of the staff is notified and present. The Director of EPMA and the Director of MCAD must approve exceptions to any of the above guidelines.

XIII. Intellectual Property – The El Paso Museum of Art complies with U.S. Copyright Law in its photographic services and practices. Under the provision of Fair Use, the Museum may use the image of a copyrighted object, or the object itself, for scholarship, teaching, and exhibition.

A. Non-exclusive copyright transfer for collections – The Museum will use due diligence in determining the copyright status of objects brought into the collections through gift, transfer, purchase, exchange or long-term loan. The Museum will request the transfer of non-exclusive copyright for all objects which enter the collections, through the use of the Deed of Gift or the Non-Exclusive Copyright Agreement.

B. Image requests – Use of images of works in the collections must be formally requested to the Registrar. All images will be provided by the Registrar, and fees will be assessed based on a fee schedule approved by the Mayor and City Council.

C. Publication requests - Images of the collections intended for publication must be approved by the Registrar. A Reproduction Agreement must be completed and signed by both the applicant and either the Director, the Registrar, or a Curator. The Registrar will ensure that reproductions of collection objects are assembled in compliance with intellectual property right restrictions. Fees for reproduction rights will be assessed based on a fee schedule approved by the Mayor and City Council.

D. Employees - The Museum will own the copyright to all material (i.e. educational programs, Museum publications, label copy, etc.) produced by its staff members as part of their job responsibilities as employees of the Museum. It also retains the copyright of ownership. Copyright of the artists' names, their oeuvre, and when appropriate of the subject matter, cannot be granted by the El Paso Museum of Art under any circumstance.

XIV. Photography

A. Personal Use - Personal use photography is allowed in public spaces and Permanent Collection galleries. This includes cell phones, handheld cameras and video cameras that are set to take non-flash photos. Flash photography and tripods are prohibited without special permission obtained in writing in advance from the Registrar. While personal use photography is encouraged at the Museum, it must be conducted without disruption to Museum operations or visitors and with the safety of the art collections in mind. Photographs may not be published, sold, or otherwise distributed for commercial purposes. Visitors may post images from their visit on personal social media sites, so long as they are not used for profit.

B. Media - Members of the media must be escorted by a member of EPMA or MCAD staff. All organized photo shoots inside the Museum, whether for news coverage, school projects, or tourism programs, will require an escort and must be scheduled in advance. Unscheduled photo shoots that cannot be properly supervised will be declined. Members of the press will be provided with a copy of the guidelines and may be required to sign an acknowledgment. Failure to abide by the guidelines or sign the acknowledgment may result in the member of the press being asked to stop photographing and/or filming

C. Commercial Use - Photo shoots for commercial purposes (advertising, music videos, training videos, etc.) must be approved and scheduled in advance by the Office of the Registrar. Inquiries for commercial and professional photography should be made to the Office of the Registrar at least one month in advance. Approval for commercial and professional photography will be made on a case by case basis. A fee may be charged for the use of facilities and staff time.

D. Collection Images - Images of objects in the collections are available for commercial and publishing uses through the Office of the Registrar. Requests will follow the procedure and fee schedule in place for rights and reproduction. The Museum requests a copy of any publication featuring reproduction of a work from its Permanent Collection. Unauthorized reproduction is an infringement of United States Copyright Law.

E. Permission - The Museum reserves the right to withhold or withdraw permission to photograph on the premises. Museum staff has the authority to approach and verify the intent of photography, and to enforce the Photography Policy.

XV. Appraisal – An appraisal is a judgment of what something is worth. Appraisals often are necessary to establish value for insurance purposes, for an object going out on loan, for a damaged object, for a potential purchase, or to advise a donor about the tax deductibility of a donation.

A. The Museum is prohibited from making, arranging or paying for appraisals of tax-deductible donations. Appraisals are the responsibility of the donor.

B. Should a donor wish to request a tax deduction for a donations, the IRS (Internal Revenue Service) requires that donations valued as more than \$5,000 be appraised by a "qualified appraiser" no more than 60 days before the date on the Deed of Gift, but before the due date of the tax return on which the deduction is being claimed.

C. Museum staff may not make appraisals (written or verbal) for any outside party, even those who are not donating to the Museum. When requested, staff may refer donors and other interested parties to the International Society of Appraisers (<http://www.isa-appraisers.org/>) or the American Society of Appraisers (<http://www.appraisers.org/>). Information on authenticity and quality may be offered to members of the public, other museums, and the business sector. Such objects may not be left in the care of the Museum.

D. Internal appraisals are necessary for day-to-day management and to ensure proper stewardship of the collections. Internal valuation may be undertaken by the appropriate Curator(s) when: the value of an object is in question; when two or more appraisals of the same object vary widely; or, in order to determine the value of an object for loan purposes.

E. A percentage of the Permanent Collection should be reevaluated and reappraised as needed to ensure that overall insurance coverage is adequate. A designated qualified appraiser should be an accredited member of one of the major appraisal associations. A written contract between the City, the Museum, and the selected appraiser should govern the scope of service. The Director is authorized to execute the contract with the appraiser provided that the contract meets all procurement policies of the City.

XVI. Inventory - The El Paso Museum of Art is responsible for knowledge of the collections whereabouts and condition. A full inventory will take place every ten years. Documentation, reconciliation and location updates will be the responsibility of the Registrar and the **Collections Staff**.

XVII. Code of Ethics

A. In all matters dealing with the collections, the staff will adhere to the standard policies set forth by the Museum's Code of Ethics, the City of El Paso Code of Ethics and those expressed by the American Alliance of Museums (AAM) and the American Alliance of Museum Directors (AAMD):

1. Staff members shall not use their positions for personal gain.
2. Staff member shall not appraise or attempt to set value on objects/artifacts for any purpose.
3. Staff members involved with the collections must disclose their personal collecting interests to the Director, and in the case of the Director to the Director of the Department.

B. In all matters dealing with the collections, the City Staff and Volunteers will adhere to the standard policies set forth by the Museum's Code of Ethics, City of El Paso Code of Ethics, and those expressed by AAM and AAMD:

1. City staff and volunteers that collect in the areas of the Museum's own collecting areas must abide by any restrictions placed on such collecting as specified in the Museum's Code of Ethics.
2. No member of the staff of the Museum nor their immediate families or representatives shall acquire objects through the deaccessioning process.

XVIII. Policy Review – This policy will be continuously monitored by the Registrar and Curator(s), and updated as necessary when it is no longer appropriate or when professional standards change. At a minimum, the Director, Registrar, and Curator(s) will review the policy once every five years. All changes to this policy must be approved by the Museums and Cultural Affairs Advisory Board and City Council before taking effect.

XIX. Legal Review- This policy recognizes that every transaction is different. As such, the City Attorney's Office is authorized to revise all form documents attached to this policy as necessary, and without City Council approval, to secure the City's and the Museum's interests in relation to this policy.

XX. Authority to Execute Attached Forms- Provided there is no conflict with any laws or City policies and provided the forms have been approved by the City Attorney's Office, the Director of the Museum of Art is authorized to execute, without further Council approval, the forms attached to this policy. The Registrar is authorized to sign the following forms: Request for Access to Collections and/or Registration Materials, Reproduction Permission Agreement, and the Photography/Video Permission Request

XXI. Definitions – For the purposes of this policy, the following definitions are provided:

- A. **Curatorial Staff** shall include all Curators and Registrars.

B. **Collections Staff** shall include all Curators, Registrars, Preparators, Art Handlers, and Operations Staff who have been trained to care for the collections.

C. **Museums and Cultural Affairs Advisory Board (MCAAB)** is made up of citizens of El Paso who are appointed by City Council representatives. This group meets 10 times per year.

D. **American Alliance of Museums (AAM)**, formerly the American Association of Museums, is a non-profit association that has brought museums together since founding in 1906, helping develop standards and best practices, gathering and sharing knowledge, and advocating on issues of concern to the museum community. AAM is the governing body which grants accreditation to institutions within the museum field.

E. **dplan** is the Museum's disaster preparedness plan and was made from an online template that was prepared by the Northeast Document Conservation Center and the Massachusetts Board of Library Commissioners. This plan was designed to prevent or mitigate disasters, prepare for the most likely emergencies, respond quickly to minimize damage if disaster strikes, and recover effectively from disaster while continuing to provide services to the community.

RESOURCES

American Association of Museums. 1999. *A Museum Guide to Copyright and Trademark*. American Association of Museums, Washington, D.C.

American Alliance of Museum Registrars Committee. 2011. *General Facility Report*. American Alliance of Museums Registrars Committee, Washington D.C.

Buck, Rebecca A. and Jean Allman Gilmore (editors). 2010. *The New Museum Registration Methods, 5th Edition*. American Association of Museums, Washington D.C.

Malaro, Marie. 1998. *A Legal Primer on Managing Museum Collections*. Smithsonian Institution Press, Washington D.C.

Powell, Brent. 2016. *Collection Care: An Illustrated Handbook for the Care and Handling of Cultural Objects*. Rowman & Littlefield, Lanham, Maryland.

Simmons, John E. 2006. *Things Great and Small: Collections Management Policies*. American Association of Museums, Washington D.C.

Appendix A – Standard Registration Forms

1. Deed of Gift
2. Outgoing Loan Agreement
3. Incoming Loan Agreement
4. Memo of Understanding (regarding loans to and from City departments)
5. Deaccession Worksheet
6. Artwork Repair Agreement
7. Request for Access to Collections and/or Registration Materials
8. Nonexclusive Copyright Transfer Agreement
9. Reproduction Permission Agreement
10. Photography/Video Permission Request



EL PASO MUSEUM OF ART - CITY OF EL PASO
ONE ARTS FESTIVAL PLAZA
EL PASO, TX 79901-1135
Office of the Registrar 915.212.3058

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DEED OF GIFT

Donor Name
Address
Telephone Number

Table with 3 columns: NO., DESCRIPTION, VALUE

Donor represents and warrants that Donor has lawful authority to transfer the items listed above ("Works") and upon the execution of this Document, the Museum will have good and marketable title to the Work.

I (we), being the sole legal owner(s) of the Property described above, irrevocably give, transfer and assign to the El Paso Museum of Art, Department of Museums and Cultural Affairs, City of El Paso, for its use and benefit by way of gift, all rights, title, and interests

I (we) wish my (our) name(s) as donor(s) in connection with this gift to appear as follows in Museum records, publications, and other descriptions:

Donor
Date
Donor
Date

The El Paso Museum of Art hereby acknowledges receipt of the above Deed of Gift.

El Paso Museum of Art Director
Date

Sign, date, and return designated copy to: El Paso Museum of Art, One Arts Festival Plaza, El Paso, Texas, 79901. Attn: Registrar.



EL PASO MUSEUM OF ART - CITY OF EL PASO
ONE ARTS FESTIVAL PLAZA
EL PASO, TX 79901-1135
Office of the Registrar 915.212.3058

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OUTGOING LOAN AGREEMENT

Borrower _____	Loan Period _____
Address _____	Loan Purpose _____
Credit Line _____	Location _____

NO.	DESCRIPTION	VALUE

The Borrower accepts the conditions as outlined on the front and back of this agreement.

Borrower _____ For EPMA _____

Date _____ Date _____

Sign, date and return designated copy to: El Paso Museum of Art, One Arts Festival Plaza, El Paso, Texas 79901, Attn: Registrar

CONDITIONS GOVERNING THE LOAN OF OBJECTS

1. The Borrower agrees to borrow the objects described on the face of this loan agreement from the El Paso Museum of Art for the purpose indicated on the face of this agreement.
2. It is understood that the objects borrowed from the Museum shall remain in the condition in which they were received. They shall not be cleaned, repaired, retouched or altered in any way whatever without written permission of the Museum, except in an emergency situation when the safety of the work makes such action imperative; nor may framing, matting, mounting or glazing be changed without written permission; nor may objects be examined by scientific methods without written permission. Objects must be maintained in a building protected from fire, smoke or flood damage, under 24-hour security and protected from extreme temperatures and humidity; excessive light; and from insects, vermin, or dirt or other environmental hazards. Objects must be handled only by experienced personnel. The Borrower agrees to meet any special requirements for installation and handling as noted or referenced on the face of this agreement.
3. Damages, whether in transit or on the borrower's premises and regardless of who may be responsible, shall be reported to the Museum immediately, followed by a written report and including photographs, if necessary. If damage occurs in transit, the Borrower will also notify the carrier and will save all packing materials for inspection.
4. The Museum will specify the method of packing and will provide any special instructions for unpacking and repacking. Objects shall be returned packed in the same or similar materials by experienced personnel. Objects will arrive and be returned in the manner of shipment mutually agreed upon by the Borrower and the Museum.
5. Objects shall be insured by the Borrower during the period of the loan, including transit, for the value stated on the face of this agreement under an all risk wall-to-wall policy subject to the following generally accepted standard exclusions against damage or loss resulting from insects or vermin, wear and tear, gradual deterioration, or inherent vice; repairing, restoration, or retouching processes; hostile or warlike action, insurrection or rebellion; and/or nuclear reaction, nuclear radiation or radioactive contamination. The Borrower must provide the Museum with either a certificate of insurance or a copy of the policy made out in favor of the City of El Paso prior to shipment of the objects. The Museum Registrar must be notified in writing 20 days prior to any cancellation or meaningful change in the Borrower's policy. Any lapses in coverage, any failure to secure insurance and/or inaction by the Museum regarding notice will not release the Borrower from liability for loss or damage. Insurance value may be reviewed periodically and the Museum reserves the right to increase coverage if reasonably justified. In the event of loss or damage, the borrower's maximum liability will be limited to the insurance value then in effect. **THE BORROWER AGREES TO INDEMNIFY THE MUSEUM FOR ANY AND ALL LOSS OR DAMAGE TO THE OBJECTS OCCURRING DURING THE COURSE OF THE LOAN, EXCEPT FOR LOSS OR DAMAGE RESULTING FROM WEAR AND TEAR, GRADUAL DETERIORATION, INHERENT VICE, WAR AND NUCLEAR RISK.**
6. Each object shall be labeled and credited to the Museum in the exact format provided on the face of this agreement, both for display labels and publication credits. The Borrower may photograph the objects only for record and publicity purposes and for reproduction in an exhibition catalogue for uses related to the stated purposes of the loan. Photography for commercial purposes is prohibited.
7. Unless otherwise noted on the face of this agreement, all costs of packing, transportation, couriers, insurance and other loan-related expenses will be borne by the Borrower. The estimated costs must be agreed upon by both parties.
8. The Museum reserves the right to recall the objects from loan or cancel the loan for good cause at any time, and will make every effort to give reasonable notice thereof. Objects lent must be returned to the Museum by the return date. An extension of the loan period must be approved in writing by the Museum Director or his designate and covered by written parallel extension of the insurance coverage.
9. In the event of any conflict between this agreement and any forms of the Borrower, the terms of this agreement shall be controlling. For loans to borrowers within the United States, this agreement shall be construed in accordance with the law of the State of Texas and venue for any disputes regarding this Agreement shall lie exclusively in El Paso County, Texas.



