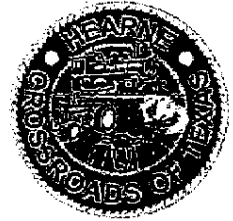


City of Hearne



July 28, 2017

Jennifer Passmore
[REDACTED]

Re: Notice of FMLA Eligibility, Rights and Responsibilities, and Designation of Leave

Dear Ms. Passmore:

The purpose of this letter is to notify you about your eligibility for Family Medical Leave Act (FMLA) leave and that the City of Hearne is designating you on FMLA Leave.

A. Notice of Eligibility

On January 20, 2017, the City of Hearne was notified via the Texas Workers' Compensation Work Status Report of your need for a leave of continuing absence beginning January 20, 2017 for your own serious health condition. In general, to be eligible for FMLA leave an employee must have worked for an employer for at least 12 months, have worked at least 1,250 hours in the 12 months preceding the leave, and work at a site with at least 50 employees within a 75-mile radius. This notice is to inform you that you are eligible for FMLA leave and the City of Hearne is placing you on FMLA leave. Additional rights and responsibilities are described below.

B. Rights and Responsibilities for Taking FMLA Leave

You are eligible for up to 12 weeks of unpaid leave in a 12-month period measured forward from the date of your first FMLA leave usage. As explained above, you meet the eligibility requirements for taking FMLA leave. You have previously used 0 weeks of FMLA, and therefore, you have 12 weeks of leave available to you in the applicable 12-month period. You will be required to use your accrued, unused paid time off/vacation during your FMLA absence. You currently have 56 hours of sick leave and 158.25 hours of vacation leave.

Your health benefits will be maintained during this 12-week period under the same conditions as if you continued to work. While on your FMLA leave you will be responsible for contacting Linda Pecina, City Secretary, at 979-279-3461 to make arrangements to continue to make your share of the health insurance premiums in order to maintain health benefits while you are on leave. The amount of your monthly payment will be \$21.15 for your short-term disability premium plus \$10 for your employee medical part. You have a minimum 30-day grace period in which to make premium payments. If payment is not made on time, your group health insurance

may be cancelled, provided we notify you in writing at least 15 days before the date your health coverage will lapse, or, at our option, we may pay your share of the premiums during your FMLA leave and recover these payments from you upon your return to work. If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; 2) the continuation, recurrence, or onset of a covered service member's serious injury or illness which would entitle you to FMLA leave; or 3) other circumstances beyond your control, you may be required to reimburse us for our share of the health insurance premiums paid on your behalf during your leave.

Further, this leave will be considered protected under FMLA, and the leave will be counted against your FMLA leave entitlement. You have the right to reinstatement to the same position, or an equivalent position in terms of pay, benefits, and terms and conditions of employment, upon your return from FMLA leave. If your leave extends beyond the end of your FMLA entitlement, you do not have reinstatement rights.

C. City of Hearne Designation of Leave

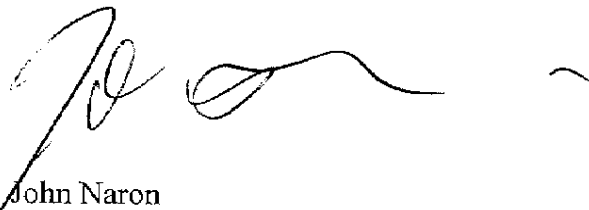
Your FMLA leave will begin as of August 01, 2017. All leave taken for this particular FMLA-qualifying reason will be designated as FMLA leave.

The FMLA requires that you notify us as soon as practicable if dates of your scheduled leave change or are extended. Based upon the information you have provided to date, you will utilize 12 weeks of FMLA leave. Your expected return to work date is October 24, 2017.

You will be required to present a fitness-for-duty certificate before returning to work, and the certification must address your ability to perform the essential functions of your position. An essential function job description is attached. If such certification is not received on time, your return to work may be delayed until the certification is provided.

Please contact Linda Pecina at (979)279-3461 if you have any questions or would like any more information regarding FMLA leave or this information. We wish you the best and look forward to your return.

Sincerely,



John Naron
City Manager
City of Hearne

Enclosure

Patrol Officer

Summary:

The primary responsibility of all uniformed Patrol Officers is to protect the life, liberty and property of the people of the City of Hearne through proactive, community oriented policing and to enforce the laws of the State of Texas and ordinances of the City of Hearne and to serve the people in a manner within the scope and duty of their particular assignment.

This is a non-supervisory role. Patrol Officers report to immediate on-duty supervisor to include Officer in Charge (O.I.C.), Sergeant, Lieutenant, or Chief of Police. Officers must follow Chain of Command when there are multiples supervisors on duty at one time. (ie. day shift assignments)

Job Duties:

A Patrol Officer's essential responsibilities include, but are not limited to, the following:

