

# PERSONNEL POLICIES

## TABLE OF CONTENTS

### CHAPTER 1. INTRODUCTION

<u>Section</u>	<u>Page</u>	
1.1	Statement of Purpose	1-1
1.2	Vested Authority and Responsibilities	1-1

### CHAPTER 2. NON-DISCRIMINATION AND SEXUAL HARASSMENT

2.1	Non-Discrimination	2-1
2.2	Sexual Harassment	2-1

### CHAPTER 3. COMPARABILITY

3.1	Administrative Staff Salaries	3-1
3.2	Maintenance Wage Rates	3-1

### CHAPTER 4. GENERAL RULES AND REGULATIONS

4.1	Work Ethics	4-1
4.2	Nepotism	4-1
4.3	Political Activities	4-1
4.4	Outside Interests, Business Activities, and Employment	4-2
4.5	Solicitations of Contributions	4-4
4.6	Release of Information	4-5
4.7	Use of Housing Authority Equipment	4-5
4.8	Use of Electronic Mail (E-Mail) and the Internet	4-5
4.9	Performing Personal Work for Other Employees or Supervisors	4-5
4.10	Gifts and Gratuities	4-6
4.11	Dress and Grooming	4-6
4.12	Loaning Money	4-6
4.13	Smoking Policy	4-7

## CHAPTER 5. EMPLOYMENT

5.1	Recruitment and Placement	5-1
5.2	Training and Supervision	5-1
5.3	Performance Appraisal	5-1
5.4	Working Conditions	5-1
5.5	Termination of Employment	5-1
5.6	Grievances	5-1

## CHAPTER 6. EMPLOYEE BENEFITS

6.1	Benefit Plans	6-1
-----	---------------	-----

## CHAPTER 7. MEMBERSHIP IN LABOR OR OTHER EMPLOYEE ORGANIZATIONS

7.1	Memberships	7-1
7.2	Public Employees Collective Bargaining	7-1
7.3	Labor Union or Other Labor Organization Activities	7-2

## CHAPTER 8. REVISIONS TO PERSONNEL POLICIES AND PROCEDURES

8.1	Policies	8-1
8.2	Procedures	8-1

## CHAPTER 9. SUBSTANCE ABUSE AND THE DRUG-FREE WORKPLACE

9.1	Introduction	9-1
9.2	Substance Abuse Policy	9-1

## CHAPTER 10. CRIMINAL HISTORY RECORD CHECKS OF EMPLOYEES

10.1	Access to Criminal History Record Information	10-1
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## CHAPTER 11. POSSESSION OF FIREARMS, WEAPONS AND CONCEALED HANDGUNS

## CHAPTER 12. IMMIGRATION AND NATURALIZATION LAW COMPLIANCE

## CHAPTER 13. LOBBYING ACTIVITIES

CHAPTER 14. DISCIPLINARY ACTIONS

**Subject:**

INTRODUCTION

**Policy Number:** 001

**Pages:** 2

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The Board of Commissioners is the governing body of the Housing Authority of the City of San Antonio, Texas, and has adopted these Personnel Policies to advance the goals of this Housing Authority by defining the respective authority of the governing body and the administration, the rights and responsibilities of employees, and by giving full consideration to the morale and welfare of all employees.

1.1 Statement of Purpose

- A. The Personnel Policies are intended to convey to employees of the Housing Authority descriptions of personnel policies which are important to know and understand, so that the relationship between the Housing Authority and its employees may be harmonious and productive.
- B. The Personnel Policies are not to be considered or interpreted as terms of an implied or expressed contract. All employees serve on an at-will basis and no contract is hereby imparted.
- C. The Housing Authority reserves the right to amend, modify, and revoke any of its policies, practices, procedures, and standards. Similarly, the interpretation, scope, and applicability of any of the provisions is also exclusively within the Housing Authority's control and discretion.

1.2 Vested Authority and Responsibilities

- A. Board of Commissioners: The Board of Commissioners appointed by the City Council on recommendation of the City Manager. The Board of Commissioners establishes policies, adopts budgets, and hires the President and Chief Executive Officer.

Members of the Board of Commissioners shall not direct or request the President and CEO or any of his/her subordinates to appoint to, or remove from, employment, or in any manner take part in the appointment or removal of employees in the administrative, maintenance, and all other service of the Housing Authority to the extent such direction or request conflicts with the Rules of Governance adopted by the Board of Commissioners.

The Board and its Commissioners shall direct policy solely through the President and CEO or his designee and neither the Board nor any Commissioner

thereof shall give orders to any subordinate of the President and CEO, either publicly or privately.