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INCOMING

LOAN AGREEMENT

This Incoming Loan Agreement ("Agreement") is between the Lender and the City of El Paso ("City") through the City's El Paso Museum of Art. The Parties agree to the following:

Date _____ of _____

Agreement: _____

Loan Period _____ Loan Purpose: _____

Exhibition Title: _____ Exhibition Dates: _____

Lender Name: _____ Lender's Telephone: _____

Lender's Address: _____

Loan Objects Return Address (if different from Lender's Address): _____

Fee amount payable to Lender: _____ Fee payment date: _____

Insured during Loan Period by (if not insured by the City): _____

Insured during transportation by: _____

Credit Line: _____

LOAN OBJECTS DESCRIPTION

LOAN VALUE

1. The Lender will lend to the El Paso Museum of Art ("Museum") the objects described on the face of this Agreement ("Loan Objects") for the duration of the Loan Period. The Museum will require at least one month notice in the event the lender should wish to recall the loan. In the event that the lender wishes to recall their property with less than one month notice, the lender will be responsible for all packing, shipping, and additional insurance costs.
2. The Lender may not withdraw the Loan Objects during the Loan Period without the written consent of the Museum. The Lender also agrees that the Museum may perform the following at its sole discretion:

- a. Modify the exhibition dates at the Museum’s discretion provided that such dates do not extend before or after the Loan Period.
 - b. Decide not to exhibit the Loan Objects during the Loan Period.
 - c. Decide the manner and the location within the Museum where the Loan Objects will be exhibited.
 - d. Cancel the loan and this Agreement provided that the Museum provides lender reasonable notice.
3. The Museum will immediately report to the Lender any damage that occurs to the Loan Objects. The Museum will not clean, repair, or transport in a damaged condition the Loan Objects without the prior written permission of the Lender.
4. The Museum will return the Loan Objects to the Loan Objects Return Address as described on the face of this Agreement. If the Lender wishes to have the Loan Objects shipped back to a different address, then the Lender will provide notice of the new address prior to the shipment of the Loan Objects to the Lender. It is the Lender’s responsibility to ensure that the Museum has the correct return address. The Lender agrees to assume any additional expenses that arise out of the Lender’s change of the Loan Object’s Return Address. The Lender will notify the Museum of any change in ownership of the Loan Objects. The Lender will inform the Museum of any changes in the identity, legal status, or address of the Lender. If the Museum’s efforts to return the Loan Objects to the Lender, then the Museum will maintain the Loan Objects at the Lender’s risk and expense for a period not to exceed 3 years. If after the 3 years the Lender has not claimed the Loan Objects, then it will be deemed that the Lender has made an unrestricted gift of the Loan Objects to the museum.
5. The Lender makes the following representations and warranties as of the Date of Agreement.
- a. The Loan Objects are in such condition as to withstand ordinary strains of packing, transportation, and handling.
 - b. The Lender is the legal owner of the Loan Objects or has obtained proper authorization from the legal owner to enter into this Agreement for the loan of the Loan Objects.
 - c. The Loan Objects do not infringe any copyrights or any other third party rights.
 - d. The Loan Objects have not been committed to be loaned to another institution.
 - e. The Legal Owner of the Loan Objects has not entered into an Agreement for the sale of the Loan Objects that would interfere with this Agreement.

THE LENDER WILL INDEMNIFY THE CITY FROM ALL CLAIMS ARISING OUT OF THE LENDER’S BREACH OF THE REPRESENTATIONS AND WARRANTIES MADE IN THIS SECTION.

6. The Lender will assure that the Loan Objects are adequately and securely packed for the type of shipment agreed by the parties, including any special instructions for unpacking and repacking. The Lender agrees that the Museum will return the Loan Objects via the same method of shipment as the items were sent. If the Lender requests that the Loan Objects be returned in a different method, then the Lender will pay for any difference in cost of shipping the Loan Objects via the requested method. Upon return of the Loan Objects to the Lender, the Museum will send the Lender a receipt form. The Lender will sign and return the receipt form (“Receipt Form”) to the Museum within 30 calendar days of the postmark date of the receipt form. If the Lender does not return to the City a signed copy of the Receipt form as stated in this Section, then the City will not be responsible for any claims of damage or loss of the Loan Objects.
7. The Lender agrees with, and will abide by, all policies of the Museum, including policies for incoming loans.
8. Lender authorizes the City to photograph the Loan Objects for publicity, record keeping, and educational purposes. Unless otherwise provided in writing by the Lender, the Museum will give credit in any publications as specified on the face of this Agreement.
9. Unless the Lender expressly elects to maintain his/her own insurance coverage, the City will insure the Loan Objects for the values stated on the face of this Agreement under a fine arts policy against damage or loss in transit and while in the Museum’s possession. If the Lender fails to indicate an amount, the Museum will set a value for purposes of insurance for the period of the loan. The Lender agrees that they amount payable by insurance secured in accordance to this Agreement is the sole recovery available to the Lender from the Museum in the event of loss or damage to the Loan Objects. It is the responsibility of the Lender to notify in writing the Museum of any changes to the values of the Loan Objects. If the Lender elects to maintain his/her own insurance coverage, then the Lender will provide the Museum, prior to shipping, a certificate of insurance naming the City of El Paso as an additional insured and waiving the right of subrogation. If the Lender elects to maintain his/her own insurance policy and fails to provide the City with such policy, then such action will constitute the agreement of the Lender to release and hold harmless the City and Museum from any liability whatsoever in connection with the Loan Objects and this Agreement. The Museum is not responsible for any error or deficiency in information provided by the Lender to the insurer or for any lapses in coverage.

Lender _____ For City of El Paso-EPMA _____

Date _____ Date _____

Sign, date and return indicated copy to: El Paso Museum of Art, One Arts Festival Plaza, El Paso, Texas 79901. Attn: Registrar

STATE OF TEXAS

§

MEMORANDUM OF UNDERSTANDING

COUNTY OF EL PASO

§

TO: _____

FROM: _____
Director of the Museums and Cultural Affairs Department of the City of El Paso

SUBJECT: Loan of _____

DATE: _____

I am writing to confirm our understanding concerning the loan of artwork from _____
_____ to the El Paso Museum of Art - El Paso Museums and Cultural Affairs department. _____
_____ by _____ will be exhibited at the El Paso Museum of Art
(One Arts Festival Plaza, El Paso, TX 79901) in the exhibition _____ from _____
_____ ("Loan Period"). The Loan Period will be sufficient in order to allow for professional
photography for the upcoming publication of the same name. El Paso Museum of Art staff will provide de-installation,
packing, transportation to and from the _____ and re-installation upon return.

BY: _____
Director of the Museums and Cultural Affairs Department

I am in agreement that the summary above reflects our understanding.

BY: _____



DEACCESSION WORKSHEET

Accession number _____

Artist _____ Title (date) _____

Medium _____ Dimensions _____

Method of acquisition: Purchase Gift Bequest Other (specify) _____

Donor name _____ Date of acquisition _____

Address _____

Phone _____ Email _____

Donor or donor's family is still in the area yes _____ no _____ notified by / date _____

Current Market Value \$ _____ Source _____

List any restrictions _____

Required conditions to consider deaccessioning

The object is:

_____ Free from donor mandated restrictions

_____ Free and legally owned by the museum

Status of object:

Overall condition _____

Last exhibited _____

Current value \$ _____

How determined _____

Criteria for Deaccessioning

Check if applicable:

_____ Poor condition: the object has lost its physical integrity, identity or authenticity; or it is beyond practical conservation and therefore of little or no artistic, historical or artistic value; or it endangers the rest of the collections

_____ Inappropriate: The object is no longer (or never was) relevant to the mission of the Museum or its collecting plan.

_____ Care: The Museum can no longer properly store or care for the object.

_____ Use: It is doubtful that the object can be exhibited in the near future and it is inappropriate for study.

_____ Redundancy: The Museum has one or more objects similar to or the same as this object. Duplicate(s) have the following number(s): _____

_____ Other: (specify) _____

Recommended means of disposal:

_____ Exchange

_____ Donation

_____ Public sale

_____ Destruction

*include statement of how funds will be used

_____ Accession log updated

_____ Remove number from object

_____ Disposal completed

Deaccession Checklist

_____ Pull all relevant files

_____ Prepare curatorial report

_____ Request made to Director

_____ Request made to MCCAB

_____ Object file / card catalog updated

_____ Database updated



El Paso
Museum
of Art

ARTIST REPAIR AGREEMENT

Artist Name _____

Address _____

Phone _____

Description of artwork(s) to be repaired: _____

Description of repair work to be completed: _____

If work is to be completed off-site, please indicate location: _____

Date of completion: _____

Expense budget: _____ (please attach separately)

Not to exceed amount: _____

CONDITIONS GOVERNING CONSERVATION AND REPAIR WORK

1. While in the process of repairing the work, the artist will not change or re-interpret the artwork(s) from what appears in the photograph dated _____ (attached). There should not be significant changes in the structure, make-up or concept of the artwork(s).
2. It is the responsibility of the artist to accurately record the time spent and direct expenses involved in the repair of the artwork(s). Receipts for repair costs and materials will be required from the artist by the City in order for the City to reimburse artist. Payment will be made upon approval of the repairs by the City of El Paso (the "City").
3. Works of art in the collection of the El Paso Museum of Art will be covered under the fine arts insurance policy. The artist will be held responsible to repair or make reparations for any damage to the artwork while in the care of artist or those s/he has designated to restore or repair the work, and during the transportation of the artwork. If the repairs are to be completed off-site, transportation must be handled by the artist. The fully required work must be delivered to EPMA at a time and date agreed by both parties.
4. Repair work will be subject to approval by an authorized representative of the El Paso Museum of Art.
5. Artist will provide a warranty for all repairs and work done under this Agreement for a period of one year from the date of completion as described above. The Artist will promptly repair or replace all defects due to fault material or workmanship, which arise during this warranty period. If any repairs to the Artist's work under this Agreement are done, then the Artist will warrant such repairs for an additional year after the completion of the repairs. The Artist will do all repairs or replacement under this Section at the Artist's sole cost and expense.

I, _____, HEREBY WAIVE, RELEASE AND DISCHARGE ANY AND ALL CLAIMS OR RIGHTS TO CLAIMS FOR DAMAGES FOR DEATH, PERSONAL INJURY OR PROPERTY DAMAGE WHICH I MAY HAVE, OR ACCRUE TO ME, AS A RESULT OF MY PARTICIPATION IN THE REPAIR OF THE ARTWORK KNOWN AS _____.

THIS RELEASE IS INTENDED TO DISCHARGE THE CITY OF EL PASO (THE "CITY"), MUSEUMS AND CULTURAL AFFAIRS DEPARTMENT (MCAD), CITY OFFICIALS (AND THEIR RESPECTIVE AGENTS AND EMPLOYEES), FROM AND AGAINST ANY AND ALL LIABILITY FOR INJURY OR LOSS ARISING OUT OF OR CONNECTED IN ANY WAY WITH MY PARTICIPATION IN THE REPAIR OF SAID ARTWORK, EVEN THOUGH THAT LIABILITY MAY ARISE OUT OF NEGLIGENCE OR CARELESSNESS ON THE PART OF THE CITY OR ITS AGENTS OR EMPLOYEES.

CITY OF EL PASO: _____ Date: _____

Artist: _____ Date: _____

APPROVED AS TO FORM: Assistant City Attorney

Sign, date and return indicated copy to: Office of the Registrar, El Paso Museum of Art, One Arts Festival Plaza, El Paso, Texas 79901.