- Safely operate a City of Hearne patrol vehicle, two way radio, firearms, vehicular Doppler radar, restraint systems including handcuffs, defensive weapons, in-car audio/video equipment, and body worn audio/video equipment. K-9 handler will exhibit ability to operate all above listed equipment and as well as equipment related to their specific duties.
- Patrol the City of Hearne for extended periods of time in order to prevent or discover criminal activity, and to deter criminal activity. Recognize suspicious behaviors of persons which may indicate involvement in criminal activity, stop and interview suspicious persons, and successfully document such encounters following department policies and procedures.
- Patrol highways and local roadways within the city limits of Hearne for persons committing traffic violation(s), conduct motor vehicle stops, issue traffic citations/warnings when necessary, deter traffic related violations, and observe and remove road hazards if necessary.
- Observe and recognize reckless driving, conduct Standardized Field Sobriety Tests, and make DWI arrests when appropriate, to ensure the safety of persons on the roadways within the city.
- Detain and/or arrest persons when probable cause exists or are in violation of local, state or federal laws. Conduct prisoner checks, feed and transport inmates when necessary.
- Respond to and investigate calls for service involving accidents, misdemeanors, felonies, city, state or federal offenses, nuisances, and violations of city ordinances.
- Immediately take control of the scene of a crime and preserve evidence, secure and interview witnesses, obtain complete information, including written statements when appropriate, process the scene by developing and lifting latent fingerprints, collect other forensic evidence using the most current techniques, and maintain complete and accurate evidence and crime scene logs. In the event of major crimes such as homicide, aggravated robbery, sexual assault, etc. it is the responsibility of the Patrol Officer to advise Dispatch to notify Chain of Command.
- Demonstrate and maintain the ability to analyze situations and adopt a quick, effective, and reasonable course of action. This includes the ability to remain calm, composed, undistracted and in full control of cognitive abilities while functioning appropriately in hostile, dangerous or fearful situations that require force, up to and including deadly force. Maintain rational, cognitive decision-making abilities and self-control in situations or environments that may be personally offensive or which involve considerable stress, danger, personal risk, violence or hostility. This includes the ability to exercise restraint when verbally or physically provoked.

- Has frequent contact with department employees, other employees of the City of Hearne, other law enforcement agencies, related agencies and organizations, juveniles, volunteers, court personnel, juvenile probation employees, schools, and the general public.
- Interact with a variety of people functioning under various emotional states in order to manage interpersonal conflicts, resolve or stop criminal activity, obtain or provide information, or counsel and give aid to maintain order or provide service.
- Conducts himself or herself in accordance with high ethical standards, both on and off duty.
- Perform other related duties as directed by competent authority.

POLICE OFFICER REQUIREMENTS AND DISQUALIFIERS

BASIC QUALIFICATIONS

- Pass a background investigation, including a fingerprint records check.
- Pass oral interviews.
- Successfully complete a post-job offer psychological examination (if applicable), medical examination and drug/alcohol test, that includes passing a visual acuity test, and physician certification that the applicant is not dependent on and does not use illegal drugs.
- Be at least 21 years of age.
- Be a graduate of an accredited high school or, have an equivalency certificate with at least 12 hours of college credit or, have an honorable discharge from the armed forces.
- Have a valid Texas driver's license at the date of hire and meet the City's evaluation criteria for the driver's license record.
- Be a citizen of the United States by birth or naturalization. Be able to read, write, and speak the English language.
- Be of good moral character.
- Shall not be prohibited from carrying a firearm or possessing ammunition.
- Be certifiable as a peace officer as established by TCOLE at the time of hire.
- Hiring preference may be given to those candidates on the eligibility list who hold a peace officer's license through TCOLE.

BASIC DISQUALIFICATIONS

- Applicant fails to meet Minimum Standards for initial licensure as set forth by TCOLE for peace officer candidates.
- Applicant is not a citizen of the United States of America by birth or naturalization.
- Applicant fails to demonstrate his/her ability to read, write, and fluently speak the English language.
- Applicant is unable to perform the essential functions of the position to which he/she seeks appointment, with or without reasonable accommodation.
- Applicant has engaged in, received deferred adjudication or pre-trial diversion for, or has been convicted of: conduct that constitutes a Class A Misdemeanor under the Penal Code or equivalent under federal law, to include the Uniform Code of Military Justice, or a Class B Misdemeanor within the past ten years, or any other conduct that may be unsuitable for employment.
- Applicant has made any false statement in any material fact; withheld information, practiced or attempted to practice any deception or fraud in his/her application, examination, or appointment.
- Applicant fails to complete or satisfactorily meet the employment process requirement, including missed appointments, failure to return necessary paperwork, failure to notify Department of any changes of address or telephone number, failure to properly complete any or all application materials, or who otherwise fails to complete the application process.
- Applicant fails to satisfactorily complete the oral interview process.
- Applicants have engaged in, conduct which constitutes excessive and/or recent use of intoxicants, including alcohol.

- Applicant has unlawful consumption of marijuana within three years.
- Applicant has unlawful consumption of any Texas Health and Safety Code Penalty Groups I and II drugs (excluding marijuana). This includes cocaine, methamphetamines, ecstasy, mushrooms, etc.
- Applicant has unlawful consumption of any Texas Health and Safety Code Penalty Groups III and IV drugs within the past 10 years. This includes some prescription drugs and steroids.
- Applicant has engaged in, received deferred adjudication or pre-trial diversion for, or has been convicted of DWI/BWI/FWI/DUI within the past 5 years.
- Applicant has violations exceeding 4 events (moving violations or preventable accidents) within the past 3 years.
- Applicant has been dismissed or resigned in lieu of dismissal from any employment for inefficiency, delinquency, or misconduct.
- Applicant has demonstrated a failure to pay just debts.
- Applicant has exercised poor judgment skills within the past 5 years.
- Applicant has a history of unstable work.
- Applicant has failed to meet all legal requirements necessary for future licensing and certification as required by TCOLE.
- Applicant has been discharged from any military service under less than honorable conditions.