



PERSONNEL POLICY MANUAL

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1.00 INTRODUCTION

JIM HOGG COUNTY

Jim Hogg County's governmental organization is established by the Constitution of the State of Texas and by State Statutes. Its operations are governed by state and federal law and by actions of the Commissioners Court.

The Commissioners Court consists of four County Commissioners, each elected by the voters of a Commissioner's precinct, and the County Judge, elected by all the voters of the County. The Commissioners Court is the primary policy-making body of the County.

County operations are conducted through departments each administered by an Elected Official or appointed Department Head. As used herein, "Department Head" shall be construed to include Elected Officials where appropriate.

AUTHORITY

These policies are established by the Commissioners Court of Jim Hogg County and replace all previously approved policies. They are applicable in their entirety to all departments under the direct authority of Commissioners Court. Further, these policies are applicable to all County employees to the extent that Commissioners Court has authority over the subject matter of any policy including, but not limited to, issues of pay, leave, employee benefits, and fiscal matters.

Certain of these personnel policies may be contingent upon available funds in each County department's budget and in the general Jim Hogg County Operating Budget as well as any other funding sources.

RESPONSIBILITY FOR IMPLEMENTATION OF PERSONNEL POLICIES

Each Department Head, elected or appointed, is responsible for the administration of the personnel policies within their department and may issue detailed departmental operating procedures to implement these adopted policies if they are consistent with these policies.

PURPOSE

These policies are set forth by the primary rules governing employment with Jim Hogg County. The policies contained herein inform employees of the benefits and obligations of employment with the County. They have been prepared and adopted in order to promote consistent, equitable, and effective practices which will result in high quality public service by both employees and supervisors. These policies may be revised at any time without notice to employees. The policies contained in this manual do not constitute any type of employment agreement with Jim Hogg County.

APPLICABILITY OF PERSONNEL POLICIES

The personnel policies apply equally to all employees and officials of the County unless a class of employees is specifically exempted. In cases where federal law or regulation supersedes local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary to comply. Elected officials are personally exempt from the personnel policies but must abide by the personnel policies in the administration of their Departments.

DISTRIBUTION OF PERSONNEL POLICIES

Complete copies of the Personnel Policies manual will be maintained by the County Clerk's Office as an official record of the Commissioners Court. Furthermore, copies of the current manual with all revisions will be maintained by the County Treasurer's Department of Jim Hogg County which shall make the policies manual available to employees upon request and shall ensure that his/her employees are notified of this availability. A copy of the manual will be placed on Jim Hogg County's website.

Each new employee will be provided with a copy of the manual and shall acknowledge receipt of the manual in writing. Employees will also receive a copy of any revisions or amendments and shall acknowledge receipt of the in writing.

COMMUNICATION

Employees are encouraged to make constructive suggestions for improvements in these policies or in work procedures or conditions to their immediate supervisors or Department Heads.

Jim Hogg County operates under the legal doctrine of "employment-at-will" and, within requirements of state and federal law regarding employment, can dismiss an employee at any time, with or without notice, for any legal reason or no reason, these personnel policies do not constitute an employment agreement between the County and any of its employees and in no way limit or restrict the at-will nature of employment. The County has the right to change these policies at any time, without prior notice to employees. Any employee, who violates any of the policies of Jim Hogg County, shall be subject to disciplinary measures up to including discharge from employment. Each reference in these policies to the County means Jim Hogg County, Hebbronville, Texas.

2.00 EMPLOYEE RESPONSIBILITIES

GENERAL

Jim Hogg County is an organization supported by public funds. Jim Hogg County officials, Department Heads and employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are expected to carry out efficiently the work items assigned as their responsibility, to maintain a good moral conduct, and to do their part in maintaining good relationships with the public, with other governmental employees and officials, with their supervisors, and with fellow employees.

TIMELINESS

Employees are to be punctual in maintaining work hours, keeping appointments and meeting schedules for completion of work.

OUTSIDE EMPLOYMENT

An employee who engages in employment outside the County must notify his or her Department Head. Such employee must also provide notification of outside job. Outside employment is prohibited and is cause for disciplinary action if it:

1. is inconsistent or incompatible with employment with the County;
2. results in tardiness, absenteeism, or refusal to work overtime when deemed necessary by the Department Head; or
3. adversely affect the employee's job performance.

County-issued uniforms or apparel, other than that issued for Law enforcement personnel, may not be used in the outside employment activities. County-issued uniforms or apparel may not be worn while engaging in political activities.

CONFLICT OF INTEREST

An employee may not:

1. solicit, accept, or agree to accept a financial benefit, directly or indirectly, other than from the County, that might reasonably tend to influence his or her performance of duties for the County, or that he or she knows or should know is offered with intent to influence the employee's performance;
2. accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of job duties;

3. accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the County;
4. make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the County; or
5. solicit, accept, or agree to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

POLITICAL ACTIVITY

Employees of Jim Hogg County are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

A County employee may not:

1. Use his or her official authority or influence to interfere with or affect the result of an election or nomination for office. The wearing of buttons or display of other advertising on the employee during working hours is prohibited.
2. Directly or indirectly coerce, attempt to coerce, command, or advise, during work hours, a state or county official or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purpose.
3. The raising of funds on County property for any political candidate is strictly prohibited. This prohibition does not apply to property that is leased or rented for a fee for the purpose of staging a fundraiser or other private event.

A county employee, other than an Elected Official, may not be a candidate for elective office in a partisan election in those circumstances where this would create a conflict of interest or incompatible situation. A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected.

2.06 NATURAL DISASTERS AND EMERGENCIES

Employees of Jim Hogg County may be required to work during any natural disaster or emergency. These emergencies may require separation from family members for extended periods and each employee is encouraged to provide for his or her family accordingly. Refusal to work during such emergencies may result in disciplinary action, up to and

including termination. This is a formal condition of employment with Jim Hogg County. The determination of which positions or natural disaster and the designation of personnel who shall be required to work during such emergencies shall be made by each Department Head and is incorporated in Jim Hogg County's Emergency Operations Plan.

USE OF COUNTY OWNED VEHICLES

Jim Hogg County employees who are authorized to drive County-owned vehicles must observe the following rules:

1. County-owned vehicles may not be used for any purpose other than official County business. Any employee or official who uses a County-owned vehicle to travel between his/her home and worksite or for other personal purposes are subject to applicable Internal Revenue Service Rules <https://www.irs.gov/businesses/small-businesses-self-employed/statutory-employees>
2. County-owned vehicles may not be used to transport non-County employees except in the course of official business.
3. County-owned vehicles are not to be driven by anyone other than the Jim Hogg County employee who is authorized to do so.
4. Jim Hogg County employees who are authorized to drive County-owned vehicles are required to have in his or her possession an appropriate valid driver's license, to comply with all applicable state and federal laws and regulations, and to maintain clean driving records to assure insurability under the County's automobile liability coverage.

TRAVEL FOR COUNTY BUSINESS

The County reimburses employees for travel in a private vehicle used for County business. Mileage for official travel is set by the State of Texas Comptroller's Office state rate

<https://www.fiscal.ttuhs.edu/paymentservices/travel/collateral/Mileage%20Reimbursement%20Rate%20Effective%20January%201%202019.pdf>

COMPUTER USE POLICY

Purpose of Policy

Internet, email, and instant messaging services are provided by Jim Hogg County to enable its employees to better serve the public. The County recognizes that these services facilitate the flow of information and are valuable tools in discharging its responsibilities

The regulations and restrictions contained in this policy are intended to achieve the following goals:

1. To ensure that computer services are used for appropriate County purposes;
2. To wisely use limited resources, including but not limited to internet bandwidth and storage space on the County server as well as individual computers;
3. To avoid streaming video or audio clips or other such downloads that use excessive resources and adversely affect legitimate uses of the internet; and
4. To avoid the introduction of viruses, worms, and other destructive forces by music downloads or other means.

Monitoring of Computer Usage

All computer equipment, including without limitation, hardware, software, media, files, and information generated or stored by such equipment, is the property of Jim Hogg County. Jim Hogg County, its Management Information System ("MIS") Department, or any person acting on their behalf may monitor and/or review any information or data generated by or stored on such computer equipment at any time without notice to you. Neither Jim Hogg County nor the M.I.S. Department is required to notify you if and when your computer equipment or usage is being monitored. THERE IS NO EXPECTATION OF PRIVACY IN THE USE OF COMPUTER EQUIPMENT OWNED, LEASED OR OPERATED BY JIM HOGG COUNTY.

The MIS Department bears responsibility for the proper functioning of the County's computer equipment and related systems. It is, therefore, authorized to remove any offensive, inappropriate or extraneous information from the County's computer server or from individual computers without notice to, or permission from, the person who placed it on the server or computer.

Monitoring of E-Mail

E-mail is an important asset and critical component of Jim Hogg County's communication system. The e-mail system is provided by the County for employees to facilitate their performance of office work, and the contents are the property of Jim Hogg County. Although Jim Hogg County does not routinely monitor e-mail, it reserves the right to view, retrieve, retain, and/or delete any e-mails, instant messages, or other such communications.

Efficient Usage

Efficient use of the e-mail system requires that messages be concise and directed to individuals with an interest or need to know. General notices relevant to Jim Hogg County business may be sent to such individuals or work groups.