EL PASO MUSEUM OF ART - CITY OF EL PASO
ONE ARTS FESTIVAL PLAZA
EL PASO, TX 79901-1135
Office of the Registrar 915.212.3058

REQUEST FOR ACCESS TO COLLECTIONS AND/OR REGISTRATION MATERIALS

Applicant Affiliation Title Address Telephone

Describe the collections or registration materials you would wish to see:

Date(s) you wish to obtain access:

Describe your project:

Professional references or instructor /project supervisor:

Other forms needed: Photography/Video Permission Request
Reproduction Permission Agreement
Other:

Date received Date approved

By Title



EL PASO MUSEUM OF ART - CITY OF EL PASO
ONE ARTS FESTIVAL PLAZA
EL PASO, TX 79901-1135
Office of the Registrar 915.212.3058

NON-EXCLUSIVE COPYRIGHT TRANSFER AGREEMENT

I, _____, the undersigned, being the owner of the copyright in and to the following original work(s) of art:

Two vertical lines indicating a space for the artist's name.

in consideration of the acquisition of said work(s) by the El Paso Museum of Art, do hereby authorize the El Paso Museum of Art, and other parties duly authorized by the Museum, to use the above mentioned work(s) for all standard museum purposes including, but not limited to, displaying the work(s), lending the work(s), reproducing the work(s) by methods involving photographic, electronic and mechanical means, and displaying, distributing, selling and transmitting such reproductions or images to the general public.

© _____ (as you wish the work(s) to be credited for publication purposes)

The effective date of this nonexclusive license shall coincide with the date of ownership of the work(s) of art itself (themselves) is acquired by the El Paso Museum of Art. This nonexclusive license, which does not transfer ownership of the copyright to the El Paso Museum of Art, shall survive all assignments of copyright.

The undersigned affirms that he/she owns the rights and interest to be granted by this document.

Date

Signature of Artist or Copyright holder



EL PASO MUSEUM OF ART - CITY OF EL PASO
ONE ARTS FESTIVAL PLAZA
EL PASO, TX 79901-1135
Office of the Registrar 915.212.3058

Page 1 of 2

REPRODUCTION PERMISSION AGREEMENT

Applicant _____
Address _____
Telephone _____

Permission is requested to reproduce the work of art listed below in the following:
 Publication Film/Video Website/Social Media Other
 Promotional Material Research/Study Museum/Exhibition Related

If for publication, please fill out the following section:

Title _____
Author/Editor _____
Publisher _____
Pub Date _____
Edition size _____
Language _____

Object Information

Artist _____
Title/date _____
Medium/size _____
Accession no. _____
Credit line _____

I hereby agree that I have read the "Conditions for Reproduction" listed on the reverse and agree to abide by these conditions. I agree to pay all fees as assessed by the El Paso Museum of Art.

Applicant _____ Date _____

Permission is hereby granted to reproduce the work of art mentioned above.

Approved by _____ Date _____

Please sign, date and return both copies to the attention of the Registrar. A countersigned copy will be returned to you for your files.

CONDITIONS FOR REPRODUCTION

1. Permission is granted only for one usage in one publication, one edition, and in one language. Subsequent revised new editions will require new application and will be subject to additional fees. Photographic material may not be used without the written permission of the El Paso Museum of Art, hereafter referred to as EPMA. Under no circumstances may color transparencies be duplicated.
2. In the case of works by living artists and/or works subject to the 1976 Copyright Act; to which EPMA does not hold copyright, written permission must be secured by the applicant from the artist, their agent or the copyright owner. The publisher agrees to indemnify and hold EPMA harmless from any claims of infringement on behalf of the artist or any other person instituted as a result of the reproduction of this work in question.
3. EPMA assumes no responsibility for royalties or fees claimed by the artist or other third parties.
4. Full credit line, as specified by EPMA, must appear either directly under the reproduction, on the page facing, on the reverse, or in the list of credits at the end of the film or telecast. Caption copy must include the artist's name, title of the work, date, medium, size, and complete credit line exactly as it appears on the face of the agreement. In the case of film, video and other electronic presentations, if not stated on the adjacent frame, the complete credit line must appear at the beginning or the end of the production. In addition, the complete credit line must appear in any accompanying material.
5. Each work of art must be reproduced in its entirety and the reproduction may not be bled off the page or cropped in any way. A specific detail must be approved in advance by EPMA. The reproduction must be full-time black and white or full color and may not be reproduced on colored stock. Nothing may be superimposed on the reproduction (i.e. lettering, tone or another image).
6. In order to ensure faithful reproduction, proofs must be submitted and approved in writing by EPMA before reproduction.
7. Special permission must be obtained if the reproduction is to appear on a dust jacket, record cover, calendar, brochure, or the like. In such cases a layout must be submitted for approval and additional fees may be assessed.
8. In consideration for permission to reproduce works of art belonging to EPMA, one copy of the publication in which the reproduction appears are requested by EPMA at no cost. Any printed material published in conjunction with film, video (VHS or DVD) and other electronic presentations is also requested.
9. In addition to the rental fee, a charge equal to the replacement cost will be made for any color transparencies not returned within three weeks of the due date, or returned in damaged condition.
10. Payment in US dollars can be made through, a check drawn on a US bank, and international postal money order, VISA, Mastercard, or Discover.
11. **APPLICANT WILL INDEMNIFY THE CITY OF EL PASO AND THE EL PASO MUSEUM OF ART AND THEIR RESPECTIVE AGENTS, OFFICIALS, AND EMPLOYEES FROM ALL CLAIMS ARISING OUT OF THE APPLICANTS UNAUTHORIZED REPRODUCTION OF THE WORKS UNDER THIS AGREEMENT.**



El Paso Museum of Art

EL PASO MUSEUM OF ART - CITY OF EL PASO
ONE ARTS FESTIVAL PLAZA
EL PASO, TX 79901-1135
Office of the Registrar 915.212.3058

Page 1 of 2

PHOTOGRAPHY OR VIDEO PERMISSION REQUEST

Applicant Name: _____

Address: _____

Telephone Number: _____

Subject/Gallery to be photographed/filmed: _____

Date of Project: _____

The applicant requests permission to (description of project - specify number of people, as well as type and amount of equipment): _____

The photographs are to be used as follows: _____

The applicant agrees that permission is subject to the conditions listed on the reverse of this agreement.

Applicant

Date

Permission is hereby granted.

Museum Representative

Date

CONDITIONS FOR PHOTOGRAPHY OR VIDEO

- 1. This permit is not a release for the sale, publication or other commercial use of the photography/video. All requests for such use must be approved in writing by the El Paso Museum of Art, hereafter referred to as EPMA.
- 2. No reproductions of the collections are permitted without prior permission from the EPMA. In the case of loaned works of art, no reproductions are permitted without prior permission from the lender.
- 3. No physical contact with the works of art is allowed. The works of art may not be touched with hands, body, photo equipment or other instruments.
- 4. No objects or props other than photographic equipment may be brought into the gallery, unless authorized in writing by EPMA.
- 5. Gallery light or "available light" must be used. No additional photographic lamps or flash may be used without a written description approved by EPMA.
- 6. No tripods may be used unless authorized in writing by EPMA.
- 7. Requests must be submitted at least TWO WEEKS before desired date of photography or video. Galleries may be used only on MONDAYS.

For EPMA use only.

The following terms are approved by EPMA: _____

Photographer: _____

Gallery: _____

Artist/Exhibition: _____

Equipment: _____

Tripod	_____ Yes	_____ No
Flash	_____ Yes	_____ No

Museum Representative

Date

Exhibit List

- A-1 *Notice of Suspension (10 pages)*
- A-2 *Museum Disaster Preparedness Plan (pages 6)*
- A-3 *Incident Report of Diego Arias (2 pages)*
- A-4 *Incident Report of Nicholas Muñoz (3 pages)*
- A-5 *Incident Report of Edward Hayes (1 page)*
- A-6 *Self-sent Email on 5/28/25 (1 page)*
- A-7 *Prior Knowledge of Leaking Humidifier (1 page)*
- A-8 *Timeline of Events on May 28th, 2025 (2 pages)*
- A-9 *Footage of the Flooding Incident (1 video)*
- A-10 *Revoked 4/10 Schedule & Abrupt Schedule Change (2 pages)*
- A-11 *MCAD Schedule Directive & On-Call Policy (3 pages)*
- A-12 *Written Request to Cease Personal Cellphone Use (2 pages)*
- A-13 *Transfer Request & Denial (4 pages)*
- A-14 *City of El Paso Discovery Request Responses (4 pages)*
- A-15 *Omitted Civil Service Appeal from Discovery Request (1 page)*
- A-16 *City of El Paso Employee Handbook (4 pages)*
- A-17 *Civil Service Rules & Regulations (10 pages)*
- A-18 *Permanent Impairment Rating (1 page)*

Item #7





Museums & Cultural Affairs Department

MAYOR
Renard U. Johnson

TO: Diego Arias, Museum Preparator [REDACTED]
FROM: Benjamin Fyffe, Managing Director [Signature]
DATE: September 02, 2025
SUBJECT: Acknowledgement

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 Limon

District 8
Chris Canales

CITY MANAGER
Dionne Mack

This memorandum is to acknowledge you receipt of the following documents regarding the Proposed Notice of Suspension provided to you on September 02, 2025.

- Proposed Notice of Suspension (9 pages)
- Supporting Documents (6 pages)
- Acknowledgements (3 page)
- Disciplinary Policy and Matrix (11 pages)

I am acknowledging receipt of the above documents.

[Signature]

Signature

Date 09/02/2025

Benjamin Fyffe- Managing Director, Quality of Life
Museums & Cultural Affairs Department
400 W. San Antonio Ave., Ste. A | El Paso, TX 79901
O: (915) 212-0110 | Email: fyffebe@elpasotexas.gov





CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias
Position: Museum Preparator
Last 4 #'s of SS #: [REDACTED]
Employee ID #: [REDACTED]
Date: September 2, 2025

Address: [REDACTED]

From: El Paso Museums and Cultural Affairs 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: 09/10/2025, 09/17/2025 AND 09/24/2025.

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;
- N. Refusal to follow the lawful order of a superior or supervisor
- P. For just cause.

I HAVE RECEIVED A COPY OF THIS NOTICE

[Signature]
Employee's Signature

Date: 09/02/2025

BY CERTIFIED MAIL NUMBER: _____

[Signature] 9/02/2025
DEPARTMENT HEAD

COPY RECEIVED AND FILED

HUMAN RESOURCES

BY: [Signature]
DIRECTOR

DISTRIBUTION: Original – Human Resources Department; Copy – Department



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	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)
- n. Refusal to follow the lawful order of a superior or supervisor (Added 7/31/07)
- 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

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

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)

- 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 (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

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

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, 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)

EL PASO MUSEUM – DISASTER PREPAREDNESS PLAN (December 10, 2024)

INTRODUCTION

General Information

This disaster plan was updated by Bernadette Ramos on 12/10/2024. It is meant to assist in recovering collections from events ranging from a minor emergency to a major disaster. However, in an emergency it is important to keep in mind that

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias
Position: Museum Preparator

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

Date: September 2, 2025

human safety is always the highest priority. Recovery of collections should not begin until all staff and patrons are safe.

The Disaster Planning Team gathered information for this plan. Responsibilities of the team members were –

Gathering internal supplies:
Preparator Diego Arias

CHAPTER 1 – RESPONSE

1.7 EMERGENCY INSTRUCTIONS

1.7.1 Water Damage (Minor)

These instructions cover cases in which a small amount of clean (not contaminated) water leaks into a collection area. If sewage or other dangerous substances contaminate the water, protective clothing must be worn, and it is best to enlist professional assistance.

1. If possible, determine the source of the water leak.
2. If possible, cut off the water. Location and procedures for the main water shut-off valve are as follows –
Main water shut-off valve: There are three main water shut-offs for domestic water.
Procedures: The main shut-off valve is located outside the building on the sidewalk off Main and El Paso Streets. The secondary valve is located on the northeast corner of the building which includes back flow prevention. The third one is located inside the building in the fire room in the basement.
3. Notify the person in charge of building facilities maintenance; also call the people on the Emergency Call List as necessary.
4. Protect the collections from further damage as appropriate by –
 - (a) To the extent possible, move wet or vulnerable items to a dry, secure location nearby.
 - (b) If water is coming from above, protect collections by covering them with plastic sheeting. See Appendix C: In-House Supplies for the location of in-house supplies.
 - (c) If water is coming in on the floor, use carts (again, see Appendix C for in-house supplies) to relocate materials to a safe area, starting with the materials closest to the floor.
5. See the Recovery section of this plan for instructions on drying wet collections.

1.8 Salvage Priorities

Setting priorities for salvaging collections, institutional records, and other important materials is one of the most difficult but also one of the most important aspects of disaster planning. If an emergency occurs, there may be very little time for salvage. Materials could be lost while valuable time is wasted deciding what to save. A listing of priority materials and equipment allows the institution to concentrate on the most important items that are accessible for salvage.

Material or Equipment

Location

(include floor and specific location)

- 1 – Permanent Collections - galleries, art storage, registration storage
- 2 – Registration records - registration office
- 3 – Computer equipment - throughout building

Items/shelf ranges/boxes have been color-coded so that materials that are a priority for rescue can be easily identified in an emergency.

CHAPTER A

FACILITIES INFORMATION

A.1 Utility/Shut-Off Control Locations and Procedures

<u>Item</u>	<u>Location</u>	<u>Procedures</u>
Cooling system controls	HVAC	Shut-off at upper level electrical room 267, also in basement office with Johnson Control computer.

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

CITY OF EL PASO - EMPLOYEE HANDBOOK (March 2025)

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 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 Civils Service Rules, City polices 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 question, discuss them 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:

- Failure to meet or maintain work performance standards.
- Failure to cooperate with a supervisor or co-worker, which disrupts the function of a work unit.
- Refusal to follow instructions or to perform designated work or refusal to follow established 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:

- 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.*

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

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.

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.