- B. President and Chief Executive Officer: The President and CEO shall be responsible to the Board of Commissioners for establishing administrative procedures that are necessary for policy execution, program implementation, and for proper administration of all affairs of the Housing Authority. The President and CEO shall have the authority and shall be required to:
1. Enforce all policies adopted by the Board of Commissioners.
  2. Appoint and remove all employees in the service of the Housing Authority, but only as allowed and required by the Rules of Governance adopted by the Board of Commissioners.
- C. Senior Vice Presidents, Vice Presidents and Supervisors: Herein after referred to as “Management” and “Supervisors,” the President and CEO recommends the appointment of Senior Vice Presidents, Vice Presidents, Special Assistants, and such other Executive staff as required by the Rules of Governance (Senior Vice President and Vice President selections must be approved by the Board of Commissioners as dictated in the Rules of Governance) and appoints other staff in accordance with budget authorizations and an organizational chart approved by the Board of Commissioners as necessary to properly administer and manage programs and affairs of the Housing Authority in a manner to promote serviceability, efficiency, economy, and stability. These employees shall understand, support, exemplify and communicate the purpose and intent of these policies to subordinate employees, as well as to closely monitor and insure compliance with all provisions of policy.
- D. Employees’ Responsibilities: Employees have responsibilities as well as rights with respect to the establishment and maintenance of sound worker-management relationships. In return for the Housing Authority’s recognition of its obligation to provide its employees a pleasant work environment and treatment conducive to high work morale, it is reasonable and proper to expect employees to assume their responsibilities to render a full day’s work for a full day’s pay, and observe the spirit as well as the letter of these policies, general regulations, and procedures that are promulgated to govern official conduct.

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**Subject:**NON-DISCRIMINATION AND  
SEXUAL HARASSMENT**Policy Number:** 002**Pages:** 2**Original Date:****Revision Date:** 5/28/1997

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- 2.1 Zero Tolerance Resolution Prohibiting Sexual Harassment and Discrimination: The San Antonio Housing Authority was established to provide safe and decent housing for those in need, and represents the government's role in responding to the needs of its citizenry. The housing Authority must not only address such needs, but it must also provide a safe work environment from sexual harassment and discrimination. The Housing Authority hereby adopts this Zero Tolerance Resolution Prohibiting Sexual Harassment and Discrimination at the Housing Authority for its employees and residents. The Housing Authority hereby requires that each employee receive at least four (4) hours of training annually, and that each member of senior management staff at least 1 to 2 days of training annually to protect against sexual harassment and discrimination. The Housing Authority established a hotline for all sexual harassment complaints residents should call the Customer Care Department at 477-6030 and employees should contact the Director of Human Resources at 477-6121. This Zero Tolerance Resolution Prohibiting Sexual Harassment and Discrimination will be continually posted throughout the developments and workplace of the Housing Authority.
- 2.2 Non-Discrimination: It is the policy of the Housing Authority to assure Equal Employment Opportunity in all aspects of employment regardless of an individual's race, color, religion, ancestry, national origin, age, sex, political belief, marital and veteran's status or the presence of any sensory, physical or mental disability. All aspects of employment includes but are not limited to recruitment, selection, training, placement and promotion, pay, benefits, other compensation and working conditions, demotion, layoff for termination and recall. \*The Housing Authority will make reasonable accommodations for qualified employees and other qualified individuals with a disability within the meaning of the Americans with Disabilities Act (ADA).
- 2.3 Sexual Harassment: It is the policy of the Housing Authority that sexual harassment of its employees by anyone will not be tolerated. Sexual harassment is defined as unwelcome sexual advances of whatever nature, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
- A. Submission to such conduct is either an explicit or implicit condition of an individual's employment;

- B. Submission to, or rejection of, such conduct by an individual is used as the basis for an employment decision affecting such an individual, e.g., salary increases; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Courteous, mutually respectful, pleasant, non-coercive interactions between men and women that are acceptable to both parties are not considered to be sexual harassment.

Any employee engaging in any discrimination against another employee as set forth above, or engaging in sexual harassment as defined above, shall be subject to disciplinary action under the applicable section of this manual, which may include termination, demotion, or suspension without pay. Any employee who, in good faith, has reasonable cause to believe that he or she has been discriminated against, or has been sexually harassed in violation of the foregoing, may appeal any discriminatory action or act of sexual harassment taken against him or her in accordance with the Housing Authority's grievance appeal procedures which are incorporated in this manual

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**Subject:**

COMPARABILITY

**Policy Number:** 003**Pages:** 1**Original Date:****Revision Date:** 03/98

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In accordance with Section 307, Part II, of the Annual Contributions Contract (ACC) between the Housing Authority and the U.S. Department of Housing and Urban Development (HUD), the Housing Authority shall maintain compensation and benefit practices which are comparable to organizations with which the Housing Authority competes for its labor force and which are comparable to industry standards. Organizations which are suitable for comparison include, but are not limited to, other Public Housing Agencies, other public sector employers, non-profit organizations, and private sector organizations.

The Board of Commissioners shall establish benefits policies and the President and CEO shall establish procedures that provide for compensation, leave, holidays, employee benefits, travel, and other personnel programs which are consistent with industry practices.

