Galveston County Human Resources Policy Manual

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INTRODUCTION

Welcome to the community of public servants that make up Galveston County Government. We are excited to have you join our team! From elected officials to temporary employees, our job is to respectfully work together to serve our residents and neighbors, meet their needs, and earn their trust. Thank you for joining our team and for dedicating your time and effort in providing services to the wonderful citizens of Galveston County!

The residents and taxpayers of Galveston County, as well as visitors, and vacationers to our County expect excellence and high quality services from government. As public servants, we have a duty to conduct ourselves with integrity and in a manner that is honorable and ethical. The expectation for each member of Galveston County's workforce is to serve with Honor, Dignity, and Integrity.

Our community's needs change constantly. Our duties and County policy will change as well; but the tradition of public service will remain the same.

This booklet is a reference on how we work as a team. Whether you are a new or experienced employee, this booklet is designed to give you facts about the County, how it works, and the policies that govern employees. The Galveston County policies and procedures are for use as guidance in various work or employment-related situations.

Galveston County reserves the right to make changes or exceptions to these policies at any time.

Employment at Will

Under Texas law, employment at Galveston County is at-will. Employment at-will means that both employees and Galveston County have the right to terminate the employment relationship for any reason or no reason at any time.

Nothing in these policies constitutes a modification of the at-will nature of employment at Galveston County. At all times, including after successful completion of the introductory period, Galveston County may discharge, or take any other adverse personnel action for any reason not prohibited by law at any time.

This booklet is simply an explanation of County Policies relating to its employees.
IT IS NOT TO BE CONSTRUED AS AN EXPRESS OR IMPLIED CONTRACT FOR YOUR EMPLOYMENT. NO EMPLOYEE RIGHTS ARE CREATED BY ITS ADOPTION.

Governmental Organization

Galveston 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 laws and by actions of the Commissioners' Court.

Structure of Commissioners' Court

The Commissioners' Court consists of four County Commissioners and the County Judge. The Commissioners' Court is the administrative and policy-making body of the County and is structured identical to all other Texas Counties.

Operations

County operations are conducted through Departments, each administered by an Elected Official, Appointed Official, or appointed Department Head.

Services

Galveston County provides services to the public that include; maintaining property and other public records; preserving law and order; operating the County jail; constructing and maintaining roads in unincorporated areas; maintaining public works; assisting farmers, homemakers, and veterans; conducting elections; collecting taxes; prosecuting criminals; developing and maintaining parks; and many other things.

DEFINITIONS

In this Policy Manual, the following words and phrases are defined as follows:

Compensatory Time- Paid time off provided to Employees. Compensatory Time may refer to paid time off when it is being earned and/or when it is used.

Department Head -An elected official, an appointed official, or a person appointed by Commissioners Court to serve as the head of a department created by commissioners Court. The Elected or Appointed Official who is the head of a Department and who adopts these policies, abide by these policies.

Employee -Except as provided by state law, employees have no property right in continued employment and may be discharged at any time and for any reason.

Employee Assistance Program (EAP) -The Galveston County Employee Assistance Program or other managed care counseling programs that offer assessment, short-term counseling, and referral services for a wide range of drug, alcohol and mental health programs that affect Employee job performance. For EAP assistance please call 1-800-324-3364.

Exempt Employee -Executive, professional, administrative, outside sales and some computer professional employees who are excluded from the overtime provisions of the FLSA as amended. These employees do not receive overtime pay or compensatory time for hours worked beyond 40 hours in any workweek.

Full-Time Employee -An Employee employed in an authorized budgeted position that requires a minimum of 40 work hours per week. A Full time employee is expected to work 40 hours and is Benefits Eligible.

Half-Time Employee -An Employee employed in an authorized budgeted position that requires a minimum of 20 work hours per week and is Benefits Eligible.

Health Care Provider-A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices. Podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of their practice. Nurse practitioners and nurse-midwives who are authorized to practice under state law and who provide health care services under the supervision of a physician. Refer to the Chapter entitled “Family and Medical Leave Act” for the definition of health care provider for purposes of that act.

Illegal Drugs-A controlled substance included in (a) Schedule I or II as defined by § 802(6), Subtitle 21 of the United States Code, or (b) the Texas Controlled Substances Act the possession of which is unlawful under either act. The term “illegal drugs” does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

DEFINITIONS

In this Policy Manual, the following words and phrases are defined as follows:

Immediate Family- Please see specific policy for definition.

Legal Drugs-Prescribed medications and over-the-counter medications.

Non-Exempt Employee -Employees who are subject to all provisions of the Fair Labor Standards Act (FLSA) as amended. These employees receive overtime pay or compensatory time for hours worked beyond 40 hours in any workweek at one and a half times their regular hourly rate, with the exception of law enforcement and other departments. Please refer to your departmental policy on overtime and compensatory time eligibility and accrual.

Paid Interns – Students who work hours for departments and are paid in compliance with the FLSA. Such individuals are eligible for compensation, and are not eligible for benefits.

Part-Time Employee -An Employee employed in a budgeted position that requires no more than 19 work hours per week and is not benefits eligible.

Regular Employee - An Employee hired without limitation as to duration of employment, who is eligible for Employee benefits, and who may be either full-time or half-time.

Supervisor-Either a Department Head or person appointed by a Department Head to perform supervisory functions within the Department.

Temporary Employee, Seasonal Employee, PRN (As needed) -An Employee employed on a temporary or seasonal basis for a specified period not to exceed 12 consecutive months.

Unpaid Interns -Students who contribute work hours to in exchange for academic credit and learning opportunities in compliance with the FLSA. Such individuals are not eligible for any compensation or employment benefits. Unpaid interns are not “employees” under this definition.

Year-Calendar year.

This Human Resources Policies Manual is simply an explanation of County Policy. It is not to be construed as an express or implied contract for your employment. No Employee rights are created by its adoption.

AT ALL TIMES, INCLUDING AFTER SUCCESSFUL COMPLETION OF THE INTRODUCTORY PERIOD, EMPLOYMENT WITH GALVESTON COUNTY IS CONSIDERED TO BE AT-WILL AND THE EMPLOYMENT RELATIONSHIP MAY BE TERMINATED AT ANY TIME FOR ANY LAWFUL REASON BY EITHER PARTY.

A. These policies provide a set of principles to establish and maintain harmonious and productive County /Employee relationships in the conduct of County business.

B. These policies apply to all Employees and Department Heads who work for the Commissioners' Court. These policies also apply to those Employees of the Galveston County Health District who are on the County's payroll. They do not apply to Employees of any Elected or Appointed Official unless that Official adopts them in writing. Any such adoption may be terminated at any time. The Human Resources Director will inform all new Employees of Elected or Appointed Officials whether these policies apply to them. A list of those officials who have adopted these Policies may be obtained at the Human Resources Department.

C. All Elected and Appointed Officials and Department Heads are encouraged to work together in a cooperative manner and in the best interests of our constituents and taxpayers.

D. Galveston County reserves the right to change any provision of this Policy Manual at any meeting of the Commissioners' Court. A date of change notation will be made in the lower right margin of any page affected by any change.

E. No Elected/Appointed Official, Department Head, Supervisor, Representative, or Employee of the county has any authority to change any portion of this Policy Manual without prior express and specific written authorization granted by the Commissioners Court. The only exception to this statement is the Community Supervision and Corrections Department (Adult Probation) which is required to follow various state mandates. Employees of Adult Probation are instructed to contact the Adult Probation Director to obtain a copy of those regulations specifically applicable to them.

F. Please direct any questions or inquiries you may have concerning any portion of this policy to the Human Resources Department which will interpret this policy.

A. All Employees are employees-at-will. Employment can be terminated for good cause, no cause, or bad cause, with or without notice. However, employment will not be terminated for any of the following reasons:

1. Membership or non-membership in a union;

2. Service on a jury, service in the military, or attendance at a political convention or function while off duty;

3. Failure to contribute to any fund or charity;

4. To prevent the Employee from vesting in the County's retirement plan or exercising rights to certain other employment benefits;

5. To retaliate for the Employee's reporting the County's wrongdoing to a proper regulatory or law-enforcement agency;

6. Submission of a non-fraudulent Worker's Compensation claim.

B. Employees will be required, as a condition of employment, to sign a statement in which they acknowledge:

1. That they have received a copy of this Policy Manual and have read and understand it;

2. That they are employees-at-will, whose employment may be terminated for a specified good cause, no cause or bad cause and with or without notice;

3. That this Policy Manual does not constitute a contract of employment, but is a general guide for information purposes only; and

4. That they are not guaranteed, by contract or otherwise, any term or condition of employment.

C. Nothing in this policy or Human Resources Policy Manual erodes the Employment at Will doctrine held by the County of Galveston.

A. All new Employees are hired on a six month introductory period during which performance is monitored closely. An Employee may be terminated during his introductory period at any time for any reason or no reason with or without notice and is not entitled to grieve such termination.

A. The County will not tolerate discrimination and is committed to providing equal employment opportunity for all qualified applicants and current employees without regard to race, color, religion, ancestry or national origin, ethnicity, sex, marital status, disability, Vietnam era and disabled veteran status, veterans status, genetic information, age or sex, except where permitted as a bona fide occupational qualification. The County prohibits sex discrimination on the basis of pregnancy. This policy applies to all terms and conditions of employment, including, but not limited to, application, testing, recruitment, hiring and placement, discipline, medical examinations, assignments, evaluations, benefits, promotion, transfer, compensation, leaves of absence, training, termination, layoff, reorganization of departments, and recall.

Sexual Harassment/Harassment/Hostile Work Environment

A. Unsolicited or unwelcome sexual overtures, either physical or verbal, to fellow Employees are forbidden and will result in disciplinary action.

B. No Supervisor or Employee shall harass an Employee on the basis of sex. Personnel action shall not be taken affecting an Employee (either favorably or unfavorably) that is based on submitting to sexual advances, refusing to submit to sexual advances, protesting sexual overtures, or raising a complaint concerning the alleged violation of this policy.

C. Employees shall not behave in a manner that is unwelcome by any other Employee and is personally offensive to any other Employee. Such behavior includes:

1. Sexual flirtations, innuendo, advances, or propositions;

2. Continued or repeated verbal abuse of a sexual nature, sexually related comments or joking, graphic, or degrading comments about an Employee's appearance, or the display of sexually suggestive objects or pictures;

3. Any unwelcome physical contact or touching, such as patting, rubbing, tickling, pinching, or constant brushing against another's body;

4. Any conduct that unreasonably interferes with an Employee's performance, or creates an intimidating, hostile, or offensive working environment even if no tangible or economic damages result.

5. Harassment refers to behavior that is not welcome, is personally offensive, fails to respect the rights of others, and interferes with the employee's work performance. Harassment is considered any act or communication, either verbally, electronically or physically that consists of conduct that shows hostility or aversion.

6. Examples of harassment include, but are not limited to, spreading false rumors, threats, loitering, leaving frequent notes, numerous telephone calls, sabotage, vandalism, invasion of privacy, derogatory social media or electronic communications, verbalizing demeaning stories to or about another, hanging offensive pictures or posters, or emailing offensive material.

D. Supervisors and Employees shall not exert subtle pressure for sexual favors. Such pressure includes but is not limited to implying or threatening that an applicant's or Employee's cooperation of a sexual nature (or refusal of it) will have any effect on the person's employment, job assignment, wages, promotion, or on any other conditions of employment or future job opportunities.

E. Employees who experience harassment or sexual harassment should make it known to the harasser that their actions are not welcomed. The employee should indicate that they do not want the behavior to continue and that their actions make them uncomfortable.

F. Any Employee who feels that he is a victim of discrimination, harassment or sexual harassment must immediately report the matter to the County's Director of Human Resources or County legal department.

G. Violations of this policy will not be permitted. Any person who violates this policy will be subject to immediate and appropriate discipline up to and including termination. Any employee with the exception of Law Enforcement, involuntarily separated from employment due to violation of this policy waives the right to grieve the discharge.

Americans with Disabilities Act

A. It is the policy of the County to comply with the Americans with Disabilities Act (ADA) and in some instances § 504 of the Rehabilitation Act of 1973. It is our policy not to discriminate against qualified individuals who meet the experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation can perform the essential functions of the job. The County will provide reasonable accommodation(s) upon request, for a qualified individual to perform the job, as defined by the ADA. Reasonable accommodation will be provided unless a request imposes an undue hardship for the County.

B. The County will not discriminate against persons with disabilities regarding any employment practices including: application procedures, testing, hiring, assignments, evaluations, promotions, disciplinary action, advancement, discharge, compensation, training, medical examinations, layoff/recall, leave, benefits or other terms, conditions and privileges of employment.

C. The County will not:

1. Deny employment opportunities to a qualified individual because they have a relationship or association with a person with a disability.

2. Refuse to make reasonable accommodations to the known physical or mental limitations of a qualified applicant or Employee with a disability, unless the accommodation poses an undue hardship on the County.

3. Use qualification standards, employment tests, or other selection criteria that screen out or tend to screen out an individual with a disability unless such criteria are job-related and necessary for the County's business.

4. Use employment tests except in the most effective manner to measure actual abilities to perform the essential functions of a position.

Remedies

A. Any Employee who feels that he is a victim of discrimination, harassment or sexual harassment must immediately report the matter to the County's Director of Human Resources.

B. The County's Human Resources Department shall immediately investigate the report. The Department Head, after consultation with Human Resources may place any involved Employee on administrative leave with pay until completion of the investigation. Department Heads may also contact the Legal Department as they deem necessary or prudent. The Human Resources Director shall notify the Department Head and the County Judge of the results of its investigation. If a policy violation is found, the Department Head in whose department it occurred shall promptly do whatever is necessary to prevent the misconduct from reoccurring and take appropriate disciplinary measures.

Fair Credit Reporting Act

A. It is the policy of the County to comply with the provisions of the Fair Credit Reporting Act. This act guarantees certain rights for individual's affected by background screening reports and other types of consumer reports. The act also holds consumer reporting agencies accountable for the accuracy and fairness of generated reports.

B. Applicants are informed that background checks are used for employment purposes and agree to such use. Candidates are notified immediately if information contained in their report may negatively impact an employment offer.

Safe Workplace; Anti-Violence

A. The County is committed to providing employees with a safe, non-violent work environment. Statements or behavior that can be considered threats to the safety of individuals in the workplace or persons with whom the County conducts business will not be tolerated. Every employee has a responsibility to report perceived or actual incidents of violence.

B. Violence is defined as any direct physical or emotional assault. Emotional assault is defined as direct threat of harm or veiled threats of harm intended to intimidate another person.

C. Acts or threats of violence are prohibited and include but are not limited to the following: Physical acts of violence; Verbal threats of Violence, Threatening conduct, such as harassing or intimidating others, displaying intense anger, and showing off or actually brandishing a weapon or item which could be used as a weapon, Bomb threats, and Deliberate destruction of equipment and property, including arson.

D. Veiled (indirect or suggestive) threats of violence are intended to harass or intimidate another person. A thorough investigation must occur in all cases where an employee is charged with making veiled threats. If the allegation is substantiated, the employee must receive disciplinary action up to and including involuntary separation of employment.

E. Disrespectful behavior towards another employee or non-employee by raising the volume of voice in an effort to overpower or control another, yelling, profanity or inappropriate conduct that frightens another or creates fear will not be tolerated. Employees and managers need to realize that it is not the intent but the perception of the receiver that can create hostility or fear.

Procedure

A. It is the policy of Galveston County to fully investigate and act accordingly, including but not limited to, filing the appropriate police report and terminating the employment of any employee that engages in director overt actions of violence towards any other employee, volunteer, or visitor. In addition, the County will assist employees in reporting any direct or overt actions of violence against them conducted by non-employees which happen during the course of business. An employee may file a complaint with the Human Resources Director or their supervisor or Department Head.

C. Direct physical assaults require that the employee, so accused, be removed from work during the time a thorough investigation of the alleged incident takes place. If the allegation is substantiated, the police must be contacted and a police report filed. Assaultive behavior calls for the proper steps to be taken with disciplinary action up to and including involuntary separation of employment. Any employee or visitor that witnesses, hears, or is the subject of any direct or overt violence is to report the incident to their immediate supervisor, Director of Human Resources or Legal immediately.

D. An incident report will be completed giving full details as to the event and disclosing the names of all individuals involved. Human Resources and or Legal should be contacted immediately.

E. Employees who are reprimanded or are in the process of the disciplinary process usually can feel angry and fearful and want to protect themselves from further discipline or involuntary separation of employment. This policy is not intended to nullify the manager's ability to reprimand, correct poor behavior or poor performance or in any way take away the manager's right to utilize the disciplinary process or erode the County's Employment-At-Will status. Allegations against the manager by a subordinate after a performance or disciplinary meeting will be met with appropriate level of caution, scrutiny, and concern of purposeful retaliation against the manager by the subordinate.

F. No employee providing assistance or information will suffer retaliation due to that participation.

G. Substantiation of violence toward another employee or non-employee during work or at work related activities may result in discipline up to and including involuntary separation of employment. Any Employee, with the exception of Law Enforcement employees, involuntarily separated from employment for workplace violence will waive their right to the County progressive disciplinary process, including the grievance process and will be barred from reinstatement or reemployment with the County.

Galveston County Cares About You Hotline

Employees who want to report a concern or harassment/discrimination or workplace complaint now have the opportunity to contact the Galveston County Cares About You Hotline at 409-770-5500. This phone is a confidential line that is answered by the Human Resources Director or designee. Please leave your name, phone number and brief message. Calls are returned within 24 hours or sooner on weekdays.

Applications

A. The County will recruit and select qualified applicants for each position without regard to race, color, religion, ancestry or national origin, sex, ethnicity, marital status, sexual orientation, disability, Vietnam era and disabled veteran status, veteran's status, genetic information, age or sex, except where permitted as a bona fide occupational qualification.

B. Applicants may submit applications for posted positions with the Human Resources Department. An application must be submitted for each position applied for.

B. All Department Heads must furnish the Human Resources Department with notices of job vacancies.

C. All job vacancies furnished the Human Resources Department will be posted for a minimum five (5) day period with a closing date not less than 5 calendar days. If a Department Head is not successful in hiring a new Employee during this time period the posting will be extended as necessary, with an until filled notation on the posting. The Human Resources Department will also provide assistance to Department Heads on hiring and employment procedures.

D. The hiring of Adult Probation Department Employees is governed by Chapter 76 of the Government Code.

Temporary/Seasonal/PRN Employees

A. Temporary, Seasonal, and PRN (as needed) employment, as budgeted, is permitted.

Employment

A. Department Heads are responsible for selection of Employees for their respective departments.

B. Employment application forms are required to be furnished the Human Resources Department for all newly hired Employees.

C. All newly hired Employees are required to go to Human Resources for sign-up, orientation and benefit explanation purposes.

Nepotism

A. No Official may appoint, or vote for or confirm to any office, position, clerkship, employment or duty a relative within the second degree by affinity (marriage) or third degree by consanguinity (blood). Any questions of nepotism must be cleared by County Legal or Human Resources.