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

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:
 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 2 Violation – Disobeying a Direct Order (Insubordination) – 1st Offense: 3-Day Suspension

Level 2 Violation – Inefficient Performance – 1st Offense: 3-Day Suspension

Date Received by Human Resources: June 20, 2025

120th Day Deadline, pursuant to CSC Rule 8 Section 3(e): October 18, 2025

EMPLOYEE'S INITIALS DA



CITY OF EL PASO, TEXAS
NOTICE OF SUSPENSION

A-1

Name: Diego Arias	Last 4 #'s of SS #: [REDACTED]	Date: September 2, 2025
Position: Museum Preparator	Employee ID #: [REDACTED]	

SPECIFICATIONS:

On May 28, 2025, the El Paso Museum of Art experienced a significant water leak that resulted in flooding in the loading dock, the adjacent Registration Office, and the Hunt Gallery. In response, the Emergency Preparedness Plan was activated, and staff were mobilized to mitigate damage.

You received the Emergency Preparedness Plan via email on Tuesday, December 10, 2024, at 10:16 a.m., and were instructed to review the document and familiarize yourself with your role. These responsibilities included Salvage Priorities, Initial Response Steps, Notification of Appropriate Personnel, and Utility/Shut-Off Control Locations and Procedures. In addition to these responsibilities, **you are also specifically listed as being responsible for gathering internal supplies (i.e. fans, shop vacuums).**

On the morning of the leak, you were texted instructions from your supervisor to prioritize addressing the pathway between the Security Booth and the Freight Elevator Lobby by placing floor fans. You were further instructed to retrieve shop vacuums to begin water removal in the Registration Office once the Hunt Gallery had been addressed. **Although the instructions were texted to your personal phone, due to the emergency at hand, when you arrived and witnessed the flooding, it was your obligation to begin implementing the departments Emergency Preparedness Plan.**

Despite these clear instructions and training, you failed to assist appropriately. Instead of prioritizing the Registration Office and Hunt Gallery as instructed, you took it upon yourself to go to the basement pedestal storage area, as you stated it was overflowing with water, without notifying your supervisor or any other staff of your whereabouts. You were later found by your supervisor in the Maker Space using a computer. When questioned about your lack of participation in the clean-up efforts, your response was argumentative. You stated you were using your allotted 15-minute break to request a transfer.

You were then directed by your supervisor to assist a co-worker with the removal of sandbags from the gallery door. Rather than complying, you continued to insist on speaking with the Art Museum Director. Your behavior during this exchange was again argumentative and insubordinate, reflecting a refusal to follow direct instructions during an emergency response.

Although it was confirmed that you were in the basement that morning, you failed to follow the departments Emergency Preparedness Plan, and the general direction from a supervisor. All Museum staff are expected to be stewards of the Collection. This means being vigilant and attentive to any threats to the Collection and City of El Paso assets as outlined in the plan. Your failure to follow the plan and refusal to follow a supervisors instructions, is not acceptable.

As a City employee, you are obligated to follow direct orders from your supervisor and departmental policies and procedures, by failing to do so you are not in alignment with the City's Mission, Vision, and Values and in violation of the City of El Paso's Employee Handbook.

Your disciplinary history reflects the following:

None

Based on the above specifications, the El Paso Museum 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 DA

**El Paso Museum of Art
El Paso Museum of Art
One Arts Festival Plaza
El Paso, TX 79901**

Prepared by: Bernadette Ramos

Last Updated: 12/16/2024

INTRODUCTION

General Information

This disaster plan was updated by Bernadette Ramos on 12/16/2024. It is meant to assist in recovering collections from events ranging from a minor emergency to a major disaster. However, in an emergency it is important to keep in mind that **human safety is always the highest priority**. Recovery of collections should not begin until all staff and patrons are safe. The Disaster Planning Team gathered information for this plan. Responsibilities of the team members were –

Gathering collection information:	Registrar Bernadette Ramos Preparator Kate Bujanda
Preparing a staff list:	Operations Assistant Miguel Angel Castro Visitor Services Associate Veronica Silerio
Assessing risks:	Lead Preparator/Facility Manager Nick Munoz Registrar Bernadette Ramos
Devising opening and closing procedures:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Devising a preventive maintenance checklist:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Determining salvage priorities:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Collecting insurance and accounting information:	Registrar Bernadette Ramos Administrative Services Manager Jessica Gonzalez
Collecting facilities information and preparing floor plans:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Collecting information about local emergency services:	Lead Preparator/Facility Manager Nick Munoz Registrar Bernadette Ramos
Gathering internal supplies:	Operations Assistant Miguel Angel Castro Preparator Diego Arias
Collecting information about external supplies:	Lead Preparator/Facility Manager Nick Munoz Operations Assistant Miguel Angel Castro
Devising emergency response and evacuation procedures:	Operations Assistant Miguel Angel Castro Lead Preparator/Facility Manager Nick Munoz
Preparing an emergency call list:	Operations Assistant Miguel Angel Castro Preparator Kate Bujanda
Identifying a potential command center and/or alternative storage or drying space:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Identifying potential volunteers and/or workers:	Community Engagement Coordinator Josie Jimarez-Howard Education and Curatorial Associate Alejandro Arriola
Coordinating staff training:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Coordinating distribution, review, and updating of the plan:	Registrar Bernadette Ramos Lead Preparator/Facility Manager Nick Munoz
Preparing communications and PR kit:	Marketing coordinator Jackie Sierra Director Edward Hayes Jr.
Communicating with bank or financial institution:	Development Manager Claudia Preza

Maintaining relationships with “buddy” institutions:

Administrative Services Manager Jessica Gonzalez
Community Engagement Coordinator Josie Jimarez-Howard

Information Technology:

Registrar Bernadette Ramos
Registrar Bernadette Ramos
Lead Preparator/ Facility Manager Nick Munoz

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Distribution of the Plan

Copies of this plan have been distributed as follows –

Person:	Registrar
Department:	Curatorial
Location of Copy:	SharePoint, Registration office, admin, Preparator office

How to Use this Plan

This plan consists of three main sections (response, recovery, and rehabilitation) and a number of appendices. The body of the plan is designed for ease of use during the early stages of a disaster. Thus, summary information is provided in the body of the plan and more detailed information (e.g., detailed salvage priorities, or additional sources of information) can be found in the appendices. Once initial response is underway, consult the appendices for more information as a recovery strategy is mapped out. Information on mitigating risks and preventing disasters (including a customized list of existing risks, as well as various forms and checklists) is also included in the appendices. This information should be consulted and updated regularly.

Review and Updating of the Plan

This plan is due to be updated annually in December and as needed.

Responsibilities for updating the various sections of the plan have been assigned as follows –

Staff list/Disaster Team lists:	Registrar Bernadette Ramos
Preventive maintenance:	Lead Preparator/Facility Manager Nick Munoz
Opening/closing procedures:	Lead Preparator/Facility Manager Nick Munoz
Facilities information/floor plans:	Lead Preparator/Facility Manager Nick Munoz
Information technology:	Registrar Bernadette Ramos
Insurance:	Registrar Bernadette Ramos
Institutional salvage priorities:	Registrar Bernadette Ramos
Evacuation instructions:	Operations Assistant Miguel Angel Castro
Emergency numbers:	Operations Assistant Miguel Angel Castro
In-house supplies:	Operations Assistant Miguel Angel Castro
External supplies/services:	Lead Preparator/Facility Manager Nick Munoz
Volunteer list:	Community Engagement Coordinator Josie Jimarez-Howard
Areas for relocation/temporary storage:	Registrar Bernadette Ramos
Communication with emergency services:	Lead Preparator/Facility Manager Nick Munoz
Availability of emergency funds:	Operations Assistant Miguel Angel Castro
Staff training:	Development Manager Claudia Preza
	Administrative Services Manager Jessica Gonzalez
	Registrar Bernadette Ramos
	Lead Preparator/Facility Manager Nick Munoz

Scope and Goals of the Plan

This disaster plan has been generated by the Registrar of the El Paso Museum of Art to aid in the prevention of and response to emergency situations that may affect the collections. This plan does not cover emergencies involving people. Please see the Emergency Evacuation Plan for additional information regarding emergencies involving visitors and staff.

The safety of visitors and staff is of the utmost importance. No actions should be taken to protect or salvage the collections that might endanger human safety. Damaged collections should be addressed only after injuries have been attended to and the building is secure for people to enter.

This plan focuses on the most likely risks the museum faces: 1) minor flooding from roof or pipe leaks and skylights, 2) flooding from sustained rains, river overflow or damn failure, and 3) systems failure. Preventative actions regarding roof leaks, structural issues, and systems problems should be taken by staff in a timely manner. Response and recovery procedures are addressed in the body of the plan.

Staff should be able to manage small water emergencies. For larger-scale emergencies, additional assistance and a more detailed plan for recovery will be needed. Depending on the type of emergency, see the appropriate Emergency Instructions in Section 1, the Initial Response Steps in Section 1, and the Salvage Procedures in Section 2 for assistance. Especially in a large-scale emergency, it is crucial to be aware of the museum's salvage priorities, which focus on loans to the museum and the permanent collections which are on view in the galleries.

Chapter 1

RESPONSE

1.1 EVACUATION PROCEDURES

General Procedures

- Remain calm.
- Always respond to an evacuation order **do not** assume the situation is a drill or a false alarm.
- **Remember that human safety is always the highest priority.**
- Turn off electrical equipment if it is safe to do so.
- Assist anyone who requires help in leaving the building.
- Evacuate in an orderly fashion according to the evacuation routes that have been established.
- Move away from the building to the assembly area that has been designated in advance. Be sure not to block the street, driveway, or entrances.
- **Do not** reenter the building until instructed to do so.

Clearing the Building

Area Floor:

Person responsible for clearing area:

Backup 1:

Backup 2:

Describe procedures for evacuating the area, including disabled personnel or patrons:

basement and first floor

Operations Assistant Miguel Angel Castro

Lead Preparator/Facility Manager Nick Munoz

Visitors Services Associate Veronica Silerio

When the museum is open to the public, the person responsible for clearing this area is whomever is stationed at the information desk. The back-up is whomever is stationed on post. In the event of a fire, call 911, announce evacuation, security and operations

A-2

Generator alarm –
Organization/Name:
Contact:

Loftin Equipment Co.
8900 Viscount A-N #313
El Paso, TX 79925
www.loftinequip.com

Phone:

1.3 EMERGENCY CALL LIST

If you discover an emergency, call the people on this list in order until you contact someone who can assist in addressing the problem. In consultation with that person, decide who else needs to be contacted. The disaster response team leader, the facilities maintenance supervisor, and the institutions director will need to be notified of any emergency, however small. In the case of a small-scale problem other staff members may not be needed at all, or you will only need to contact those who are in charge of the collections directly affected. See the Staff/Key Personnel List for additional contact information.

<u>Staff member</u>	<u>Estimated response time</u>
1 – Lead Preparator/Facility Manager Nick Munoz	20 minutes
2 – Operations Assistant Miguel Angel Castro	30 minutes
3 – Preparator Kate Bujanda	15 minutes
4 – Preparator Diego Arias	

1.4 LIST OF STAFF/KEY PERSONNEL

The following is a list of all institutional staff members AND other key personnel who are not staff members but are involved in your disaster planning efforts (e.g., members of the board of trustees, town building department personnel).

First Name: Edward
 Last Name: Hayes
 Title: Director
 Work phone/extension: (915) 212.0621
 Work email: HayesER@elpasotexas.gov
 Cell phone: (915)312.2020

First Name: Nick
 Last Name: Munoz
 Title: Lead Preparator/Facility Manager
 Work phone/extension: (915) 212.3070
 Work email: munoznz@elpasotexas.gov
 Cell phone: (915) 329.0863
 Home Email: nicholas.munoz@gmail.com

First Name: Miguel Angel
 Last Name: Castro
 Title: Operations Assistant
 Work phone/extension: (915) 212.3057
 Work email: CastroMA@elpasotexas.gov
 Cell phone: (915) 471.9609

First Name:
Last Name:
Title:
Work phone/extension:
Work email:
Cell phone:

Diego
Arias
Preparator
(915)212.3060
AriasD@elpasotexas.gov

First Name:
Last Name:
Title:
Work phone/extension:
Work email:
Cell phone:

Kate
Bujanda
Preparator
(915) 212.3067
BujandaKM@elpasotexas.gov
(480)353.9425

First Name:
Last Name:
Title:
Work phone/extension:
Work email:
Cell phone:

Bernadette
Ramos
Registrar
(915) 212.3058
ramosba@elpasotexas.gov
(915) 525.2904

First Name:
Last Name:
Title:
Work phone/extension:
Work email:
Cell phone:

Veronica
Silerio
Visitor Services Associate
(915) 212-3072
SilerioVA@elpasotexas.gov

First Name:
Last Name:
Title:
Work phone/extension:
Work email:

Michael
Reyes
Senior Curator
(915) 212.3170
ReyesMA@elpasotexas.gov

First Name:
Last Name:
Title:
Work phone/extension:
Work email:
Cell phone:

Ariana
García Varela
Assistant Curator
(915) 212.3069
VarelaIY@elpasotexas.gov

First Name:
Last Name:
Title:
Work phone/extension:
Work email:
Cell phone:

Claudia
Preza
Development Coordinator
(915) 212.3059
PrezaCS@elpasotexas.gov

Employee Incident Report

1. Employee Information

Name: Diego Arias

Department: Museums and Cultural Affairs Department

Job Title: Museum Preparator

Employee ID: 029851

2. Incident Details

Date of Incident: May 28th, 2025

Time of Incident: 9AM

Location: Art Museum Marker Space & Administration Offices

3. Description of Incident

(Include what happened, who was involved, and how it occurred. Use additional pages if needed.)