### 3.1 Administrative Staff Salaries

- A. The Board of Commissioners shall have sole responsibility to establish administrative staff salaries based on pay in the external market and on internal equity considerations.
- B. The salary of the President and CEO will be reviewed periodically but at least annually by the Board of Commissioners to determine comparability and necessary adjustment.
- C. The performance of the President and CEO will be reviewed periodically but at least annually by the Board of Commissioners.

### 3.2 Maintenance Wage Rates

The minimum wage rates for Housing Authority maintenance employees are determined by HUD. The Housing Authority shall comply with these minimums. The salary schedule for maintenance employees shall be approved by the Board of Commissioners.

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**Subject:**GENERAL RULES AND  
REGULATIONS**Policy Number:** 004**Pages:** 7**Original Date:****Revision Date:** 10/1/97

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4.1 Work Ethics: Each employee is hired to perform a particular job for the Housing Authority and no employee has the right to inhibit the legitimate job performance of another employee.

4.2 Nepotism

A. Employees and Applicants for Employment: To ensure compliance with nepotism laws, all employees related to a member of the Board of Commissioners or to another employee of the Housing Authority shall disclose the relationship. Applicants for employment shall disclose such relationships prior to employment.

No person shall be employed in or transferred to any division, entity or other component of the Housing Authority if another person related by blood or marriage is then employed in a supervisory position in said division, entity or component. A person related by blood or marriage includes: spouse, parents, children, brothers or sisters, and in-laws standing in the same relationship.

Relatives may be coworkers in the same division, entity, or component in non-supervisory positions.

B. Commissioners and Officers: No Commissioner or Officer shall appoint, or vote for, or confirm the appointment to any position, of any person related within the second degree by affinity or within the third degree by consanguinity to the person so appointing or voting, as further provided for in the Texas Nepotism Statute, Texas Government Code Chapter 573.

4.3 Political Activities: The Federal Hatch Act governs political activities by Housing Authority employees. Employees who engage in prohibited political activities will be subject to disciplinary action which may include termination of employment. Employees should not rely on the opinions of friends or coworkers when they have questions with regard to a specific political activity. Ignorance of the law does not excuse an employee's violation of the Hatch Act. Also, reliance on incorrect or unofficial information does not excuse a violation.

Allowable and prohibited practices for employees are:

A. Allowable: an employee...

1. May be a candidate for public office in a “nonpartisan” election.
2. May campaign for and hold elective office in political clubs and organizations.
3. May actively campaign for candidates for public office in partisan and nonpartisan elections.
4. May contribute money to political organizations or attend political fundraising functions.
5. May participate in any activity not specifically prohibited by law or regulation.

B. Prohibited: an employee...

1. May not be a candidate for public office in a “partisan” election.
2. May not use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office.
3. May not directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

For further clarification, an election is partisan if any candidate for elective public office is running as a representative of a political party whose presidential candidate received electoral votes at the preceding presidential election.

4.4 Outside Interests, Business Activities, and Employment

- A. In order to ensure that an employee of the Housing Authority is not engaged in outside employment that may be a conflict of interest or may be perceived to be a conflict of interest, no employee shall be employed in any gainful employment other than the Housing Authority, without written approval of the President and CEO. This approval must be obtained prior to the employee engaging in outside employment. Any employees desiring to participate or participating in outside activities which may be a conflict of interest or may be perceived to be a conflict of interest must disclose such activity to the President and CEO in writing through the Director of Human Resources. If there is a conflict of interest or a conflict of interest may be perceived in any of these disclosures, the employee will be offered the option to resign from either the outside activity or the position with the Housing Authority.

No employee shall benefit financially from employment with the Housing Authority by engaging in activities with or providing Housing Authority business information to outside parties. Further no employee shall knowingly have any interest, direct or indirect, in any property included or planned to be included in any development of the Housing Authority, nor shall an employee knowingly have any interest, direct or indirect, in any contract or proposed contract for materials or services to be used by the Housing Authority. If such interest was acquired prior to employment, or if knowledge of such interest is subsequent to employment, the employee shall disclose the same in writing to the President and CEO through the Director of Human Resources for a determination.

B. Conflicts of Interests of Employees of Housing Authorities: Relating to the conflicts of interest of employees of Housing Authorities, the Texas Legislature has enacted legislation as follows:

1) Section 1. Section 392.043, Local Government Code, as enacted by Chapter 149, Acts of the 70th Legislature, Regular Session 1987, to be effective September 1, 1987, is amended to read as follows:

- (a) Except as provided by subsection (b) or (c) below, an employee of a housing authority may not have dealings with a housing development (program) for gain and may not own, acquire, or control a direct or indirect interest in a:
  - (1) Housing Development (Program);
  - (2) Property included or planned to be included in a housing development
  - (3) Contract or proposed contract for the sale of land to be used for a housing development;
  - (4) Contractor proposed contract for the construction of a housing development; or
  - (5) Contract or proposed contract for the sale of materials or services to be furnished or used in connection with a housing development.
- (b) An employee may not have any dealings with a housing development for monetary gain except in the performance of duties as an employee of the Housing Authority.