B. No Supervisor within a department may manage or supervise a relative within the second degree by affinity (marriage) or third degree by consanguinity (blood) or if the Director reports to Commissioner's Court, may not hire a relative of Commissioner's Court within the second degree by affinity or third degree by consanguinity.

C. No County Employee may place a requisition for or request their Supervisor to place a requisition for the purchase of any for goods or services with any relative within the second degree by affinity (marriage) or third degree by consanguinity (blood) of the Employee desiring the requisition without first disclosing to the Purchasing Department how the requesting Employee is related, disclosing the circumstances surrounding the request and obtaining the permission of the Purchasing Department to place the requisition.

D. Refer to Appendix A for a Nepotism Chart which determines degrees of relationships.

Immigration Reform and Control Act of 1986

A. All newly hired Employees must comply with the Immigration Reform and Control Act of 1986. Employees who cannot comply with this requirement will not be permitted to work.

Drivers License Background Checks

A. A traffic violation background check will be performed on prospective Employees whose future job duties will require them to operate a county owned or leased vehicle, road equipment or other heavy equipment. This is so regardless of whether such duties are a regular part of or incidental to the job. Depending on the outcome of the background check, a prospective Employee may not be eligible for employment.

Criminal Background Checks

A. Although it is not the intent of the Commissioners' Court to interfere with the right of an Elected or Appointed Officials and other Department Heads to hire their own assistants, pursuant to the authority granted it by Texas Government Code §411.1295, the County requires all persons seeking new employment with Galveston County to have a criminal background check completed as part of the hiring process.

B. Department Heads who desire to hire an assistant must make their offer of employment subject to the potential employee undergoing a criminal background check with satisfactory results. Department Heads must send potential employees to Human Resources to execute a consent to conduct a criminal background check through the Texas Department of Safety. Human Resources will conduct the check and will, within forty eight (48) hours notify the Department Head of the results. The Department Head making the conditional offer of employment will decide whether to employ the applicant and will notify Human Resources of their decision.

Medical Exams

A. No physical examination will be conducted unless such is done in accordance with the requirements of the Americans with Disabilities Act. ("ADA") or §504 of the Rehabilitation Act of 1973.

B. Initial Exams/Immunizations Law Enforcement Personnel: After making a conditional job offer and before an individual starts work, the County will conduct a medical examination and may ask disability-related questions. All candidates who receive a conditional job offer in the same job category will be required to take the same examination and/or respond to the same inquiries.

C. Other Employees: The County reserves the right to designate additional job categories for which the County may require a medical examination and ask disability-related questions, as long as each person is treated exactly the same in the same job category.

D. Medical examinations will be given at the location designated by the County. The County will pay for the cost of the examination. All medical records will be kept confidential, except, as required or permitted by the ADA, § 504 of the Rehabilitation Act of 1973, workers' compensation laws, or for insurance purposes, and will be kept in separate medical files.

E. The requirement for an Employee to undergo medical exams will be made on a case- by- case basis, as the need arises, and as permitted by the terms of the ADA. Contact human Resources for ADA Accommodations requests or questions.

Identification Badges Required

A. All Employees, with the exception of law enforcement personnel engaged in undercover activity, must, at all times while on duty, wear or have openly displayed, County issued identification badges issued by the Justice Administration Department.

B. Wearing badges will assist security officers and fellow County Employees with the identification of other Galveston County Employees. Emergency Management has also requested that all Employees have their identification badges readily available in order to facilitate easier access to their assigned areas in County buildings in the event of storm or hurricane or when returning to Galveston County after such an event.

C. Lost or stolen badges should be reported to Justice Administration. Replacement badges may be obtained at the Justice Administration Department. There is no charge for the first replacement. Subsequent replaces will cost $6.00 each.

D. Employees who transfer between Departments must exchange their identification badge prior to their first day of employment in the new department. There is no charge for the issuance of this badge.

E Employees who change their names must contact the Justice Administration Department prior to their next day of employment to complete a name change form, have a new identification badge prepared and exchange their old badge. There is no charge for the issuance of this badge.

F. Employees may be required to temporarily surrender their badges to their Department Head or Supervisor for disciplinary reasons. All employees must surrender their identification badges to Human Resources during their exit interview.

Employment Eligibility Verification Program (E-Verify)

A. All employees who desire to work for Galveston County must be qualified to work in the United States. To assist it in making a determination whether a potential employee is so qualified, the Commissioners' Court has entered into an Agreement with the United States Department of Homeland Security to participate in its Employment Verification Program (E-Verify).

B. Department Heads who desire to hire a candidate must make their offer of employment subject to the potential employee being verified as being qualified to work in the United States. Department Heads must send potential employees to Human Resources to execute an I-9. Human Resources will submit the I-9 to the Department of Homeland Security and will, within forty eight (48) hours notify the Department Head of the results. Potential employees who are not qualified to work in the United States will not be employed by Galveston County.

Pay Periods

A. The County's pay period is bi-weekly beginning on a Thursday and ending on a Wednesday. Paychecks are issued every other Wednesday. The County reserves the right to release the paycheck after 2:00 P.M. Early release of an Employee's paycheck is not encouraged but may be permitted from time to time at the discretion of the County Treasurer.

B. Salary advances or loans against future salary are not permitted.

C. Paycheck discrepancies, such as overpayment, underpayment, or incorrect payroll deductions must be immediately brought to the attention of the County Treasurer's office.

D. The County Auditor has the authority to withhold wages from an Employee's paycheck if the Employee owes the County money for goods or services and the Employee has signed an agreement to authorize withholding of wages for those goods and services, according to DOL and FLSA.

E. All Employees will be paid through the process of Direct Deposit.

F. The County's Depository will provide a bank debit card for those Employees who do not maintain either a checking or savings account. There will be no charge to any Employee for this service.

Hours of Operation

A. County buildings are open to the public from 8:00 A.M. to 5:00 P.M. Monday through Friday. Regular County office hours for most Employees correspond to these hours with one hour for lunch, for a total work week of 40 hours. The County has 24/7 operations in which some positions work other days and hours and include weekends.

B. The County Judge or his designee has the authority to direct all Employees not to report to work if emergency situations such as adverse weather conditions threaten.

C. Department Heads are encouraged to implement flex time schedules for Employees if such implementation is feasible, within the department's operating budget and does not impact service delivery. Employees desiring to work on a flex time schedule must obtain prior written authorization and instructions from their Department Head.

Attendance

A. Attendance is an essential function of every employee's job. It is the employee's responsibility to report regularly for work and be on time. Chronic absenteeism or lateness may result in discipline, up to and including involuntary separation.

B. Employees are required to notify their direct supervisor in advance of any day when they will be absent or late. When an employee will be unexpectedly absent or late, they must follow the established call-in procedure for their specific department.

C. Any employee who is absent for (2) consecutive work shifts or the same number of isolated incidents without notifying their direct supervisor may be considered to have voluntarily resigned their employment. An employee who abandons their job or walks off the job without proper approval from their supervisor may be considered to have voluntarily resigned.

D. Supervisors should monitor attendance and pay attention to patterns such as, but not limited to:
   a. Friday or Monday absences or any absences that follow a pattern
   b. Weekend absences during which the employee is scheduled to work.
   c. Absences preceding or following a holiday.
   d. Excessive unscheduled absences.
   e. Absences on a holiday for which the employee is scheduled to work.

Texas County District Retirement System Retirees (TCDRS)

A. Beginning January 1, 2006 Galveston County former employees who are Texas County District Retirement System (TCDRS) or AUL retirees are eligible to be re-hired as Employees after a six (6) month break in service. Monthly TCDRS benefits will not be suspended as long as the original termination is bona fide. The Internal Revenue Service requires that the retirement be based on a bona fide separation from employment. This means that there has been no prior agreement or arrangement made to hire the Employee after he or she retired; that there is no expectation that the Employee will be hired part-time after he or she retires and there can be no "understanding" that the Employee will be hired after retirement. Failure to abide by this regulation could mean that the TCDRS Plan will lose its status as a "qualified plan" i.e. that any contributions or deposits to plan accounts are tax deferred. This will have dire consequences for both the County and its Employees.

Outside Employment

A. Outside employment is permitted if it does not interfere with regular County duties and hours of employment. Employees desiring outside employment must obtain prior written authorization and instructions from their Department Head. Such authorization may be revoked if, in the opinion of the Department Head, outside employment interferes with performance of regular County duties and hours of such employment. Revocation of authorization is not a grievable action.

Veteran Re-Employment

A. County Employees, other Elected Officials and Temporary Employees, have the statutory right, under the Uniformed Service Employment and Re-employment Rights Act (USERRA) and Chapter 613 of the Texas Government code, to re-employment within five years after their enlistment in the military so long as they are honorably discharged. They are entitled to a position of like seniority, status and pay so long as they are capable of performing their duties.

B. Written application for re-employment must be made to the appropriate County Department Head not later than the day required by USERRA. If the person served less than thirty-one (31) days he/she must report to the County not later than the beginning of the first full work period after the expiration of eight (8) hours and a reasonable period of travel time for the person to

return to their residence from the place of service. If the period of service is greater than thirty (30) days and less than one-hundred eighty one (181) days the person must report to the County Department Head not later than fourteen (14) days after the completion of the period of service. If the period of service was greater than one-hundred eighty (180) days, the application for employment must be made within ninety (90) days of the completion of the period of service.

Re-Instatement and Rehire

A. Upon Department Head recommendation former Employees with not more than 30 days break in service are eligible for reinstatement in their old classification, pay grade and step if a vacancy is available. Such Employees are not eligible for merit raise consideration for one year from such reinstatement date.

B. Upon Department Head recommendation former Employees with not more than thirty (30) days break in service will be eligible for rehire or reinstatement of their longevity, vacation and sick leave accruals.

C. All rehire of former County employees within 6 months of leaving the County must be approved by Commissioners Court.

Personnel Records and Public Information Act

A. The Human Resources Department maintains personnel records on all Employees. Past Employee records are maintained for three years from date of separation or according to the appropriate records retention policy.

B. Personnel records are the property of The County.

C. Employees may request information to be included in their records.

D. An Employee's personnel records are available to the Employee, their designated representative, the appropriate Department Head, and the County Legal Department.

E. Public inspection of an Employee's personnel records will be permitted in accordance with the provisions of the State of Texas Public Information Act.

F. If properly requested, the home addresses, home telephone numbers, or family member status of Employees or former Employees may be withheld from inspection. Request forms to withhold this information are available in the Human Resources Department. An Employee or former Employee who chooses not to allow public access to this information must furnish a signed written statement to that effect to the Human Resources Department. If the Employee fails to comply, the information is subject to public access.

G. Certain Peace Officer, County Jailers, and Criminal District Personnel Records will be withheld from public disclosure as permitted by §552.1175 of the Texas Open Records Act.

H. TCDRS Records will be withheld from public disclosure as permitted by §845.115 of the Texas Government Code. In addition, Social Security Numbers of living Employees and their dependents will be withheld from public disclosure as permitted by §552.147 of the Texas Government Code.

Non-Participation in Social Security

A. The County **does not participate** in Social Security. Employees should be aware that because they are taking a non-Social Security covered position there may be possible reductions in their future Social Security benefits from the application of the Government Pension Offset Provision (GPO) and the Windfall Elimination Provision (WEP).

B. Employees hired after April 1, 1986 are subject to Medicare Tax withholding.

Texas County and District Retirement System

A. All Regular Employees, with the exception of County Extension Office Agents, participate in the Texas County and District Retirement System. Temporary Employees do not. This benefit provides retirement and other benefits. Contributions are based on salary and are made both by the County and the Employee.

B. Each Employee, upon employment, will be furnished a plan booklet which contains detailed information. Refer to this booklet for any questions.

Disability, Retirement, and Survivorship Benefits Program- Alternate Social Security Replacement Plan

A. The County provides Regular Employees with a Disability, Retirement and Survivorship Benefits Program, commonly referred to as The Alternate Plan. This plan is the substitute plan for Social Security benefits and provides Life and Disability Insurance and a Deferred Compensation (or tax deferred) Retirement Plan. Contributions are based on salary and made both by the County and the Employee.

B. Each Employee, upon employment, will be furnished a plan booklet which contains detailed benefits information. Refer to this booklet for any questions.

Financial Hardships and Loans

A. Only County Employees who participate in the voluntary deferred compensation plan may apply for financial hardships.

B. Only County Employees who participate in the voluntary deferred compensation plan may apply for loans.

C. Contact Human Resources for financial hardship and loan applications.

Election Workers

A. Election workers who earn $1,500 or more in a calendar plan are required to participate in the Alternate Plan unless they are receiving a pension or other eligible to receive a pension payment. Election workers desiring to withdraw Alternate Plan funds are ineligible to apply for distribution of all or a portion such funds until a minimum period of one year has expired since the date they last worked an election.

Eligibility

A. The County of Galveston has a variety of benefits available for its Employees. Part-time and Temporary Employees are not entitled to any benefits other than those mandated by State or Federal law.

Change in Employee Status

A. Employees must notify the Human Resources Department within 10 working days of any of the following changes: name, address, beneficiary, marital status, telephone number, dependents and person to contact in case of emergency. Failure to do so could cause loss in benefits.

B. Elected or Appointed Officials who leave office and thereafter become Regular Employees are treated as new hires for vacation and sick leave benefits. Their health insurance benefits are not affected.

C. Regular Employees hired prior to October 1, 2011 who assume Elected or Appointed positions of County Auditor, Purchasing Agent, and Director of Juvenile are paid their accumulated vacation and, if otherwise eligible for TCDRS regular service retirement, AUL or disability retirement, one-half of their sick leave benefits. For those hired on or after October 1, 2011, vacation payout will be capped at 120 hours and no sick leave will be paid.

Cafeteria Plan –Section 125 Plan

A. All Regular Employees may participate in the County Cafeteria Plan (also known as I.R.C. §125 Flexible Benefits Plan). This Plan enables Employees to realize income tax savings through the use of salary reduction by purchasing benefits with pre-tax dollars:

B. Adult Probation Employees may not participate in either the Health Insurance or the Dental Plan portion of the County Cafeteria Plan.

Health Benefits

A. The County provides a medical benefits plan for all Regular Employees. Employees become active after two full pay periods. Employees who elect the health plan benefit must provide an initial, (if a new hire) or annual Health Risk Assessment HRA, blood draw through CareHere. The County also provides a medical benefits plan for such Employees' dependents. Dependents are not required to participate in the annual HRA. Employees who desire medical benefits for themselves or their dependents are responsible for paying a portion of the premium through the County's payroll deduction system. The amount for such coverage may change from time to time as determined necessary. Employees are also responsible for notifying the Human Resources Department when dependents are no longer eligible for coverage.

B. The Interface **Employee Assistance Program** is available to all Regular Employees, including Elected Official's employees. This program assists Employees and their immediate family members with personal problems such as work performance, physical and mental illness, financial and legal difficulties, marital and family distress and alcohol and drug abuse. The phone number for assistance is 1-800-324-4327 in English and 1-800-324-2490 in Spanish (Se Habla Espanol).

C. Employees may be required by their Department Head to seek assistance through this program.

D. If medical benefits are elected the Employee, will be furnished a medical plan document that contains detailed health benefits information. Please read it for information relating to your medical benefits.

E. Adult Probation Employees heath insurance benefits are provided by the State of Texas.

F. Beginning January 1, 2012, inasmuch as they are furnished medical benefits offered through the State of Texas, newly elected State District Judges are not entitled to enroll in the County's medical benefits plan. This provision does not apply to current State District Judges who are re-elected to their current position in subsequent elections.

G. For Medical Care/Prescription Refills During Natural Disasters: Any Employee who, during any period of natural disaster when the County Judge has declared an Order of Evacuation requires medical treatment or a prescription refill should contact the County's Third Party Administrator for approval at Pharmacy Services, 1-800-364-6331, Customer Service 1-800-252-9653 or Member Services 1-877-860-6415. If the Third Party Administrator is not available, the Director of Human Resources is authorized to give such approval to either the provider of medical attention or the pharmacy. The contact number is 409-770-5350 (phone) or HumanResources@co.galveston.tx.us.

Life Insurance

A. The County provides a Group Term Life Insurance plan for Regular Employees.

B. Each Employee, upon employment, will be furnished an insurance benefit which contains detailed information.

Voluntary Benefits

A. The County provides a variety of voluntary benefits for employee's to choose from, including dental, vision, short-term and long-term disability, cancer plans, income protection plans, term life insurance, and as approved by the Commissioner's Court, other plans that may be of interest to the County employees.

Parking

A. Parking is available to all Employees. A limited number of reserved parking spaces are available at the Justice Administration Center, the old County courthouse and at various County annexes for a monthly fee of $20.00. Employees are not guaranteed a reserved parking space merely because they ask for one. Free parking spaces are not available in the parking lots immediately adjacent to the courthouse. Free Employee parking is otherwise available at all County buildings.

Cell Phones

A. Cell phone allowances up to $40.00 monthly are provided for Employee's who are required to have a cell phone available for work related activities. For Employee's who are required to carry a cell phone for County business and have a County salary of at least $95,000.00 annually, no cell phone allowance will be provided. Justification of needing a cell phone will be required.

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Holidays

A. Unless required to work by their Department Head, Employees shall be allowed such holiday paid leave as is annually authorized by the Commissioners Court, immediately upon hire.

B. Half-Time Employees receive holiday paid leave if the holiday falls on a day they are scheduled to work.

C. Employees on unpaid leave of absence are not permitted holiday paid leave.

D. Employees absent without permission on the workday immediately before or after a holiday are not permitted holiday paid leave.

Vacation

A. General: Employees are required to obtain prior approval from their Supervisor for any desired vacation leave. Vacation leave may not be taken in less than one hour increments.

B. Entitlement: Introductory Employees are awarded and may use ½ of their first years' entitlement at the end of their first six (6) months of employment. Thereafter, such Employees may take their vacation as it accrues. Introductory Employees who leave County employment prior to the completion of their first six months are not entitled to any vacation pay upon such separation.

C. Entitlement: Other Full-Time Employees who have completed their Introductory Period shall accrue their vacation at the following rate:

Years Service Days	Hours	Annual Accrual	Bi-Weekly Rate	Maximum Carry-Over
6 months	5	40		n/a
1 – 4	10	80	3.07	40
5 – 10	15	120	4.60	60
11	16	128	4.91	64
12	17	136	5.22	68
13	18	144	5.52	72
14	19	152	5.83	76
15	20	160	6.14	80
16	21	168	6.44	84
17	22	176	6.75	88
18	23	184	7.06	92
19	24	192	7.36	96
20+	25	200	7.67	100

D. Accruals will be based on the number of pay periods in a year.

1. Employees may use their bi-weekly accrual hours as it accrues. Employee pay checks will reflect hours available for use.

2. Elected Officials, the County Auditor and the County Purchasing Agent do not accrue vacation benefits.

E. Half-time Employees: Employees accrue vacation leave at one-half the rate of Full-Time Employees.

F. Accumulated Vacation: Employees may accumulate up to 150% of their yearly entitlement. Excess unused hours will be forfeited.

G Records: Department Heads must maintain current vacation records for each Employee which show:

1. Balance at beginning of each pay period;
2. Hours used during each pay period; and
3. Balance at end of each pay period.