Personal Use of Email

Usage of email, instant messaging, internet or other such communication for personal purposes shall be of an extremely limited nature consistent with the "Purpose of Policy" as set forth hereinabove, the work that employee must perform during the day, and break times allowed to employees.

Employees are specifically prohibited from mass mailing of messages for personal gain (e.g. "for sale," "for rent," "looking to buy," etc.), chain letters, jokes or other such "junk mail." Employees are prohibited from downloading music, video, or any other content not directly related to county business. Employees are prohibited from listening to Internet Radio. Employees are prohibited from conducting transactions on auction websites or from posting messages on online bulletin boards. Employees shall not engage in any conduct with the equipment that would encourage or invite the receipt of advertising or other such messages, mass e-mails, or pop-up ads.

As with other usage of County computer equipment, **personal e-mails, instant messaging, internet and other such communications may be monitored, reviewed and retained by the County. Employees should assume that such activities are being monitored and should not consider them to be private.**

Misuse of E-Mail or the Internet

Misuse of e-mail or the internet can result in disciplinary action against the offending employee up to and including termination of employment. Such misuses include, but are not limited to, the following:

- Transmission of obscene, profane or offensive material over any County communication system, including computer equipment.
- Downloading, viewing, creating, or transmitting erotic or pornographic materials.
- Downloading music, video, or any other content that is not directly related to County business.
- Playing games, paying bills, on-line banking, or on-line shopping that is not directly related to County business.
- Listening to radio stations via the internet.
- Creating or transmitting messages, jokes, or other communications that violate applicable anti-harassment policies or that create an intimidating or hostile work environment.
- Use of County equipment to set up or conduct any type of business or to participate in chain letters.
- Transmission of any confidential information to unauthorized sources as prohibited by the Texas Public Information Act or other State or Federal Laws or regulations.
- Use of equipment in a manner that violates copyright or trademark laws or

regulations.

- Unauthorized use of another person's password or accessing a mailbox or any other records without appropriate authorization.
- Broadcasting unsolicited personal views on social, political, religious or other non-business-related matters.
- Solicitation to buy or sell goods.

Non-Authorized Use is Prohibited

Use of County-owned computer equipment is limited to Jim Hogg County employees, the Jim Hogg County MIS Department, authorized vendors, or other users duly authorized by Jim Hogg County.

No computer configurations or software installations should be performed by anyone without the recommendation of the Jim Hogg County MIS Department.

Security

Computers are not to be factory reset, erased or deleted in any form without the proper approval of the Jim Hogg County designated official. Employees and authorized users are responsible for maintaining the security of their computers, accounts and passwords. They must take precautions to prevent unauthorized access to their mailbox and other information by logging off or locking the computer when their PC's or terminals are unattended. Care must also be exercised to prevent disclosure of passwords.

3.0 POLICY ON EMPLOYMENT AT WILL

1. All employment with Jim Hogg County shall be considered “at-will” employment.
2. No contract of employment shall exist between any individual and Jim Hogg County for any duration, either specified or unspecified.
3. Jim Hogg County shall have the right to terminate the employment of any employee for any legal reason, or no reason, for any reason, at any time either with or without notice.
4. Jim Hogg County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice.
5. Employees of Jim Hogg County shall have the right to leave their employment with the County at any time, with or without notice.
6. The provisions of this policy manual do not constitute an employment contract.

4.0 POLICY ON EMPLOYEE STATUS

FULL-TIME

1. A full-time employee shall be any employee in a position which has a normal work schedule of at least 35 hours per week. All full-time budgeted salaries are based on a 35-hour work week (*except for law enforcement*)
<https://www.dol.gov/whd/regs/compliance/whdfs8.pdf>

PART-TIME

2. A part-time employee shall be any employee in a position which has a normal work schedule not more than 30 hours per week.

TEMPORARY

3. A temporary employee shall be any employee who is hired into a position which is expected to last for some specific duration (usually not more than 6 months) or until a specific project is completed.
4. Temporary employees may be either full-time or part-time.

REGULAR

5. A regular employee shall be any employee hired into a position which is not considered to be temporary.
6. Regular employees may be either full-time or part-time.

EMPLOYMENT-AT-WILL

7. All employees are “at-will” employees as defined in the **POLICY ON EMPLOYMENT AT-WILL**; and, an employee status shall not be considered a contract of employment.

5.0 POLICY ON EQUAL EMPLOYMENT OPPORTUNITY

EQUAL OPPORTUNITY

1. It shall be the policy of Jim Hogg County to be an equal opportunity employer.
2. Race, color, religion, national origin, sex, age genetic information, pregnancy, veteran status disability or any other condition or status protected by law shall not be factors in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by law or where a bona fide occupational qualification (BFOQ) exists.
<https://www.dol.gov/general/topic/discrimination>

REASONABLE ACCOMMODATION

3. If the employee needs an accommodation as a result of a condition or status protected by law, please advise your elected official, appointed official, department head, or county attorney.

6.0 POLICY ON APPLICATION FOR EMPLOYMENT

JOB ANNOUNCEMENTS

1. Announcements for job openings with the County may include, but not be limited to, advertisements in local newspapers, registration with the Texas Workforce Commission, or postings on Jim Hogg County Courthouse bulletin boards <https://www.jimhoggcounty.net>
2. All jobs will be posted in the courthouse for 3 working days before any job offer of employment is made.)

APPLICATION PROCEDURE

3. Before an individual can be an applicant for employment with the County, he/she shall be required to complete a Jim Hogg County employment application.
4. Copies of the Jim Hogg County's employment application are available from the County Clerk's Office and may be picked up at any time during the normal working hours for that office. Applications are also available on the Jim Hogg County website <https://www.jimhoggcounty.net>

SELECTION

5. Each elected or appointed official, or his/her designee, shall be responsible for selecting the applicant who he/she feels best meets the qualifications for an open position in his/her department. ***Any current on-the-job trainee provided by federal or state program funding will be given primary consideration for a position by the elected/appointed official.***

PROCESSING

6. The Jim Hogg County Treasurer's office shall be notified (prior to an offer) of who is being hired, the proposed starting date, hourly pay rate and provided with the original employment application. The employee should be told to report to the Treasurer's office for processing at 9 a.m. on their first day of employment.

7.0 POLICY ON APPLICATION FOR EMPLOYMENT

DISQUALIFICATION

7. Reasons for which an applicant shall be disqualified for consideration for employment shall include, but not be limited to, the following:
 - a. The applicant does not meet the minimum qualifications necessary to perform the duties of the position for which he/she is applying;
 - b. the applicant has made a false statement on the application form or any other document related to or which has a bearing on the selection process;
 - c. the applicant has committed or attempted to commit a fraudulent act at any stage of the application process; or
 - d. The applicant is not legally permitted to hold the position.

8.0 POLICY ON NEPOTISM

HIRING OF RELATIVES

1. In accordance with the Texas Nepotism Statutes, an elected or appointed official of Jim Hogg County shall not hire a relative related in the third degree of consanguinity (blood) or the second degree of affinity (marriage) to work in a department which he or she supervises or exercises control over.
2. The civil law method shall be used for determining degree of relationship. (See the charts that follow.)
3. A relative of an elected or appointed official of Jim Hogg County shall not be hired on a contract basis unless all reasonable efforts were made to get contract bids from other qualified individuals in the area, and the relationship, created by the contract is not detrimental to the interests of Jim Hogg County as in fact, determined to be in the best interest of Jim Hogg County by the Commissioner's Court.

Please refer to Texas Nepotism Chart

9.0 POLICY ON BENEFITS

ELIGIBILITY

1. Full-time County employees recommended by department heads/elected officials must be approved by Commissioners Court prior to having full benefits.

10.0 POLICY OF VACATION

ELIGIBILITY

1. Only full-time employees shall be eligible for vacation benefits.
2. Part-time and temporary employees shall not be eligible for vacation benefits.

YEARS WORKED

VACATION TIME

SHERIFF'S DEPT.

1-5 Years	77 Hours	88 Hours
6-10 Years	91 Hours	104 Hours
11-15 Years	105 Hours	120 Hours
16-20 Years	119 Hours	136 Hours
21-25 Years	133 Hours	152 Hours
26-30 Years	147 Hours	168 Hours
Over 30 Years	182 Hours	208 Hours

3. A day of vacation shall count as 7 or 8 hours according to employee's assigned schedule. If an employee works four (10) ten-hour days with a holiday occurring during one of these shifts, only 7 or 8 hours, as applicable, will be paid for the holiday unless an additional 2 hours is charged to vacation or any accrued comp. time.
4. Vacation shall not accrue while an employee is on leave without pay.

INITIAL ACCRUAL AND WAITING PERIOD

5. Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation; however, an employee must work for a minimum of one year in such a position before being eligible to take any vacation. Any County employee leaving County employment and later rehired by the County, will be zeroed out on accrual of vacation only, and will start earning vacation time as a new employee.

11.0 POLICY ON VACATION

SCHEDULING

6. Scheduling of vacations will be with the approval of the employee's department head. Seniority will be taken into consideration when two employees want off at the same time. All vacation requests must be in writing and submitted five days prior to the date requested off.