- (c) Except as otherwise permitted by this chapter or another law, an employee of this Housing Authority may not be employed by or otherwise contract to provide services to another housing authority unless this Housing Authority's Board of Commissioners first gives written consent to the employment or contract. An employee of this Housing Authority who is employed by or who contracts to provide services to another housing authority under this subsection does not violate subsection (a) or (b) above, provided that written consent has first been obtained.
  - (d) An employee who knowingly or intentionally violates subsection (a) or (c) commits an offense. An offense under this subsection is a third-degree felony. An employee finally convicted under this subsection is ineligible for future employment with the State of Texas, a political subdivision of the state, or a public corporation formed under the authority of this state or a political subdivision thereof.
- 2) Section 2. The change in law made by Section 1 of this act to Section 392.043, Local Government Code, applies only to an employment that first occurs or a contract that is made on or after the effective date of this change, November 1, 1987. An employment that first occurs or a contract that is made before this effective date is governed by the prior law, and the prior law is continued in effect for this purpose.
  - 3) To the extent conflicts exist between this policy and Texas Local Government Code Chapter 392, the state law prevails.
- C. Board Membership: No employee may serve on the Board of Commissioners of this Housing Authority. An employee may not knowingly serve on the board of any organization funded by this Housing Authority without the prior approval of the President and CEO. An employee-resident may serve in any capacity with his/her Resident Association.
- D. All of the above apply to the President and CEO and disclosure to the Board of Commissioners is required.
- 4.5 Solicitations of Contributions: The Housing Authority shall not exert pressure on employees to raise funds for any cause. Housing Authority personnel may officially sponsor only such fund-raising programs among the staff as may be considered in the public interest, and then only with the advance approval of the Board of Commissioners and the President and CEO.

#### 4.6 Release of Information

- A. Requests for Information: All requests for information and for copies of records must be furnished promptly to the President and CEO or his/her designee for review and reply.
- B. Confidential Information: No employee may release confidential information to persons outside the Housing Authority.

Access to confidential information by Housing Authority employees shall be limited to that information required in the performance of official duties.

No employee shall be denied access to their individual personnel file.

- C. Correspondence and Files: No information drawn from the correspondence or files of the Housing Authority may be made available by an employee to any person not employed by the Housing Authority except as required in the normal course of business or the Freedom of Information Act or the Texas Public Information Act.
- D. News Releases: News releases and invitations for news releases may be issued, interviews with media granted, and inquiries by the public handled only by or with the specific advance approval of the President and CEO or his/her designee.

4.7 Use of Housing Authority Equipment: The use of any of the Housing Authority's equipment, vehicles, or tools for any purpose other than carrying out the normal official duties is strictly forbidden whether it be on or off the Authority's premises. No equipment, vehicles, tools, etc., are to be loaned out or utilized for private benefit for any employee, resident, member of the Board of Commissioners, or any other person.

4.8 Use of Electronic Mail (E-Mail) and the Internet: The use of e-mail and the Internet by employees should be restricted to business purposes only. Due to the drain on memory space and the costs associated with the use of these applications, the Housing Authority believes that it is prudent and reasonable to request that such use be dictated by business needs. The Housing Authority reserves the right to access employee e-mail for legitimate business reasons at the direction of the President and CEO according to established procedure.

4.9 Performing Personal Work for Other Employees or Supervisors: No employee is under any obligation whatsoever to perform personal work for any other employee or supervisor. If an employee wishes to do so, such work will be performed on his own time. Under no circumstances may Housing Authority equipment or supplies be used for personal work.

4.10 Gifts and Gratuities: No employee shall accept gifts, gratuities, or loans from organizations, business concerns, or individuals with whom he or she has official business as an employee of the Housing Authority. These limitations do not prohibit acceptance of articles of negligible value under \$50.00 which are distributed generally, nor do they prohibit employees from accepting social courtesies which promote good public relations, nor do they prohibit employees from obtaining loans from regular lending institutions. It is particularly important that employees guard against relationships which might be construed as favoritism, coercion, unfair advantage, or collusion.

In addition, no employee may accept pay or gifts for any services performed for residents during the employee's normal workday. If a gift cannot be graciously declined or is sent to the employee's home, receipt of the gift must be reported to the employee's supervisor and the President and CEO. In no instance may money be accepted. Employees are strongly discouraged from purchasing items from residents. If this should occur, the employee is required to inform his supervisor prior to the purchase. When such purchase is consummated the employee must obtain a written receipt or pay by check or money order.

4.11 Dress and Grooming: The Housing Authority will prescribe a dress code for its employees, and business necessity shall dictate customary standards of dress and grooming. Supervisors are responsible for assuring acceptable dress and grooming standards.

A. Administrative Employees. The basic guideline for dress and grooming, Monday through Friday, is appropriate business attire with emphasis on neatness, cleanliness, and safety. We want to present a businesslike and efficient appearance to ourselves and to our residents, clients and visitors. Employees should present the image of people engaged in business and professional activities as opposed to sports, recreational or other past-time activities. The President and CEO may alter this requirement to meet the prevailing standards in the business community.