H. Rules:

1. County holidays which fall during the period an Employee is on vacation will not be charged against the Employee's vacation balance. Certain Sheriff Department Employees are excluded from this section.

2. Illness which occurs during an Employee's vacation will not be charged against the Employee's vacation balance if the Employee's Supervisor is immediately notified of such illness, gives appropriate proof of illness and grants permission to the Employee to charge the period of illness to sick leave.

3. Employees may not accrue vacation leave while on any type of unpaid status.

4. Employees may not receive pay in lieu of taking vacation leave.

5. Employees may not borrow vacation leave against future accruals unless they are on FMLA or receiving time from the Sick Leave Pool.

6. Employees may not transfer, share or lend vacation leave to another Employee.

7. Employees may not pool vacation leave.

Separation from County – Includes Bifurcated System Pre-Post October 1, 2011 Hire Date

1. Employees hired prior to October 1, 2011, are paid accumulated vacation leave up to the maximum permitted amount upon separation of employment from County. The number of hours paid will be shown than are shown on the Employee's last paycheck issued prior to their separation. This rule also applies to Employees who become Elected and Appointed Officials.

2. For Employees hired on or after October 1, 2011, Employees are paid a maximum accumulated vacation leave up to 120 hours of accumulated leave upon separation from the County.

3. For Employees hired prior to October 1, 2011, accumulated vacation leave will be paid to the estate of any Employee. For Employees hired on or after October 1, 2011, accumulated vacation leave up to the maximum of 120 hours will be Section 1.

Sick Leave

A. Sick leave benefits are not an earned right. They are a privilege. Employees may not be given paid sick leave during the first six (6) months of their Introductory Period. Sick leave may not be taken in less than one hour increments.

B. Verification: Department Heads may require independent verification of illness as a prerequisite to payment of sick leave benefits. Department Heads may require an Employee to obtain and furnish a medical certificate from the Employee's physician or other Health Care Provider. The certificate must state that the Employee was treated for an illness or injury, the date of treatment, the date the condition began and the expected duration of the condition. Department Head may also request Human Resources to contact the Employee's physician or other Health Care Provider for clarification of the Employee's medical certificate.

C. Misuse of Sick Leave: Misuse of the sick leave policy subjects an Employee to disciplinary action up to and including termination.

D. Permitted Use

1. Department Head may authorize an Employee who, as a result of illness, injury or other temporary disability ("illness") is unable to perform their duties to use accrued sick leave.

2. A Department Head may authorize an Employee to use awarded sick leave to care for a member of the Employee's immediate family who resides with the Employee or whom the employee has caretaker responsibilities for.

E. Full-Time Employees:

1. Full-Time Employees are awarded sick leave based on years of service at the following rates:

Maximum Service	Rate of Accumulation	Awarded Leave Days	Hours
6 months	10	10	80
1 year	5	15	120
2 years	5	20	160
3 years	5	25	200
4 years+	15 days/year up to max award of 720	40	320

2. Full-Time Employees may not accumulate sick leave in excess of ninety (90) days or 720 hours.

3. Elected Officials, the County Auditor and the County Purchasing Agent are not awarded sick leave benefits.

F. Half-Time Employees: Half-Time Employees are awarded sick leave at one-half the rate of Full-Time Employees.

G. Records: Department Heads must maintain current sick leave records for each Employee which shows:

1. Balance at beginning of each pay period;
2. Hours used during each pay period;
3. Balance at end of each pay period.

H. Rules

1. An Employee must notify their Department Head of their requested leave, if at all possible, within one hour of the start of the Employee's regular work schedule.

2. Prior Department Head approval must be obtained by any Employee desiring sick leave to attend to non-emergency medical or dental treatment for himself or an immediate family member who resides with the Employee.

3. Employees who miss more than one day of employment must keep Department Heads advised of their condition, and where they may be reached by telephone.

4. The Department head may require Employees who miss more than three days of employment to obtain medical verification and return to work approval from a physician.

5. Any Department Head who believes an Employee may not be capable of performing his regular duties may require him to take a leave of absence until he is able to so perform. Accumulated sick leave may be used for this purpose.

6. Sick leave is not permitted the day before or the day after a holiday unless the Employee immediately notifies his Department Head of his illness, furnishes acceptable medical verification and obtains permission from the Department Head to receive holiday pay.

7. Sick leave may not be used or substituted for vacation purposes at any time.

8. Employees may not borrow sick leave against future accruals.

9. Employees are not awarded sick leave while on any type of unpaid status.

I. Separation from County Bifurcated System Pre-Post October 1, 2011 Hire Date

1. Active Employees eligible for regular service retirement or disability retirement who were hired before October 1, 2011 and retire under that system of TCDRS or AUL are paid one-half awarded unused sick leave upon separation of employment from the County.

2. Active Employees who were hired on or after October 1, 2011, who are eligible for regular service retirement or disability retirement and retire under that system of TCDRS or AUL are not paid for unused sick leave upon separation of employment from the County.

3. Active Employees hired by the County prior to October 1, 2011 eligible for TCDRS regular service retirement or disability retirement who are elected or appointed as a County Official will be paid one-half awarded unused sick leave upon assuming their official duties. Those hired on or after October 1, 2011 will not be paid any unused sick leave upon assuming their official duties.

4. Active Employees who are approved for retirement and, prior to their date of retirement, scheduled to receive retirement or disability benefits under either TCDRS or AUL (Section 457 Plan) or both within sixty (60) days of their date of retirement, can continue coverage on the Health Plan or the Health Waiver Plan provided there is not break in coverage (with the exception of an FMLA break in accordance with Federal Law) whether the continued coverage is through active employment or COBRA coverage during the TCDRS or AUL determination period. If a TCDRS or AUL Qualifying Retiree has not had continuous coverage from their last date of active employment their coverage will not be reinstated.

J. Death

1. One-half awarded unused sick leave will be paid to the estate of any Employee Hired prior to October 1, 2011. No sick leave payout will be paid to the estate of an Employee hired on or after October 1, 2011.

A. Galveston County personnel movements are governed by a set of guidelines known as the "Job Classification System". This policy statement covers a wide range of topics relating to salary administration.

B. The Commissioners' Court establishes policies and procedures that provide County Employees with a salary administration system. The Court also wishes to provide Department Heads with the tools they need to effectively manage their departments.

C. The goals of this policy are:

a) To attract and retain high quality Employees;
b) To provide uniform pay arrangements throughout the County;
c) To provide total compensation (salary and benefits) that is market driven and competitive;
d) To facilitate the development of a merit pay program;
e) To provide Department Heads with flexibility in managing salary issues; and,
f) To maintain control on expenses during the budget process.

D. The guidelines established in this document apply to all County Employees and will be the basis for Commissioners' Court budget deliberations. The Human Resources department is charged with the duty of enforcing the following guidelines.

A. Job Descriptions and Job Classification System

Commissioners' Court requires job descriptions for all County positions. Properly written job descriptions provide a summary of the purpose, essential duties, responsibilities and requirements of a particular position. They assist in communicating with prospective and new employees, hiring and promotion decisions and relating performance expectations. They also help establish a clearer definition of the function and role of a job within the County Jobs.

B. The County maintains a classification system in which each job is assigned a pay grade through a job analysis. Each pay grade is based on a minimum and maximum pay rate. Jobs are grouped together in ranges that represent similar internal and external worth. Factors used to determine the pay grade and the ranges within each pay grade include:

1. Knowledge, Skills, Ability, and Education required by the position
2. Scope and effect and Decision Making Responsibilities
3. Complexity
4. Physical demands
6. Supervisory controls
7. Work environment
8. Supervisory and management responsibility

The value of each pay grade is based upon classification, market conditions and fiscal restraints.

The Adult Probation Department maintains its own Job Classification System.

C. Forms

Job Classification and Compensation Position Questionnaires, Sample Job Descriptions and examples of Job Descriptions may be obtained from the Human Resources Department. Each Employee is to have on file with Human Resources a fully completed version of their job description.

D. Salary Range Structure and Exceptions

1. Salary Ranges: The salary table is divided into 30 pay grades (Grades 1-30). There is a 5% spread between grades 1-20 and a 10% spread between grades 21-30. Each grade also consists of 18 steps with approximately 2½% between each step for a total salary range of approximately 50%. Contact the Human Resources Department for the most current version of the County Salary Table.

   a. Minimum In-Hire Rate: The minimum in-hire rate of a pay grade will be the Entry-level (Step A) paid to all newly hired County Employees. This is true whether the position is newly budgeted or vacated through attrition, transfer or promotion.

   b. Maximum In-Hire Rate: The maximum in-hire rate is set in each pay grade and cannot be exceeded for newly hired County Employees. Under certain circumstances, Department Heads may be authorized to hire an individual for management level positions (grade 20 and above) at a salary up to step E in the pay range. Department Heads must provide the Human Resources Department with verifiable data in support of the request. Department Heads must be able to demonstrate that:

      1) Recruitment experience has proven that the position is in a critical or shortage skills category; or

      2.) An available applicant has truly outstanding qualifications, which greatly exceed the standard minimum in-hire qualifications.

c. Maximum Point: This is the maximum salary allowed in each pay grade. Employees in a particular pay grade may not be paid a salary in excess of this rate.

2. Updating the Salary Range Structure: The salary range structure will be reviewed annually for possible adjustment, based on current market data and inflation. Countywide salary increases will raise the salary table as a whole and will not negatively impact Employees at the pay grade maximum. A new higher maximum point will be established as a result of any across-the-board pay table adjustments. Commissioners' Court must approve any increases to the salary range structure.

3. Exceptions:

a. Elected and Appointed Officials, Court Reporters, Adult Probation Department employees, and Court Coordinators are not classified positions under the Salary Range Structure. Nor are they subject to the Job Classification System.

b. Sheriff's Department: The following deputy sheriffs may be hired in at the following maximum grades:

c. Communication Officer I: Up to Grade 11C

d. Communication Officer II: Up to Grade 13E

e. Sergeant: Up to Grade 18C

f. Lieutenant: Up to Grade 20D

g. Auditor's Department: Account I, Auditor I, Account II and Auditor II positions may be hired at a salary up to step E in the pay range depending on the experience/quality of the applicant.

E. Establishment of New Positions in the County Budget

1. Department Heads who wish to establish a new position in the County budget must prepare a detailed justification and submit the proposal to Commissioners' Court to both the Human Resources Department and the Budget Office. A completed job description and a completed Job Classification and Compensation Position Questionnaire must be included with each submission. The Budget Office will submit the request to the Commissioners' Court as part of the budget process.

2. Requests for new positions may only be made during the annual budget process. Commissioners' Court will review the request and determine whether the position is approved, deferred to a future date for review, or disapproved. Approved new positions will become effective at the beginning of the next fiscal year or at such other time as is designated by the Commissioners' Court.

3. Requests for reclassification for jobs and positions from Exempt to Non-Exempt , Non-Exempt to Exempt and Contract Employee to either Exempt, Non-Exempt, Temporary, PRN, Seasonal, Regular or Part-Time may be approved by the Commissioners' Court at any time.

F. Major Reorganizations and Changes in Existing Positions

1. Major reorganizations and changes affecting positions in a department may be performed during the annual budget process and during the year if approved by Commissioners Court. If approved by the Commissioners' Court, such changes will become effective on October 1st. Any such requests must be coordinated with the Human Resources Director and should be included in the requesting department's proposed budget submission. Positions approved during the budget process do not require approval from Commissioner's Court for exemption to the 4 pay period vacancy for initial job posting and hiring.

2. Departments proposing these movements must provide revised job descriptions and Job Classification and Compensation Position Questionnaires highlighting the proposed changes to the Human Resources Director. Department Heads must present verifiable information in support of the request so that a recommendation can be made to the Commissioners' Court.

G. Reduction in Force Procedures

1. Periodically the County Commissioners' Court will undertake the task of reorganizing the structure of County government.

2. Reorganization may include the elimination of duplication of effort and/or the consolidation of job tasks into fewer positions, thereby reducing the number of Employees in a Department. A severance package may or may not be offered.

3. Employees affected by a Reduction-in-Force are not entitled to utilize the Grievance process or appear before the County Grievance Panel.

4. Employees affected by a Reduction-in-Force, are encouraged to contact the County's Human Resources Director with any questions regarding Employee benefits.

5. Employees affected by a Reduction-in-Force, upon application for a posted position opening, will be given priority consideration for any such opening for which they are qualified in the same or other County Departments for a period of 30 days of separation from the County. Elected and Appointed Officials are encouraged to accept and adhere to this reinstatement policy.

H. Salary Placement Following Promotion

1. A promotion occurs when an Employee is moved from lower position and title to a higher position and title or from a lower pay grade to higher pay grade. An Employee who is promoted shall receive a salary increase not to exceed 10% or the minimum of the new pay grade, whichever is higher.

2. Salary increases associated with a promotion must be funded from the existing salary budget. A promoted Employee's salary cannot be increased above the budgeted salary for the new position, unless there are funds to cover the increase. If funds are unavailable for a promotion, the department Head must follow the budget rules set out in Section K of this policy.

I. Transfer of Employment

1. Galveston County Health District Employees to the County:

   a. Are paid accrued vacation, holiday, and compensatory time by the Health District;
   b. Forfeit their accrued sick leave;
   c. Maintain their original date of hire for accrual of future vacation and sick leave benefits; and
   d. Maintain their transfer date for evaluation, merit compensation, and longevity pay eligibility purposes.
   e. For GCHD employee's on County payroll, effective October 2012, if employee is eligible for retirement, they will be retired from County and transferred to GCHD.

2. Lateral Transfer

   a. An Employee who transfers from one department to another department is subject to a six month introductory period beginning with their first day of transfer during which their performance is monitored closely. An Employee may be terminated during their introductory period at any time for any reason or no reason and is not entitled to grieve such termination.

b. If an Employee transfers to a position that is in the same pay grade as his/her previous position, that Employee's salary will remain unchanged unless it is a promotion. For Employees transferring between departments, funds must be available within the department's existing salary budget. This is true even though the job title and duties may be different from the previous position.

J. Change to Lower Pay Grade Salary

1. If an Employee is transferred to a different position in a lower classification level or if their current position is downgraded the Employee's salary shall be reduced in pay such that their salary shall be at the same step in the lower pay grade as it was in the higher pay grade. Any Department Head who desires an exception to this policy must submit their request to Human Resources for review and recommendation to the Commissioners' Court.

K. Budget Rules for Personnel Movements - The Commissioners' Court is routinely presented with personnel budget amendments throughout the year. In order to manage the flow of personnel movements, the Court adopts the following:

1. The Commissioners' Court will consider all personnel requests during the annual budget process. The annual budget process occurs in July and August with action by October 1st.

2. The Commissioners' Court will consider personnel related amendments outside of the annual budget process to the extent that:

   a. The amendments are within the policy established by this Salary Administration Policy, and

   b. The amendments do not increase the departmental salary budget in the current or subsequent budget years.

3. Commissioners' Court will not consider budget amendments related to personnel actions that have not been reviewed and verified as being consistent with this policy by the Human Resources Director.

L. Budget Rules for Positions Budgeted in Excess of Salary -During the annual budget process, the Human Resources Department will be asked to:

1. Reduce the budgeted salary of all vacant positions to the maximum in-hire rate allowed for the position.
2. Reduce the budgeted salary of all occupied positions (both classified and non-classified) to the salary actually paid to the Employee in the position.

M. Raises

Raises are not automatic. Raises are based on such factors as cost-of-living adjustment, market conditions, and the general economic health of Galveston County. Raises may be given to some, but not all, Employees, Elected Officials, and Department Heads. In addition, raises given to Adult Probation employees, Juvenile Probation employees, County Auditor employees and Purchasing Agent employees are determined by their respective boards. Also, there are a number of Elected and Appointed Officials whose salaries are fully or partially set either by statute or other means. See page 54 of this Manual.

N. Cost of Living Adjustment

Commissioners' Court recognizes the need to keep County salaries in line with the overall inflation rate. Annually, the Court intends to review national and local indices to determine the overall increase in the cost of living for its Employees. Subject to the County's overall financial strength, Commissioners' Court will provide a cost of living adjustment to compensate in whole or in part for the general inflation rate as indicated by measures determined by the Commissioners Court.

O. Annual Performance Appraisal

1. Galveston County Commissioners believe that Employee performance must be evaluated on a routine basis in order to provide employee development and ensure that departmental goals and objectives are being met. Informally, supervisors are encouraged to coach and counsel employees daily to provide the feedback necessary for Employees to excel.

2. The Adult Probation Department maintains internal procedures for the evaluation of employees.

P. Merit Pay

1. A Merit Pay program currently does not exist. One will be inserted at the time of adoption.

Q. Fair Labor Standards Act

1. Applicability

The County is subject to the Federal Fair Labor Standards Act (FLSA). The basic requirements of this Act are the basic standards of the County's wage and salary program.

2. Status of Positions

FLSA and the Department of Labor publish regulations which govern which Employees are exempt or non-exempt from payment of overtime or compensatory time. Each Employee shall be designated as exempt or non-exempt in accordance with these regulations by the Human Resources Department. Each Department Head shall maintain a list of all exempt and non-exempt Employees.

3. Overtime Policy

a. Department Heads must stay within their overtime budget. Department Heads may not allow Employees to suffer or permit to work overtime beyond budgetary constraints.

b. Department Heads must grant prior authorization to an Employee who requests to work overtime. Any Employee who works overtime without obtaining prior authorization is subject to disciplinary action.

c. Department Heads must specify prior to commencement of such additional work whether overtime or compensatory time will be given any Employee.

d. Any over-time line item in which expenditures exceed or are projected to exceed the approved budget amount shall have a budget amendment prepared by the budget Office and approved by the Commissioners' Court. Additional funds will be taken out of other existing line items or by deleting positions in that budget to transfer funds to the over-time line item.

4. Record Keeping

   a. Department Heads must keep the following records in accordance with FLSA requirements:
      1) Full name of Employee and Home address, including zip code
      2) Date of birth, if under age 19
      3) Sex
      4) Occupation
      5) Time and day workweek begins
      6) Regular hourly rate of pay in any workweek in which overtime premium is due
      7) Daily and weekly hours of work
      8) Total daily or weekly straight time earnings
      9) Total overtime compensation for the workweek
      10) Total additions to or deductions from wages paid
      11) Total wages paid each pay period
      12) Date of payment and the pay period covered

5. Overtime/Compensatory Time

   a. Non-exempt Employees, with the exception of Law Enforcement Employees, and Mosquito Control Employees may receive overtime pay or compensatory time for time worked beyond 40 hours per week. Law Enforcement Employees may receive overtime pay or compensatory time for time worked beyond 86 hours in a 14 day work period. Mosquito Control Seasonal Employees may accumulate up to 480 hours compensatory time. Time away from the job during the workweek, such as vacation, holidays, illness, approved absences, etc., are deducted from the calculation.

   b. Overtime pay is calculated at one and one half time the regular hourly rate. Compensation earned in a workweek will be paid on the regular payday for the pay period in which the workweek ends if possible.

   c. Compensatory time is accumulated at one and one-half times the overtime hours worked. Employees who exceed a compensatory accrual of 80 hours (40 hours for Temporary Employees; 480 hours (240 Temporary) for Law Enforcement Employees; and 480 hours for Mosquito Control Seasonal Employees) will be paid for overtime for such overage.

d. Department Heads should grant compensatory time within a reasonable time period after a request is made. Department Heads may consider the effect on other Employees and the Department in granting the request.

e. Department Heads are to report all earned and used compensatory time on each Pay Roll Claim submitted to the County Treasurer.

f. Terminating non-exempt Employees are compensated for unused compensatory time in accordance with FLSA regulations and County policy as set forth in this manual.

g. Exempt Employees are not eligible for overtime pay or compensatory time off except as set forth in the Emergency Operations portion of this manual; and those exempt employees who work elections after normal working hours.