I did not fail to follow directives regarding flooding emergency due to recurring faulty HVAC systems at the El Paso Museum of Art on May 28th, 2025. I arrived at around 8:15am and saw the museum preparator, museum registrar, building operations assistant, and HVAC representative all addressing the top floor. I walked downstairs to set down my personal items and turn on all necessary items and lights in lobby for janitorial to mop safely and then went down to the basement to find it overflowing with water as well. I noticed lights were left off to avoid an electrical short since a ceiling light had water inside of it, but saw the potential of someone slipping and falling in the dark and decided to address the hazard immediately since everyone else was addressing the upstairs.

Artwork had been covered but water was still dripping from ceiling cracks nearby and into the elevator shaft where the mechanical components reside. Museum furniture in storage was also being damaged, hence I took action to remedy that as well. I would respectfully direct my supervisor, the museum director or whom it may concern to review the security footage for proof.

After addressing the potential hazard, I took a 15min break to go to my work computer in the museum's makers space to submit a transfer request as I frankly have reached my limit working in an understaffed environment where issues like this have become a common occurrence and have started to take a physical and mental toll as they are putting my safety and that of others at risk, not to mention the museum's collection and accreditation.

At around 9am my supervisor arrived and confronted me about being on the computer and not following directives solely because he was told I had not communicated with anyone yet. I was directed to assist with water mitigation and I stressed that I had indeed addressed the flooding emergency in the basement, and that I was taking the allowed 15min break to seek other employment (submit a transfer request), but my supervisor refused to accept my response. Choosing to only believe another employee(s) account despite my supervisor not being in the building during that time to verify. My supervisor then stated he would talk to the museum director about revoking my request to move to a 4/10 schedule for outside employment which had already being approved by the department director. After he concluded his conversation with the museum director, I asked if I could have a conversation with the museum director, but my supervisor refused and walked over to the director's office to tell the director I was still refusing to follow directives. I tried giving my account and notified the director I had submitted a transfer request, but he stated he did not need to hear me out as he had enough evidence to terminate my employment. This was brazenly done outside his office within earshot of other administration employees, yet I was called disrespectful for asking my supervisor why he had not come in earlier if it was being deemed an emergency.

This is not the first time I have been retaliated against or threatened to have me employment terminated for choosing to speak up about the lack of accountability leading to excessive and precarious workloads and demands. Hence adding to my decision to submit a request for transfer out of fear of sustaining another workplace injury due to stress and fatigue. Lastly, the directive to address such emergency was send to my personal phone before work hours despite having numerous times told my supervisor and the director that I no longer wished to use my personal phone for work as I felt it was being abused with constant requests that were at times without adequate notice and not within my scope of work. I was told I would either be provided a city phone, be asked to carry a radio, and or that I would be assigned tasks through email first thing in the morning if necessary, and that I no longer not seek any directive from anyone other than my supervisor unless allowed.

Despite the current hostile work environment, the quality, performance, and attitude towards of my scope of work; that is to install, store, transport, pack and protect artwork and related museum furniture has not wavered, and can say with confidence that it is something artists, visitors, interns, community partners and peripheral contract staff could attest to.

Respectfully,

Signature:  Date 05 / 29 / 2025

Employee Incident Report

1. Employee Information

- **Name:** Nicholas Munoz
- **Department:** Mcad/Museum of Art
- **Job Title:** Lead Preparator/Facility Manager
- **Employee ID:** 013920

2. Incident Details

- **Date of Incident:** 5 / 28 / 25
- **Time of Incident:** 9am AM / PM
- **Location:** El Paso Museum of Art/ Maker Space

3. Description of Incident

(Include what happened, who was involved, and how it occurred. Use additional pages if needed.)

On the morning of the 28th at 7a, my direct report, Miguel Castro, called me to report that the loading dock area inside the museum was flooded with water from a popped hose fitting to one of our humidifiers located 12ft high, on a wall directly adjacent to our Registration office and one of our galleries, accessible by an oversized rollup garage door and two oversized entry doors. I conferred with Miguel and then called our area facilities supervisor, Victor Alvarez, to see if he could send any assistance to mitigate the flooding. I then texted my direct reports, Kate Bujanda and Diego Arias, telling them what was going on and that we may need to pivot from installing art and assist with the flooding as they were scheduled to arrive at 8am. I then called our director, Eddie Hayes, to inform him of the issue and update on procedures we were taking. He sent out two Teams messages alerting staff of the issue and to delay start for ½ an hour as a matter of caution since pathway to offices is through the flooded area.. I then sent out a second message at 7:46a, including Kate, Diego and our Registrar, Bernadette Ramos, stating not to open the gallery doors, as the door seal was likely keeping water out, and to get floor fans in there as precaution, before opening doors, to push back and dry up water if any. Miguel sent out a text to me and Eddie at 7:53a that he was able to mop a path to the admin offices When Bernadette was on site, at 8am, she stated water was in the registration office. I texted back at 8:14a to them, that once Hunt was addressed, to shift to registration, by getting shop vacs to vacuum up water on carpet. I arrived on site around 8:55, after dropping off my kids at high school. (was not able to get someone on short notice to take them, so I could head to the museum.) As I approached the museum, I could see the exterior garage door open and a path of water on the dock, where it appeared shop vac water collection was dumped out. Once inside, I saw Miguel and two education staff (and our Hvac vendor from Trane) mopping up and vacuuming up water in the area. I briefed with Miguel and he got me up to speed, and I then

called facilities to send out an elevator tech as water had poured down the freight elevator doors and shaft to the floor below. Kate and Bernadette came out from a hallway and informed me they had just moved and finished covering two sculptures with plastic, as water was leaking through cracks on the loading dock floor to the basement below where the sculptures were stored. I asked if they had gotten the blue floor fans as I had not seen them in the area and they said they could not find them. I said I would go down to the basement and look. I found them and brought them up to place in registration office for the carpet. In that time, city facilities staff arrived and Miguel directed them to the area and boiler room that had also flooded. Myself, Kate and Bernadette checked our portable humidifiers to see if they had water, as we were not sure if the humidifier having the water issue would need to shut down the rest of the units. With the portables, we could still open to the public, until the main ones were brought back online. It was at this time, carrying a water jug to fill for one of the portable humidifiers, that I turned to Kate and Bernadette and asked, where is Diego? They both said neither had seen him, but Bernadette thought she saw him come out of his office as they were heading back upstairs. But neither had spoken to him or seen him helping with the areas mentioned to this point. I left the water jug and told them, I was going to look for him. I headed downstairs to the basement and saw through the window in the door to the MakerSpace, that he was sitting at a computer he uses. MakerSpace is the area he uses for his office as he prefers that over admin cubicle or in the basement next to my office. Something I am fine to oblige. I walked in and asked him why he wasn't helping. He stated he had helped by moving pedestals in pedestal storage, added buckets and wiped up drips on the floor with a dust mop and that I could check the security cameras to verify. I was confused, as he would have to have walked passed everything I saw when I arrived and deduced that pedestal storage in the basement was a priority. And when I had texted Hunt Gallery and Registration office were priority. So I believe I asked again, and he stated he did not want to be any part of it (assume he meant cleaning up water on dock), because the humidifier had been leaking and Miguel has done nothing about it. And if we lose accreditation, he was not going to be responsible. I tried to interject, and correct him to the ongoing call service our humidifier/Hvac vendor has made and that today's issue was a fluke, but he proceeded to talk over me. He claimed nobody was downstairs and did not check art storage, and if the pedestals get ruined, who was going to rebuild them? (implying it will be him, Diego that will be tasked with rebuilding them) What he doesn't know is that I was on the phone with Miguel when art storage was checked and I believe pedestal storage was checked as well. (but I can verify via security footage). Diego further went on to say, when he walked into the building, he saw Miguel on the phone as if nothing was happening, like talking to a friend, so why should he have to help if that is what Miguel is doing. He also stated he asked janitorial if Miguel had asked for help and they said no. Implying Miguel made another error in this situation. I tried to explain best I could but he was not willing to listen. Still confused as to why he was at his computer, saying we needed his help and what was so urgent he was at his computer, he stated he needed to respond to an email, per his allotted 15min break, wasn't he allowed to do that, take a break? I asked again what was so important and he said he was looking for another job. To which I assumed he

meant, he was responding to an email concerning another job, while disregarding an emergency at his current job. I said searching for another job absolutely has no relevance to his job right now. That we have an emergency situation that needed his assistance. He stated that he did what I asked, and not open Hunt doors, and if this was such an emergency, why wasn't I here. (Diego has previously called out me and museum director on our work schedules when we were discussing performance issues with him-Diego knows I take my kids to school and come in at 9) But he is also not aware of the flex hours I put in and does not acknowledge. I explained to Diego I was in constant contact with Miguel and Eddie, trying my best to rush over. At that point I think he shut off his computer and aggressively asked, ok, what do you want me to do? I don't recall my answer as I was just in amazement over how he did not use an expect response level for someone who has worked for a while here at the museum and who knows the importance of caring for and protecting our galleries and registration areas. I did mention to him that I have great pause in going forward with his 4/10 schedule request (which he wants so he can work a part time job on his off hours) because I don't see how he can be trusted to open the building, as the schedule would require, and address any emergency like the one today. He aggressively said fine, don't approve it, and I believe that is when I left to go talk our Director and report what transpired. I did talk with our Director, who consulted with Mead Director on speaker during out discussion. My Director went on to tell me to go direct Diego with any remaining tasks related to the clean up. When I saw Diego outside of the admin office, Kate was on her way to remove some sandbags from the gallery door she place, to which I asked Diego, please go help her. He said ok, and informed me he put in for a transfer, to which I said fine, please help Kate, He then asked if he could talk with Eddie and I said no, please help Kate. He was relentless in wanting to talk with Eddie to which I said fine, let's go. We walked into Eddie's office and I proceeded to tell Eddie, I asked Diego to assist Kate and he is refusing to do so, wanting to talk to you first. Diego said he would help but wanted to let Eddie know he applied for a transfer because he was tired of all of this stuff and that he has gone to HR about this. Eddie responded, that we are already in contact with HR about this today. After Eddie stated we needed his help, and that other staff from Education dept were also helping, he again stated, if this was such an emergency, why wasn't I (me, Nick) there? Don't recall how conversation ended but Eddie did ask for Diego to go assist Kate. Later in the day, a staff member told me they saw Diego leave the building while Eddie and I were in closed door discussion in his office. I have not asked Diego why he left site, nor have I verified on the security cameras. And Diego did not tell me he left the work site. Don't know how long this was for. Diego continued to work on the exhibition we are installing with no further incidents.

Signature:  Date: 5 / 29 / 25

Employee Incident Report

1. Employee Information

- **Name:** Diego Arias
- **Department:** MCAD
- **Job Title:** Preparator
- **Employee ID:** 029851

2. Incident Details

- **Date of Incident:** 5 / 28 / 2025
- **Time of Incident:** 8:30 AM / PM
- **Location:** _____

3. Description of Incident

(Include what happened, who was involved, and how it occurred. Use additional pages if needed.)

In addition to Employee Incident Report provided by Lead Preparator Nick Muñoz about his employee Preparator Diego Arias, I will add that Senior Curator Michael Reyes attested to the fact that Diego was nowhere near the area that needed immediate attention (pathway between Security Booth and Freight Elevator Lobby) in the morning. Carmen, a janitorial contractor from AGS, came to my office at 1:00 pm today and let me know Diego approached her in morning and asked what was happening with the water leak, and if Operations Assistant Miguel Castro had mentioned anything to her. Carmen let Diego know she didn't have any details to share. Carmen shared with me that she witnessed Diego walk right through the flooded area towards his office.

Incidents like this, where a preparator is not following our Emergency Preparedness Plan, Collections Management Policy, or general direction from a supervisor, is a red flag for the AAM accreditation commission. I can speak to this directly, having been on an AAM Peer Review panel recently. All Museum staff are expected to be stewards of the Collection. This means being vigilant and attentive to any threats to our Collection (and City of El Paso) assets. Walking through a flooded area and not saying anything about it, and not checking in with a supervisor or Registrar, is *not* acceptable.

While Diego refuses to voluntarily communicate via personal device, he has access to Teams messaging and calls, email, and radio. Diego was incommunicado via all these channels during the flooding cleanup effort. It is unacceptable that his supervisor Nick Muñoz had to go looking for him this morning in the middle of a building and Collections management crisis.

Signature: Edward Hayes Jr. Date: 5 / 28 / 2025

Subject: (none)
Date: Wednesday, May 28, 2025 at 1:09:54 PM Mountain Daylight Time
From: Arias, Diego
To: Arias, Diego

Received text to personal phone at 7:08am (despite asking director and supervisor to not use my personal phone work if not officially considered an "on-call" employee). Supervisors asked to address flooding due to water leak in humidifier (not the first time this happens). It has been happening often and has already caused electrical issues to freight elevator as water has dripped from above shorting lights.

Came in at 8:15am due to traffic (and took 15min off lunch to remediate) I saw that operations assistant seemed unbothered as he was moping while on the phone (Spanish) and proceed to ask janitors if ops assistant had asked them for help with water clean-up. They stated they had not and where just told to walk right through water despite the hazard of electrocution or slipping. Without engaging anyone, I preceded to basement where lights were off, water was pooling in the floor and water was leaking from the cracks in the ceiling. Artwork had already been covered by then, but pedestals were getting wet, and proceeded to move them out of the way and placed buckets to catch water. I mopped the floor, and proceed to my computer to request a transfer as this issues are worsening to the point of potential deadly hazards such as the ceiling caving in or being electrocuted and there seems to be no urgency from anyone to address them even despite personally suffering a workplace injury.