BORROWING

7. Employees shall only be able to use vacation which has already been accrued and shall not be allowed to borrow vacation against possible future accruals.

PAY IN LIEU OF VACATION

8. Employees shall not be allowed to receive pay for vacation in lieu of taking time off.

HOLIDAY DURING VACATION

9. If a holiday falls during an employee's vacation, the holiday shall be charged in accordance with the POLICY ON HOLIDAYS and shall not be charged against the employee's vacation balance.

12.0 POLICY ON VACATION

PAY AT TERMINATION

10. If an employee has worked for at least ***one year*** in a position which accrues vacation at the time the employee resigns, is discharged, or is terminated for any other reason, the employee shall NOT receive pay for all unused vacation.
11. An employee who has not worked for a minimum of ***one year*** in a position which accrues vacation shall not be eligible for any vacation pay upon termination of employment.

RECORD KEEPING

12. **ALL EMPLOYEES**, both exempt and non-exempt, must accurately record all vacation time used on his or her timesheet.

SPECIAL OCCURENCES

13. If a department is closed early due to a special occurrence, any employee out on a paid leave status (vacation, sick leave, military leave, civil leave, funeral leave, or comp. time) will not be compensated any additional time.

13.0 POLICY ON SICK LEAVE

ELIGIBILITY

1. Only full time employees shall be eligible for the paid sick leave benefit.

ACCRUAL RATE

2. Sherriff's Department employees earn 8 hours/month. All other eligible county employees earn 7 hours/month.
3. Accrual of sick leave shall start at the time an individual begins work for the County in a position eligible for the sick leave benefit. The sick leave benefit will be available for employee usage after a 90-day waiting period is completed.

MAXIMUM ACCRUAL

4. The maximum amount of unused sick leave an employee shall be allowed to have at any time is 420 hours or 52 ½ days. For law enforcement employees, 480 hours or 60 days.

USE OF SICK LEAVE

5. Sick leave may be used for the following purposes:
 - a. Illness or injury of the employee;
 - b. Appointments with physicians, optometrists, dentists, and other qualified medical professionals; or
 - c. To attend to the illness or injury of a member of employee's immediate family.
6. For purposes of this policy, immediate family shall be defined as the employee's spouse, child, parent, grandmother, grandfather, grandchildren or other person who is **dependent** on the employee for care.
7. Sick leave may not be used as vacation or any other reason not addressed in this policy.

NOTIFICATION

8. When sick leave is used for medical appointments, an employee shall be required to notify his/her supervisor of the intent to use sick leave as soon as the employee knows of the appointment. Employees are to schedule their appointments as

early as possible in the day or as late as possible in the afternoon to minimize business disruption.

9. Where use of sick leave is not known in advance, an employee shall notify his/her supervisor of the intent to use sick leave within 15 minutes of the employee's normal time to begin work, when practicable.
10. Where it is not practicable to notify the supervisor within 15 minutes of the normal starting time, the employee should notify his/her supervisor as soon as is reasonably practicable.
11. If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify his/her supervisor of the anticipated length of absence. After 3 days the employee will be placed on FMLA if event and employee is eligible. <https://www.dol.gov/whd/fmla/>

DOCUMENTATION

12. If an employee uses sick leave for 3 consecutive days or more, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness, for either the employee's own illness or the illness of an immediate family member.
13. Employees who have a pattern of abusing sick leave may be required to provide a physician's statement for those absences as required by their supervisor.

MINIMUM USE

14. The **minimum** amount of sick leave that an employee may use at any one time shall be **one hour**.

BORROWING

15. Employees shall not be allowed to borrow sick leave against future accruals.

PAY AT TERMINATION

16. Employees shall not be paid for unused sick leave at the termination of employment.

RECORD-KEEPING

17. **All employees**, both exempt and non-exempt, are required to accurately reflect on their time sheet all sick leave used as specified in this policy.

14.0 POLICY ON HOLIDAY

ELIGIBILITY

1. All regular employees shall be eligible for the paid holiday benefit.

HOLIDAY

2. The holiday schedule for the following year shall be determined by the Commissioners' Court in the first meeting in September.

HOLIDAY DURING VACATION

3. If a paid holiday occurs during the vacation of an eligible employee, that day shall be paid as a holiday and not be charged against the employee's vacation balance.

HOLIDAY ON DAY OFF

4. An employee shall not be allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

EMERGENCIES

5. An eligible employee who is scheduled to work or is called in to work on a holiday because of an emergency, or other special needs of the County, shall be paid hours worked. (Exception: Law Enforcement – see #10 below.)

SPECIAL OBSERVANCES

6. Special consideration shall be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for the county.
7. Determination of granted leave under Section 7 of this policy shall be made by the supervisor of the department in which the employee works, based on the needs of the department.
8. Vacation, compensatory time, or leave without pay may be used for leave granted.
9. When a holiday falls on a law enforcement officer's (jailer, dispatchers and deputy) scheduled work day, the employee will be compensated for 8 hours of holiday pay in addition to the regular pay for that day.

15.0 POLICY ON JURY DUTY LEAVE

JURY DUTY

1. Employees of the County who are called for jury duty shall receive their regular pay for the period they are called for jury duty which includes both the jury selection process and, if selected, the time they serve on the jury.
2. Pay for serving on a jury shall only include the time the employee would have normally been scheduled to work and will not include extra pay if jury service involves time outside the employee's normal work schedule.
3. Any fees paid for jury service may be kept by the employee.

OFFICIAL COURT ATTENDANCE

4. Employees who are subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the County shall be entitled to leave with pay for such period as his/her court attendance may require.

PRIVATE LITIGATION

5. If an employee is absent from work to appear in private litigation in which he/she is a principal party, the time shall be charged to vacation, other eligible paid leave, or leave without pay.

16.0 POLICY ON MILITARY FAMILY LEAVE

GUARD AND RESERVE

1. County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) working days off per year with pay to attend authorized training sessions and exercises.
2. The fifteen (15) working days paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next calendar year.
3. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule.
4. An employee may use annual leave, earned compensatory time, or leave without pay if he/she must attend Reserve or National Guard Training sessions or exercises in excess of the 15-day maximum.

ORDERS

5. An employee going on military leave shall provide his or her supervisor with a set of orders within two (2) days after receiving them.

ACTIVE MILITARY

6. County employees who leave their positions as a result of being called to active military service or who voluntarily enters the Armed Forces of the United States shall be eligible for re-employment in accordance with the state and federal regulations in effect at the time of their release from duty.

17.0 POLICY ON FUNERAL LEAVE

FAMILY FUNERAL LEAVE

1. Employees shall be allowed up to three days leave with pay for a death in the immediate family. The number of days approved will depend on the location of the funeral and other circumstances.
2. For purposes of this policy, immediate family shall include the employee's grandparents, spouse, children, parent, brother or sister or the employee's spouse grandparents, children, parent, brother, or sister.

ADDITIONAL LEAVE

3. If leave is needed beyond the limits set in this policy, it may be charged to available vacation, compensatory time or to leave without pay.

RECORD KEEPING

4. All eligible funeral leave will be shown as funeral leave on your time sheet.

18.0 POLICY ON MEDICAL INSURANCE

ELIGIBILITY

1. All full-time employees of the County shall be eligible for the group medical insurance benefit.
2. Premium for the coverage for eligible employees shall be paid by the county. Employee's contribution, if any, will be determined every fiscal year at the discretion of the Jim Hogg County Commissioner's Court.

DEPENDENT COVERAGE

3. Eligible employees may cover their dependents by paying the cost.
4. Deductions for dependent coverage shall be made through payroll deductions from the employee's paycheck each pay period.

EXTENSION OF COVERAGE

5. Employees who leave the employment of the County may be eligible for an extension of the medical coverage for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Loss of coverage may occur due to the termination, lay off, death of employee, **reduction of work hours**, divorce or due to children ceasing to be a dependent child under the terms of the group health plan.

The maximum length coverage can be extended to 18 months for an employee and 36 months for a dependent.

Upon notification from the employee that a qualifying event has occurred, the County will notify the insurance carrier to mail the employee a "COBRA" package, which will include the rates, premium due, due dates and forms to be completed and returned.

LIFE INSURANCE INFORMATION

6. Employees shall have a limited amount of life insurance on themselves as part of their group benefits.
7. Details of coverage under the group medical insurance plan are available in the Jim Hogg County Insurance Clerk.

19.0 POLICY ON MEDICAL INSURANCE

HIPPA

8. Health Insurance Portability and Accountability Act
<https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/hipaa>

IMPORTANT NOTICE OF YOUR RIGHT TO DOCUMENTATION OF HEALTH COVERAGE

HIPPA limits the circumstances under which coverage may be excluded for medical conditions present before you enroll. Under the law, a pre-existing condition exclusion generally may not be imposed for more than 12 months (18 months for a late enrollee). The 12 months (or 18 months) exclusion period is reduced by your prior health coverage. If you have bought health insurance other than through an employer group health plan, a certificate of prior coverage may help you obtain coverage without a pre-existing condition exclusion. Contact your former employer or non-employer insurance carrier for a Certificate of Health coverage or contact the Texas State Insurance Department for further information.