6. Election Differential

The Commissioners' Court may, prior to an election, approve a bonus to be paid to exempt County Clerk and exempt Tax Office employees who work elections on Election Day after normal working hours.

7. FLSA Holiday Pay

a. Regular Employees on Salary Basis: Regular Employees who are paid on a salary basis and who work Monday – Friday have the holiday automatically calculated in their base pay for the week in which the holiday occurs.

b Regular Employees on Hourly Basis: Regular Employees who are paid on an hourly basis must have a plus adjustment for holidays. Holidays are not automatically calculated in their base pay for the week in which the holiday occurs.

c. Regular Employees on Fluctuating Schedules: Regular Employees who have fluctuating schedules may have to be plus adjusted for the holiday.

d. Examples:

The following examples apply to benefit eligible Employees only:

Example 1: Regular Schedule Thursday-Wednesday = 40 hours
Hours worked Thursday-Tuesday = 32
Wednesday (holiday) Employee works 8 hours
Total hours worked for the week = 40 hours
Employee plus adjusted 8 hrs for working on the holiday.
No overtime is due. Holiday pay is already calculated in base pay.

Example 2: Regular Schedule Thursday-Wednesday = 40 hours
Hours worked Thursday-Tuesday = 32
Wednesday (holiday) Employee works 12 hours
Total hours worked for the week = 44 hours
Employee plus adjusted 8 hours for working on the holiday and 4 hours paid at overtime rate. Holiday pay is already calculated in base pay.

Example 3: Regular Schedule Thursday-Monday = 40 hours
Hours worked Thursday-Monday = 40 hours
Tuesday is a holiday. Employee does not work.
Total hours worked for the week = 40 hours
Employee plus adjusted 8 hours of holiday pay.
Holiday pay is not calculated in base pay.

8. Rules

a. An Employee who requests time off on a County holiday and is granted approval will be paid 8 hours of holiday pay for that day. The Employee's vacation leave bank will not be deducted for that day.

b. An Employee otherwise scheduled to work who calls in sick on a County holiday and provides such medical verification as is required by the Department Head will be paid 8 hours of holiday pay for that day upon Department Head approval. The Employee's sick leave bank will not be deducted for that day.

c. An Employee otherwise scheduled to work who calls in sick on a County holiday and does not provide documentation as required by the Department Head will be docked 8 hours for that day. The Employee will not receive holiday pay and their sick leave bank will not be deducted for that day.

d. An Employee otherwise scheduled to work who calls in sick the day before, the day of, or the day after a County holiday and does not provide medical verification as required by the Department Head, will be docked for the day(s). The Employee will not receive holiday pay and their sick leave bank will not be deducted for one of the days.

9. FLSA Travel/Commute Time

a. Commute Time

Ordinary commuting to and from the work site is not compensable. If Employees are required to report to a meeting place where they are to pick up materials, equipment or other Employees, or to receive instructions before traveling to the work site, compensable time starts at the meeting place.

b. Travel Away from Home

Travel that keeps an Employee away from home overnight is work time when it cuts across the Employee's workday. The time is not only hours worked on regular workdays during normal work hours but also during the corresponding hours on non work days. Example: If an Employee works 9a.m. to 5p.m. Monday through Friday, the travel time during these hours is work time on Saturday and Sunday as well as on the other days. The regular meal period is not counted.

Time spent in travel away from home outside of regular work hours as a passenger on an airplane, train, boat, bus or automobile is not considered work time. Example: If an Employee who normally works 9 a.m. to 5 p.m., Monday through Friday, is a passenger on a plane departing at 9 a.m. on a Saturday, the time spent traveling between 9 a.m. and 5 p.m. is work time because it occurs during normal working hours, regardless that Saturday is not normally a scheduled work day. If the plane departed at 6 p.m., the travel time would not be considered work time, unless a portion of the plane travel occurred after 9 a.m. the next day.

10. Exempt Employees - Docking of an exempt Employee's pay is limited by the FLSA. FLSA exemptions based on Administrative, Professional or Executive classifications are conducted by the Human Resources Department and assigned to each job description. Exemption is based on the duties and responsibilities of the position and is not assigned by title alone. An Employee who is exempt, is exempt from the overtime rules of the FLSA, and as such, is paid a salary basis and the salary is not reduced based on quality or quantity of work. An Exempt Employee is expected to fulfill the expected work schedule, a minimum or 40 hours per week, working a regular 8-5 schedule. Docking is to be used sparingly, as an employee or position may lose its exempt status due to docking of pay. The docking that is permissible is for one or more full days an employee takes off for the following reasons:

    a. Absences of one or more full days to handle personal affairs if the Employee has exhausted their vacation bank;

    b. To go on unpaid Family or Medical Leave under the Family and Medical Leave Act (FMLA);

    c. To serve on a jury, as a witness, or on temporary military leave, but will deduct only any amount the employee receives as jury or witness fees or as military pay.

    e. For disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions;

    f. For penalties imposed in good faith for infractions of safety rules of major significance; and

11. On-Call

    a. On-Call Status

        1) Certain positions as designated by their Department Head will be on an on-call status. On-call status may require an Employee to carry a beeper or to leave a number where they can be reached. On-call status may require an Employee to report to work or respond to work related calls during non-working hours.

        2) Employees designated as on-call remain free to pursue their own activities with the only stipulation that they be available for on-call duties as stated above. Such Employees will not be compensated for any non-working time while on-call.

3) If on-call status Employees are directed to perform any work they will be compensated for all time spent performing those duties. Such compensation will be paid from the time they leave home or current location to the work area assignment until they return home, or their previous location.

4) An on-call status Employee responding to any work related calls whose total time spent so responding exceeds 10-minutes will be compensated for the time spent responding. Any Employee, who spends 10-minutes or less working while on call, will not receive compensation. If necessary for payroll calculation purposes, the total time actually worked may be rounded up to the nearest 15 minutes.

5) Department Heads must specify to their Employees prior to commencement of the Employee(s)' on-call duties whether overtime or compensatory time will be granted.

6) This on-call policy applies to non-exempt regular Employees only.

b. On-Call Record Keeping

1) Employees on call must submit the following information to their departments each pay period:
   a) Date of call;
   b) Time call began;
   c) Time call ended;
   d) Name of caller;
   e) Reason for call;
   f) Location of Employee at time of call;
   g) Location of work area assigned to;
   h) Location Employee returned to after assignment was completed;
   i) Total time spent performing duties;
   j) Authorization of Comp-time or Overtime;
   k) Pay Period covered.

R. Vacant Positions

1. Positions that become vacant shall have a "mandatory vacancy period" of at least 4 full pay periods prior to being eligible to being refilled. The position may be posted, but not filled prior to the mandatory vacancy period. The Commissioners' Court may adjust the mandatory vacancy period as necessary for business operations. The Commissioners Court must approve any hire prior to the 4 pay period vacancy period, with the exception of those positions specifically exempted below.

2. No department will be required to allow its budgeted and filled positions to drop below 75%. Should this situation occur, a department has the authority to hire such personnel as will enable the department to reach the 75% staffing level, hiring under this situation will not necessitate Commissioners' Court approval.

3. To avoid any deficiency in safety and health, all departments are encouraged to reorganize or transfer staff as needed to meet all minimum requirements.

4. Commissioners' Court approval of any reorganization or staff transfer, when required, shall be submitted through the Human Resources Department.

5. The following departments/positions are exempt from a mandatory vacancy period. But, the departments are encouraged to voluntarily comply with this policy to help achieve the Countywide savings necessary to maintain a balanced budget.

Exceptions:

a) Sheriff Communications division;
b) Sheriff Corrections division;
c) Courts: Court Reporters, Court Coordinators, Probate Investigators & Auditors;
d) Bailiffs and Courthouse security positions;
e) J.P. Clerks;
f) Adult Probation and Juvenile Probation;
g) Health District;
h) Accounts payable, payroll, and accounting positions in the Auditors, Purchasing, and Treasurer Departments;
i) Grant positions that are full-time or half time grant funded;
j) Park Keepers 1, 2, and 3 (March-September);
k) Parks Department Electrician, Permit Coordinator and Lead Mechanic; and
l) Assistant District Attorneys.

5. The Commissioners' Court, recognizing that certain Employees hold positions that are critical to maintaining the flow of work in core functional areas will consider other exceptions to this policy in other Departments as circumstances dictate. All questions concerning this list and policy shall be directed to the Human Resources Department.

S. Request for an Emergency Salary Increase

1. Background

Regardless of size, each department has one or more positions that are critical to maintaining the flow of work in core functional areas. At times a department is not able to successfully employ or retain qualified and experienced job candidates due to one or more reasons. For some of these positions a large salary differential exists between the amount budgeted and what the market pays for that position. Some positions require a job classification change that must be coordinated with Human Resources. Commissioner's Court approval is required for an Emergency Salary Increase.

2. Purpose/Intent

The purpose of this policy is to address the immediate problem of not being able to recruit and fill a key staff position to perform core functions of a department. Its intent is to provide a fair and equitable process that allows department's additional flexibility in addressing certain staffing concerns. But since it is a request for an emergency salary increase and/or a job reclassification, the occasions this policy is used should be infrequent.

3. Scope

This policy applies to most departments. Appointed Officials departments and the departments governed by the Adult Probation and Juvenile Probation Boards are excluded because they have other avenues to address their staffing concerns. But it is recommended that these excluded departments adopt this policy.

4. Criteria

To qualify for an emergency salary adjustment, a Department Head must meet all of the following criteria:

a. The position must be vacant, or the Employee holding the position must submit a written resignation or intention to resign.

b. The position must be a critical position that is directly related to a core function of the department.

c. The position must be the only one of its type/title in the department. If there are other similar positions in the same or other departments, the requested increase must not contribute to a pay inequity between the requested and the similar position(s).

d. The position must be posted with the Human Resources Department and advertised by the department for a minimum of thirty (30) days.

e. Clear documentation must be shown that the primary reason for being unable to fill the position with a qualified and experienced replacement is insufficient salary.

f. A revised position questionnaire and job description must be submitted.

g. If possible funds should be available in the department's salary line items to fund the salary increase. Contact the Budget Office if such funds are not available or are lacking.

SALARY GUIDELINES FOR ELECTED AND APPOINTED OFFICIALS

Elected and Appointed Officials, Court Reporters and Court Coordinators are not classified positions under the Salary Range Structure. Nor are they subject to the Classification System.

A. Salary in Lieu of Fees

All district, county and precinct officers in Galveston County are paid on a salary basis. Accordingly, as provided in Chapter 154 Subchapter A of the Texas Local Government Code they receive the salary instead of all fees, commissions and other compensation they would otherwise be authorized to keep. Several exceptions apply to this rule. They are:

1. Justices of the Peace may receive fees, commissions or payments for performing marriage ceremonies, for acting as registrar for the Bureau of Vital Statistics, and for acting as ex officio notary public.

2. A County Judge may receive all fees, commissions, or payments for performing marriage ceremonies.

3. Constables(s), acting solely in the capacity of being a private process server, may receive fees, commissions, or payments for delivering notices required by the Property Code relating to eviction actions if:

   a. Such notices of not conflict with the official duties and responsibilities of the constable;
   b. He does not wear upon his person a uniform or any insignia which would usually be associated with the position of constable;
   c. He does not use a county vehicle or county equipment or county equipment while delivering said notices.

C. Officer's Salary Fund

Pursuant to the authority given it by V.T.C.A., Local Government Code §154.007 the Commissioners' Court of Galveston County annually directs that all money that otherwise would be placed in the Officers' Salary Fund be deposited in the General Fund.

D. Salary of Most County and Precinct Elected Officials

1. Pursuant to the authority given it by § 152.013 of the Texas Local Government Code the Commissioners' Court sets the amount of compensation, office and travel expenses and other allowances for most elected county and precinct officers. These items are set these items at a regular meeting of the court during the regular budget hearing and adoption proceedings.

2. Before the 10th day before the date of the meeting, the Commissioners' Court must publish in a newspaper of general circulation in the county a notice of:

   a. any salaries, expenses or allowances that are proposed to be increased; and
   b. the amount of the proposed increases.

3. Before filing the annual budget with the county clerk, the commissioners' Court shall give written notice to each elected county and precinct officer of the officer's salary and personal expenses to be included in the budget.

E. Salary Grievance Committee

1. Chapter 152 of the Local Government Code established a county grievance committee by which some county officials may appeal their salaries and expenses that have been set for them by the Commissioners' Court. District Judges, Statutory County court Judges, the Statutory Probate Judge, the County Auditor, the County Purchasing Agent and the Director of Adult Probation may not invoke the services of the committee.

2. The committee is a nine-member group chaired by the County Judge who is not entitled to vote. The grievance committee is composed of the Sheriff, Tax Collector, County Treasurer, County Clerk, District Clerk, the Criminal District Attorney and three members of the public selected blindly by the commissioners' court at any time during the year, but not later than the 15th day after the date a request for a hearing is received by an elected official who is eligible to request a grievance.

3. The committee is subject to the provisions of the Open Meetings Act.

4. If a request for a public hearing is not received, the Commissioners' Court is not required to select public members. If such public members are required, they continue to serve until the later of the end of the fiscal year in which the public member is appointed or the time the committee takes a final vote on the list of the grievances for which the committee held a public hearing. Requests for a hearing before the salary grievance committee before the adoption of the county budget must be made before the adoption of the county budget. Only their own salaries and personal expenses maybe the subject of a grievance.

5. A salary increase for a county official may not be granted unless one is requested by the increase may be more than the amount requested and takes effect in the next budget year.

6. The committee shall hold a public hearing not later than the later of the 10th day after the date of the request is received or the date the commissioners Court selects the public members of the committee. The County Judge shall announce the time and place of the hearing.

7. If at least six members of the grievance committee vote to grant an increase in salary or personal expenses to an elected official the Commissioners' Court must only consider the recommendation. But, if all nine members approve a requested increase, action by the Commissioners' Court is not required and such increases take effect the next budget year. Likewise, a unanimous decision may not be questioned or disapproved by the County Auditor.

F. Declining Salary

1. Under Local Government Code § 152.051-.054 within five days after the date an elected county or precinct officer takes office the officer shall file an affidavit that the officer elects not to be paid for their services if, during their campaign for election to the office they publicly advocated abolition of the office. The affidavit must also include a statement by the officer describing the method by which the officer intends to seek to obtain the abolition of the office for which they were elected and the date by which it is proposed to be accomplished.

2. An elected county or precinct officer may also, at any time, reduce the amount of compensation set for that office by filing with the county payroll officer an affidavit stating that the officer elects to reduce the amount of compensation paid for the officer's services to a specified amount. The reduction if effective on the date the affidavit is paid and the County Treasurer shall issue any subsequent paychecks for the officer accordingly.

3. Under Local Government Code § 152.002 the County may accept from any county or precinct official as a "gift or donation" any or all of the official's salary which is then deposited in the general fund.

G. Salary of Judges, Criminal District Attorney, County Judges and Appointed Officials

Although the Commissioners' Court sets the salary for most officials there are a number of officials whose salaries are fully or partially set either by statute or by other means. They are as follows:

1. District Judges: Under §659.011 of the Government Code the salaries of the district judges are set every two years by the State General Appropriations Act. In addition, under §32.084 of the Government Code, the Commissioner's Court may pay the judges for services rendered and for performing administrative duties. They are also entitled to be paid $75.00 per month for performing services as members of the Juvenile Probation Board. But, the combined yearly salary from state and county sources may not exceed an amount equal to $1,000 less than the combined yearly salary from state and county sources received by each justice of the 1st and 14th Court of Appeals.

2. Statutory County Court Judges: As stated in §25.0861 of the Government Code, the salaries of statutory county court judges shall be not less than the total annual salary, including supplements and contributions, paid a district judge in the County. They are also entitled to be paid $75.00 per month for performing services as members of the Juvenile Probation Board.

This also includes the benefit replacement reimbursement pay given by the state to each district judge to pay their own contributions to the social security program. (See Attorney General Opinion GA-0576 2003)

3. Statutory Probate Judge: In accordance with §25.0023 of the Government Code, the Commissioners' Court shall set the salary of the Statutory Probate Judge at an amount that is at least equal to the total annual salary received by a district judge in the county, including contributions and supplements paid by the state or the county. This also includes the benefit replacement reimbursement pay given by the state to each district judge to pay their own contributions to the social security program. (See Attorney General Opinion GA-0576 2003)

4. Criminal District Attorney: In compliance with §46.003 of the Government Code the Criminal District Attorney is entitled to receive from the state compensation equal to the compensation that is provided for a district judge in the State General Appropriations Act. In addition, the Commissioners' Court may supplement the Criminal District Attorney's salary but may not pay him an amount less than the compensation it pays its highest paid district judge.

5. Constitutional County Judge: Following Local Government Code §152.904 (c) the Commissioners' Court shall set the annual salary of the Constitutional County Judge at an amount equal to or greater than 90% of the salary, including supplements, of any district judge in Galveston County.

6. County Auditor: Pursuant to Local Government Code §152.031; .032 the County Auditor's salary is determined by a majority vote of the District Judges at a public hearing scheduled under Local Government Code §152.905. The amount of the compensation and allowances may not exceed the amount of the compensation and allowances received from all sources by the highest paid elected county officer (Constitutional County Judge), other than a judge of a statutory county court, whose salary and allowances are set by the Commissions' Court.

7. County Purchasing Agent: Local Government Code §262.011 states the County Purchasing Board which consists of the three District Judges and two members of the Commissioners' Court sets the salary of the Purchasing Agent.

8. Juvenile Probation Officer: Under the provisions of §152.0012 of the Human Resources Code and Local Government Code §140.004 the Juvenile Probation Board which consists of the County Judge, the District Judges, the Statutory County Court Judges, a municipal judge in the County selected by majority vote of all the municipal judges in the county and a justice of the peace selected by majority of all the justices of the peace in the county, determines the salary of the Juvenile Probation Officer. The only control the Commissioners' Court has over this salary is whether there has been an abuse of discretion by the Juvenile Probation Board.

9. Adult Probation Officer: The District Judges appoint the Chief Adult Probation Officer under the authority set forth in Chapter 76 of the Government Code and Local Government Code § 140.004.

H. Special Provisions Relating To Justices of the Peace and Constables

First term Justices of the Peace shall receive as their salary the lowest or base salary established for all Justices of the Peace. First term Constables shall receive as their salary or base salary established for all Constables.