B. Maintenance Employees. When considering dress and grooming guidelines for maintenance employees, primary emphasis shall be on safety, followed by comfort, cleanliness and neatness. Maintenance employees should present the image of people engaged in service, maintenance or skill crafts work in private industry.

4.12 Loaning Money: All employees are expected to keep their personal financial affairs in good order. Loaning of money by one employee to another is discouraged and, if job performance is in any way impeded due to such action, both employees may be subject to disciplinary action.

4.13 Smoking Policy: The Housing Authority recognizes the increasing evidence that smoke of burning tobacco products creates a danger to the health of some employees, and is a cause of annoyance and discomfort to non-smoking employees who must work in enclosed spaces where smoke is present. In this regard, and in accordance with San Antonio City Ordinance 62781, the Housing Authority has established the following policy, effective April 1, 1992:

Smoking Prohibited - Smoking is prohibited in all San Antonio Housing Authority workplaces. Workplace and smoke or smoking are defined as follows:

- A. Workplace - Is defined as any enclosed area of a building structure of any type, including Housing units, or portion thereof, and motor vehicles, intended for occupancy by employees who provide primarily managerial, administrative, clerical, maintenance, and maintenance repair or rehabilitation services to the public at a particular location. This prohibition is also applicable when employees are engaged in special work schedules or social activities held in the workplace either during or after a regular work day.
- B. Smoke or Smoking - Is defined as the carrying or holding of a lighted pipe, cigar or cigarette of any kind, or any other lighted smoking equipment or device, and the lighting of, emitting or exhaling the smoke of a pipe, cigar or cigarette of any kind.

Additional, procedural information regarding the Housing Authority's smoking policy can be found in Procedure Chapter 16.

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**Subject:**

EMPLOYMENT

**Policy Number:** 005**Pages:** 1**Original Date:****Revision Date:** 10/1/97

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- 5.1 Recruitment and Placement: The Housing Authority will utilize the most effective methods of recruitment, examination, and placement. The Housing Authority shall attempt to fill vacant positions through promotion from within whenever practical.
- 5.2 Training and Supervision: The Housing Authority shall encourage career employment by providing opportunities for the development of the abilities of employees through an adequate training program and assisting employees in improving their efficiency through sound performance evaluations.
- 5.3 Performance Appraisal: The job performance of all regular full-time employees shall be evaluated periodically in accordance with established procedures.
- 5.4 Working Conditions: The Housing Authority shall conform to all Federal, State and local laws with respect to employees' safety and working conditions. The Housing Authority shall pay special attention to providing healthful and pleasant working conditions.
- 5.5 Termination of Employment: There shall be established an equitable reduction-in-force policy and procedure. Discharges for cause shall be made only after adequate previous warning, except in cases of extreme offenses. These procedures shall be reviewed by the Board of Commissioners prior to implementation. All terminations must comply with the requirements of the Rules of Governance adopted by the Board of Commissioners.
- 5.6 Grievances: There shall be established grievance procedures for settlement of disputes, grievances, or differences between employees and the Housing Authority. These procedures shall be reviewed by the Board of Commissioners prior to implementation.

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**Subject:**

EMPLOYEE BENEFITS

**Policy Number:** 006

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- 6.1 Benefit Plans: The Housing Authority shall encourage plans to benefit the health and welfare of employees.

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**Subject:**

MEMBERSHIP IN LABOR OR OTHER  
EMPLOYEE ORGANIZATIONS

**Policy Number:** 007**Pages:** 2**Original Date:****Revision Date:** 2/89

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7.1 Memberships

- A. Any employee of the Housing Authority may join or maintain membership in a labor organization or other employee group or employee organization if the employee so desires. The Housing Authority neither discourages nor encourages these activities, nor does membership or non-membership in a labor union or employee organization affect the employee's standing or rights as a Housing Authority employee.
- B. Employees have the right to join any organization or other employee organization as they wish. Employees desiring to join, remain a member, or become independent of any labor union or other employee organization are and must remain free to exercise their right without undue influence, coercion, intimidation or pressure of any kind by any commissioner, official, employee of the Housing Authority, or other person.
- C. No written questionnaire of employees pertinent to membership in a labor organization shall be undertaken by the Housing Authority.

7.2 Public Employees Collective Bargaining: The following is in accordance with Texas Law, Texas Government Code Chapter 617:

- A. It is against the public policy of the State of Texas for any official or group of officials of the State, or a county, city, municipality or other political subdivision of the State to enter into a collective bargaining contract with a labor organization respecting the wages, hours, or conditions of employment of public employees.
- B. It is against the public policy of the State of Texas for any such official or group of officials to recognize a labor organization as the bargaining agent for any group of public employees.