You have the right to receive a certificate of prior health coverage since July 1, 1996. You may need to provide other documentation for earlier periods of health care coverage. Check with the Jim Hogg County Insurance Clerk to see if your new plan excludes coverage for pre-existing conditions and if you need to provide a certificate or other documentation of your previous coverage with your former employer.

20.0 POLICY ON WORKERS' COMPENSATION

ELIGIBILITY BENEFITS

1. All the County employees are covered by Workers Compensation insurance while on duty for the County. <https://www.tdi.texas.gov/wc/index.html>
2. Employees will receive their pay from the 1st day following a workers' compensation injury/illness. The County will supplement the worker's compensation payment for the 1st 90 days. (Exception: 100% salary continuation for law enforcement while incapacitated as guaranteed by the State Constitution and 70% for regular employees).
3. Workers' compensation insurance pays for medical bills resulting from injury or illness an employee incurs while carrying out the duties of his/her job.

ACCIDENT REPORTING

4. Any employee who suffers a job-related illness or injury, regardless of the seriousness of the injury/illness, shall be required to notify his/her supervisor as soon as possible.
5. Failure to promptly report job-related injuries or illnesses may affect an employee's eligibility for benefits or delay benefit payments which are due.

PHYSICIAN'S RELEASE

6. An employee who has lost time because of a work-related injury or illness shall be required to provide a full release from the attending physician before being allowed to return to work and must be able to perform the essential functions of their regular job or any other temporary modified assignment

CONTRIBUTORY FACTORS

7. An employee's workers' compensation benefits may be adversely affected if the employee is injured while under the influence of alcohol or drugs or while the employee is engaging in horseplay.

COORDINATION WITH LEAVE

8. Jim Hogg County counts an employee's leave due to a work-related injury or illness toward the employee's 12-week leave entitlement under the Family Medical Leave Act (FMLA). Because workers' compensation leave is designated as FMLA leave, benefits are governed by the applicable provisions of the FMLA.

21.0 POLICY ON RETIREMENT

ELIGIBILITY

1. Employees who are expected to work a normal schedule of 900 or more hours in the year must participate in the retirement benefit plan administered through the Texas County and District Retirement System.

CONTRIBUTIONS

2. Eligible employees shall make contributions to the retirement program through a system of payroll deduction.
3. Jim Hogg County shall contribute to each eligible employee's retirement account equal to or greater to the contribution required by the employee. The current contribution required by you is 5% of your gross wages.

INFORMATION

4. Information on the retirement program may be obtained at the County Treasurer's Office during the normal working hours for the office.
5. The employee will become vested in a pension when they have completed 8 years of service or when their years of service with Jim Hogg County and the combination of their age equals 80 or 20 years of service.

22.0 POLICY ON SOCIAL SECURITY

SOCIAL SECURITY

1. All county employees shall participate in the federal Social Security program which provides certain retirement, disability, and other benefits.

CONTRIBUTIONS

2. Contributions to this program shall be made by deductions from each employee's paycheck in accordance with the requirements of this program.
3. The county shall contribute an amount equal to the employee's contribution in accordance with the requirements of this program.

23.0 POLICY ON LEAVE OF ABSENCE

GENERAL POLICY

It is Jim Hogg County's policy to grant a leave of absence to all eligible employees on a non-discriminatory basis. A leave of absence may be granted for medical reasons, workers' compensation injuries/illnesses, personal emergency, to run for an elective office, educational purposes, military duty, jury duty or witness duty. A leave of absence may not *exceed 6 months* in a 12-month period unless required by federal or state law or as specified within this policy and may be with or without pay to the extent the employee has paid vacation, sick or comp. time leave accrued.

All regular, full time and part time employees may request a leave of absence at any time.

Subject to any applicable legal restrictions, requests for leave of absence will be considered based on the employee's performance, responsibility level, length of service, reason for the request, and the county's ability to obtain a satisfactory replacement during the time the employee would be away from work. If an employee accepts other employment or fails to return to work on the next regularly scheduled workday following the expiration of his/her leave, it will be considered that the employee has voluntarily terminated his/her employment.

GROUP INSURANCE BENEFITS DURING UNPAID LEAVE

Employees on unpaid leave scheduled to extend beyond the calendar month in which the leave begins will be eligible to continue coverage in the county's group insurance plan at their own cost through their rights under COBRA. Those employees whose leave qualifies for the FMLA will have their insurance continued by the county under the conditions set forth in the FMLA (29 C.F.R. Part 825). The procedures for continuing coverage on you and/or your dependents will be fully explained at the time the leave is granted.

Unless otherwise stated in the policies, group insurance coverage will not be interrupted for a leave of absence scheduled for thirty (30) days or less and which begins and ends in the same calendar month.

Before returning to work following any medical leave, including a leave granted for worker's compensation injuries or illnesses, an employee must submit a physician's verification stating the employee's ability to return to work and the date thereof.

ACCRUAL OF SENIORITY AND BENEFITS

Employees will not accrue benefits e.g. vacation, sick leave, holidays, etc., during an unpaid leave of absence. Employees who return to active employment at the end of their leave will be reinstated without loss of seniority earned prior to the commencement of their leave.

COORDINATION OF BENEFITS

All leaves of absence, regardless of reason, require the use of all accrued paid sick leave (for illness, injury and/or FMLA) and/or vacation (illness, injury, FMLA, personal) to minimize the impact of a leave of absence for both the county and the employee.

NOTIFICATION REQUIREMENTS

It is the employee's responsibility to provide his/her immediate supervisor and department head all the following information in writing as soon as he/she becomes aware of the need for a leave of absence:

1. The reason the leave of absence is being requested.
2. The anticipated dates the leave of absence will begin and end.
3. A physician's certificate or other medical proof acceptable to the county indicating the nature of the illness or injury.

In addition, during the leave of absence, the employee must provide:

1. Periodic updates to the employee's supervisor and/or department head at least every 15 days **concerning** the employee's status, expected date of return, and continued intent to return to work upon expiration of the leave.
2. Immediate notification of the employee's supervisor to department head of a need to request a change in the duration of the leave of absence.

If an employee desires a leave of absence for elective medical procedures, he/she must submit the request for a leave at least two weeks prior to the date he/she wishes such leave to commence.

24.0 POLICY ON FAMILY AND MEDICAL LEAVE

ELIGIBILITY

1. To be eligible for benefits under this policy, the county must employ 50 or more employees excluding elected officials; and, an employee must:
 - a. Have worked for the County at least 12 months (it is not required that these 12 months be consecutive); and
 - b. have worked at least 1250 hours during the previous 12 months.

QUALIFYING EVENTS

2. Family or medical leave under this policy may be taken for following situations:
 - a. The birth of a child and in order to care for that child;
 - b. the placement of a child in the employee's home for adoption or foster care;
 - c. to care for a spouse, child, or parent with a serious health condition; or
 - d. the serious health condition of the employee.

SERIOUS HEALTH CONDITION

3. Serious health condition of the employee shall be defined as a health condition that makes the employee unable to perform the essential functions of his or her job.
4. Serious health condition of a spouse, child, or parent shall be defined as a condition which requires inpatient care at a hospital, hospice, or residential care medical facility, or a condition which requires continuing care by a licensed health care provider.

LEAVE AMOUNT

5. Up to 12 weeks leave per 12-month period may be used under this policy.
6. The County will measure the 12-month period as a ***12-month fiscal year beginning October 1 and ending September 30 of each year.***

7. All leave taken under this policy during the prior 12-month period shall be subtracted from the employee's 12 week leave eligibility and the balance is the leave the employee is entitled to take at that time.
8. If a husband or wife both work for the county, the maximum combined leave they shall be allowed to take in any 12-month period for the birth or placement of a child is 12 weeks.

PAID AND UNPAID LEAVE

9. If an employee has accrued leave, the employee shall be required to use appropriate paid leave first with the remainder of the 12 weeks as unpaid leave.
10. An employee who is taking leave because of the employee's own serious health conditions, or the serious health condition of an eligible family member, shall be required to first use all paid vacation, sick leave, and any other paid leave, with the rest of the 12 weeks leave period being without pay.
11. An employee taking leave for the birth of a child shall be required to take paid sick leave, and /or other paid leave for the recovery period, except for FLSA compensatory time, after the birth of the child prior to going on leave without pay.
12. After the recovery period from giving birth to a child, the employee shall be required to use vacation and other available paid leave, except for sick leave or FLSA compensatory time, prior to going on leave without pay.
13. An employee who is taking leave for the placement of a child in the employee's home for adoption or foster care shall be required to use all paid leave due, except for sick leave or FLSA compensatory time, prior to going on leave without pay.
14. The maximum amount of paid and unpaid leave that maybe used under this policy in any 12-month period is 12 weeks.

INSURANCE

15. While on leave under this policy, the County shall continue to pay the employee's medical insurance premium at the same rate as if the employee had been actively at work.
16. The employee shall be required to pay for dependent coverage, and for any other insurance coverage for which the employee would normally pay, or the coverage will be discontinued.
17. Payment for coverage under section 16 of this policy shall be made through regular payroll deduction while the employee is on leave with pay.
18. While on leave without pay, the employee shall be required to pay for premiums due to the county under Section 16 of this policy no later than 30 days after the due date which the County sets or the coverage shall be discontinued.