I. Other Benefits

All elected and appointed officials receive county health insurance and are entitled to workers' compensation benefits. No elected official is entitled to receive vacation, sick-leave or overtime benefits. Neither is the County Auditor or County Purchasing Agent.

J. Allowances for Various County Employees

Several county positions are currently entitled to receive various monthly and/or annual allowances as approved in the County's annual budget. They are as follows:

1. Auto Allowance: County Judge:, County Commissioners, Constables and Deputy Constables, County Engineer, County Engineer Engineering Specialist, Chief Right of Way Agent, Director of Facilities, Director of County Parks and Senior Services, and County Road Administrator.

The above allowances are subject to increase or decrease or to discontinuance at any time for any reason determined necessary by the Commissioners' Court. The Employees listed above should contact Human Resources for the most current information relating to their allowance.

K. Longevity Pay for Various County Employees

Several county positions are currently entitled to receive longevity pay. They are as follows:

1. Commissioned Deputy Sheriffs: Longevity Pay $5.00 per month per years of service up to 25 years
2. Deputy District Attorneys: Longevity Pay $20.00 per month per year of service after 4 years

L. Auto Allowance Regulations

1 Background

The county budgets auto allowances for certain elected and appointed officials, and Employees, to reimburse them for use of their private vehicles on county business. This allowance is approved annually as part of the budget process. It is intended to cover the cost of gasoline, vehicle liability insurance and basic "wear and tear" of the vehicle and its equipment.

2. Authorized Vehicles and Insurance

a. In order to receive a budgeted allowance, individuals must provide the County's Associate Facilities Manager, located in the Facilities Department, with verifiable proof of third party liability automobile insurance coverage on the vehicle being used for county business by October 1, and in the case of six month policies, April 1 of each year. Contact the County's Associate Facilities Manager to obtain the verification form that is to be used.

b. This vehicle is to be identified in the individual's personnel file by VIN#. Only vehicles identified by VIN# and having verifiable liability insurance are authorized for use on county business.

3. Amount of Insurance Coverage

The minimum amount of third party liability coverage must be the maximum amount to which the County of Galveston may be exposed by the Texas Tort Claims act as it exists or may hereafter be amended (presently $100,000/$300.00/$100,000). Each individual who obtains an automobile allowance must obtain a Business or Commercial Liability Policy which will cover their liability exposure while using their vehicle on the job. Proof of such insurance coverage must be forwarded to the County Risk Manager.

4. Changes in Allowances

a. The benchmark gasoline price used to budget the auto allowance base rate for a full-time Employee, or Official. Auto allowances for Part-Time positions are a pro-rata share of the Full Time Employee auto allowance.

b. Economic situations, such as an increase in the price of gasoline, may require adjustments to the budgeted auto-allowance base rate. If the price of gasoline exceeds the benchmark price, Commissioners Court may consider an additional amount to the auto allowance base rate of up to:

$50 per month increase for $2.06 to $2.40/gallon*
plus $50 per month increase for $2.41 to $2.75/gallon*
plus $50 per month increase for $2.76 to $3.10/gallon*
(*Average Price to be determined by Budget Office)

c. Conversely, should the price of gasoline decline the Commissioners' Court may decrease the auto allowance.

d. For Employee: Commissioners' Court may make adjustments of allowances.

e. For Elected Officials: Due to statutory restrictions, increase to elected officials Auto allowances may only be made if a higher auto allowance rate was published in the Notice of Elected Officials Salary. If published at a higher rate, Commissioners' Court may increase this allowance at any time.

M. TCLEOSE Certification Pay Program

The purpose of this policy is to provide prerequisites and guidelines for Law Enforcement TCLEOSE Certification Pay.

a. Employees eligible to participate in the TCLEOSE Certification Pay Program.

b. Definitions

1. An eligible employee must serve in a Law Enforcement Capacity.

2. Certification Pay: Additional compensation for higher level TCLEOSE certifications, including Intermediate, Advanced, and Master. Elected Officials are not eligible for Certification pay unless their position requires the certification by law.

3. TCLEOSE: The Texas Commission on Law Enforcement Standards and Education; the governing body in Texas that licenses peace officers, correction officers, and telecommunicators.

c. General Requirements

1. In order to be eligible to participate in the program an Employee must be assigned in a full-time sworn position.

2. The eligible Employee must have completed his or her introductory period.

3. The eligible Employee must complete each specified requirement in order to receive any compensation associated with the program.

d. Certification Pay

1. All sworn personnel are considered eligible for compensation pay based on TCLEOSE certifications. Elected Officials are not eligible for Certification pay unless their position requires the certification by law.

2. In order to receive that pay, the Employee must:

a. Meet all requirements for the TCLEOSE certification sought;

b. Provide verifiable records to the supervisor, who shall ensure the validity of the record provided.

c. The supervisor, upon verifying all requirements are met, shall issue a personnel action setting the Employee's new rate. The form, accompanied by copies of the appropriate certificate(s), shall be forwarded to the County's Human Resources Department.

d. Certification pay may not be rescinded for disciplinary reasons.

e. Certification Pay based on the following:
Intermediate: $50.00 per month
Advanced: $100.00 per month
Master: $150.00 per month

Policy HR010- Law Enforcement Career Path Program

PURPOSE

To provide prerequisites and guidelines for employees eligible to participate in the Career Path Program.

POLICY

Galveston County seeks to recruit and retain employees of the highest caliber, particularly in areas of education and state certifications, and provide those employees guidelines to advance their qualifications and careers. The Career Path Program was developed to offer compensation for employees who further their experience and education through professional development.

ADOPTION AND RESCISSION

This Career Path Program applies to the Galveston County Sheriff's Department and is available to Galveston County Constable Offices who choose to participate, effective with the adoption of this Policy by Commissioners Court. Any Galveston County Constable may adopt this Career Path Program for their office by notifying the Galveston County Judge in writing, and each written notification should be filed in the minutes of the Commissioners Court by the Galveston County Judge. A Constable who has adopted this Career Path Program may rescind his or her participation by giving written notice in the same manner, and the Commissioners Court may exercise its discretion in reviewing and resetting the salaries of the positions under that Constable at that time.

By adopting this Career Path Program, Constables acknowledge that salaries will differ from what they would be without this policy. Accordingly, Constables who rescind participation in this Career Path Program should expect salary adjustments in positions reporting to the Constable, including some likely salary reductions.

Personnel salaries for Constables who are not participating in the Career Path Program will continue to be determined by the Commissioners Court under Tex. Loc. Gov't Code § 152.011, and those Constables must continue to request any employee salary changes from the Commissioners Court on a statutory basis.

Only the Galveston County Commissioners Court has the authority to modify or abolish this Career Path Program and to determine whether and how much to budget for any County position. Modification of the Career Path Program shall be binding on participating agencies unless they can and do withdraw from the program. To the extent that the Commissioners Court budgets a salary for any position which deviates from this Career Path Program, the budget prevails over this policy.

DEFINITIONS

A. *TCOLE:* the Texas Commission on Law Enforcement; the governing body in Texas that licenses peace officers, jailers, and telecommunicators.
B. *Certification Pay:* An amount defined by Texas law as part of an employee's calculated hourly wage that offers additional compensation for higher level TCOLE certifications, including Intermediate, Advanced, and Master.
C. *Step/Grade:* A system designed to categorize employee salaries.
D. *Sworn Position*: For purposes of this policy, a sworn position is a position of employment as a

peace officer which requires a TCOLE-issued license or certification by law.

E. *Law Enforcement Official*: For purposes of this policy, law enforcement officials include the Sheriff and Constables of Galveston County, Texas.

F. *Administrative Manager*: The Law Enforcement Official's designee who manages records of the Career Path program and communicates regarding the Career Path program with the Human Resources Department. If the Law Enforcement Official has no designee, the Law Enforcement Official is his or her own Administrative Manager.

PROCEDURES

A. Requirements for Step/Grade Increases

1. In order to be eligible to participate in Career Path, an employee must be assigned in a full-time sworn position by a Law Enforcement Official participating in this Career Path.
2. In order for an employee to be eligible for the next higher step on the Career Path, the employee must meet all requirements defined for the current position, all lower positions, and the next higher position, including time–in–service, education, and experience.
3. The Employee shall be elevated to the next Career Path step at the beginning of the pay period following the first day that he or she becomes eligible and the Human Resources Department is notified of the eligibility by the Administrative Manager. It is the employee's responsibility to report eligibility to the Administrative Manager.
4. The Administrative Manager shall verify that all requirements are met for elevation to a new Career Path step and issue a personnel action form, setting the employee's new pay rate, with the signature of the Law Enforcement Official. The form, accompanied by copies of the appropriate supporting documentation, shall be forwarded to the Human Resources Department.
5. If an employee transfers from one Career Path position to another (*e.g.*, from corrections to communications), the employee's salary shall be set to a Career Path level for which they qualify in the new position.
6. If an employee transfers from a Career Path position to a position funded through a contract or grant, the employee's pay shall be set by terms of the contract or grant which shall extend for the duration of the employee's assignment to that position.
7. If any employee is transferred, for any reason, from a position funded through a contract or grant to a Career Path position, the employee's pay shall be set to a Career Path level for which he or she qualifies.
8. Commissioners Court shall establish the number of each type of Career Path position and budget the salary therefore in each Law Enforcement Official's office subject to this policy. Movement of an employee from one Career Path position to another (*e.g.*, Deputy to Sergeant) shall be made only on a position-available basis.
9. An employee's salary shall not be reduced when transferring between positions of equivalent rank.

B. Calculation of Time in Service

1. Time in service is calculated based on the employee's date of full-time employment in a sworn position with Galveston County.
2. Full-time sworn personnel that become re-employed with Galveston County after an interruption in service shall be permitted to return to their last Career Path step provided that the employee:
   a. Voluntarily terminated their employment in good standing; or

b. Was terminated as a result of a reduction-in-force; and

c. Served a minimum of 24 continuous months as a full-time employee.

POLICY IMPLEMENTATION FOR CONSTABLE OFFICES.

A. Grandfathering. Pay rates for employees in a sworn position under a Law Enforcement Official prior to the adoption of this policy will not be reduced as a result of the adoption of this policy. Before being considered for elevation to a higher step/grade, such employees must meet all requirements for advancement to the position sought under this policy, including requirements for the current position and all lower positions.

B. Phase and Rollout. This policy may result in a pay increase of up to 10% for any given employee, effective on the date of adoption by any Constable of this policy. If the given employee would qualify for a pay increase of more than 10% because of the adoption of this policy, the remainder of the increase will take effect in the first full pay period of 2017.

C. If, on January 15, 2016, a Sheriff's Department employee was receiving a salary for a particular Career Ladder position that is an amount less than the corresponding salary for the position described on Exhibit A, that employee shall continue to receive the salary they were receiving on January 15, 2016 through the end of Fiscal Year 2016 as long as they remain in their current Career Ladder position.

CAREER PATH POSITIONS AND COMPENSATION

The following Career Path Positions are established under this policy, with the following requirements for each position. The list of salaries for each Career Path position is attached as Exhibit A. The number of each Career Path position for each law enforcement agency is attached as Exhibit B.

A. Law Enforcement Deputy Positions. The following Career Path positions are established for the Galveston County Sheriff's Office and Constable Offices subject to this policy.

1. Entry Level – Law Enforcement. All employees shall be classified as Entry Level during their first one year of Time in Service, which shall be a probationary period of employment, regardless of the employee's qualifications or experience. After the first year of Time in Service, an employee shall be classified in one of the other following positions.

2. Deputy I – Law Enforcement. Completion of one-year probationary period required for Entry Level position and obtain Peace Office Basic Proficiency Certificate issued by TCOLE.

3. Deputy II – Law Enforcement. Obtain Peace Officer Intermediate Proficiency Certificate issued by TCOLE.

4. Deputy III – Law Enforcement. Obtain Peace Officer Advanced Proficiency Certificate issued by TCOLE.

5. Deputy IV – Law Enforcement. Obtain Peace Officer Advanced Proficiency Certificate issued by TCOLE; complete TCOLE training course #3737; and be assigned to a supervisory position in the law enforcement agency. In addition to these requirements, no more than twenty percent (20%) of the law enforcement agency's personnel may be classified as a "Deputy IV" of any type at any given time.

6. Deputy V – Law Enforcement. Obtain Peace Officer Master Proficiency Certificate issued by TCOLE.

B. Corrections Positions. The following Career Path positions are established for the Galveston County Sheriff's Office.

1. Entry Level – Corrections. All employees shall be classified as Entry Level during their first one year of Time in Service, which shall be a probationary period of employment, regardless of the employee's qualifications or experience. After the first year of Time in Service, an employee shall be classified in one of the other following positions.

2. Deputy I – Corrections. Completion of one-year probationary period required for Entry Level position and obtain Jailer Basic Proficiency Certificate issued by TCOLE.

3. Deputy II – Corrections. Obtain Jailer Intermediate Proficiency Certificate issued by TCOLE.

4. Deputy III – Corrections. Obtain Jailer Advanced Proficiency Certificate issued by TCOLE.

5. Deputy IV – Corrections. Obtain Jailer Advanced Proficiency Certificate issued by TCOLE; complete TCOLE training course #3737; and be assigned to a supervisory position in the law enforcement agency. In addition to these requirements, no more than twenty percent (20%) of the law enforcement agency's personnel may be classified as a "Deputy IV" of any type at any given time.

6. Deputy V – Corrections. Obtain Jailer Master Proficiency Certificate issued by TCOLE.

C. Telecommunications Positions. The following Career Path positions are established for the Galveston County Sheriff's Office.

1. Entry Level – Communications. All employees shall be classified as Entry Level during their first one year of Time in Service, which shall be a probationary period of employment, regardless of the employee's qualifications or experience. After the first year of Time in Service, an employee shall be classified in one of the other following positions.

2. Deputy I – Communications. Completion of one-year probationary period required for Entry Level position and obtain Telecommunicator Basic Proficiency Certificate issued by TCOLE.

3. Deputy II – Communications. Obtain Telecommunicator Intermediate Proficiency Certificate issued by TCOLE.

4. Deputy III – Communications. Obtain Telecommunicator Advanced Proficiency Certificate issued by TCOLE.

5. Deputy IV – Communications. Obtain Telecommunicator Advanced Proficiency Certificate issued by TCOLC; complete TCOLE training course #3737; and be assigned to a supervisory position in the law enforcement agency. In addition to these requirements, no more than twenty percent (20%) of the law enforcement agency's personnel may be classified as a "Deputy IV" of any type at any given time.

6. Deputy V – Communications. Obtain Telecommunicator Master Proficiency Certificate issued by TCOLE.

D. Supervisory & Specialty Positions. The following Career Path positions are established for the Galveston County Sheriff's Office.

1. Sergeant I. Assigned to Sergeant position by the Sheriff.
2. Sergeant II. Assigned to Sergeant position by the Sheriff and complete one of the following training courses: FBI National Academy; Law Enforcement Command College; FBI Law Enforcement Executive Development; or equivalent course approved by Sheriff. If the Sheriff approves an equivalent course, he shall contemporaneously notify Galveston County Human Resources and Legal Department so this policy can be updated by adding the course to this approved list.
3. Lieutenant. Assigned to Lieutenant position by Sheriff.
4. Major. Assigned to Major position by Sheriff.
5. Chief. Assigned to Chief position by Sheriff.
6. Investigator I. Assigned to Investigator position by Sheriff.
7. Investigator II. Assigned to Investigator position by Sheriff and complete one of the following training courses: FBI National Academy; Law Enforcement Command College; FBI Law Enforcement Executive Development; or equivalent course approved by Sheriff. If the Sheriff approves an equivalent course, he shall contemporaneously notify Galveston County Human Resources and Legal Department so this policy can be updated by adding the course to this approved list.

E. Exceptions. Any participating Law Enforcement Official may request that the Commissioners Court waive or reduce the one-year Time in Service requirement in an Entry Level position on a case-by-case basis.

ADDITIONAL COMPENSATION

In addition to position-based compensation, participating employees in the Career Path Program shall receive the following additional compensation, as applicable.

A. Certification Pay

1. All personnel in sworn positions are eligible for Certification Pay based on TCOLE certifications or licenses. Eligible personnel will receive Certification Pay based on the single highest certification held in the field employed: personnel employed in law enforcement positions shall qualify based on peace officer certification; personnel employed in corrections positions shall qualify based on jailer certification; and personnel employed in telecommunications shall qualify based on telecommunicator certification.
2. Certification Pay shall be paid to eligible employees in the following amounts, based on level of certification: $50 per month for intermediate certification; $100 per month for advanced certification; and $150 per month for master certification.
3. In order to be eligible to receive Certification Pay, an employee must be assigned to a full-time position and have completed the Entry Level probationary employment period.
4. Employees receiving higher level certificates qualifying them for Certification Pay are responsible for notifying the Administrative Manager to begin receiving the appropriate Certification Pay, which begins

during the month after the Administrative Manager notifies the Human Resources Department. The employee must meet all requirements for the TCOLE certificate.
The Administrative Manager shall verify all requirements are met and issue an appropriate personnel action form, setting the employee's certification pay rate, with the signature of the Law Enforcement Official. The personnel action form, accompanied by copies of the appropriate certificate(s), shall be forwarded to the Human Resources Department.

5. Certification pay shall not be rescinded for disciplinary reasons.

B. Longevity Pay

1. All personnel in sworn positions in agencies participating in the Career Ladder Policy are eligible for Longevity Pay based on their Time in Service.

2. Longevity Pay for eligible employees shall be $5.00 per month for each year of Time in Service, but not more than $125.00 per month.

C. Shift Differential Pay

1. All personnel in the Sheriff's Department who work in patrol, mental health, corrections, or telecommunications positions shall be eligible to receive additional compensation on an hourly basis for working particular shifts.

2. The amount of Shift Differential Pay shall be calculated according to the schedule adopted by Galveston County Commissioners Court effective October 5, 2006, unless amended by Commissioners Court in the future.

