

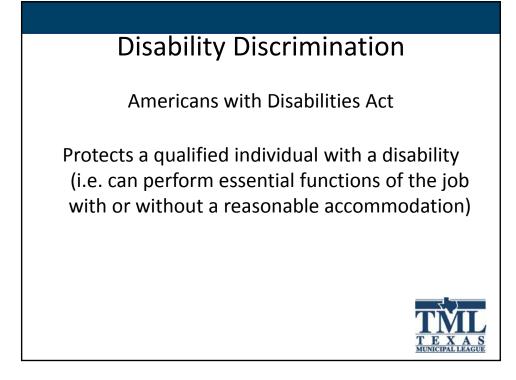


Disability Discrimination

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?

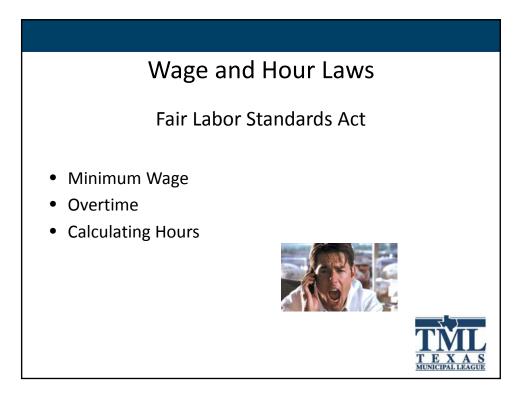




Wage and Hour

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.





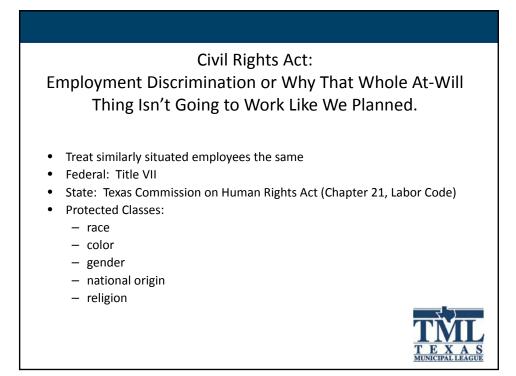
Family Medical Leave Act

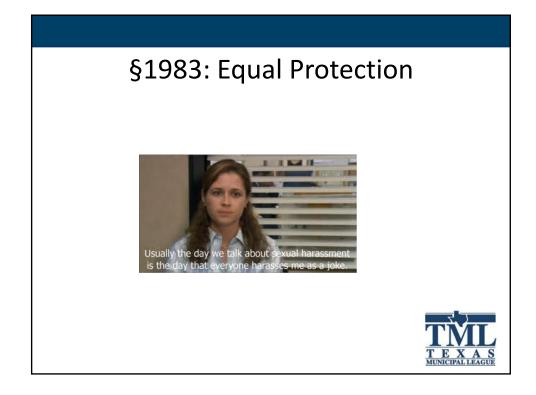
City Secretary's wife is going to have a baby and he wants some time off after the baby is born. Do we need to pay him or something?

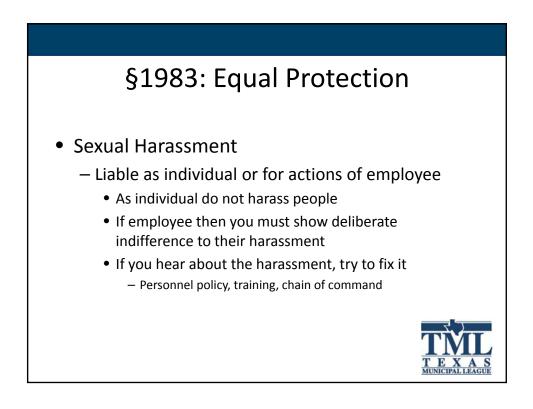












§1983: Fourth Amendment

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?

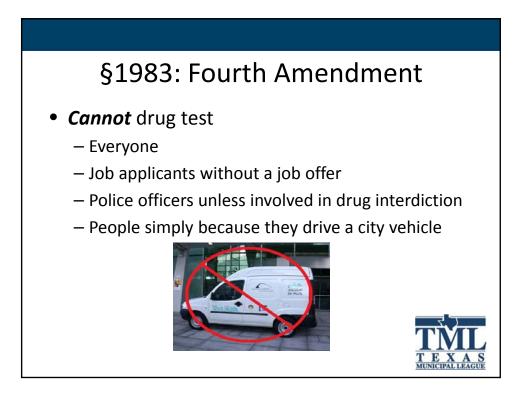




§1983: Fourth Amendment

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

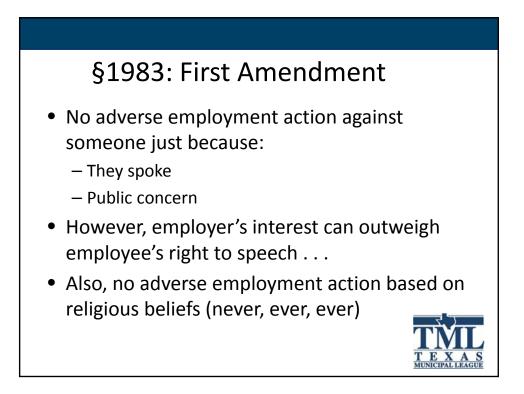


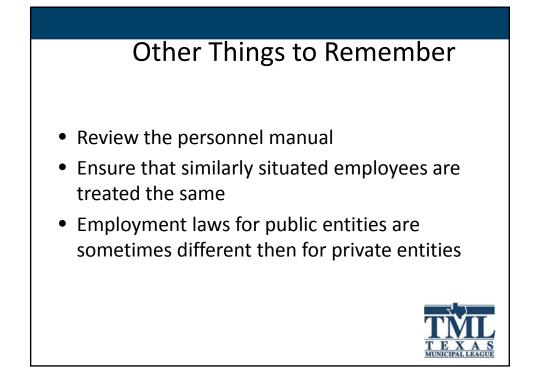


First Amendment

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>