INTERMITTENT LEAVE AND REDUCED SCHEDULE

19. Intermittent leave under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee or the employee's eligible family member.
20. A reduced schedule under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee or the employee's eligible family member.
21. All work time missed as the result of intermittent leave or a reduced work schedule under this policy shall be deducted from the employee's 12 week leave eligibility.

PHYSICIANS' STATEMENT

22. The County shall have the right to ask for certification of the serious health condition of the employee or the employee's eligible dependent when the employee requests or is using leave under this policy.

23. The employee should respond to the request within 15 days of the request or provide a reasonable explanation for the delay.
24. Certification of the serious health condition of the employee shall include:
 - a. The date the condition began;
 - b. its expected duration
 - c. the diagnosis of the condition;
 - d. a brief statement of the treatment; and
 - e. a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's job.
25. Certification of the serious health condition of an eligible family member shall include;
 - a. The date the condition began;
 - b. its expected duration;
 - c. the diagnosis of the condition;
 - d. a brief statement of treatment; and
 - e. a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.
26. If the employee plans to take intermittent leave or work a reduced schedule, the certification shall also include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.
27. The County shall have the right to ask for a second opinion from a physician of the County's choice, at the expense of the county, if the County has reason to doubt the certification.
28. If there is a conflict between the first and second certifications, the County shall have the right to require a third certification, at the expense of the County, from a health care practitioner agreed upon by both the employee and the County, and this third opinion shall be considered final.

REQUESTING LEAVE

29. Except where leave is unforeseeable, an employee shall be required to submit, in writing, a request for leave under this policy to his or her immediate supervisor.
30. Where practicable, an employee should give his or her immediate supervisor at least 30 days' notice before beginning leave under this policy.
31. Where it is not reasonably practicable to give 30-day notice before beginning leave, the employee shall be required to give as much notice as is reasonably practicable.
32. If an employee fails to provide 30 days' notice for foreseeable leave, the leave request may be denied until at least 30 days from the date the County receives notice.

REINSTATEMENT

33. Employees returning from leave under this policy, and who have not exceeded the 12-week maximum allowed under this policy, shall be returned to the same job or a job equivalent to that the employee held prior to going on leave.
34. Where an employee is placed in another position, it will be one which has equivalent status, pay, benefits, and other employment terms and one which entails substantially equivalent skill, effort, responsibility, and authority.
35. The County shall have no obligation to reinstate an employee who takes leave under this policy and who is unable to return to work after using the maximum 12 weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave.

REPAYMENT OF PREMIUMS

36. Except in situations where the employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or other situations beyond the control of the employee, an

employee who does not return to work after using the 12 weeks maximum leave allowed under this policy shall be required to reimburse the County for all medical premiums paid by the county while the employee was on leave without pay.

OTHER BENEFITS

37. While on leave without pay under this policy, an employee shall not earn vacation, sick leave, be eligible for holidays, or earn other benefits afforded to employees actively at work, except for those stated in this policy.

OTHER ISSUES

38. Any area or issue regarding family and medical leave which is not addressed in this policy shall be subject to the basic requirements of the Federal Family and Medical Leave Act (FMLA) and the regulations issued to implement it.

25.0 RETURN-TO-WORK POLICY

POLICY OVERVIEW

This policy covers employees who are on leave due to an occupational injury or illness. Because employees are our most valuable resource, Jim Hogg County attempts to help employees return to work as soon as possible after their physician certifies their fitness to do so.

COORDINATION WITH ATTENDING PHYSICIAN

An employee on leave due to a work-related disability can return to work only when Jim Hogg County receives the attending physician's written medical release authorizing such return. Jim Hogg County's Treasurer's Office is responsible for providing the physician with a copy of the employee's job description, copies of job descriptions, and written information explaining Jim Hogg County's return-to-work program.

JOB DESCRIPTIONS

Each elected official is responsible for working with supervisors to ensure that job descriptions accurately and completely describe the essential functions of each position. Each elected official works with the Jim Hogg County Treasurer's office to develop a job description describing the essential functions of that position.

RETURN-TO-WORK OPTIONS

Arrangements to facilitate an employee's early return to work are made in consultation with the employee's attending physician and/or other qualified medical professionals retained by Jim Hogg County or its insurance carrier. The following options are explored:

- **Return to prior position.** An employee is offered the opportunity to return to his or her prior position if the attending physician certifies that the employee can perform the essential functions of the job with or without reasonable accommodations. The Jim Hogg County Treasurer's office is responsible for working with the employee's supervisor and attending physician (and third-party consultants, as necessary) to provide any reasonable accommodations.
- **Light duty.** Any employees who are not yet able to return to their former duties are offered (subject to the restrictions set out in section 5 of this policy) a temporary light-duty assignment that has been approved by the employee's attending physician. The Auditor's office is responsible for working with the employee's supervisor, the elected officials, and the employee's attending physician to develop and implement the light-duty assignment. The assignment can consist of the employee's regular job with reduced working hours and/or activities, or an alternative light-duty position.

RESTRICTIONS ON LIGHT-DUTY ASSIGNMENTS

The following restrictions apply to light-duty assignments:

- **No guarantee of work.** As provided in section 4 of this policy, Jim Hogg County must endeavor to return employees to gainful employment as soon as possible by exploring possible light-duty assignments. However, Jim Hogg County does not guarantee the availability of light-duty work.
- **Pay rates and workers' compensation benefits.** Employees on light duty are not guaranteed the rate of pay they received for the position they held at the time they sustained their work-related injury or illness. The pay rate for the light-duty assignment is based on the knowledge, skills, and abilities required for the job as well as general market conditions. Employees who return to work in light-duty positions before they have reached maximum medical improvement are eligible for temporary partial disability benefits under Texas workers' compensation program if they earn less than they earned in the position held at the time they sustained the work-related accident or illness. Employees in light-duty positions are not permitted to supplement their workers' compensation benefits by using their accrued vacation, personal, or medical/sick leave.
- **12 Week limit.** Light-duty assignments are temporary arrangements intended to complement and facilitate the healing process. Light-duty assignments cannot exceed 12 weeks without approval from Jim Hogg County elected officials.

EMPLOYEE REFUSAL OF WORK/TRAINING

In the event that an employee refuses to return to regular or light duties in response to a written, bona fide offer of employment by Jim Hogg County sent via certified mail, the employee is separated from Jim Hogg County and his/her position will be filled permanently (NOTE: An exception to this rule applies in the case of employees, who have not yet exhausted their FMLA leave entitlement. See section 9)

A written offer of employment must clearly state:

- The position offered and the duties of the position;
- The job's essential functions; and
- The job's wage, working hours, and location.

PERMANENT DISABILITIES

When reaching maximum medical improvement, an employee can have a permanent disability that impairs the employee's ability, with or without reasonable accommodations, to return to his or her regular position, Jim Hogg County, in consultation with the employee's attending physician and Texas Worker's Compensation Department, must evaluate the following options:

- Securing vocational rehabilitation services from Texas Employment Department or private consultants, as appropriate. Services can include assessment and testing, counseling, and training.
- Finding a position at Jim Hogg County commensurate with the employee's knowledge, skills, and abilities.

Employees with permanent disabilities are paid partial or total permanent disability benefits as required under Texas workers' compensation program.

MEDICAL INFORMATION

All employee medical information is held in strict confidence in accordance with the Americans with Disabilities Act. Medical inquiries are limited to those permitted under Texas workers' compensation statute and applicable federal law.

COORDINATION WITH FMLA

Nothing in this policy should be construed as denying employees their rights under the Family and Medical Leave Act or any other federal or state law.

It is Jim Hogg County's policy to designate an employee's leave due to a work-related injury or illness as FMLA leave. To the extent permitted by the FMLA.

Until employees have exhausted their 12-week FMLA entitlement, they have the right to be reinstated to their original job or an equivalent job if they are able to perform the job's essential functions.

26.0 POLICY ON ATTENDANCE AND TIMELINESS

ATTENDANCE

1. Each employee shall report to work on each day he or she is scheduled to work unless prior approval for absence is given by the employee's supervisor or if the employee is unable to report for work because of circumstances beyond the control of the employee.

TARDINESS

2. Each employee shall be at his or her place of work at the starting time set by his/her supervisor unless prior approval is given by the supervisor or if the employee is unable to be at work on time for reason beyond the control of the employee.
3. Each employee shall remain on the job until the normal quitting time established by the supervisor unless permission to leave early is given by the supervisor.

NOTIFICATION

4. If an employee is unable to be at work at his/her normal reporting time, the employee shall be responsible for notifying his/her supervisor as soon as is reasonably practicable of the circumstances causing the tardiness or absence.

EXCUSED AND UNEXCUSED

5. Each supervisor shall be responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness.
6. Frequent unexcused absences or tardiness shall make an employee subject to disciplinary measures, up to and including termination of employment.

ABANDONMENT OF POSITION

7. An employee who does not report for work for three consecutive scheduled work days, and who fails to notify his or her supervisor, shall be considered to have resigned his/her position by abandonment.

27.0 POLICY ON COUNTY PROPERTY

RESPONSIBILITY

1. Each County employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other County equipment assigned to him/her.
2. County employees shall only use equipment, vehicles, tools, and other County property that they are authorized to use.
3. All operating county owned vehicles/equipment must adhere to speed and other requirements set forth by the State of Texas.