Exhibit A

Position	Corresponding Grade / Step	Annual Salary	Biweekly Salary	Hourly Salary
Entry Level – Law Enforcement	**12H**	**$38,682.12**	**$1,487.78**	**$18.60**
Deputy I – Law Enforcement	**13H**	**$40,640.46**	**$1,563.09**	**$19.54**
Deputy II – Law Enforcement	**14K**	**$45,980.95**	**$1,768.46**	**$22.11**
Deputy III – Law Enforcement	**15L**	**$49,516.46**	**$1,904.48**	**$23.81**
Deputy IV – Law Enforcement	**16L**	**$52,023.22**	**$2,000.89**	**$25.01**
Deputy V – Law Enforcement	**17N**	**$57,423.91**	**$2,208.61**	**$27.61**
Entry Level – Corrections	**12D**	**$35,044.16**	**$1,347.85**	**$16.85**
Deputy I – Corrections	**13D**	**$36,818.26**	**$1,416.09**	**$17.70**
Deputy II – Corrections	**14G**	**$41,656.48**	**$1,602.17**	**$20.03**
Deputy III – Corrections	**15H**	**$44,859.48**	**$1,725.36**	**$21.57**
Deputy IV – Corrections	**16H**	**$47,130.48**	**$1,821.71**	**$22.66**
Deputy V – Corrections	**17J**	**$52,023.22**	**$2,000.89**	**$25.01**
Entry Level – Communications	**12D**	**$35,044.16**	**$1,347.85**	**$16.85**
Deputy I – Communications	**13D**	**$36,818.26**	**$1,416.09**	**$17.70**
Deputy II – Communications	**14G**	**$41,656.48**	**$1,602.17**	**$20.03**
Deputy III – Communications	**15H**	**$44,859.48**	**$1,725.36**	**$21.57**
Deputy IV – Communications	**16H**	**$47,130.48**	**$1,821.71**	**$22.66**
Deputy V – Communications	**17J**	**$52,023.22**	**$2,000.89**	**$25.01**

Sergeant I	**19O**	**$64,969.89**	**2,498.84**	**$31.24**
Sergeant II	**19Q**	**$68,258.98**	**$2,625.35**	**$32.81**
Lieutenant	**20R**	**$73,507.46**	**$2827.21**	**$35.34**
Captain	**22N**	**$81,138.49**	**$3,120.71**	**$39.01**
Major	**23R**	**$98,859.37**	**$3,802.28**	**$47.53**
Chief	**25L**	**$103,864.12**	**$3,994.77**	**$49.93**
Investigator I	Same as Sergeant I	Same as Sergeant I	Same as Sgt. I	Same as Sgt. I
Investigator II	Same as Sergeant II	Same as Sergeant II	Same as Sgt. II	Same as Sgt. II

Exhibit B

Positions established in Sheriff's Office.

Position	Number of Positions in each category
Deputies – Law Enforcement (Entry Level through Deputy V)	**Per FY2016 budget**
Deputies – Corrections (Entry Level – Deputy V)	**Per FY2016 budget**
Deputies – Communications (Entry Level – Deputy V)	**11**
Sergeants (Sergeant I and Sergeant II)	**24**
Lieutenant	**10**
Captain	**5**
Major	**3**
Chief	**2**
Investigators (Investigator I and Investigator II)	**11**

Positions established in Constable Offices. The positions shall be classified as "Deputy" subject to the more specific Career Path sub-classification and associated salaries only upon the respective elected and independent Constable of each office adopting the Career Path policy for their office.

Constable Offices	Number of Deputy positions (Entry Level through Deputy V)
Precinct 1-A	**5**
Precinct 1-B	**2**
Precinct 2-A	**2**
Precinct 2-B	**2**
Precinct 3-A	**5**
Precinct 3-B	**1**
Precinct 3-C	**0**
Precinct 4	**6**

I sign and hereby agree to follow the Law Enforcement Career Path Program as outlined in this document. I understand that this policy may be altered upon the vote of the Commissioners Court and that if this occurs I will be asked to re-sign at that time. By accepting this policy I also authorized Human Resources to make the appropriate pay adjustments to my staff.

_____

Print Signature Date

Family and Medical Leave Act of 1993 and updates

A. The County will comply with the Family and Medical Leave Act implementing Regulations as revised effective October 28, 2009. The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

B. Under this policy, the County will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

C. To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for the County for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
3. If an Employee is maintained on the County payroll for any part of a week, including any periods of paid or unpaid leave (sick, vacation) during which other benefits or compensation are provided by the employer (e.g. workers' compensation, group health insurance benefits, etc.), the week counts as a week of employment.
4. The employee must work in a worksite where 50 or more employees are employed by the company within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

Family and Medical Leave Act of 1993, continued

5. The request must specify the reason for the request and the length of time desired. Approval of the request must be in writing on "Response to Employee Request for Family and Medical Leave Act Leave" form.

6. All authorized leaves of absence must be reported by the Department Head and Employee to the County's Human Resources Director, the County Auditor and the County Treasurer.

7. An Employee must also periodically report on his status and on his intentions to return to work throughout the course of the leave.

D. To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

1. The birth of a child and in order to care for that child.
2. The placement of a child for adoption or foster care and to care for the newly placed child.
3. To care for a spouse, child or parent with a serious health condition (described below).
4. The serious health condition (described below) of the employee.

a. An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.
b. A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.
c. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

d. Employees with questions about what illnesses are covered under this FMLA policy or under the company's sick leave policy are encouraged to consult with the Human Resources Department.
e. If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the company may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

5. Qualifying exigency leave for families of members of the National Guard or reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.

    a. An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.
    b. "Covered active duty" means:
        i. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
        ii. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
    c. The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

d. Military caregiver leave (also known as covered service member leave) to care for an injured or ill service member or veteran.
e. An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of leave to care for that service member.
f. Next of kin is defined as the closest blood relative of the injured or recovering service member.
g. The term "covered service member" means:
    i. a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
    ii. a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
h. The term "serious injury or illness":
    i. in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), means an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
    ii. in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty

iii. on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

E. An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The company will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

F. An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the company will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

G. If a husband and wife both work for the company and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. If a husband and wife both work for the company and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

H. While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. Employees may not accrue additional vacation while on the unpaid portion of FMLA leave.

1. If the employee chooses not to return to work for reasons other than a continuous serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the County will require the employee to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

2. Under current County policy, the employee pays a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. The employee must continue to make this payment, either in person or by mail. While on unpaid leave, the employee will receive an invoice from the Auditor’s Office.

The payment must be received in the Treasurer's Office. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide 15 days' notification prior to the employee's loss of coverage.

3. If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

I. An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and working conditions. The company may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

J. An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, sick leave and compensatory time prior to being eligible for unpaid leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

K. Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, sick leave, and compensatory time prior to being eligible for unpaid leave.

L. An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation, sick leave, and compensatory time prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, sick leave, and compensatory time (as long as the reason for the absence is covered by the company's sick leave policy) prior to being eligible for unpaid leave.

M. Intermittent Leave or a Reduced Work Schedule

1. The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

2. The company may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

3. For the birth, adoption or foster care of a child, the company and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

N. If both husband and wife are employed by the County, then leave on the basis of birth, adoption or care of a sick parent is limited to a combined 12 weeks for both Employees. The husband and wife would be entitled to the difference between the amount he or she has taken individually and 12 weeks for FMLA leave for other purposes.

O. The County will require certification for the employee's serious health condition. Medical certification on "Certification for Health Care Provider" forms available in the Human Resources office is required for Medical leave. The certification must be submitted to Human Resources before leave begins if the need for leave is foreseeable. If the need for leave is not foreseeable, the certification must be submitted no later than 15 days after leave begins. If the medical certification is not turned in prior to the 15 day requirement and the Director of Human Resources has reason to believe the absence qualifies for FMLA purposes the absence will be treated as such and counted toward the FMLA entitlement.

1. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

2. The County may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, or an HR professional, or management official. The company will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be a given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the company will obtain the employee's permission for clarification of individually identifiable health information.

3. The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select.

4. The County may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

5. Reasonable documentation confirming the family relationship is required for Employees requesting family leave. Such documentation may include a birth certificate or a copy of a court document, etc.

6. The County will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition

7. The County may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, or management official. The County will not use the employee's direct supervisor for this contact. Before the County makes this direct contact with the health care provider, the employee will be a given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the County will obtain the employee's family member's permission for clarification of individually identifiable health information.

8. The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee's family member to get a certification from a second doctor, which the County will select. The County may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will mutually select the third doctor, and the County will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

P. The County will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave

1. The County will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service member.

Q. The company may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every 30 days and only when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The company may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

R. Employees returning from leave are entitled to be restored to their previous position held at the time that the leave commenced or to an equivalent position with the same pay and benefits and other terms and conditions of employment.

1. An Employee returning from Medical Leave is required to provide a medical certificate that the Employee is able to resume work.

2. Employees who fail to return to work immediately upon expiration of leave, unless previously granted additional unpaid leave status, may not be restored to County employment and is considered a voluntary separation.

Pregnancy

A. A Pregnant Employee is entitled to use sick or vacation leave during pregnancy.

B. The County will comply with all State and Federal laws and leave requirements and anti-discrimination laws relating to pregnancy and lactating mothers rights.

Military Leave

A. The County will fully comply with all applicable federal, state and local laws pertaining to military service and reemployment rights in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

B. Regular Employees who are members of any of the Reserve Components of the United State Armed Forces and is called to active duty or authorized military training is entitled to a paid leave of absence of 15 workdays in each federal fiscal year (October 1 through September 30) without loss of pay or benefits.

C. Request for military leave must be in writing and submitted to the appropriate Department Head. The request must specify the reason for the request and the length of time desired. A copy of the military orders must be attached. Approval of the request must be in writing.

D. All authorized leave must be reported by the Department Head and Employee to the County's Human Resources Director, County Auditor and County Treasurer. An Employee returning to work must also immediately notify the same three Departments.

E. Benefits continue to accrue during the fifteen-day period.

Jury Duty

A. An Employee summoned for Jury or Grand Jury duty or as witness under Court subpoena will, upon surrender of their fees, be granted paid leave of absence for such time as they are summoned.

B. Any Jury or Grand Jury fees paid an Employee must be surrendered by the Employee to the County Treasurer.

Bereavement Leave

A. Bereavement leave is to be used in case of death to a Regular Employee's immediate family (Spouse, parents, spouse's parents, step-parents, children, step-children, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grand-parents, spouse's grandparents, grandchild, step-grandchild, foster child, child Employee has guardianship over).

B. A Department Head must require an Employee requiring additional time-off for bereavement leave to first utilize vacation or compensatory time then sick leave available. In addition, leave without pay may be granted.

C. An Employee requesting bereavement leave must furnish such appropriate information of the emergency as is required by their Supervisor.

D. A Department Head may grant a maximum of three cumulative days paid bereavement leave to any Employee per year for the purpose of making household adjustments or attending a funeral of a permitted relative.

E. A Department Head may authorize unpaid leave of absence for any Part-Time or Temporary Employee desiring bereavement leave.

F. A Department Head may authorize their Employees to take off such time as is necessary with pay to attend the funeral of an Elected or Appointed Official or a co-worker.

Leave For Organ, Bone Marrow, and Blood Donors

A. Employees are entitled to a leave of absence without a deduction in salary for the time necessary to permit the Employee to serve as a bone marrow or organ donor

B. The leave of absence provided by this section may not exceed:

1. Five (5) working days in a fiscal year to serve as a bone marrow donor; or
2. Thirty (30) working days in a fiscal year to serve as an organ donor.

Blood Donors

A. Department Heads shall allow their Employees sufficient time off, without a deduction in salary or accrued leave, to donate blood.

B. An Employee may not receive time off under this section unless the Employee obtains approval from their Supervisor before taking time off.

C. On returning to work after taking time off under this Chapter, an Employee shall provide their Supervisor with proof that the Employee donated blood during the time off. If an Employee fails to provide such proof, the Supervisor shall deduct the period for which the Employee was granted time off from the Employee's salary and discipline the Employee as circumstances dictate.

D. An Employee may receive time off under this Section not more than four (4) times in a fiscal year.

Unpaid Leave of Absence

A Department Head may authorize a regular Employee who had been employed by the County for a continuous period of 180 days a leave of absence without pay for any mutually agreeable reason for maximum period of twenty-six (26) weeks. This unpaid leave is in addition to that permitted by the Family and Medical Leave Act of 1993.

B. Employees must utilize all accrued sick, vacation, compensatory time and applicable Family and Medical Act leave before being granted unpaid leave. Unpaid leave may not be taken intermittently.

C. Request for unpaid leave must be in writing and submitted to the Employee's Supervisor. The request must specify the reason for the request and the length of time desired. Approval of the request must be in writing.

D. All authorized leaves of absence must be reported by the Department Head and Employee to the County's Human Resources Director, County Auditor, and County Treasurer. The same three departments must also be notified upon the Employee's return to work.

E. Authorization for Unpaid Leave may be immediately revoked either in the event of misrepresentation or if the reason for granting leave has ceased to exist.

F. No benefits accrue while an Employee is on leave without pay. Upon prior approval being obtained Departmental seniority may be retained.

Nursing Mothers Paid Break

A. The Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk during the first year following the birth of a child.

B. The County will provide two – 15-30 minute paid breaks daily for nursing mothers. The nursing mother will be allowed whatever time is needed to express breast milk, however, if the break is longer than 15 – 30 minutes in duration, the break time will be unpaid time off.

C. The mother will be given a private location, other than a bathroom. The location will be shielded from view and free from intrusion and appropriate for expressing breast milk. The specific location will be determined on a case by case basis.

D. The County does not allow any retaliation against nursing mothers for asking for this break. Nursing mothers are entitled to this break for 1 year following the birth of their child.

E. All other employee breaks are determined by each department head and are not required to be given. If your department provides you with a break, they may not be accumulated or used for time off. The Fair Labor Standards Act does not require any breaks other than for nursing mothers, however if paid breaks are provided for employees, nursing mothers must be given the same amount of paid break time.

Sick Leave Pool

A. The County is authorized to establish a Sick Leave Pool Program for the benefit of certain Employees who suffer a catastrophic injury or illness. Eligibility for such benefits must, of necessity, be stringent to avoid rapid depletion of the Pool. It is thus necessary to limit a catastrophic injury or illness as being a severe condition or combination of conditions affecting the mental or physical health of an Employee or their immediate family that requires the services of a health care provider for a prolonged period of time in excess of one continuous month.

B. Catastrophic Injury or Illness. A catastrophic illness or injury is a critical illness, surgery, injury or other temporary disability that prevents an employee from performing the duties of their position for a minimum period of three (3) weeks.

C. Sick Leave Administrator. The Sick Leave Administrator is the Human Resources Director.

D. Eligible Employee. All Full Time Employees, other than Elected or Appointed Officials with 12 or more months of continuous employment with the County and who have ten (10) or more days of vacation and/or sick leave (or five (5) or more days of vacation and/or sick leave if they are Half Time Employees), and have contributed a minimum of 3 sick days to the pool with the exception of a first year eligible employee, who must have contributed at least 1 day of sick leave to the pool as of the date of the onset of their injury or illness and who are paid from the General fund of the County, from a Special fund of the County, or from special grants paid through the County are Eligible Employees.

E. Contribution to the Sick Leave Pool is voluntary. All Eligible Employees are encouraged to contribute. Unless otherwise eligible as provided herein, days donated by an eligible Employee may not be recovered or recaptured by the Employee until their next anniversary date.

1. Eligible Employees desiring to contribute to the Sick Leave Pool must submit an application to the Sick Leave Administrator. Contact the Administrator for the appropriate form.

2. Every May and November, eligible Employees may transfer to the Sick Leave Pool not less than 1 day or more than 5 days of accrued sick leave earned by the Employee. Except as permitted in the next paragraph, an Employee may not donate more than a total of five days in any calendar year.

3. Employees who are terminated or who resign or retire may donate not more than 10 days of accrued sick leave time to the sick leave immediately before the effective date of termination, resignation or retirement.

4. Upon receipt of a contribution request, the Administrator will notify the Treasurer's office to credit the Sick Leave Pool with the amount of time contributed by the eligible Employee. In addition, the Administrator will notify the Employee's Department Head to deduct the same amount of time from the amount to which the Employee is otherwise entitled, as if the Employee had used the time for personal purposes. The Administrator will send copies of the notification to the Treasurer and the Auditor.

5. Eligible Employees may not designate the recipient of their donations.

F. An Eligible Employee is entitled to use time contributed to the Sick Leave Pool if, because of a catastrophic injury or illness the Employee has exhausted all available current leave balances and compensatory time to which the Employee is otherwise entitled.

1. An Eligible Employee may not use time in the Sick Leave Pool that exceeds the lesser of one-third of the total amount of time in the Pool or a combination of 180 days annually for a Full-time Employee or 90 days annually for a Half-time Employee.

G. Applications to the Sick Leave Pool are on first-come, first-serve basis.

1. An Eligible Employee, or in the event of their incapacity, a member of their Immediate Family, must apply to the Sick Leave Administrator for permission to use time in the Sick Leave Pool. Applications should be made as far in advance as is practicable under the circumstances.

H. All medical information obtained by the Sick Leave Administrator will remain confidential.

I. Requests for time from the Sick Leave Pool must:

1. Give a statement sufficiently describing the illness or injury to enable the Sick leave Administrator to determine that the illness or injury is catastrophic.

2. Be accompanied by a statement from a Health Care Provider which gives the date of onset of the catastrophic illness or injury, the diagnosis and the prognosis, and the date it is anticipated the Employee will be able to return to work.

3. Eligible Employees may be required to sign a Medical Release Form which allows the Sick Leave Administrator to obtain additional medical information. The Sick Leave Administrator may require independent verification of the illness or injury as a prerequisite to approval of the request.

4. If the Sick Leave Administrator determines that the Employee is eligible, the Administrator shall, as soon as practicable, approve the transfer of time from the pool, advise the Employee, the Treasurer's Office, the Auditor's Office and the Department Head of the amount of time approved and have the Treasurer's Office credit it to the Employee.

5. An Eligible Employee may utilize any Sick Leave Pool time credited in the same manner as sick leave earned by the Employee in the course of employment.

6. Sick Leave Pool time credited an Eligible Employee will be deducted from Family and Medical Leave Act benefits to which the Employee would otherwise be entitled.

J. An Eligible Employee absent on sick leave assigned from the Sick Leave Pool is treated for all purposes as if the Employee were absent on earned sick leave.

K. The estate of a deceased Eligible Employee is not entitled to payment for unused sick leave acquired by that Employee from the Sick Leave Pool. Rather, such unused sick leave hours shall be returned to the Sick Leave Pool.

L. Should an Eligible Employee return to work with unused sick leave acquired by that Employee from the Sick Leave Pool, such unused sick leave hours shall be returned to the Sick leave Pool.

A. Separation from employment is:

1. Resignation–Any situation wherein an Employee voluntarily leaves employment. Resignation in good standing requires a minimum two (2) week notice.

2. No Fault-Any situation wherein an Employee voluntarily leaves employment during an introductory period.

3. Retirement-Employees meeting eligibility requirements established by the Texas County and District Retirement System (TCDRS) and who retire under that system or AUL. Retirees are eligible to receive any retirement benefits offered by County. Certified Applications for retirement must be submitted to TCDRS and or AUL not later than the last day of the proposed effective month.

4. Disability–Employees meeting eligibility requirements established by TCDRS and who receive benefits under that system. Such disabled Ex-Employees are eligible to receive benefits offered by County to its retirees.

5. Reduction-in-Force – An involuntary separation from employment due to budgetary restraints, abolition of a budgeted position or reorganization of County government. This type of separation is not grievable.

6. Job Abandonment-leaving job without permission or notice and/or; No Call, No Show for 2 or more consecutive shifts without permission or notification is considered a voluntary termination.

7. Involuntary Separation - Dismissal or Discharge–Any involuntary separation from employment. Allowed accrued vacation will be paid out if an Employee involuntarily separates employment.

8. Death–The estate of any Employee who dies while employed by the County shall receive earned pay and payable benefits due.