- C. It is against the public policy of the State of Texas for public employees to engage in strikes or organized work stoppages against the State of Texas or any political subdivision thereof. Any such employee who participates in such a strike shall forfeit all service rights, re-employment rights and any other rights, benefits, or privileges which they enjoy as a result of their employment or prior employment, provided, however, that the right of an individual to cease work shall not be abridged so long as the individual is not acting in concert with others in an organized work stoppage.
- D. It is public policy of the State of Texas that no person shall be denied public employment by reason of membership or non-membership in a labor organization.
- E. The term "Labor Organization" means any organization of any kind, or any agency or employee, representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with one or more employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.
- F. The provisions of this act shall not impair the existing right of public employees to present grievances concerning their wages, hours of work, or conditions of work individually or through a representative that does not claim the right to strike.

### 7.3 Labor Union or Other Labor Organization Activities

- A. Housing Authority employees who choose to participate in organizing or other labor union-type activities are required to conduct such activities on their own time and not during regularly assigned hours.
- B. Use of any Housing Authority premises for labor union or other labor organization activities is limited to recreation or meeting rooms. Such activities must not interfere with employees' performance of their assigned duties or enjoyment of their free time (e.g., lunch break). Permission to use recreation or meeting rooms must be secured through the San Antonio Housing Authority Manager of such area or facility and in coordination with the appropriate Vice President. Permission shall not be unreasonably withheld.
- C. Notices of labor union or labor organization meetings may be posted on official employee bulletin boards of the Housing Authority in the space specifically designated for such purpose. Use of other bulletin boards on Housing Authority premises for posting notices or other literature by a labor union or other labor organization will not be permitted.

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**Subject:**

REVISIONS TO PERSONNEL POLICIES  
AND PROCEDURES

**Policy Number:** 008**Pages:** 1**Original Date:****Revision Date:** 2/89

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- 8.1 Policies: All Personnel Policies, amendments, deletions, or additions must be approved by the Board of Commissioners.
- 8.2 Procedures: The President and CEO is authorized to establish Personnel Procedures and to revise such procedures whenever necessary so long as they are in accordance with the foregoing established policies. All revisions to the Personnel Procedures shall be taken to the Board of Commissioners for review.

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**Subject:**

SUBSTANCE ABUSE AND THE  
DRUG-FREE WORKPLACE

**Policy Number:** 009**Pages:** 3**Original Date:****Revision Date:** 03/98

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### 9.1 Introduction

In recognition of the continued and growing problem of substance abuse, it is the policy of the Housing Authority to take all reasonable measures to assure that drug and/or alcohol use by employees does not jeopardize the safety of our operations or otherwise adversely affect the Housing Authority, its employees, the community or the public's trust in our ability to carry out our responsibilities.

The Housing Authority cannot and will not tolerate lapses in employee control of their abilities to operate safely and productively. Substance abuse can produce such lapses resulting in errors in judgment, loss of vigilance, and poor coordination, causing accidents and loss of public trust. Therefore, our goal is to establish and maintain a safe work environment free from the effects of substance abuse.

### 9.2 Substance Abuse Policy

A. The manufacture, sale or distribution, possession, or presence in the body, of alcohol, drugs or controlled substances in the workplace is strictly prohibited. Violators will be subject to disciplinary action up to and including discharge. For purpose of this policy "drugs or controlled substances" includes legal and illegal (street) drugs taken for non-medical reasons. It does not include prescription medication taken in accordance with a physician's instructions.

Appropriate law enforcement agencies will be notified of any controlled or illegal substances found on Housing Authority property and these substances will be disposed of in accordance with their instruction. Some of the drugs which are illegal under Federal, State or Local laws include among others marijuana, heroin, hashish, cocaine, hallucinogens, inhalant and designer drugs, depressants and stimulants not prescribed for current personal treatment by a licensed physician.

B. Urine tests may be used for drugs and controlled substances. Breath or blood tests may be used for alcohol. All tests will be conducted off site at a private medical laboratory. A positive screening test may be followed by a more detailed confirmation test in cases involving severe disciplinary penalty to an employee.

- C. The privacy interests of employees and the legitimate interests of the Housing Authority in implementing and maintaining a substance abuse program will be accomplished by (1) limiting the extent of the inquiries to that necessary to effectuate the substance abuse policy; (2) assuring that disclosure of, and access to, information is on a strict need-to-know basis; and (3) informing employees of the purpose for which the information is sought.
- D. All applicants slotted for employment will be required to do the following as part of the employment process:
1. Sign a Substance Abuse Coverage Form which states that the applicant has read, understands and is subject to the Substance Abuse Policy as a condition of employment. The signed form will be retained in the applicant's personnel file.
  2. Sign a Test Consent Form authorizing appropriate testing to identify the presence of drugs or controlled substances and alcohol and release of tests results to the Human Resources Director or his/her designee. The signed form will be retained in the applicant's personnel file.
  3. Refusal of the applicant to sign the Test Consent Form or the Substance Abuse Coverage Form will remove the applicant from consideration for employment on the basis of his/her not meeting all of the qualifications for the position.
- E. The Housing Authority will post a statement of its Substance Abuse Policy on employee and public bulletin boards. Further, employee communications will be undertaken to ensure that each individual employee understands the policy's requirements.
- F. All employees will be expected to cooperate in submitting urine, and/or breath or blood samples under the following guidelines as a condition of continued employment:
1. Where management has reasonable cause to suspect that job performance, work place incident, or unusual behavior may be related to substance abuse, the employee will be required to be tested. This "For-Cause" test must be scheduled through the Human Resources Director or his/her designee. Each case will be reviewed on its merit before a decision regarding the appropriate personnel action(s) is made.
  2. Where an employee is involved in an accident at work resulting in a compensable injury or property damage, the employee will be required to be tested.