Supervisor then came in and start voicing his frustrating at me not communicating with others and sitting at computer. I stated I did not want to put myself in danger again or have any liability with building hazards that keep being placed under the rug, and stormed out slamming door.

Supervisor proceed to tell his own side of the story to director, and as I tried to notify director of my request to transfer. I was threatened that my employment would be terminated for not following orders despite those orders being given during my off hours, and when ops assistant was in building for over an hour and did not ask help from janitors who were here.

CP Preza, Claudia S. 5/14 8:51 AM

Water leaking

Good morning Team,

Just wanted to let you all know there is water leaking outside of Registration Office.



[see less](#)



Reyes, Michael A. 5/14 8:52 AM
Thank you Claudia, headed there.

[Reply in thread](#)

Incident Timeline

~7:00am — Operations assistant arrives on-site and enters building with two janitors

7:02am — Supervisor sends Teams message alerting all staff of flooding incident.

7:04am — Building operations assistant responds to supervisor with recoding of leaking HVAC unit.

7:08am — Supervisor violates request to stop using my personal phone for work.

7:46am — Supervisor violates request a second time.

8:08am — Director sends Teams message notifying all staff flooding area has been dried off and cleared for employees can enter building at 8:30am

8:14am — Supervisor violates request a third time.

8:15am — I arrive on-site and see the registrar, preparator, building operations assistant, and HVAC contractor all addressing the top floor, and proceed to walk down to set down my personal belongings and encounter janitors moping lower floor in the dark so I turn on lights for them and ask if they had been asked to assist with flooding when coming in at 7am, and state they were not.

8:30am — I head down to basement where drying fans were located and notice water still dripping from ceiling cracks in multiple areas onto the floor and freight elevator shaft. I see a clear shock and slipping hazard and decide to address it and move pedestals out of the way to prevent damage.

8:48am — Supervisor exits basement with drying fans looking in the direction of the hazard area I'm addressing, loudly moving pedestals to clean up pooling water

9:00am — Building operations assistant and two city maintenance employees walk through and into the hazard area I've just addressed and I proceeded to MakerSpace computer to request a transfer.

Incident Timeline

9:10am — Supervisor confronts me inside MakerSpace about not assisting in the flooding response. I explain I have addressed a human safety hazard in the basement and ask him to review camera but disregards it and continues to argue I have not done as asked. He asks why I'm sitting at a computer and I respond by stating I am taking an allowed 15 min break to submit a transfer request given I no longer feel safe working in a building that is being neglected as it is putting museum assets and my safety at risk. The supervisor again disregards what I say and threatens to talk to the museum director about revoking a department head approved 4/10 schedule for Outside Employment. He then walks out of MakerSpace slamming a door open as I attempt to follow him to the director's office. This triggers emotional distress, I return to computer to submit transfer request and then step off-site to walk around gather my emotions.

9:57am — I wait for my supervisor to exit the director's office and ask if I can give my account of events to the director and the supervisor refuses. I state that if he will not allow me that I will then file an HR complaint and my supervisor attempts to block me from entering the admin offices and walks ahead of me into director's office to tell him I'm refusing to follow orders. I try to explain myself and tell the director I've requested a transfer and he steps out of his office and raises his voice stating he does not need to hear me out as he what he needs to terminate my employment and demands I follow my supervisor's orders.

10:00am — I leave administration offices and connect drying fans to dry carpet in registration office as directed.

**Footage of Flooding
Incident**

1 Video

Subject: Re: 4/10 Schedule
Date: Monday, June 2, 2025 at 8:04:41 AM Mountain Daylight Time
From: Arias, Diego
To: Munoz, Nicholas
CC: Hayes, Edward R., Fyffe, Benjamin E.

Good morning,

I understand, thanks for letting me know. Will work around current schedule and family commitments to find time for contract work. Thank you

Respectfully,

Diego Arias
Museum Preparator
El Paso Museum of Art

From: Munoz, Nicholas <MunozNZ@elpasotexas.gov>
Sent: Friday, May 30, 2025 4:06 PM
To: Arias, Diego <AriasD@elpasotexas.gov>
Cc: Hayes, Edward R. <HayesER@elpasotexas.gov>; Fyffe, Benjamin E. <FyffeBE@elpasotexas.gov>
Subject: 4/10 Schedule

Diego,

After consulting with Eddie, it is in the best interest of the museum not to move forward with your 4/10 schedule request. Please maintain your existing schedule for the upcoming week. We can revisit this request at a later time.

Thank you, Nick

Nicholas Munoz
Lead Preparator/Facility Manager
El Paso Museum of Art
1 Arts Festival Plaza, El Paso, TX, 79901
915-212-3070

Subject: Re: Closing Tomorrow
Date: Tuesday, June 3, 2025 at 4:54:51 PM Mountain Daylight Time
From: Bujanda, Katherine M.
To: Munoz, Nicholas, Arias, Diego
CC: Hayes, Edward R.

Diego and I had already discussed closing for Wednesday, and I had offered to close since he is closing on Friday. I will work 9-6 tomorrow and Diego will do 8-5.

-Kate

From: Munoz, Nicholas <MunozNZ@elpasotexas.gov>
Sent: Tuesday, June 3, 2025 4:37 PM
To: Arias, Diego <AriasD@elpasotexas.gov>
Cc: Hayes, Edward R. <HayesER@elpasotexas.gov>; Bujanda, Katherine M. <BujandaKM@elpasotexas.gov>
Subject: Closing Tomorrow

Diego, please adjust your schedule to close tomorrow. Offset by coming in one hour later.
Thank you, Nick

Sent via the Samsung Galaxy S23 Ultra 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

Subject: Employee Schedules

Date: Wednesday, June 25, 2025 at 4:22:55 PM Mountain Daylight Time

From: Ochoa, Diana E.

To: Museums & Cultural Affairs

CC: MCAD Payroll

Priority: High

Hello MCAD,

As we approach a holiday next week, I would like to remind supervisors that you need to report employee's schedules before the start of the pay period. We have noticed many schedules need updating to match hours worked. Please submit those as soon as possible and if on rotation, submit changes on a biweekly basis to match payroll cycles.

Supervisors should report for their own teams, please let us know if you have delegated that responsibility to the employee.

Thank you,

Diana E. Ochoa

Senior Accounting/Payroll Specialist

915-212-1773

MCAD BUSINESS OFFICE



ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: On Call Pay Policy
Creation Date: March 8, 2010
Revision Date: September 4, 2012; May 30, 2015
Prepared By: HR Department
Approved By: City Manager
Legal Review: Elizabeth Ruhmann

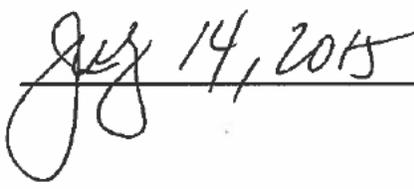
POLICY: ON CALL PAY POLICY

On-call pay is established to provide payment for employees who are scheduled to respond after regular work hours or weekends and holidays to perform emergency or needed tasks. Subject to available funding, Department Heads may utilize on-call duty and pay when operationally necessary.

- A. Employees designated as on-call are eligible for additional compensation as described below:
 - One (1) hour of pay for each week day (24 hour time period) at employee's current hourly rate of pay.
 - Two (2) hours of pay for each weekend day (24 hour time period) and designated City Holidays at employee's current hourly rate of pay.
- B. The Department Head or designee will determine individual(s) assigned on-call duty. An employee who is on-call must be available to receive and respond to a phone call or message and be able to report back to work or a designated job site within the prescribed time frame, as set forth by the Department Head. On-call duty assignments are subject to the availability of funding and operational necessity.
- C. Exempt employees are not eligible for on-call pay, unless authorized in advance by the Human Resources Director, the Department Head, or his designee.

- D. Non-Exempt employees will be paid for actual work performed pursuant to City pay rules, FLSA and all applicable Federal and State laws affecting non-exempt employees.
- F. On-call pay for employees covered by a collective bargaining agreement (CBA) will be governed by the on-call pay provisions of the applicable CBA.

APPROVED BY:

FOR  DATE: 
TOMAS GONZALEZ, City Manager

Subject: Fw: Installs through Feb 15
Date: Tuesday, February 11, 2025 at 12:16:52 PM Mountain Standard Time
From: Arias, Diego
To: Arias, Diego
Attachments: IMG_0315.png

12:12



2 People >

Text Message • RCS
Thursday 10:53 AM

+1 (915) 329-0863



Diego, we need help with unpacking Judithe Hernandez. That is a priority over Selena at the moment. Please come to the Hunt Gallery as soon as possible.

Just finishing taping box, moving forward I would prefer not to use my personal phone for work. I can carry around radio and check email throughout the day. Be right up



Text Message • RCS



Sincerely,

Diego Arias
Museum Preparator
El Paso Museum of Art



Subject: A New Transfer Request Submission - New Ticket Logged [ID:0054476]
Date: Wednesday, May 28, 2025 at 9:25:10 AM Mountain Daylight Time
From: HR-Request
To: Arias, Diego

Thank you for contacting the Service Desk on 5/28/2025 09:25 AM.

Your ticket has been logged with ID [0054476](#).

Ticket Details:

A New Transfer Request Form Submission

First Name: Diego

Last Name: Arias

Kronos: 02951

Email: ariasd@elpasotexas.gov

Should you wish to provide any more information that would help us, please reply to this e-mail.

Thank you.

Support Team
City Of El Paso

This e-mail, its content and any files transmitted with it are intended solely for the addressee(s) and may be legally privileged and/or confidential. Access by any other party is unauthorised without the express written permission of the sender. If you have received this e-mail in error you may not copy, forward or use the contents, attachments or information in any way. Although any attachments to this e-mail have been virus checked, the sender cannot accept liability in respect of any virus which has not been detected.

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Subject: Re: A New Transfer Request Submission - Ticket Resolved [ID:0054476]
Date: Monday, June 9, 2025 at 8:27:19 AM Mountain Daylight Time
From: HR-Request
To: Arias, Diego
Attachments: Transfer_Request_Denial_Diego Arias.pdf

Hi Diego,

Your ticket [0054476](#) 'A New Transfer Request Submission' has now been resolved with the following comment:

Good morning,

Attached is your transfer denial. Please don't hesitate to call if you have any questions.

If this ticket has been resolved in error, please reply to this e-mail to reopen the ticket.

We are constantly reviewing our performance and services to make improvements where we can. If you could please take a moment to rate your recent experience with the support team, by clicking below:



Thank you.

**Support Team
City Of El Paso**

This e-mail, its content and any files transmitted with it are intended solely for the addressee(s) and may be legally privileged and/or confidential. Access by any other party is unauthorised without the express written permission of the sender. If you have received this e-mail in error you may not copy, forward or use the contents, attachments or information in any way. Although any attachments to this e-mail have been virus checked, the sender cannot accept liability in respect of any virus which has not been detected.

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Transfer Request Denial

Human Resources



Employee Name: Employee Position Title:

A-13

FROM: Mary Wiggins, Chief Human Resources Officer

DATE:

SUBJECT: Request to Transfer for HR Case Number

Thank you for your recent Transfer Request. In accordance with Civil Service Rule 5, Section 12, the position you requested to transfer must be the same class and grade as your current position. The job Title of Museum Preparator (PM 123) only exist within the Museums Department, therefore I am unable to approve your request.

I encourage you to apply for other career opportunities within the City that you qualify for. Please visit the City of El Paso Human Resources careers page for more information.

uSigned via SwamSignDocs.com

Form: 37118058660188091142-127843
 Preparer Signature

05-28-2025
 Date

uSigned via SwamSignDocs.com

Form: 37118058660188091142-127843
 Chief Human Resources Officer

05-29-2025
 Date

A-13



City of El Paso Museum Preparator

SALARY	\$21.71 - \$32.65 Hourly \$1,736.54 - \$2,611.92 Biweekly \$3,762.50 - \$5,659.17 Monthly \$45,150.00 - \$67,910.00 Annually	LOCATION	Various Locations within the City of El Paso, TX
JOB TYPE	Civil Service	JOB NUMBER	15070-0525
DEPARTMENT	HISTORY MUSEUM OPER	OPENING DATE	05/15/2025
CLOSING DATE	5/26/2025 9:38 AM Mountain	FLSA	Non-Exempt
MAX NUMBER OF APPLICANTS	100		

Requirements

MOS Code: None

Education and Experience: Bachelor's Degree or higher, in Art, Art History, Museum Studies, Graphic Design, or a related field and one (1) year of experience handling art and artifacts, including the construction and preparation of boxes, stands, armatures, frames and related museum exhibit accessories.

Licenses and Certificates: Valid Texas Class "C" Driver's License or equivalent from another state by time of appointment.

General Purpose

Under direction, plan, prioritize and schedule exhibition preparation tasks. Direct and care for, handle, store, conserve, frame, pack, install and disassemble museum art collection, borrowed art and other exhibits.

Typical Duties

Assist and support the museum's preparations division: Involves: Hang, install and take down works of art and artifacts as required. Check and maintain condition and location of works of art and artifacts on display. Check and prepare collections for exhibits and display. Coordinate print, fabrication, and installation of wall labels, signs, text and photo

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

IN RE:

DIEGO ARIAS APPEAL

§
§
§
§
§
§

DOCKET NUMBER 25-FD-03PP

CITY'S RESPONSES TO EMPLOYEE'S DISCOVERY REQUESTS

To: Diego Arias – via e-mail: AriasD@elpasotexas.gov

COMES NOW, the City of El Paso ("City"), and serves its responses and document production to employee Diego Arias' ("Employee" or "Arias") discovery requests.