B. Exit Interview

Supervisors must notify the Human Resources Department of every Employee termination. Employee's who resign, retire or for any voluntary termination should make an appointment with the Human Resources office for an exit interview. For all others, final paperwork and check will be sent to the employee's home address. In the case of death, Human Resources will make every effort to meet the family at a convenient location or will send the paperwork in the mail. County badges are to be surrendered to the Supervisor or Human Resources.

C. Final Paycheck

Paychecks for terminated Employees will be processed and delivered on the next regular pay day to the Human Resources Department. They may be picked up at the time the final exit interview is conducted or in the case of an involuntary termination; the employee's last paycheck will be mailed to the employee's address on file in Human Resources.

D. Death

The estate of any Employee who dies while employed by the County shall receive earned pay and payable benefits due.

E. Unemployment Claims

On occasion, Employees whose employment terminated with the County files for unemployment benefits with the Texas Workforce Commission. Oftentimes, such employees are entitled to unemployment compensation. But, on occasion, an Employee is not so entitled. The County has retained the services of TALX to assist it in unemployment compensation hearings as necessary.

Upon termination of an employee, Human Resources will enter the separation information online with TALX and will forward all supporting documentation.

When a claim for unemployment benefits if filed, TALX will notify Human Resources of the date and time for the hearing.

When Human Resources is notified of a hearing, it will:

1. Notify the appropriate Department Head of the unemployment hearing;
2. Request the Department Head to appoint a Supervisor or other employee with first-hand knowledge of the details relating to the Employee whose employment terminated to participate in the unemployment hearing;
3. Forward a copy of the notice of hearing and supporting paperwork to the designated Supervisor for informational purposes;
4. Participate, along with the Supervisor and TALX in the unemployment hearing.

F. It is the policy of the County to assess each request for unemployment compensation and to contest those that appear unjustified. Accordingly, any request by a Department Head to waive a contest of an application for unemployment benefits will be submitted to the Commissioners' Court for approval.

Drug, Alcohol Abuse, and Smoking

A. It is the intent of the County to eliminate the use, exchange or presence of illegal drugs, and to prevent the misuse of legal drugs or alcohol in County offices, vehicles, facilities, and work sites.

B. Smoking is prohibited in all County buildings, vehicles and facilities.

C. The use, manufacture, procurement, distribution, sale, dispensing or possession of illegal drugs is prohibited.

D. The use of alcohol while on duty is prohibited. Working while under the influence of alcohol is prohibited.

E. The misuse of legal drugs while on duty is prohibited. Working while under the influence of legal drugs that have been misused is prohibited.

F. The misuse of substances and materials available in the work place that may result in physical or mental impairment is prohibited.

G. Employees are prohibited from operating any equipment or motorized vehicles while under the influence of any drug, prescription or otherwise, that interferes with the Employees manual dexterity skills or mental abilities in such a manner that the equipment or motorized vehicle cannot be used safely.

H. An Employee found in violation of this policy is subject to immediate disciplinary action, including dismissal.

I. For employees requiring an additional drug test, the employee is responsible for the cost of any additional drug test.

ANY EMPLOYEE WHO HAS A PROBLEM WITH THE USE OF ILLEGAL DRUGS, ALCOHOL OR ABUSE OF LEGAL SUBSTANCES IS ENCOURAGED TO SEEK ASSISTANCE FROM THE EAP PROGRAM. EMPLOYEES WHO SEEK SUCH ASSISTANCE WILL RECEIVE NO SANCTION FOR SEEKING SUCH ASSISTANCE.

Personnel Actions

A. Within thirty (30) days after receiving notice from an Employee of a criminal conviction involving the illegal use of drugs or alcohol, a Supervisor shall either take appropriate personnel action up to and including termination of the Employee, or require the Employee to participate satisfactorily in the Employee Assistance Program.

B. Supervisors shall initiate action, after prior review by the Human Resources and the County Legal Department, to take appropriate disciplinary action up to and including termination for a first offense of any Employee who is found to procure, manufacture, distribute, sell, dispense, or possess illegal drugs, or to use such illegal drugs or alcohol when the effects of such use remain during job performance. Disciplinary action will not be taken regarding an Employee who voluntarily identifies himself as a user of illegal drugs or an abuser of alcohol prior to being identified through other means, and who obtains counseling or rehabilitation through the Employee Assistance Program (EAP) and thereafter refrains from using illegal drugs or the abuse of alcohol in accordance with the provisions of this policy.

C. Supervisors shall not allow any Employee to remain on duty if that Employee is found while on duty, to procure, manufacture, distribute, sell, dispense or possess illegal drugs, or is found to use alcohol or illegal drugs when the effects of such use remain during job performance. However, as part of a rehabilitation or counseling program, a Department Head may allow an Employee to return to duty if it is determined that this action would not pose a danger to fellow Employees or to public health or safety.

D. Supervisors shall initiate action to remove from employment any Employee who is known to use illegal drugs or alcohol when the effects of such use remain during job performance, and such Employee, after being requested:

1. Refuses to obtain counseling or rehabilitation through the Employee Assistance Program; or

2. Does not thereafter refrain from using illegal drugs or alcohol when the effects of such use remain during job performance.

3. Does not contact and successfully comply within the designated time period with the terms of a treatment plan recommended by EAP.

E. Supervisors shall treat all medical evaluations and treatments as confidential unless specifically authorized by the Employee to disclose same in writing.

F. The determination of a Supervisor or Department Head that an Employee is using illegal drugs and/or alcohol when the effects of such use remain during job performance may be made on the basis of direct observation, or the results of a drug testing program that has been authorized by Commissioners' Court. If drug test results are positive, such results may be rebutted by other evidence that the Employee has not used illegal drugs or alcohol.

Alcohol and Drug Testing

A. Any Employee who may be subjected to disciplinary action because they are believed to be in violation of this chapter may voluntarily request that an appropriate drug or alcohol test be performed. If the Employee requests a test, the County shall pay for the cost of the test. If alcohol use is suspected, the test may be a breathalyzer, urinalysis or blood test. If illegal drug use is suspected, the test must be done by a certified laboratory and may be an immunoassay or a gas chromatograph-mass spectrometer test, both based on a urine sample.

B. The employee pays for the cost of any additional test after the County has paid for the initial test.

C. With probable cause, and upon prior review by both Human Resources and the County Legal Departments, a Supervisor may request that the Employee submit to drug testing. If the Employee refuses to submit to the drug test, disciplinary action up to and including dismissal may be taken.

Policy HR014 – Alcohol and Drug Testing Policy for CDL and Safety Positions
Page 1 of 3

A. The purpose of this policy is to provide for implementation of alcohol and drug testing for Employees performing jobs that require a commercial driver's license (CDL). It also provides for the testing of other safety impact positions not requiring CDLs as designated by the County. This policy is based on the County's commitment to maintain a safe, healthful and productive work environment for all Employees and to ensure the safe and efficient delivery of services to citizens of Galveston County.

B. The County has chosen to test for drug or alcohol use after all accidents whether or not they involve a fatality or a citation as designated above. However, accidents involving the designations above will result in termination of the Employee. Other accidents will result in referral to the Employee Assistance Program for assessment and treatment.

C. This is only a portion of the policy. The policy in its entirety will be provided to all Employees who have the responsibilities for CDL and Safety Sensitive Positions. Refer to the Safety Manual.

D. If you have any questions regarding:

1. Galveston County's Policies and Procedures relating to substance abuse or alcohol misuse,

2. Galveston County's adherence to 49 CFR, Part 382, Controlled Substances and Alcohol Use Testing or

3. Any of the matters or information you have received regarding Controlled Substance Abuse or Alcohol Misuse, contact: Human Resources Director: 409-770-5350

E. County of Galveston Positions Requiring A Commercial Driver's License or Holding Safety Impact Positions That the County has opted to Include:

<u>FACILITIES</u> (All Safety)

Facilities Manager	Assistant Facilities Manager
Facilities Maintenance	Facilities Mechanic I
Facilities Mechanic II	Associate Facilities Manager
Lead Operations Specialist	Nuisance Abatement Officer
Facilities Fleet Manager Specialist	Security Guards

JUVENILE JUSTICE DEPARTMENT (All Safety)

Deputy Director of Detention Services
Deputy Director to Special Programs
Deputy Director of Casework Services
Superintendent of Detention
Juvenile Resource Supervisor
Relief Juvenile Supervision Officers
Juvenile Supervision Officer
Juvenile Placement Officer
Juvenile Probation Officers
Juvenile Detention Supervisor

MOSQUITO CONTROL (All CDL)

Manager Mosquito Control
Administrative Assistant
Entomologist
Mosquito Control Supervisor
Pilot
Shop Supervisor
Mechanic II
Surveillance Inspector
Spray Operator

PARKS DEPARTMENT /SENIOR SERVICES

Director (Safety)
Park Planning and Development Manager (Safety)
District Supervisor (Safety)
Carpenter (Safety)
Trades Assistant (Safety)
Heavy Equipment Operator (CDL)
Parks Operation Manager (Safety)
Operations Manager (Safety)
Park Maintenance Worker (Safety)
Senior Parks Maintenance Worker (Safety)
Parks Caretaker (Safety)
Painter (Safety)
Mechanic II (Safety)
Trades Supervisor (Safety)
Administrative Services Manager (Safety)
Seasonal Park Aide (Safety)

ROAD & BRIDGE DEPARTMENT (All CDL)

Road Administrator
Shop Foreman Manager
H.E.O. I
H.E.O. II
H.E.O. III
Public Works Supervisor (Drainage)
Mechanic Helper
Road Project Coordinator
Mechanic II
Road Administrator/Safety Officer
Drainage Manager
Paving Manager
Fleet Manager
Mechanic I
Public Works Supervisor (Construction)
Drainage and Beach Manager
Public Works Supervisor (Paving)

SEAWALL MAINTENANCE (All Safety)

Seawall Maintenance Manager
Seawall Maintenance Operator
Public Works Supervisor

SENIOR CITIZENS PROGRAM (Under direction of Director of Parks and Senior Services)

Senior Service Managers (Safety)
Drivers (CDL)
Case Manager (Safety)
Center Operations Manager (Safety)

SOCIAL SERVICES PROGRAM (All Safety)

Guardian
Payee Officer
Employees who transport clients

Policy HR015-Travel *Page 1 of 1*

Revised and approved 4/2012

A. This policy is meant to provide guidance as to appropriate travel methods and reimbursable expenses while traveling on County business. Whenever unusual circumstances are involved or this published policy does not provide clear guidance, please secure a written opinion from the County Auditor concerning the items prior to the trip. **This contains only a portion of the entire Travel Policy**. **It is the responsibility of the Employee to view and print off the policy in its entirety at Galveston County Auditor's Office website at www.co.galveston.tx.us and select Auditor's Office.**

B. This policy does not apply to Adult Probation Department Employees. Department reimbursements for such Employees are governed by the Financial Management Manual as written and approved by the Texas Department of Criminal Justice-Community Justice Assistance Division.

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A. This is only a portion of the policy. The policy in its entirety is located in the Safety Manual; please refer to that manual for complete policy and procedures.

B. This Policy governs procurement, replacement, identification, operation, care and maintenance, insurance and accident procedures for all County-owned vehicles, including law enforcement vehicles, except where otherwise noted. Such vehicles will be utilized as a fleet. With the exception of law enforcement vehicles, County vehicles are to be available for use by all Departments through cooperation.

C. Law Enforcement Exemption

Certain portions of this Policy shall not apply to law enforcement vehicles assigned to the Sheriff's or Constables' Departments. Portions which do not apply are noted throughout this Policy. Such officials shall formulate their own policies regarding identification and usage of vehicles assigned to their Departments.

D. Use of County-owned vehicles restricted to Employees licensed by the State of Texas to drive the type of vehicle. Annual license status checks with the Texas Department of Texas are subject to being periodically conducted by the Risk Manager to ensure that this condition is met.

E. Employees operating County Vehicles must abide by all restrictions listed on their individual driver's license and all applicable motor vehicle laws. Seat belts must be worn at all times.

F. Employees operating County Vehicles must be in proper work attire and suitable dressed for their position with the County. Department Heads are responsible for ensuring that their Employees comply with this Regulation.

G. Personal use of County vehicles, for purposes other than lunch breaks and related incidental purposes, is prohibited. Examples of prohibited personal use include shopping or the running of personal errands when such shopping or errands are the primary purpose of the trip. Should, during normal work shift, an emergency situation arise and an Employee have to leave work to attend to personal business, the Employee may be responsible for any injuries or damage occasioned by an accident.

H. Use of tobacco products shall not be used in any County vehicle at any time.

I. Operating a County vehicle while under the influence of alcohol or illegal drugs or while under the influence of legal drugs which impair judgment or motor skills is prohibited.

J. Department Heads may authorize temporary use of a County vehicle by an Employee of another department.

K. County vehicles, with the exception of law enforcement vehicles responding to a call, may not be used to transport County Employees to business establishments whose primary income (i.e., 51% or more) is derived from the sale of alcoholic beverages.

L. Prospective Employees

1. A traffic violation background check will be performed on prospective Employees whose future job duties will require operation of a County vehicle or leased vehicle, road equipment or other piece of heavy equipment. This Policy applies regardless of whether such duties are a regular part or incidental to the Employees' job.

2. Prospective Employees with one or more convictions or deferred adjudications, or who have been placed on community supervision (probation) for Driving While Intoxicated,
3. intoxication Manslaughter, Intoxication Assault or Manslaughter that also involved a motor vehicle, any of which having occurred within the immediately preceding three years, should not be considered for employment.

4. Prospective Employees with one or more convictions or deferred adjudications, or who been placed on community supervision (probation) for the sale, possession or delivery of a controlled substance or marijuana, any of which having occurred within the immediately preceding three years, should not be considered for employment.

5. Prospective Employees with three or more moving traffic violation convictions or at fault motor vehicle accidents within the immediately preceding two years should not be considered for employment

Current Employees

1. An annual traffic violation background check will be performed on all Employees whose job duties require them to operate a County vehicle or leased vehicle, road equipment or other piece of heavy equipment excluding lawn mowers and riding mowers. This Policy applies regardless of whether such duties are a regular part of or incidental to the Employees' job.

2. Employee's who undergo driving status changes or personnel movements such as transfers, job reassignments, promotions or demotions that require them to operate similar vehicles or equipment, will likewise be required to undergo an annual traffic violation background check.

3. Employees charged with and subsequently convicted of or placed on deferred adjudication or community supervision (probation) of one or more offenses of Driving While Intoxicated, Intoxication Manslaughter, Intoxication Assault or Manslaughter that

also involved a motor vehicle, will at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of deferred adjudication or community supervision (probation). Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated. Convicted Employees who are Incarcerated and unable to report to work will be terminated.

4. Employees charged with and subsequently convicted of or placed on deferred adjudication or community supervision (probation) for the use, sale, possession or delivery of a controlled substance or dangerous drug will at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of deferred adjudication or community supervision (probation). Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated. Convicted Employees who are incarcerated and unable to report to work will be terminated.

5. Employees convicted of a total of three or more moving traffic violation convictions and/or at fault in three or more motor vehicle accidents within the immediately preceding two years will, at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment. This prohibition shall last until the Employee has successfully completed a six month continuous period in which they receive no additional tickets for which they are convicted or are at fault in a motor vehicle accident. Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated.

6. Employees whose driver's license becomes suspended or revoked for any reason will, at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of suspension or revocation. Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated.

A. Use of personal vehicles for County business is not encouraged. Authorized use is restricted solely to Employees licensed to drive who are instructed to use their vehicles by their Department Head.

B. The County will not reimburse any Employee who uses their vehicle in pursuit of County business for any damage caused to his vehicle for any reason.

C. Employees who use their personal vehicles for County business will be reimbursed mileage in accordance with the County travel policy.

D. An Employee driving their personal vehicle in pursuit of County business who is involved in an accident, no matter how minor, must report the accident immediately to his Department Head, the Legal Department and the Assistant Facilities Manager.

A. While every Employee is already governed by the dictates of his or her individual conscience, it is desirable to adopt a uniform Code of Ethics which contains principles which should apply to the day to day conduct of all Employees.

B. Every Employee should be committed to the highest standard of conduct in the performance of their public duties. Individual and collective adherence to high ethical standards is central to the maintenance of public trust and confidence in government. As servants and stewards to the public, each Employee should readily acknowledge that nothing less should be expected of them.

C. While the potential for personal conflict or differing views of values or loyalties may, from time to time exist, they should always succumb to the commitment to the public good.

D. Adult Probation Department Employees must follow the Code of Ethics written and approved by the Texas Department of Criminal Justice-Community Justice Assistance Division.

E. Any Employee found violation of this Ethics Policy may be subjected to disciplinary proceedings up through and including termination. In addition, depending in the nature of the violation, an Employee may be subjected to criminal prosecution.

Ethical Principles

A. THE ETHICAL EMPLOYEE SHOULD:

1. Promote decisions which only benefit the public interest;
2. Actively promote public confidence in County government;
3. Keep safe all assets, funds and other properties of the County;
4. Promptly administer the affairs of the County;
5. Conduct and perform their duties as an Employee diligently and promptly dispose of the business of the County;
6. Maintain a positive image to pass constant public scrutiny;
7. Evaluate all decisions so that the best service or product is obtained at minimal, cost-effective rates without sacrificing quality and fiscal responsibility;
8. Inject the prestige of the office or job into everyday dealings with the public Employees and associates;
9. Maintain a respectful attitude toward other Employees, other public officials, colleagues and associates;
10. Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest on the County; and
11. Faithfully comply with all laws and regulations applicable to the County and impartially apply them to everyone.

B. THE ETHICAL COUNTY OFFICIAL, DEPARTMENT HEAD AND EMPLOYEE SHOULD NOT:

1. Engage in outside interests that are not compatible with the impartial and objective performance of their duties as an Employee;
2. Improperly influence or attempt to influence other Employees to act in his or her own benefit; nor
3. Accept anything of value from any source which is offered to influence his or her action as a public official or as an Employee.

C. CIVIL AND CRIMINAL STATUTES RELATING TO PUBLIC SERVANTS

Scattered throughout the various codes and statutes of the State of Texas are various civil and criminal codes and statutes relating to and affecting the conduct of all public officials and public employees. The following is a partial listing where these codes and statutes may be located:

OPEN MEETINGS ACT	TEX GOV'T CODE § 55.002 et seq.
OPEN RECORDS ACT	TEX GOV'T CODE § 552.001 et seq.
DISCLOSURE BY PUBLIC SERVANT OF INTEREST IN PROPERTY TO BE ACQUIRED WITH PUBLIC FUNDS	TEX GOV'T CODE § 553.002
RETALIATION PROHIBITED FOR REPORTING VIOLATION OF LAW (WHISTLE BLOWERS ACT)	TEX GOV'T CODE § 554.002; TEX LABOR CODE § 21.055
NEPOTISM PROHIBITIONS	TEX GOV'T CODE § 573.001 et seq.
REGULATIONS OF CONFLICT OF INTEREST	TEX LOCAL GOV'T CODE § 171.001 et seq.
MANDATORY CONFLICT OF INTEREST REPORTING	TEX LOCAL GOV'T CODE CHAPTER 176
BRIBERY	TEX PENAL CODE § 36.02
ACCEPTANCE OF HONORARIUM	TEX PENAL CODE § 36.07
GIFT TO PUBLIC SERVANT BY PERSONS	TEX PENAL CODE § 36.08
SUBJECT TO JURISDICTION	
TAMPERING WITH GOVERNMENTAL RECORD	TEX PENAL CODE § 37.10
ABUSE OF OFFICIAL CAPACITY	TEX PENAL CODE § 39.02
MISUSE OF OFFICIAL INFORMATION	TEX PENAL CODE § 39.06

A. Although the County believes that its Employees are honest and dedicated to public service, like all public and private entities, it may become the unwilling victim of an act of misconduct or Dishonesty committed by either an Employee or by a third party with an employee's knowledge and/or assistance. Such activities will not be tolerated. To help deter their occurrence it is necessary to develop internal controls to assist in the detection and prevention of such criminal activity.