PERSONAL USE

4. Personal use of County vehicles, equipment, supplies, tools, and any other County property shall not be permitted. During an employee's vacation, a County vehicle used by the employee should be left on County premises. County vehicles are for official use only and must never be used for private business or pleasure. Use of County vehicles or equipment by a public official use only and must never be used for private business or pleasure. Use of County vehicles or equipment by a public official or employee for private benefit constitutes the offense of theft under Section 31.03 of the penal code and felony of the 3rd degree under Section 31.07 - Unauthorized Use of Vehicle. Violation of any of the above is subject for immediate dismissal.
5. Absolutely no smoking or consumption of alcoholic beverages allowed in county owned vehicles.

LICENSES

6. A County employee who operates any County equipment or vehicle which requires a license shall be required to have a current active license for that vehicle or equipment any time he/she operates it.
7. Any employee who operates a vehicle or equipment which requires a license for legal operation shall notify his or her supervisor of any change in the status of that license.
8. An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation shall be

subject to possible job change or termination if that license is suspended or revoked.

9. An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle insurance carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination.

ACCIDENTS

10. Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to his or her supervisor and to the proper law enforcement or other authority immediately. Also, the employee must undergo a drug test immediately following the accident.
11. A copy of all accident and incident reports prepared by the employee shall be sent to the supervisor and the County Insurance Clerk.

OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION, RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM POLICY REQUIREMENT (Law Enforcement Agency)

12. As required by Chapter 772.0073, Texas Government Code, the Jim Hogg County Commissioners Court adopts the policy of:
 - a. Deployment and allocation of vests or plates to its officers by:
 - i. Mandatory training;
 - ii. Issuing of vests;
 - iii. Taking appropriate inventory of armor; and
 - iv. Maintaining log for tracking purposes.
 - b. Usage of vests or plates by its officers to prevent potential points of failure in body armor as described by the Police Executive Forum:
 - i. Mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of armor.
 - ii. Armor may not be left in patrol vehicles when an officer is not on duty to minimize the heat damage to armor.

- iii. See “A Practitioner’s Guide To the 2011 National Body Armor Survey of Law Enforcement Officer” for more information.
- c. Personally Fitted Vest Requirement:
 - i. Must be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers.
 - ii. “Personally Fitted” does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provides the best possible fit and coverage through a combination of:
 - 1. Correctly-sized panels and carrier, determined through appropriate measurement; and
 - 2. Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.
 - 3. Refer to the American Society for Testing and Materials (ASTM) International Standard Practice for Body Armor Wearer Measurement and Fitting of Armor (Active Standard ASTM E3003) and the (Personal Armor Fit Assessment Checklist).

28.0 POLICY ON CONFLICT OF INTEREST

CONFLICT OF INTEREST

1. Employees of the County shall not engage in any employment, relationship, or activity which could be viewed as a conflict of interest because of the potential or appearance of affecting the employee's job efficiency, or which would reduce his/her ability to make objective decisions regarding his/her work and responsibility as a County employee.
2. Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination.

PROHIBITED

3. Activities which constitute a conflict of interest shall include but not be limited to:
 - a. Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
 - b. Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
 - c. Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County.
 - d. Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and his or her duties for the County;
 - e. Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange

for having performed duties as a County employee
in favor of that person.

29.0 POLICY ON SOLICITATION

Jim Hogg County employees shall not solicit or be subject to solicitation from other employees or otherwise be forced to make donations to any cause or organization during working hours or on county property. Solicitation for commercial purposes is expressly prohibited. Violations of this policy will result in discipline up to and including discharge.

Individuals entering the courthouse selling or soliciting for any cause is strictly prohibited and should be reported immediately to your supervisor.

30.0 POLICY ON POLITICAL ACTIVITY

POLITICAL ACTIVITY

1. Employees of the County shall have the right to support candidates of their choice and to engage in political activity during their personal time.
2. County employees shall not:
 - a. Use their official authority or influence to interfere with or affect the result of any election or nomination for office;
 - b. Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political reason; or
 - c. Use any equipment, property or material owned by the County for political activity or engage in political activity while on duty for the County.
3. ***In the event that an employee chooses to run against an incumbent for an elected position in the office for which they work, they must resign at the time they file for any primary election, the date of filing of a write-in petition, or at the time they are nominated for the sought after elected position, whichever comes first.***

31.0 POLICY ON SAFETY

SAFETY STANDARDS

1. Each County employee shall be required to adhere to the general safety standards established for all employees and to all additional safety standards for their job or the department which he/she works.

VIOLATIONS

2. Failure to follow the safety standards set by the county shall make an employee subject to disciplinary action, up to and including termination.
3. An employee causing an accident resulting, in major injury or death because of failure to follow safety standards shall be terminated.

REPORTING

4. ***Employees seeing unsafe working conditions shall either take steps to correct those conditions or report the unsafe conditions to the department head.***

32.0 POLICY ON DISCIPLINE

DISCIPLINE

1. Each supervisor shall have the authority to administer discipline to employees in his/her department for poor performance, violation of policies, disruptive behavior, or any other behavior or activity which the supervisor feels is not acceptable as it relates to the employee's job or the best interest of the department or County.
2. Depending on the severity of the situation, discipline may range from informal counseling up to and including immediate termination.
3. Examples of reasons for administering discipline shall include, but not be limited to, the following:
 - a. Incompetence or inefficiency;
 - b. conviction of a felony or misdemeanor involving moral turpitude;
 - c. tardiness, absenteeism or absence without proper leave;
 - d. neglect, damage, waste or theft of County property;
 - e. acts of insubordination;
 - f. accepting gifts that may be construed to be a reward for special treatment or as a reward for awarding of a competitive bid;
 - g. nepotism;
 - h. discourteous treatment of any citizen;
 - i. engaging in any activity that is incompatible with good public service;
 - j. using drugs or alcohol while on duty;
 - k. sexual harassment; or,
 - l. any other reason deemed appropriate by the County.

AT-WILL EMPLOYMENT

4. All County employees are "at-will" employees and nothing in this policy gives an employee any contract of employment, guarantee of any duration of employment, or any other property interest in his/her job. The County retains the right to terminate the employment of any individual at any time for any legal reason, or no reason, with or without notice. The County also retains the right to change any condition, benefit, privilege, or policy of employment at any time, with or without notice.

33.0 POLICY ON SEXUAL HARASSMENT

POLICY

1. It shall be the policy of Jim Hogg County to provide a workplace free from sexual harassment of which the County becomes aware.
2. Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment.

DEFINITION

3. Sexual harassment shall include, but not be limited to, sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature where:
 - a. Submission to such conduct is either an expressed or implied condition of employment;
 - b. submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
 - c. the conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

CLAIMS

4. All claims of sexual harassment shall be taken seriously and investigated.
5. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.
6. No retaliation or other adverse action shall be taken against an employee who, in good faith, files a claim of sexual harassment.

REPORTING

7. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge, another member of the Commissioners' Court, or to the County Treasurer.

8. The official or department head to whom a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.
9. Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and of any actions which are to be taken.

34.0 POLICY ON SMOKING

Smoking including second-hand smoke has been proven to be detrimental to good health. In the interest of complying with law and with promoting good health, protecting non-smokers from second-hand smoke and managing Jim Hogg County's health plan costs, the Commissioners' Court bans smoking within any county building.

Employees, elected/appointed officials, vendors, and the public are to refrain from smoking inside all county buildings. No smoking signs will be posted at all entrances to county building.

Employees who violate this policy may be disciplined up to and including discharge.

35.0 POLICY ON PAYROLL GUIDELINES

- 1) All non-exempt employees (those subject to earning compensation time/overtime) are required to fill out a timesheet for each pay period showing the daily hours (both in and out times) worked. All exempt employees are required to fill out a timesheet whenever they are absent for a whole day such as vacation, sick, etc. The following points must be considered when filling out your time sheet.
 - a) Employees must record their exact starting time, time out for lunch, time in from lunch, quitting time and total hours for each workday. Employees must sign their timesheet state that is correct. Absences must be charged to appropriate paid leave accounts such as sick leave, vacation or compensation time, time as appropriate. If no paid leave balance exists, then any absence must be entered as Leave without Pay (LOP).
 - b) Employees are not permitted to sign in or begin work before their normal starting time or to sign out or stop work after their normal quitting time without the prior approval of their supervisor.
 - c) Employees are required to take scheduled lunch breaks. Lunch breaks may be altered occasionally with supervisor's permission.
 - d) Employees' timesheets will be scrutinized by the supervisor/department head and verified as correct by their signature.
 - e) Timesheets (signed by both the employee and supervisor) must be turned in to the Jim Hogg County Treasurer on the day designated or the possibility of not being paid until the next pay period will occur.
 - f) The filling out of another employee's timesheet or falsifying the timesheet in any way will be grounds for discipline up to and including discharge; and, the individual may face prosecution for falsifying a government record.
- 2) Timesheets will be retained by the Jim Hogg County Treasurer for three (3) years and are subject to audit by various federal agencies.