3. The number of employees requested by management to participate in a For-Cause test may range from a single employee to all personnel who were involved in an accident or who were working in the area in which the incident occurred.
- G. Supervisory employees are to be constantly alert for signs of performance decline which may indicate a substance abuse problem. Training for supervisors will be provided under the Employee Assistance Program (EAP).
  - H. Refusal to submit a urine, and/or breath or blood sample will result in the employee being considered as having refused to follow reasonable instructions connected with a condition of employment and subject to disciplinary action up to and including termination.
  - I. An employee must notify the Human Resources Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) calendar days after such conviction.
  - J. Any employee convicted of a criminal drug statute violation will be subjected to appropriate personnel action of either involuntary termination or mandatory satisfactory participation (at no cost to the Housing Authority) in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
  - K. An employee may, on a voluntary basis and not in violation of this policy, ask for medical or related assistance due to alcohol, drug or other controlled substance abuse and will be provided referral assistance to medical and/or the Employee Assistance Program (EAP) by the Human Resources Director or his/her designee. Such employees will not be subject to disciplinary penalty. An admission of substance abuse during the disciplinary process due to a violation of this policy will not preclude the imposition of disciplinary penalty.
  - L. The Housing Authority retains the right to require mandatory pre-employment drug screening and acceptable test results of job applicants recommended to fill vacant positions when it is determined to be in the best interest of the Housing Authority in maintaining a drug-free workplace;

The Substance Abuse Policy will assist in establishing and maintaining a safe work environment free from the effects of substance use. Employees having questions concerning this policy should contact their immediate supervisor or the Human Resources Director.

# SAN ANTONIO HOUSING AUTHORITY

## Substance Abuse Coverage Form

I have read and understand the San Antonio Housing Authority Substance Abuse Policy.

I further understand that the use, possession, sale or distribution of alcohol, drugs or controlled substances in the workplace is strictly prohibited. For purposes of this policy, "Drugs or Controlled Substances" include legal drugs taken for non-medical reasons and illegal ("street") drugs. It does not include prescription medication taken in accordance with a physician's instructions. I also understand that the presence of such substances in my system during work hours places unacceptable risk and burden on the safe and efficient operation of my job, and consequently, is strictly forbidden.

I also understand that if arrested and/or convicted of off-job drug and alcohol activities, including driving under the influence I must notify the Human Resources Director immediately and the Housing Authority may take action against me, taking into consideration among other things, the nature of the charge, voluntary use of the Housing Authority's Employee Assistance Program (EAP) for the drug or alcohol abuse, job assignment, and record with San Antonio Housing Authority.

I fully understand that my cooperation with, and adherence to, Housing Authority policies and procedures regarding substance abuse are conditions of my continued employment and that, if I violate, or am insubordinate by refusing to cooperate with any of these policies and procedures, I am subject to discipline, up to and including discharge.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Social Security Number



Substance Abuse Test Consent Form

1. I, \_\_\_\_\_, do hereby give my consent to San Antonio Housing Authority or it's agent to collect a urine and/or blood sample from me or conduct a breath test, as may be required under conditions of the Housing Authority's Substance Abuse Policy.
  
2. I further give my consent to San Antonio Housing Authority to forward the sample(s) to: \_\_\_\_\_  
 \_\_\_\_\_  
 for its performance of appropriate test thereon to identify the presence of drugs and/or alcohol.
  
3. I further give: \_\_\_\_\_ my permission to release the results of such test to the Human Resources Director of San Antonio Housing Authority, or his/her designee.
  
4. I consent freely and voluntarily to San Antonio Housing Authority's request for a urine and/or blood sample. I hereby release and hold harmless San Antonio Housing Authority and its Board of Commissioners, employees, agents, and testing laboratories from any liability whatsoever arising from this request to furnish my urine and/or blood sample and the testing of my sample.
  
5. I have disclosed below any prescription or non-prescription drugs taken in the last thirty (30) days:

Drug	Date Last Taken	Prescribing Physician
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. I certify that I have not adulterated or substituted any sample given.

\_\_\_\_\_  
Employee Signature \_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director Signature \_\_\_\_\_  
Date

*Use back of form if more space is needed*

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**Subject:**

CRIMINAL HISTORY RECORD  
CHECKS OF EMPLOYEES

**Policy Number:** 010**Pages:** 2**Original Date:****Revision Date:** 12/1/93

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10.1 Access to Criminal History Record Information: It is the policy of this employer to fully comply with the provisions of Chapter 765 of the Texas Health & Safety Code, by conducting criminal history record checks on all applicants for employment who, in the course and scope of employment, may be reasonably required to have access to a dwelling in the residential dwelling project.