Respectfully submitted,

KARLA M. NIEMAN, City Attorney
State Bar No.: 24048542
P.O. Box 1890
El Paso, Texas 79950-1890
Tel.: (915) 212-0033
Fax: (915) 212-0034

Date: November 14, 2025.

By: *Matt Marquez*

Matt Marquez
Assistant City Attorney
State Bar No.: 24116720
MarquezMG@elpasotexas.gov
Attorney for the City of El Paso

CERTIFICATE OF SERVICE

I certify that on November 14, 2025, a true and correct copy of the foregoing document was served electronically on:

Diego Arias
AriasD@elpasotexas.gov

Patricia Palafox, Hearing Officer
palafoxpat@gmail.com

Matt Marquez

Matt Marquez

RESPONSES TO DISCOVERY REQUESTS

1. Footage from the El Paso Museum of Art basement camera on the day of the incident May 28th, 2025 from 8:15 am to 9:15 am.

RESPONSE: The City no longer has video footage from the requested basement camera for the one hour time period requested. The video recording systems only retain video footage for approximately 90 days. Mr. Arias made the request to the City's counsel on October 10, 2025, after the video retention period. However, the City does have three (3) video clips that were recorded during the investigation period. The video clips are being provided to Mr. Arias as part of this response in an accessible link via e-mail.

2. Name(s) of HR employee(s) who handled complaint and disciplinary action against El Paso Museum of Art employee (Diego Arias).

RESPONSE: Tracy Chavarria received the request from the department and assigned it to Ricardo Valenzuela. Ricardo Valenzuela wrote the discipline based on the information provided by the department. Tracy Chavarria and Claudia Cancellare reviewed the discipline before it was sent to City Attorney's Office for their review. There was no complaint submitted.

3. HR findings regard claims of verbal and non-verbal abuse and intimidation to terminate employment and retaliation mentioned in the employee's (Diego Arias) incident report.

RESPONSE: This was not investigated by HR.

4. Witness statements/employee interviews HR conducted to corroborate claims made in the incident reports of Diego Arias (employee), Nicholas Munoz (supervisor), and Edward Hayes (director) when conducting an investigation into the employee's actions.

RESPONSE: Please see the Incident Reports attached via e-mail.

5. Timeline of events according to HR's analysis of the incident on May 28th, 2025.

RESPONSE: HR was made aware on June 20, 2025 that the director wanted to take disciplinary action towards the employee for Insubordination and failure to respond to the Emergency Preparedness Plan. HR requested incident reports and any available videos to support the director's decision.

6. Policies or contracts that would require the employee to use personal cellphone for work and or designate the employee as an "on-call" employee.

RESPONSE: No documents exist in response to the way this request is phrased. But please see the City's On Call Pay Policy attached via e-mail.

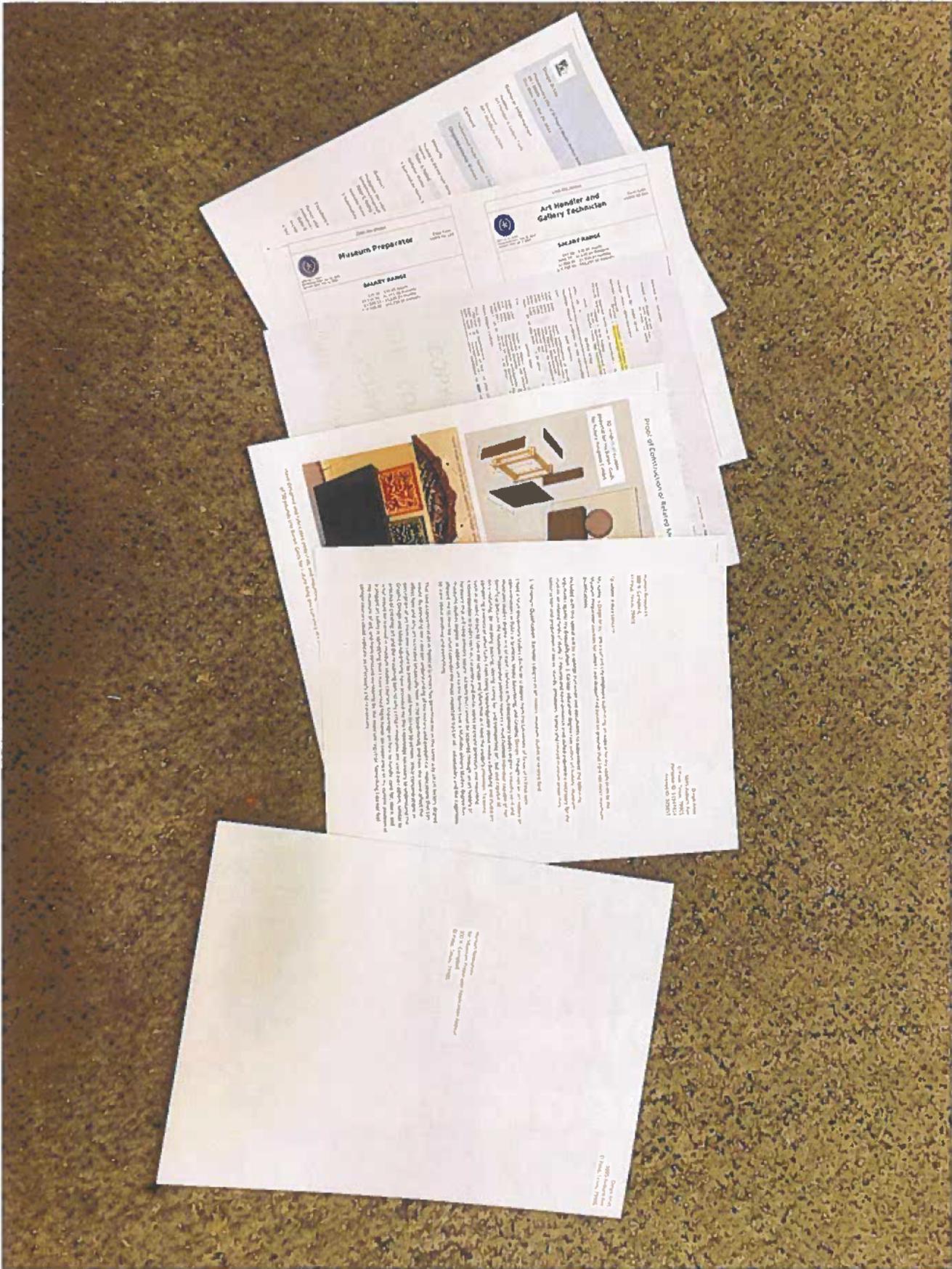
7. Disciplinary history of Nicholas Munoz (supervisor) and Edward Hayes (director) including any previous HR complaints brought forth against them.

RESPONSE: There are no complaints for either employee. No disciplinary history for either employee.

8. Employee file of Diego Arias including previous transfer requests, Civil Service Commission appeals, disciplinary history, and witness statements.

RESPONSE: Please see attached Transfer Request, Discipline Appeal Packet, Arias Suspension, and Incident Reports attached via e-mail.

Omitted Civil Service Appeal From Discovery Request



Museum Preparator

SACBY RANGI

Art Handler and Gallery Technician

SACBY RANGI

Proposal of Construction of Museum

The purpose of this proposal is to provide a detailed description of the proposed construction of a museum. The project is intended to provide a permanent home for the collection of the National Museum of the American Indian. The proposed construction will include the following:

- 1. A new building to house the collection.
- 2. A new gallery to display the collection.
- 3. A new auditorium for lectures and performances.
- 4. A new library for research and study.
- 5. A new office building for staff.

The proposed construction will be completed in 2010. The estimated cost of the project is \$100 million. The project will be funded by the National Endowment for the Humanities and the National Science Foundation.

Prepared by:
[Name]
[Title]
[Address]
[City, State, Zip]

Submitted to:
[Name]
[Title]
[Address]
[City, State, Zip]



Employee Handbook

JUNE 2025

Rev. 06-30-2025



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.

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.

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.

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.EIPaso.gov.

Dating & Fraternalization

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

**CIVIL SERVICE
RULES AND REGULATIONS**

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RULE 5

Application and Promotional Process and Lateral Transfer Process

Section 1. Filing of Applications.

Except as otherwise provided for herein, applicants for all positions, must file an application with the Human Resource Department not later than the date specified in the job posting and in the manner prescribed in the job posting.

The Human Resources Director, subject to appeal to the Commission, will refuse to examine an applicant, or after examination to certify him as eligible and will remove his name from the eligible list for any of the following reasons, in each case to be fully documented:

- (a) He is found to lack any of the minimum requirements established in the classification for the position and grade for which he applies; or
- (b) He has been convicted of a felony, or a misdemeanor within seven (7) years from date of conviction, end of parole, or release from prison, which is determined to be job related to the position sought; or (Amended 8/25/09, 11/2/10)
- (c) He is found by the Commission to have committed any act, either while in the service of the City or otherwise, or to have any deficiency or disqualification which, in the judgment of the Commission, would be sufficient to constitute a just cause for discharge from the Civil Service as defined in Article VI, Section 6.13-3 of the Charter.

Section 2. Appeals from Disqualification from Examination.

a. Applicants who are disqualified from taking an examination may appeal to the Civil Service Commission provided they appeal within three (3) working days from the date of the notice. The three (3) working day period begins the date the notice was emailed. Individuals who appeal must file a written rebuttal in a format prescribed by the Human Resources Director. If the applicant fails to update their contact information or respond within the timelines set, no further action will be taken. (Amended 8/21/07, 8/25/09, 9/17/13)

b. Untimely appeals will not be accepted.

c. If the examination is held before the appeal is heard and determined by the Commission, the Human Resources Director may allow the applicant to take the examination conditionally pending the Commission's determination. If a conditional applicant fails to achieve a passing grade on an examination, the appeal shall be administratively dismissed and the appeal will not be forwarded to the Commission and no further action will be taken. (Amended 8/25/09)

Section 3. Frequency and Examination.

Examinations will be given whenever needed to fill a vacancy for which an adequate list does not exist. (Amended 12/11/84, 1/24/89, 8/21/07)

Section 4. Eligibility.

A person is eligible to take promotional examinations after actual service in a regular position for six months and when he fully meets the qualifications for the class as specified in the job description. The six months of actual service will be deemed to have been met if the employee successfully completes the six months of service by the date the first component of the examination is administered, and the employee is recommended for regular status. (Amended 10/21/97, 8/21/07, 8/25/09, 9/17/13)

Section 5. Seniority and Efficiency Points

Seniority points will be awarded to the score of City Employees provided that the minimum passing grade is achieved on the examination or evaluation. City Employees may receive a maximum of five additional points that can be added to their score for seniority points. (Amended 3/6/12, 3/7/17)

Section 6. Special Credit

Ratings for Veterans

A veteran, who has obtained a passing score, shall have his rating on an original entrance examination advanced five points. A veteran is defined as any person who has served on active duty in the Armed Forces of the United States, or any division thereof, including the Coast Guard, for a period of 180 days and presents a DD 214 indicating an honorable discharge from said service. (Amended 8/21/07, 8/25/09)

- a. To qualify for an additional five-point increment based on disability, such disability must be at least 30 percent, certified by the most recent letter from the Veteran's Administration. (Amended 8/21/07)
- b. Nothing in this provision will be construed to authorize or direct the placing of the name of any person on any eligible list who does not meet the physical standards set by the Human Resources Director for the position for which the eligible list has been created.

Section 7. Penalty for Deceit in Examination.

Where deceit in an examination is alleged, and the examinee denies the fact of deceit, or if the examiner in charge of the examination believes extenuating circumstances to exist, the examinee will be permitted to finish the examination, and a full report shall be submitted immediately to the Human Resources Director, who will conduct an appropriate investigation. Should the Director find that the applicant engaged in deceitful conduct in connection with the examination, the applicant will be disqualified. (Amended 8/21/07, 9/17/13)

Section 8. Duration of Eligible Lists.

The Human Resources Director will compile lists of eligible promotional candidates for job classifications and maintain them as necessary and appropriate. Eligible lists other than reinstatement and transfer lists will normally expire 6 months from the date they are certified unless extended by the Human Resources Director.. (Amended 1/24/89, 8/21/07, 9/17/13)

Section 9. Removal from the Promotional List of Persons Permanently Separated from Service.

The names of persons permanently separated from the service on account of resignation, discharge or other cause, will be removed from all promotional applicant lists by the Human Resources Director.

Section 10. Removal from Lower List if Appointed from Higher List.

Regular employees whose names are on promotional eligible lists of different grades or lists with different salary schedules will be removed from the lower grade promotional eligible lists or promotional lists with a lower salary schedule upon promotion to a higher grade position or one with a higher salary schedule. (Passed 3/28/91 and Amended 8/21/07)

Section 11. Required Licenses or Certificates

All employees who are required to have a license or certificate as a condition of employment shall maintain such licenses or certificates in a current status as long as their job specification requires it. Failure to maintain or obtain such license or certificate as required by the employee's job specification shall constitute just cause for disciplinary action as described in Rule 8. (Passed 8/25/09)

Section 12. Transfer to Same Class and Grade.