36.0 POLICY ON PAY PERIODS AND TIME-SHEETS

TIME-SHEETS

- a) Employee must submit their time-sheets to the Treasurer's Office no later than Friday at 1 p.m. Timesheets must be reviewed and signed by the employee and the department supervisors. Unsigned or faxed timesheets will not be accepted, only originals. Late timesheets will not be processed until the following pay-period.
- b) Time-sheets will be retained by the County Treasurer's Office for (4) four years (per Texas State Library Retention Schedule) and are subject to audit by various federal agencies.
- c) Employees attending trainings and conferences are not required to clock in and out.
- d) Employees are required to submit a written time sheet to their supervisor.
- e) Employees attending conferences and trainings for a day will be compensated for travel time in addition to scheduled hours worked. Travel time will apply to driver and passengers that are attending training. Travel time will be credited to employee as Other Time. Additional hours worked in excess of 40 hours per week will be considered overtime and will be paid at 1 ½ time.
- f) Employees attending a one day conference and/or training will receive \$15.00 for meals. Employee will complete Travel Claim Form and submit to Supervisor for \$15.00 for meal prior to attending conference. Request will be submitted to the County Auditor's Office and County Treasurer's Office for payment. Employee will receive payment prior to leaving on conference and/or training. Per Diem for meals available to county employees will not be taxable.
- g) Motor Pool Employees working on County Roads in excess of 15 miles away from town will receive \$15.00 for meals and be credited their lunch hour as Other Time since they are working out in the field.
- h) All full-time and part-time employees will be paid on an hourly basis.
- i) Any hours worked in excess of 40 hours per week will be considered over time and employees will be paid at a rate of 1 ½ time.
- j) All employees including clerical staff as Sheriff's Department will receive Other Time for additional hours worked between 35-40 hours.

- k) Sheriff Department deputies, jailers, dispatchers, county attorney investigator and district attorney investigator are all considered Law Enforcement and are paid time $\frac{1}{2}$ after they physically worked 40 hours per week.

37.0 POLICY ON COMPENSATION

APPLICATION

1. This policy shall apply to all County employees except for certain law enforcement personnel.
2. Compensation for law enforcement employees shall be handled in accordance with the policies established in the Sheriff's Department as directed by the Commissioners' Court. **(see #4 below)**
3. All county employees will be paid on a hourly basis. *Any employee who works above 35 hours in a 7-day workweek will receive a Other Time for every hour worked between 35 and 40. The Other Time must be taken within 6 months or a "use it or lose it" rule will apply.*
4. Sheriff's Department deputies and jailers are paid on an hourly basis. The salary compensates the employee for all hours worked in a 14-day work period which has a minimum of 80 hours worked and may reach a maximum of 86 hours worked depending upon the department's work load.
5. Sheriff's Department clerical staff will receive Other Time for additional hours worked between 35 to 40 hours.

TEMPORARY

6. Temporary employees shall be paid hourly and at least at the minimum wage established by the Fair Labor Standards Act, as amended.

38.0 POLICY ON PAYROLL DEDUCTIONS

REQUIRED DEDUCTIONS

1. Deductions are made from each employee's paycheck for federal withholding taxes, social security, Medicare, and any other deductions are required by law.

RETIREMENT

2. Employees eligible for membership in the Texas County and District Retirement System will have their contributions to that system deducted from each paycheck.

OPTIONAL DEDUCTIONS

3. Any optional deduction authorized by the Commissioners' Court and approved by the employee will also be made from the employee's paycheck.
4. No optional deduction shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the Treasurer's Office.

39.0 POLICY ON WORK SCHEDULE AND WORKWEEK

WORK SCHEDULE

1. The normal hours of work for positions in the County shall be from 9:00 a.m. – 5:00 p.m. for County employees excluding law enforcement, 8:00 a.m. until 4:00 p.m. for motor pool/parks & recreations employees, Monday through Friday.

EXCEPTIONS

2. In order to meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule, or they may be subject to call back in case of emergency or special need.
3. The need for schedules that vary from the normal schedule shall be determined and operated by each department head.

WORKDAY

4. The workday for the County shall begin at 12:01 a.m. each day and end 24 consecutive hours later.

WORKWEEK

5. For purposes of record keeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for the County shall begin at 12:01 a.m. on each Saturday and end seven (7) consecutive work days later (168 hours). (Exception: Sheriff's department' 14-day period for deputies and jailers under the 7(k) provision under FLSA).
6. The County's workweek begins on Saturday at midnight and runs 168 consecutive hours.

40.0 POLICY ON HOURS WORKED AND OVERTIME

HOURS WORKED

1. Hours worked shall include all time spent in the service of the County as defined in the Fair Labor Standard Act (FLSA) and its regulations.

OVERTIME

2. Overtime for all other non-exempt positions shall include all time worked for the County in excess of 40 hours in any workweek.
3. Paid leave shall not be counted in determining if overtime has been worked in any workweek.
4. Except in emergency situations, an employee shall be required to have authorization from his/her supervisor before working overtime.
5. Employees may be called upon to work on their day off and for more hours than their regular shift calls for due to an emergency or other requirement as determined by your supervisor.

41.0 POLICY ON OVERTIME COMPENSATION

POLICY APPLICATION

1. This policy shall apply to all non-exempt County employees eligible for overtime compensation under the Fair Labor Standards Act (FLSA).
2. Overtime for law enforcement employees shall be handled in accordance with the policy for overtime compensation established by the Commissioner's Court.

USE OF COMPENSATORY TIME

3. Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works.
4. Compensatory time may be used for any purpose desired by the employee.

TERMINATION

5. If an employee terminates employment, for any reason, prior to using all earned FLSA compensatory time, he/she shall be paid for all unused compensatory time in accordance with the requirements of the FLSA.

BUY BACK OF OVERTIME RECORDKEEPING

6. The County shall retain the right to "buy back" all or part of an employee's unused compensatory time by paying the employee for that time at the employee's current regular rate.

CASH PAYMENT FOR OVERTIME RECORDKEEPING

7. Each employee shall be responsible for recording any compensatory time used within a pay period on the time-sheet for that pay period.
8. The Treasurer shall be responsible for keeping records of all compensatory time earned and used by each eligible county employee. Updated balances due to each employee at the end of each pay period will be shown on their paycheck.

OTHER ISSUES

9. Any issues on overtime compensation not addressed in this policy will meet the requirements of the Fair Labor Standards Act and the regulations issued by the Department of Labor to administer the Act.
- 10. In situations where there may be an excessive amount of compensatory time accrued, an elected or appointed official may require that his/her employees be scheduled off in order that any compensatory time be used in lieu of salary.***

42.0 POLICY ON BREAKS

1. Employees may take a 15-minute break in the morning and in the afternoon **“WORK PERMITTING”**. If an employee is behind in their work or if customers are waiting for service, then the break will be forgone. Breaks may not be saved up and combined. Department heads will decide *if* and when breaks may be taken in their departments.

43.0 TRAVEL AND PER DIEM POLICY

Mileage for official travel to attend out-of-town conferences, meetings, workshops, or other county-related activities will be figured on state mileage rates.

Employees will be compensated for the time used on **one day** official travel to attend out-of-town conferences, meetings, workshops, or other county-related activities. Compensation will include travel time for both driver and passenger(s). Any hours over the regular work day will be applied to other time; it will not be paid monetarily.

Please see Section 36.0 Policy on Pay Periods and Time Sheets.

44.0 POLICY ON GRIEVANCES

PROCEDURE

1. Any employee having a grievance related to his/her job should discuss the grievance with his/her immediate supervisor within 5 days of the action causing the grievance.
2. If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected or appointed official with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that official within 5 days from the discussion with the immediate supervisor.
3. The decision of the elected or appointed official with final responsibility for the employee's department shall be final in all grievances.
4. The employee may request an informal hearing from the Commissioners' Court in either closed or open session. This step allows the employee to voice their grievance to a wider audience; but no decision or comment will be made by the Court.

45.0 DRUG AND ALCOHOL POLICY

ZERO TOLERANCE

The purpose of this policy is to identify and remove the adverse effects of alcohol and drugs on job performance, and to protect the health and safety of our employees by providing education and treatment.

Use and misuse of alcohol or drugs can and does impair the ability of an employee to perform his/her duties and may endanger the employee, his/her coworkers, and the public as well as property. The County seeks to prevent the use, abuse, and misuse of drugs and alcohol by employees in any way which impairs their ability to perform their duties.

Jim Hogg County shall implement a comprehensive and alcohol abuse education program. As part of that program, information will be provided to all employees concerning the effects of alcohol and drugs to their health and wellbeing and the county's.

ZERO TOLERANCE POSITION

1. Alcoholism and other drug addiction are recognized as disease responsive to proper treatment, and this will be an option if the employee cooperates and volunteers prior to testing positive for drugs or alcohol.
2. The manufacture, distribution, dispensing, possession, sale, purchase or use of a controlled substance on county property is prohibited.
3. Being under the influence of alcohol or illegal drugs on county property is prohibited. The unauthorized use or unauthorized possession of prescription drug, or over-the – counter drugs on county property is prohibited.
4. Employees who violate this policy are subject to termination.
5. The policy applies to all employees of the county regardless of rank or position and included temporary and part-time employees.
6. If an employee is in an accident, County will drug test employee immediately after incident has occurred.

DEFINITIONS

County Premises - ALL county property including vehicles, lockers, and parking lots.

County Property – ALL county-owned or leased property used by employees, such as vehicles, lockers, desks, closets, etc.

