

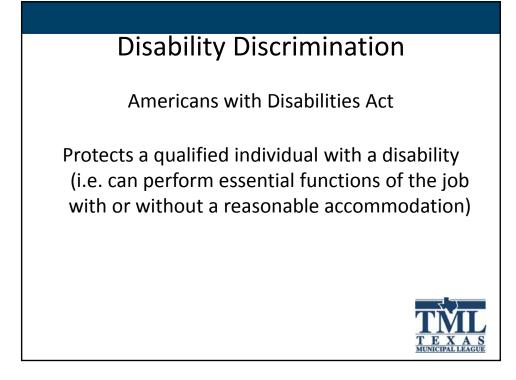


# **Disability Discrimination**

I heard from another employee that the city manager is taking Xanax for anxiety. Can we just fire him?

Why Not?





#### Age Discrimination

I'm working on a job description for our new public information officer and I really want someone who understands social media. Can I just say we want someone young and up to date on all these issues?





### Wage and Hour

The assistant city secretary is such a hard worker. She eats lunch at her desk every day and she clocks out but is always willing to answer the phone if it rings during her break.





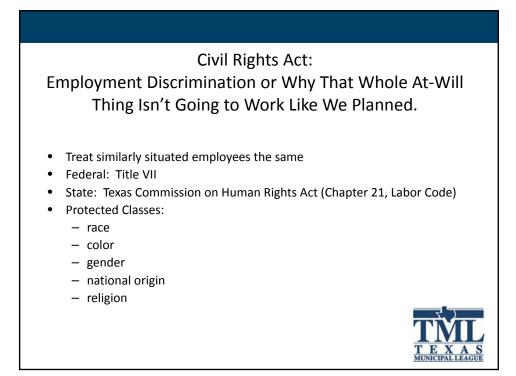
### Family Medical Leave Act

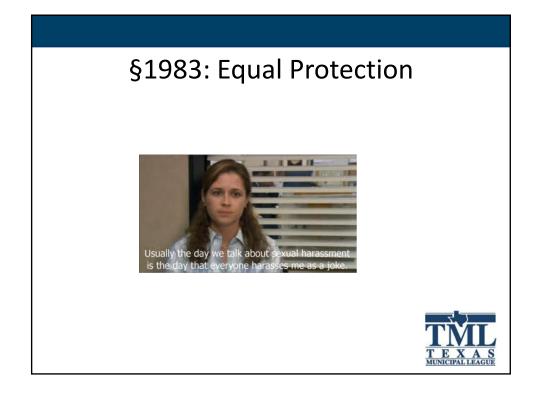
City Secretary's wife is going to have a baby and he wants some time off after the baby is born. Do we need to pay him or something?

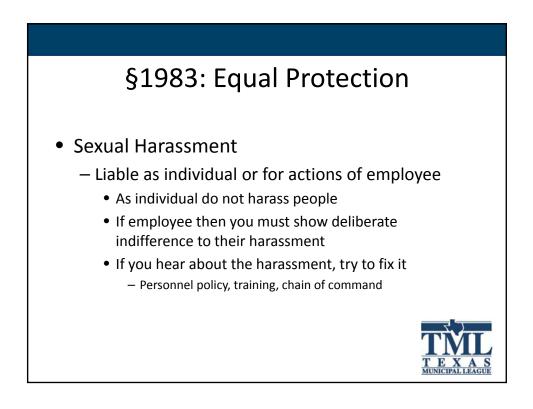












# §1983: Fourth Amendment

We have been randomly pulling employee names out of a hat for our quarterly drug testing. Can we add the city councilmembers to the hat?

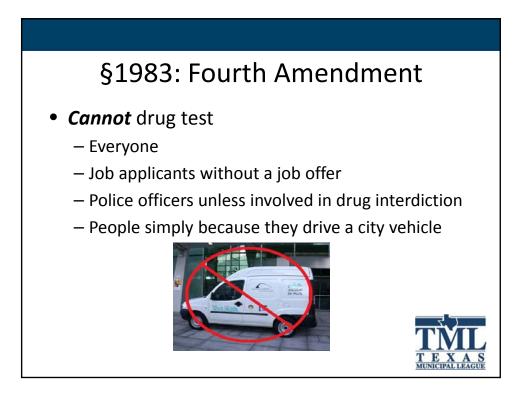




# §1983: Fourth Amendment

- Drug testing
- Can drug test:
  - Preemployment
  - Reasonable suspicion
  - Security or safety sensitive situations

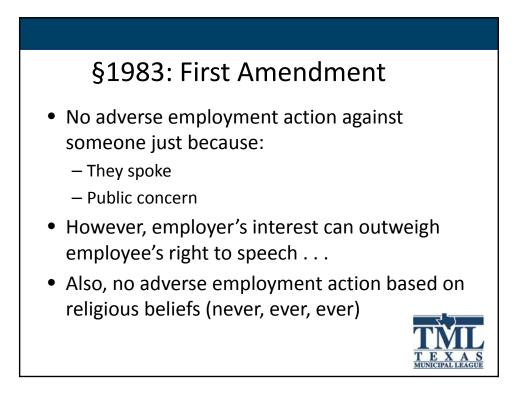


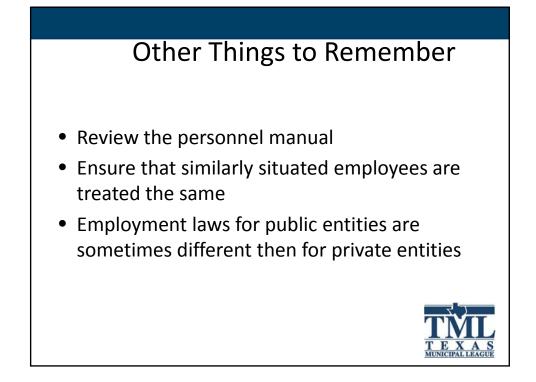


## First Amendment

An employee said mean things about the mayor on Facebook. Can we fire the employee?









#### Resources

- Texas Municipal League Web site <u>http://www.tml.org/legal\_topics/legal\_personnel.as</u>
  <u>p</u>
- Equal Employment Commission <u>www.eeoc.gov</u>
- Texas Workforce Commission <u>www.twc.state.tx.us</u>
- Texas Municipal League Intergovernmental Risk Pool "Call Before You Fire" 1-800-537-6655
- Texas Municipal Human Resources Association www.tmhra.org
- Department of Labor <u>www.dol.gov</u>