Whenever an employee in any department of the City wishes to transfer to a position in another department, the employee must be recommended by the transferring department and must have not been disciplined or placed on a performance improvement plan in the last 12 months. Employee shall retain his grade and pay rate, provided: (Amended 7/31/07, 8/25/09, 9/17/13)

- a. The position is in the same class and grade as the one from which transfer is made; or
- b. The employee has been performing services substantially similar in nature and having similar requirements as to education and experience to those of the new position, as determined by the Human Resources Director. Seniority credit where applicable will be given to the employee for the number of years he has been performing similar work in the former department. (Amended 2/1/94 and 7/31/07)

Section 13. Transfer During Probationary Period.

- a. In order to have a request for a transfer approved, a person must have completed a probationary period in the class to which transfer is being requested, except as provided in paragraph b.
- b. In cases where a position is abolished, a transfer request may be made by either the employee or the City. In such cases, a transfer may be approved while the employee is still serving in a probationary period for the class to which transfer is requested, provided that the balance of the employee's probationary period not yet served be retained by the employee in the new department, and that the rules regarding transfer and the order of certification and all provisions regarding transfers are met. (Passed 1/2/85) (Amended 9/13/05)

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: (Amended 7/31/07)

- a. Has been convicted of, or entered a period of deferred adjudication with community supervision for, a felony or Class A or B misdemeanor; or (Amended 9/17/13)
- b. Has willfully, or through culpable negligence been guilty of brutality or cruelty to an inmate or prisoner of a city institution or to a person in custody, provided the act committed was not necessarily or lawfully done in self defense, or to protect the lives of others, or to prevent the escape of a person lawfully in custody; or (Amended 3/6/12)
- c. Has been under the influence of intoxicants or drugs or the use thereof while on duty; or
- d. Has contracted a disease or has some physical or mental ailment or defect which makes him unfit for Civil Service, to the extent permissible under federal and state laws. (This subsection may not be availed in any case to effect the discharge of an employee where such employee is entitled to and intends in due course to seek leave of absence for the purpose of procuring proper treatment for such disease if it is curable within the maximum of 12 month time allowed hereunder for leave of absence. Action hereunder will not in anywise affect the right of one suffering physical injury or disability arising from course of employment in the Civil Service to retirement or disability payments under any existing retirement or disability payments, or to participate in any retirement or disability plan adopted by the City); or (Amended 11/13/84, 8/25/09, 9/17/13)
- e. Is wantonly offensive in his conduct or language towards the public, an elected or appointed official, the head of any department, or his fellow employees; is abusive, threatening, or uses coercive treatment to another employee or a member of the public, or provokes or instigates violence; or abusive to an animal in the care or control of the employee; or (Amended 8/25/09, 3/6/12, 9/17/13)
- 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)
- g. Is dishonest, commits theft, violates a law, or violates policies relating to the handling or procurement of property, or negligent in care or misuse of City property; or (Amended 7/31/07, 3/6/12, 9/17/13)
- h. Abandons his position, has repeated unexcused absences or tardies, abuses leave privileges, or is absent without notification or without the provision of a valid or acceptable reason for the absence; or (Amended 9/17/13)
- i. Fails to meet or maintain qualifications, including but not limited to, failing to obtain or maintain required certificates, licenses or other credentials established for the employee's position or classification; or (Amended 9/17/13)
- j. Has induced, or has attempted to induce an officer or employee in the service of the City to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order; or has taken any fee, gift, or other valuable thing in the course of his work or in connection with it, for his personal use from any person, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than accorded other persons; or (Amended 8/25/09)

k. Deliberately or carelessly acting in a manner that endangers the safety of self or others; or (Amended 9/17/13)

l. Except as permitted in paragraph (q) below, engaging in the following political activity is prohibited and the employee will be subject to disciplinary action for the following conduct (Amended 1/20/15):

- (1) actively engaging in the management or organizational committee of any municipal campaign;
- (2) acting as a worker at the polls in a municipal election;
- (3) participating in the solicitation of money in a municipal election;
- (4) contributing money or other valuables for any political purpose in connection with municipal elections;
- (5) while on duty, engaging in the distribution of any political material;
- (6) while on duty, promoting or engaging in the candidacy of any candidate or political party during any election period, whether it be a partisan or municipal election;
- (7) using city time or resources for any political purpose;
- (8) while wearing a city uniform, engaging in any political activity;
- (9) attempting to influence the vote or political action of any city employee whether superior or subordinate, while on duty;
- (10) attempting to influence, through threat or coercion, the vote or political action of any city employee whether superior or subordinate, while on or off duty;
- (11) recruiting or encouraging other city employees to support or participate in municipal elections;
- (12) accepting political paraphernalia while on duty or on city property;
- (13) using your city title or position in an endorsement for any political election.

Anything not prohibited above is permitted, to include the following:

- (1) engaging in the organizational efforts of partisan elections;
- (2) participating in partisan election steering committees;
- (3) demonstrating their political preference in partisan or municipal elections by displaying political paraphernalia representative of their political preference, so long as the employee is off duty, not in uniform, and not in a city facility, and does not use his city position or title; (Amended 8/25/09)
- (4) participating in the dialogue of community forums in any election;
- (5) endorsing the candidate of their choice in any elections so long as the employee is off duty, not in uniform, and not in a city facility, and does not use his city position or title; (Amended 8/25/09)
- (6) participating in all matters related to their candidate's election in partisan elections;
- (7) joining political clubs and organizations;
- (8) participating in all partisan activities related to the election process.

(Amended 05/07/02)

m. Violates the City's Ethics Ordinance; or (Added 7/31/07)

- n. Refusal to follow the lawful order of a superior or supervisor; or (Added 7/31/07)
- o. Subjecting a fellow employee or subordinate to unlawful intimidation, harassment or retaliation; or (Added 7/31/07)
- p. For just cause; or (Added 7/21/07)
- q. As permitted by law, and as provided in Rule 10, an employee may become a candidate for public office while maintaining his or her employment with the City; however, the employee must continue to fulfill all the duties and responsibilities associated with his or her city employment. An employee is prohibited and will be subject to disciplinary action for campaigning or taking affirmative action for the purpose of gaining nomination or election to public office while on duty, while using city time or resources, and/or while in city uniform. (Added 1/20/15)

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) working 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)

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, 8/25/09)

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, 8/25/09)

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 this 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 proceeding 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 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 the 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, 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 9
Hearings

Section 1. Scheduling of Hearings

Recognizing that the prompt hearing and disposition of appeals is in the interests of affected employees and the City, and that there are often inherent financial implications therein, it is the policy of the Commission that hearings proceed as expeditiously as possible, consistent with the interests of fairness.

Section 2. Expedited Hearings in Certain Disciplinary Appeals

Hearings of appeals from termination, reduction or suspensions in excess of 15 days shall be convened within 45 days of the date the case is referred to a hearing officer unless the hearing is continued upon the request of either party as hereinafter provided. In no event may a hearing be scheduled so as to commence more than 90 days after the date aforesaid, except with leave of the Commission.

Section 3. Continuance of Appeals Hearings

- a. When either party requests a continuance, that party shall file a written motion with the hearing officer or Commission. The Motion shall be identified as the party's First Motion, Second Motion, and so forth and shall set out the grounds upon which the motion is made. Any motion shall also state that the motion is not made merely for purposes of delay. Except for good cause shown, any such motion shall be made not less than seventy-two hours prior to the scheduled time of the hearing. In the case of a motion for continuance on account of an absent witness, the moving party shall establish that it has used reasonable means to secure the attendance of the witness.
- b. Upon receipt of a motion for continuance, the hearing officer or Commission may schedule a hearing on the matter to consider the testimony and position of both parties with respect to the motion. The granting of a motion for continuance shall be within the sound discretion of the hearing officer or Commission which shall not be bound by the agreement of the parties with respect to the motion.
- c. No motion for continuance shall be denied for reasons of form without first giving the moving party the opportunity to cure any defects as to form. (Amended 8/18/04)

Section 4. The Rule as to Witnesses

Any party to Commission proceedings may invoke the Rule as to witnesses as known to the practice in the District Courts of the State of Texas, and the Commission or Hearing Officer may, on their own motion, impose such rule, the effect of which will be to exclude from the hearing room all witnesses, except the Department Head or their representative and the appellant, while other witnesses are being questioned or other testimony given. (Amended 08/30/05)

DWC069



Texas Department of Insurance
Division of Workers' Compensation
7551 Metro Center Drive, Suite 100 • MS-94
Austin, TX 78744-1645
(800) 252-7031 phone • (512) 490-1047 fax

Complete if known:
DWC Claim #
Carrier Claim # CELP24000548

Report of Medical Evaluation

I. GENERAL INFORMATION

Form with fields for: 1. Workers' Compensation Insurance Carrier, 2. Employer's Name, 3. Employer's Address, 4. Injured Employee's Name, 5. Date of Injury, 6. Social Security Number, 9. Certifying Doctor's Name and License Type, 10. Certifying Doctor's License Number and Jurisdiction, 11. Certifying Doctor's Phone and Fax Numbers, 12. Certifying Doctor's Address.

II. DOCTOR'S ROLE

13. Indicate which role you are serving in the claim in performing this evaluation. Only a doctor serving in one of the following roles is authorized to evaluate MMI/impairment and file this report [28 Texas Administrative Code (TAC) §130.1 governs such authorization]:
[] Treating Doctor [x] Doctor selected by Treating Doctor acting in place of the Treating Doctor [] Designated Doctor selected by DWC
[] Insurance Carrier-selected RME Doctor approved by DWC to evaluate MMI and/or permanent impairment after a Designated Doctor examination
NOTE: If you are not authorized by 28 TAC §130.1 to file this report, you will not be paid for this report or the MMI/impairment examination.

III. MEDICAL STATUS INFORMATION

14. Date of Exam: 09 / 03 / 2024
15. Diagnosis Codes: S66.323S

16. Indicate whether the employee has reached Clinical or Statutory MMI based upon the following definitions:
Clinical Maximum Medical Improvement (Clinical MMI) is the earliest date after which, based upon reasonable medical probability, further material recovery from or lasting improvement to an injury can no longer reasonably be anticipated.
Statutory MMI is the later of: (1) the end of the 104th week after the date that temporary income benefits (TIBs) began to accrue, or (2) the date to which MMI was extended by DWC pursuant to Texas Labor Code §408.104.
a) [x] Yes, I certify that the employee reached [] STATUTORY / [x] CLINICAL (mark one) MMI on 08 / 02 / 2024 (may not be a prospective date) and have included documentation relating to this certification in the attached narrative. - OR -
b) [] No, I certify that the employee has NOT reached MMI but is expected to reach MMI on or about ___ / ___ / _____. The reason the employee has not reached MMI is documented in the attached narrative.
NOTE: The fact that an employee reaches either Clinical MMI or Statutory MMI does not signify that the employee is no longer entitled to medical benefits.

IV. PERMANENT IMPAIRMENT

17. If the employee has reached MMI, indicate whether the employee has permanent impairment as a result of the compensable injury.
"impairment" means any anatomic or functional abnormality or loss existing after MMI that results from a compensable injury and is reasonably presumed to be permanent. The finding that impairment exists must be made based upon objective clinical or laboratory findings meaning a medical finding of impairment resulting from a compensable injury, based upon competent objective medical evidence that is independently confirmable by a doctor, including a designated doctor, without reliance on the subjective symptoms perceived by the employee.
a) [] I certify that the employee does not have any permanent impairment as a result of the compensable injury. - OR -
b) [x] I certify that the employee has permanent impairment as a result of the compensable injury. The amount of permanent impairment is 5 %, which was determined in accordance with the requirements of the Texas Labor Code and Texas Administrative Code. The attached narrative provides explanation and documentation used for the calculation of the impairment rating assigned using the appropriate tables, figures, or worksheets from the following edition of the Guides to the Evaluation of Permanent Impairment published by the American Medical Association (AMA):
[] third edition, second printing, February 1989 - OR -
[x] fourth edition, 1st, 2nd, 3rd, or 4th printing, including corrections and changes issued by the AMA prior to May 16, 2000.
NOTE: A finding of no impairment is not equivalent to a 0% impairment rating. A doctor can only assign an impairment rating, including a 0% rating, if the doctor performed the examination and testing required by the AMA Guides.

V. DOCTOR'S CERTIFICATION

18. I HEREBY CERTIFY THAT THIS REPORT OF MEDICAL EVALUATION is complete and accurate and complies with the Texas Labor Code and applicable rules. If an impairment rating has been assigned, I certify that I have completed the required training and testing and have a current certification by DWC to assign impairment ratings in the Texas workers' compensation system or have received specific permission by DWC to certify MMI and assign an impairment rating. I understand that making a misrepresentation about a workers' compensation claim or myself is a crime that can result in fines and/or imprisonment and nullification of this report.
Signature of Certifying Doctor: [Signature] Date of Certification: 09/04/2024

VI. TREATING DOCTOR'S AGREEMENT OR DISAGREEMENT WITH ANOTHER DOCTOR'S CERTIFICATION

19. Treating Doctor's Name and License Type
20. Treating Doctor's License Number and Jurisdiction
21. Treating Doctor's Phone and Fax Numbers (Ph) (Fax)
22. [] I AGREE / [] I DISAGREE with the certifying doctor's certification of MMI.
23. [] I AGREE / [] I DISAGREE with the certifying doctor's finding of no impairment. - OR - [] I AGREE / [] I DISAGREE with the impairment rating assigned by the certifying doctor.
24. I understand that making a misrepresentation about a workers' compensation claim is a crime that can result in fines and/or imprisonment.
Signature of Treating Doctor: _____ Date: _____