Controlled Substance – Any substance listed in Schedules I-V of section on 202 of the Controlled Substance Act (21 U.S.C. S 812), as amended. Copies are maintained for employee review by the County Treasurer.

Drugs – A drug is any chemical substance that produces physical, mental, emotional or behavioral change in the user.

Drug Paraphernalia – Equipment, a product, or material that is used or intended for use in concealing an illegal drug or for use in injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug or controlled substance.

Fitness for Duty – To work in a manner suitable for performing satisfactorily their assigned job. To determine “fitness for duty” a medical evaluation may be required and may include drug and/or alcohol testing.

Illegal Drug - An illegal drug is any drug or derivative there of which the use, possession, sale, transfer, attempted sale or transfer, manufacture or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, obtained illegally, used for any reason and inhalants used illegally. Included is marijuana or cannabis in all forms.

Reasonably Suspicion – Supported by evidence strong enough to establish by evidence that a policy violation has occurred.

Testing – Is generally defined as a urine, or breath test to determine chemical or drug content. Any employee may be tested for drug or alcohol use when there is “reasonable suspicion” that:

1. The use of a drug or alcohol is affecting performance; or
2. The employee is engaged in any of the prohibited acts or activities listed in this policy.

Policy violation – Under the influence of alcohol is defined as having a blood alcohol concentration of 0.02 or more, where alcohol concentrations has the meaning assigned to it in Article 67011-1, revised statutes; or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcohol beverage or a controlled substance.

Any of the following actions constitute a violation of the policy and will subject an employee to immediate termination;

Using, selling, purchasing, transferring, drugs or drug paraphernalia, or attempting or assisting another to do so, while in the course of employment or engaged in a county sponsored activity, on county premises, in county-owned, leased or rented vehicles, or on county business.

Working or reporting to work, conducting county business or being on premises or in a county-owned, leased, or rented vehicle while under the influence of an illegal drug, alcohol or in an impaired condition.

Search procedures such as inspections of employee's personal property including briefcase, lunch boxes or toolboxes, will be utilized as part of the county security measures. All employees will be required to cooperate as a condition of continued employment with special drug/alcohol searches in personal vehicles on county property, purses, clothing, briefcase, or other employee personal property when there is reasonable suspicion to believe that an employee may be in possession of drugs or alcohol and/or under its influence. Searches on county premises and county property can be conducted at any time. Failure to cooperate will lead to immediate termination of employment.

Employees taking drugs prescribed by an attending physician must advise their direct supervisor in writing on the possible effects of such medication regarding their performance and physical/mental capabilities. This written information must be kept confidential and communicated to their direct supervisor prior to the employee commencing work. All medical information will be kept confidential and Jim Hogg County elected officials, without exception, will discipline any employee who is responsible for a breach of privacy and confidentiality in this regard. All prescription drugs must be kept in their original container.

Any employee involved in a work-related accident where alcohol or drugs are believed to be a contributing factor will be tested and if the results prove positive, the employee will be terminated.

SUPERVISORY AND EMPLOYEE TRAINING

Supervisor will receive training regarding the Drug and Alcohol Policy. All Employees will receive copies of the County Drug and Alcohol Policy.

Jim Hogg County operates under the concept of **ZERO TOLERANCE** in the use/abuse of alcohol and drugs. Self – referral by employees or family members is strongly encouraged. The earlier a problem is addressed, the easier it is to deal with and the higher one's success rate. Employees who seek help and refrain from future violation of this policy in using drugs or alcohol while at work will not be disciplined.

Doctor and clinic appointments will be treated on the same basis as other personal business or health matters about use of sick or compensation leave. Sick leave or compensation time may be

taken as needed, with appropriate notification to your supervisor to allow for the workflow to be managed appropriately.

The sale, use, purchase, transfer or possession of an illegal drug or drug paraphernalia is a violation of both state and federal laws. The county will report information concerning possession, distribution, or use of any illegal drugs to law enforcement officials and will turn over to the custody of law enforcement officials any such substances found during search of an individual or property. Searches will only be conducted on individuals based on reasonable suspicion and only of their vehicles, lockers, desks, and closets. The county will cooperate fully in the prosecution and/or conviction of any employee violating drug and alcohol laws.

The county reserves the right to interpret, change, suspend, cancel or dispute, with or without notice, all or any part of this policy, or procedures or benefits discussed herein.

Although adherence to this policy is considered a condition of continued employment, nothing in this policy alters an employee's status and shall not constitute nor be deemed a contract or promise of employment. Employees remain free to resign their employment at any time for any or no reason, without notice, and the county retains the right to terminate any employee at any time, for any legal reason or no reason at all, with or without notice.

The provisions of this policy shall apply in addition to, and shall be subordinated to, any requirements imposed by applicable federal, state or local laws, regulations or judicial decisions. Unenforceable provisions of this policy shall be deemed to be deleted.

Any employee who registers an alcohol concentration of 0.02 or greater and for illegal drugs at any level on any test administered by or for Jim Hogg County will be terminated. Refusal to take a test or cooperate in taking a test when directed by their supervisor is grounds for immediate dismissal. An employee who refers themselves for an alcohol or drug problem (prior to testing positive) and who wishes to seek counseling/rehabilitation or other assistance will not be terminated and will be sent to a substance abuse professional for evaluation at the employee's expense in a paid status (to the extent they have sick leave or choose to use their accrued vacation or comp. time).

Drinking any alcoholic beverages while working for the county will result in your immediate discharge. It will not be a violation of this policy if an employee consumes alcoholic beverages at a banquet, reception or other social function at which alcoholic beverages are served, even though the employee is representing, Jim Hogg County, where attendance is considered to be within the scope of the employee's job; and, such consumption does not impair the employees ability to effectively serve as a representative of Jim Hogg County.

An employee will be terminated by the county if he/she refuses to provide adequate breath or urine for alcohol testing without a valid medical explanation after he/she has been directed to be tested in accordance with the requirements of this policy, or who engages in conduct that clearly obstructs any testing procedure.

The Treasurer will receive the results of all drug tests and maintain the records under lock and key, separate from the employee's personnel file. Results of drug and alcohol testing will only be released to those with a need – to – know, usually only the immediate supervisor.

Personnel who will be making the reasonable suspicion determinations will have received 60 minutes of education on the detection of alcohol and drug misuse.

46.0 POLICY ON SEPARATIONS

DEFINITION

1. A separation shall be defined as any situation in which the employer-employee relationship between the County and a County employee ends or when there is a request for a transfer to another department.

TYPES OF SEPARATION

2. All separations from the County shall be designated as one of the following types.
 - a. Resignation
 - b. Retirement
 - c. Dismissal
 - d. Reduction in force (layoff)
 - e. Death
 - f. Neutral absence Policy
 - g. Transfer to other Departments

RESIGNATION

3. A resignation shall be classified as any situation in which an employee voluntarily leaves his/her employment with Jim Hogg County and the separation does not fall into one of the other categories.
4. Employees who are resigning should submit a written notice of resignation to his/her supervisor.

RETIREMENT

5. A retirement shall be any situation in which an employee meets the requirements to collect benefits under the County's retirement program and voluntarily elects to leave employment with the County to do so.
6. An employee who is retiring should notify his/her supervisor of that intent at least 30 days prior to the actual retirement date to help prevent delays in starting the payment of retirement benefits.

DISMISSAL

7. A dismissal shall be any involuntary separation of employment that does not fall into one of the other categories of separation.

8. Jim Hogg County is an “at-will” employer and an elected official/department head may dismiss an employee at any time for any legal reason or no reason, with or without notice.

47.0 POLICY ON SEPARATIONS

REDUCTION IN FORCE

9. An employee shall be separated from employment because of a reduction in force when his/her position is abolished or when there is a lack of funds to support the position or there is a lack of work to justify the position.

DEATH

10. A separation by death shall occur when an individual die while currently employed by the county.
11. If an employee dies while still employed by the County, his/her designated beneficiary or estate shall receive all earned pay and payable benefits.

NEUTRAL ABSENCE

12. Neutral Absence Termination

Employees who are absent from work due to illness/injury on the job (Workers' compensation), off work as the result of an illness/accident (off the job) or for any other reason will be terminated after **6 months**, with the only exception being state or federal mandated directives. Employees who are rehired by the County within 365 days of their termination will have their hire date bridged and they will be immediately eligible for all County benefits and their vacation accrual, longevity pay, etc., will be based on the bridged hire date. The ***elected or appointed*** official is under no obligation to hire an employee back.

13. When a separation is designated as "other", the supervisor shall provide details of the nature of the separation for the personnel records.

NOTIFICATION

14. As soon as a supervisor becomes aware of separation from employment, or the intent to separate employment, by an employee, the supervisor shall be responsible for immediately notifying the County Treasurer.

TRANSFERS TO ANOTHER DEPARTMENT

15. Transfers may be made administratively or in conjunction with an announced selection process. All transfers between departments shall be subject to approval of the respective department head or elected/appointed official when the transfer request occurs.

Affinity Kinship Chart (Marriage)

TEXAS NEPOTISM CHART
CIVIL LAW METHOD



Consanguinity Kinship Chart (Blood)

TEXAS NEPOTISM CHART
CIVIL LAW METHOD

