

**ORDINANCE NO. 2026-O-35**

**AN INTRODUCTORY ORDINANCE AMENDING THE CITY OF LAREDO'S CODE OF ORDINANCE CHAPTER 2, ADMINISTRATION, ARTICLE II, DEPARTMENTS, OFFICERS AND EMPLOYEES, DIVISION 2, RETURN TO WORK POLICY OF THE CODE OF ORDINANCES; PROVIDING FOR UPDATES TO ENSURE CONSISTENCY, ENFORCEABILITY, AND COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Laredo previously adopted a Return to Work Policy to establish standardized procedures for transitional and modified duty assignments for employees recovering from work-related or non-work-related injuries or medical conditions; and

**WHEREAS**, the Return to Work Policy establishes a maximum duration for modified duty assignments, which is defined to be one hundred eighty (180) working days in order to promote consistency, operational efficiency, and compliance with applicable employment laws; and

**WHEREAS**, certain provisions of the Return to Work Policy reference modified duty timeframes using different numerical durations, which do not uniformly reflect the one hundred eighty (180) working day period previously adopted by the City Council; and

**WHEREAS**, the City Council finds it necessary and appropriate to amend the Return to Work Policy to correct these remaining references, ensuring the policy is internally consistent, accurately reflects prior Council intent, and remains clear, enforceable, and administratively sound.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO, TEXAS THAT:**

**Section 1.** Chapter 2, Administration, Article II, Division 2, Return to Work Policy of the Code of Ordinances, City of Laredo, Texas, is hereby amended as follows:

**Subdivision 1. Generally, Sec. 2-31. Return to work policy statement.**

- (b) If the employee is not physically capable of returning to full duty, the return to work program will temporarily assign the employee to either modified duty or alternate duty. Modified duty will allow the employee to perform the essential functions of his regular position to the employee's physical capacities for a period not to exceed ~~sixty (60)~~ one

*hundred eighty (180)* work days. Alternate duty will assign the employee to a position in the same department or another department for a period not to exceed ninety (90) work days. An extension for alternate duty positions may be granted at the city manager's discretion. Modified duty positions and alternate duty positions will be assigned only if available and must have the department director's approval.

**Subdivision II. Procedure, Sec. 2-32 Definitions.**

- (1) Modified duty. Performance of all the essential functions, but only a portion of the nonessential functions and tasks of the regular job, and performing those duties and tasks that are within the capabilities of the employee given the restrictions to duty imposed by the treating physician. "Modified duty" is a temporary arrangement until the injured employee can resume full duty and limited to ~~sixty (60)~~ *one hundred eighty (180) work* days. If the employee is qualified as defined under the ADA, then modified duty may become a permanent arrangement as a reasonable accommodation, if it does not create an undue hardship on the city.

**Section 2.** This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**Section 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Section 4.** The City Secretary of the City of Laredo is hereby directed to publish the proposed Ordinance as required by Section 2.09 of the Charter of the City of Laredo.

**Section 5.** This Ordinance shall become effective immediately upon passage.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS  
THE \_\_\_\_ DAY OF \_\_\_\_\_, 2026.**

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**DR. VICTOR TREVIÑO  
MAYOR**

**ATTEST:**

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**MARIO I. MALDONADO, JR.**

**CITY SECRETARY**

**APPROVED AS TO FORM:**

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**DOANH "ZONE" T. NGUYEN  
CITY ATTORNEY**