A. Definitions.

- 1) "Applicant" means an individual seeking employment with this Housing Authority who, in the course and scope of said employment, may be reasonably required to have access to a dwelling in the residential dwelling project. The term shall also include current employees applying for a position in a job class where such an access may be reasonably required of them.
- 2) "Employer" means the Housing Authority of the City of San Antonio.
- 3) "Employee" means an individual who performs services for compensation at a residential dwelling project. The term does not include an independent contractor nor persons employed by an occupant.
- 4) "Occupant" means an individual who resides in a residential dwelling project.
- 5) "Residential dwelling project" means a house, condominium, apartment building, duplex, or similar facility that is used as a dwelling or a facility that provides lodging to guests for compensation including a hotel, motel, inn, bed and breakfast facility, or similar facility. The term does not include a nursing home or other related institution regulated under Chapter 242, Health and Safety Code.

B. Application of Act. This law applies to each applicant for a position of employment with SAHA to whom an offer of employment is made and who, in the course and scope of the employment, may be reasonably required to have access to a dwelling in the residential dwelling project. Such positions shall include but are not limited to Section 8 Leased Housing Residential Building Inspectors, all field maintenance jobs and administrative staff positions at housing developments and entities.

C. Implementation. Pursuant to provisions of Section 1.2B of the Housing Authority's Personnel Policies, the President and CEO shall implement personnel procedures executing this policy.

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**Subject:**

POSSESSION OF FIREARMS, WEAPONS  
AND CONCEALED HANDGUNS

**Policy Number:** 011**Pages:** 1**Original Date:** 3/1/96**Revision Date:** 03/98

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On May 26, 1995, the Governor of the State of Texas signed into law Senate Bill No. 60 known as the "Concealed Handgun" bill. This policy is written pursuant to Section 32 of the statute which states "this article does not prevent or otherwise limit the right of a public or private employer to prohibit persons who are licensed under this article from carrying a concealed handgun on the premises of the business."

It is the policy of the Housing Authority to prohibit any employee other than a commissioned security officer employed by the Housing Authority and licensed peace officers from carrying or possessing weapons including concealed handguns on Housing Authority premises, which are defined as all Housing Authority office buildings, enclosed common areas (e.g., resident centers or auditoriums), and residential units under the Authority's management.

Violation of this policy by employees may result in immediate termination of employment with the San Antonio Housing Authority.

Pursuant to provisions of Section 1.2B of the Housing Authority's Personnel Policies, the President and Chief Executive Officer shall implement personnel procedures executing this policy.

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**Subject:**IMMIGRATION AND NATURALIZATION  
LAW COMPLIANCE**Policy Number:** 012**Pages:** 1**Original Date:** 10/1/97**Revision Date:**

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It is the policy of the Housing Authority to ensure that all persons selected for hire are in compliance with the Immigration Reform and Control Act, which prohibits the employment of unauthorized aliens and requires all employers to enforce an employment verification system.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility as per this form. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Housing Authority within the past three years, or if their previous I-9 is no longer available and/or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department.

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**Subject:**

LOBBYING ACTIVITIES

**Policy Number:** 013**Pages:** 1**Original Date:** 10/1/97**Revision Date:**

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It is the policy of the Housing Authority to comply with United States Public Law 101-121, Section 319, as amended (referred to as the Byrd Amendment) and HUD regulations incident thereto. The Byrd Amendment (1) prohibits all applicants and recipients of federal contracts, grants, loans and cooperative agreements exceeding one hundred thousand dollars (\$100,000.00) from using federally appropriated funds for lobbying and (2) requires disclosure of lobbying with other than federally appropriated funds by each person who receives or requests federal financial assistance in the form of a contract, grant, loan, cooperative agreement or commitment for loan insurance or loan guaranty which exceeds one hundred fifty thousand dollars (\$150,000.00). For the purpose of these requirements, a person means an individual, corporation, company, association, authority, firm, partnership, society, state and local government whether or not the entity operates on a profit or non-profit basis. Guidelines for compliance, subject to the specific provisions of the law and regulations, are provided in Procedure Chapter 17.

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**Subject:**

DISCIPLINARY ACTIONS

**Policy Number:** 014**Pages:** 1**Original Date:** 11/97**Revision Date:**

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The Housing Authority believes that effective communications enhance the efficiency and morale of the organization. As such, the Authority prefers to follow a course of progressive discipline as outlined in the Personnel Procedures. It should be noted that any illustrative examples given under any rule set do not limit the generality of the rule. The rules and regulations are not to be construed as limitations upon the retained rights of the Housing Authority, but merely serve as guides.

In recognition of the fact that each instance differs in many respects from somewhat similar situations, the Housing Authority retains the right to treat each occurrence on an individual basis and without creating a precedent for other cases which may arise in the future.