The hotline telephone numbers are (409) 770-5329 and (281) 766-4582.
The hotline fax number is (409) 766-4582.

B. It is the County's goal is to establish and maintain a fair, ethical, and honest business environment for its Employees and for its taxpayers, suppliers and all third parties with whom it has a business or fiduciary relationship. Helping to achieve such an environment requires the active assistance of all County Employees.

C. Although no system of internal controls can completely prevent a determined perpetrator from succeeding at criminal misconduct it is the County's intention to establish a network of internal controls to help prevent such activity. Establishing a network also assists in providing a sound foundation for the protection of innocent parties, the taking of proper disciplinary action against County Employees, the referral to law enforcement agencies and the Criminal District Attorney when warranted and to the protection and recovery of County assets.

D. This policy applies to any work-related act of Misconduct or Dishonesty as such phrase is defined herein.

E. This policy applies to all County Employees and to all consultants, vendors, contractors, and any other third parties having a business relationship with Galveston County.

F. This policy's purpose is to communicate the County's policy regarding the protection and proper use of County resources, assets and funds. It also establishes a procedure for the investigation of suspected Misconduct or Dishonesty by employees and others as well as guidance and direction regarding appropriate action in case of suspected or reported misuse.

G. The phrase "Misconduct or Dishonesty" includes but is not limited to any work related criminal violation of any federal or state law that either negatively affects the County or negatively impacts or unjustifiably benefits a County Employee or a third party with whom the County has a business or fiduciary relationship including but not limited to:

- any dishonest or fraudulent act.
- theft or other misappropriation of assets.

- misstatements and other intentionally created irregularities in County records, including the misrepresentation of the results of operations or levels of service.
- forgery or alteration of a check, bank draft or any other financial document.
- impropriety in the handling or reporting of money or financial transactions.
- profiteering as a result of insider knowledge.
- disclosing County or County vendor's confidential and proprietary information to outside parties except as required by the Texas Open Records Act.
- accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to the County in return for favors.
- destruction, removal or inappropriate use of records, furniture, fixtures, equipment or other County resources, except as permitted by the County's Records Retention Policy or as directed by the County Purchasing Agent's rules and regulations relating to the County's Surplus Property Policy.

H. All acts of Misconduct or Dishonesty committed by County Employees are prohibited.

I. Reprisals, including but not limited to disciplinary action, against individuals making reports in good faith are prohibited.

J. All employees have a responsibility to report suspected acts of Misconduct or Dishonesty.

K. Supervisors have additional responsibilities to help prevent acts of Misconduct or Dishonesty. They include:

- becoming aware of what can go wrong in their area of authority.
- establishing and maintaining effective monitoring, review and control procedures to help prevent acts of Misconduct or Dishonesty.
- establishing and maintaining effective monitoring, review and control procedures to help detect acts of wrongdoing promptly should prevention efforts fail.
- Supervisors may delegate these additional responsibilities to their subordinates. But, ultimate accountability remains the responsibility of the Supervisor.
- Supervisors may enlist the services of the County Auditor in order to effectively carrying out their responsibilities.

L. Reporting of Acts of Misconduct or Dishonesty

It is the responsibility of every County Employee to immediately report any suspected act of misconduct or Dishonesty to their Supervisor or, in the case of Department Heads, to the County Auditor. Supervisors, when made aware of such potential acts by subordinates, must immediately report such acts to their Department Head.

- To facilitate reporting of suspected violations in those instances where the reporting County Employee desires to remain anonymous, the County has established a telephone hotline. The hotline telephone numbers are (409) 770-5329 and (281) 766-4582. The hotline fax number is (409) 766-4582. These numbers are located in the County Auditor's Office. All records of all calls made to the hotline will be kept confidential to the extent permitted by the Texas Open Records Act.

- The Department Head, or, if applicable, the County Auditor shall immediately investigate the allegation. The Department Head may enlist the services of their managers as they deem appropriate. The Department Head/County Auditor, after consultation with Human Resources, may place any involved Employee on administrative leave with pay until completion of the investigation. The Department Head/County Auditor may also contact the Legal Department as deemed necessary or prudent.

- The Department Head/County Auditor shall notify the County Judge and, if warranted, the Criminal District Attorney of the results of its investigation.

- If a policy violation is found, the Department Head in whose department the violation occurred shall promptly do whatever is necessary to prevent the act from reoccurring and take appropriate disciplinary measures.

- Reports of other suspected improprieties concerning a County Employee's unethical behavior, or other improper conduct that do not include acts of Misconduct or Dishonestly should be reported to the immediate supervisor for investigation and, to the extent found necessary, correction.

A. This policy is to establish guidelines for expectations regarding work related behavior and clear guidelines for disciplinary action to ensure that all Employees receive consistent and fair treatment with due process.

B. When implementing corrective actions, Supervisors should consider the type and severity of the behavior displayed. Corrective action may not be disproportionate to the offense, but should be severe enough to affect the desired behavior. Management reserves the right to administer discipline.

C. Nothing in this policy erodes the County's Employment-At- Will doctrine.

D. Employees will follow these guidelines:

1. Employees are expected and required to meet the normal standards of proper business behavior for public servant employees and otherwise conduct themselves in an appropriate manner. As public servants, Employees must adhere not only to the County's ethical principles but also to other standards that emphasize professionalism, courtesy and avoidance of even the appearance of illegal or unethical conduct at all times. Good discipline and acceptable social behavior will prevail at all times among Employees.

2. All Employees will report to the work place on time and deliver an honest day's work for a day's pay which means working your scheduled shift and if full time, working 40 hour per week.

2. Each Employee is expected to learn all tasks associated with their position and perform all tasks in a timely and efficient manner without constant supervision. Employees are also required to know all procedures that are followed in the office or other area in which they are working. In addition to their normal assigned duties, all Employees are expected to perform all other duties as may be assigned.

3. It is the policy that these work rules be formally communicated to every employee via inclusion in the Human Resources Policy Manual and posted on the County website.

E. Employees are advised that the following may be cause for discipline up to and including involuntary separation from County employment. This includes any willful or deliberate violations of County rules to such a degree that continued employment of the individual may not be desirable and may necessitate the discharge of the employee.

This list is intended to provide examples and is not all inclusive.

1. Willfully falsifying application for employment.
2. Negligence of essential functions or work duties or continued poor performance.
3. Falsification or tampering with County records.
4. Falsification of Employee's own or other Employee's time records or medical history.
5. Dishonesty or breach of trust.
6. Failure to wear or openly display County badge.
7. Permitting another person to substitute or falsely use a County badge or departmental identification card.
8. Misconduct or behavior that is disruptive to the workplace.
9. Willful damage to or unauthorized misuse or removal of property owned, rented, leased or used by the County.
10. Spreading false rumors or filing false accusations;
11. Disclosure of confidential information of County clients or employees to an unauthorized person;
12. Theft or misuse of County Purchasing Card.
13. Rude behavior or unprofessional attitude, Gossiping, Spreading Rumors, Bullying, Harassment or Discrimination of fellow employees or members of the public .
14. Abuse or misuse of County property including internet and email, property of other employees, or property of taxpayers.
15. Saying, writing or communicating in any form or method any negative or sexually explicit or derogatory or racial or ethnic comment.
16. Furnishing information such as confidential Employee, inmate, court or other records to an unauthorized person.
17. Acts of Discrimination.
18. Insubordination, refusal or deliberate failure to carry out instructions given by supervisor,
19. Flagrant disrespect for fellow employees or Officials or Directors
20. Misuse of telephone, e-mail, cell phone, computers and other means of County supplied communications in violation of County and departmental regulations.
21. Harassment of any kind, including sexual harassment of co-workers or the public.
22. Creating a hostile work environment in violation of Title 7 of the Civil Rights Act.
23. Engaging in acts of violence, fighting or threats of violence towards any employee, members of their families, or any other person associated with the County.
24. Misconduct, such as fighting, committing a violent act, or use of profane, abusive or insubordinate language toward supervisors, Department Heads, fellow Employees, or others.

25. Abandonment of job/position; Walking off job without proper approval or notice.
26. Excessive un-excused absences and/or tardiness.
27. No call/no show for two consecutive shifts, or the same number of isolated instances,
28. Diversions of equipment for personal use or sale;
29. Bringing liquor, narcotics, drugs or any other controlled substances onto County premises except as approved by the appropriate member of senior management; and/or inebriation, intoxication or drug use while at work or performing your job.
30. Consuming liquor or using narcotics or drugs, or any controlled substances, on County premises, or while on duty, or entering the premises of the County under the influence thereof;
31. Illegal possession or sale of alcohol or drugs
32. Reporting for work or engaging in County business if mobility or judgment is impaired due to the influence of alcohol or other intoxicants or drugs
33. Possession or Carrying firearms or other dangerous weapons on County premises unless carrier is a Texas peace officer, of a firearm on or in County property without proper credentials and/or authority to carry firearms.
34. Engaging in any activity that conflicts with or gives the appearance of conflicting with the interests of the County, without first having obtained the written consent of the appropriate member of senior management;
35. Unprofessional conduct or conduct which violates the technical or ethical standards of a profession;
36. Disregard for the safety of other employees including horseplay or practical jokes;
37. Disregard of personal appearance, dress or personal hygiene.
38. Unauthorized use of public funds
39. Misrepresentation to the County of one's credentials and ability to perform certain duties.
40. Any intentional act considered fraud and abuse or unethical.
41. Repeated minor violations or nonconformance of safety rules or procedures.
42. Failure to abide by established safety rules or practice of the County.
43. Single serious violations of a safety rule or procedure that could have potentially resulted in injury to an Employee or another Employee or could have caused property damage.
44. Engaging in other business or employment during county work hours.
45. Failure of any Employee to obtain or to maintain any required training, continuing education or other requirement imposed upon them by law or their Supervisor or Department Head in order to maintain their employment with the County in their current position.
46. Failure to maintain qualifications necessary to perform the job.
47. Fraud or misrepresentation of information concerning a workers' compensation claim.
48. Refusal to submit to drug testing after probable cause has been established.
49. Conviction of a felony while employed by the County.
50. Unauthorized possession of either County property or the property of another Employee without their permission.
51. Failure to satisfactorily complete the introductory period.
52. Engaging in any conduct prohibited by this Policy Manual.

C. Employees absent from the work place in excess of six (6) months (cumulative) during a period of 12 consecutive months are subject to termination, unless they are entitled to additional leave under the FMLA. This termination is not grievable.

D. Other inappropriate behavior may be determined to be of equal seriousness with those listed above, and an Employee may be given discipline/dismissal based on those additional types of behavior.

E. Serious problems of behavior that threaten or disrupt department operations or the work of other Employees will result in immediate action to stop the behavior. This action may range from removal of the Employee from the work site, suspension or immediate dismissal. At no time does this policy waive the County's Employment At Will status of employment to discharge an employee for any reason or no reason at all.

H. Employee Counseling and Progressive Discipline

The County strives to provide for its Employees a fair and equitable system related to employee coaching and counseling and progressive discipline. It is the Employee's responsibility to meet satisfactory job expectations that include behaving in a professional manner, performing the job description's essential functions and responsibilities; adhering to the County policies and procedures, and abiding by the County Ethics policy. It is the County's intent to ensure Employees are afforded due process in the counseling and discipline process.

It is the policy of the County to try to resolve employee issues before they escalate. The counseling process may consist of any combination of the following processes, and can occur in any order, depending on the situation and severity of the problems: Verbal Feedback, Verbal Coaching and Counseling, Written Coaching and Counseling, Performance Improvement Plans, Written Warnings, Suspension, Administrative Leave, or Discharge. The County may use the employee counseling process in any order necessary to address the employee's performance issues and to protect the County's interests. All Employees are "At-Will", and as such, are free to separate their employment at any time without reason and the County retains the same rights.

Whenever an Employee is counseled for any reason, including verbal feedback, verbal and written coaching and counseling, performance improvement plans, written warning, suspension and involuntary separation of employment, the supervisor will complete an Employee Counseling Report. The counseling report should include details of the incident or situation, performance, behavior or expectation that the employee must change or improve, a performance improvement plan, (if applicable), related employee's comments, supervisor's recommendations and the signature of both the supervisor and the employee. A copy of the report is then placed in the employee's personnel file in Human Resources.

1. Verbal Feedback , Coaching and Counseling- Counseling and regular feedback with an Employee is proper and is important in ensuring Employee's understand the expectations of the supervisor and the actions necessary to meet the improvements necessary to prevent further disciplinary procedures. All verbal warnings should be in written documentation to show the meeting and discussion took place. A description of the performance or action or behavior that is unacceptable is to be discussed with the Employee. The Employee should have the opportunity to discuss the circumstances relating to the incident, performance, action, or behavior. An agreement from the Employee to meet the expectations of the job performance should be obtained. The Supervisor and Employee should sign the verbal agreement and the Employee should receive a copy of this meeting and the agreement for improvement with the Employee's signature acknowledging the meeting and discussion that took place. The supervisor is encouraged to provide positive feedback as well as needed improvements.

2. Written Coaching and Counseling Notification or Written Warning- If a verbal warning does not create an improvement in the performance or behaviors, a written coaching and counseling or written warning, clearly identified as a warning, will be presented to the Employee and will include: identification of the behavior, violation or performance problem, an indication of required change or improvement needed, and information concerning further corrective action that may result from failure to show the required modification or improvement. A time frame for change should be included and should not exceed 30 days. The written warning to correct performance problems or non-productive behavior will be discussed and signed by both Employee and Supervisor. The Employee's signature indicates receipt of the notice only, not acceptance of its contents or a contract for continued employment if the situation is corrected. If the Employee refuses to sign, the Supervisor should have a witness sign a statement that a copy was given to the Employee.

3. Administrative Leave (with pay) - Administrative Leave with pay is time off for alleged misconduct or a violation of any provision of this manual that requires investigation. An Employee may be granted Administrative Leave with pay only by Elected or Appointed Officials. Administrative Leave will last only for such period of time as is required to complete the investigation. An Employee who is granted Administrative Leave with pay shall be given written notice detailing the reason(s) for the action and asked to sign the notice. If an Employee refuses to sign the written notice, the Elected or Appointed Official should have a witness sign a statement that a copy was given to the Employee. Upon completion of the investigation the Elected or Appointed Official will either restore the Employee to their former position or, if warranted, pursue additional disciplinary action.

4. Administrative Leave (without pay) - Administrative Leave without pay is time off for alleged misconduct or a violation of any provision of this manual that requires investigation.

An exempt employee will not be on administrative leave without pay in excess of 7 calendar days. If the investigation determination is unsubstantiated, the employee will be paid for the days on investigatory leave, with approval by an Elected or Appointed Official and returned to the position.

5. Suspension (without pay) – Suspension is time off without pay for misconduct that is not serious enough to warrant immediate dismissal. An Employee may be suspended only by the Department Head. Suspensions shall not exceed 10 working days. An Employee who is suspended shall be given written notice detailing the reason(s) for the action and asked to sign the notice. If an Employee refuses to sign the written notice, the Department Head should have a witness sign a statement that a copy was given to the Employee. Following completion of the suspension period, the Employee will be allowed to return to work.

6. Demotion - Demotion is the placement of an Employee in a position of lesser responsibilities and compensation. A Demotion is appropriate only after the Department Head finds that an Employee is unable to perform satisfactorily the duties assigned to the position occupied by the Employee, but that the Employee does have some skills that can be utilized by the office. The use of Demotion instead of dismissal is discretionary with the Department Head. The availability of a position with lesser responsibilities and compensation in the office at the time a Department Head takes disciplinary action does not automatically entitle the Employee to be demoted in lieu of being suspended or dismissed.

7. Involuntary Separation or Dismissal - is the separation of an Employee from County employment. Sometimes immediate dismissal is warranted. In other situations an Employee who is dismissed shall be given written notice detailing the reason(s) for the action and asked to sign the notice. If an Employee refuses to sign the written notice, the Department Head should have a witness sign a statement that a copy was given to the Employee. Dismissal will occur when there is repeated conduct for which a person has been previously suspended, or conduct serious enough to warrant immediate dismissal.

8. Dismissal for Job Abandonment, or No Call/No Show for 2 consecutive shifts – may be considered voluntary termination. Extenuating circumstances will be considered on a case-by-case basis.

E. Demotion, Suspension, Administrative Leave, Termination

1. Prior to granting demotion, suspension, administrative leave, or termination discharge to an Employee under progressive discipline, the Department Head will consult with Human Resources. Proper documentation must be available.

2. A meeting with the Employee will be conducted as soon as possible to ensure the behavior stops and there is no danger of damage to County systems or employees.

   The disciplinary notice will include a description of the conduct that is the cause of the discipline or investigation. If the behavior warrants immediate removal from the workplace, the Employee will be suspended or placed on Administrative Leave.

   If the Employee is suspended or given administrative leave, the Employee will be notified of the requirement to be available during normal work hours to answer questions and provide information. The Employee will be given the opportunity to respond to the allegations.

3. The Department Head, with assistance of Human Resources and or County Legal will conduct an investigation and review County policy.

5. The investigation is considered confidential for all participants to the extent possible; however all parties involved must understand that it could become part of an open records request.

6. After the conclusion of the investigation, the Department Head will advise the Employee of the disciplinary measures, if any, that have been decided upon by the Department Head. Department Head will provide a written statement to the employee of the findings.

7. The Employee may appeal any adverse action in writing to the Human Resources Director, using the Appeal form within 72 hours if the employee has completed the introductory period and disagrees with the findings. The Human Resources Director or designee will then review the investigation, and make a recommendation to the Department Head. The Human Resources Director or designee will communicate the findings within 5 business days to the Employee. The Department Head has the final decision.

APPEAL FORM FOR ADVERSE EMPLOYMENT ACTION
TO HUMAN RESOURCES DIRECTOR
COMPLAINT FORM

I have a complaint regarding a workplace situation. I dispute my supervisors/Department Director's determination regarding _____ that took place on (date) ____/____/____. I hereby appeal to the Human Resources Director. The response will be provided to the employee within 5 business days. **Employee Name**_____
Employee Title _____ **Department** _____**Date of Hire** _____
Department Head Name _____**Supervisor Name** _____

Please type or print using a ball point pen. **Today's date: _____**

Issue You are Appealing:
Reason for further appeal:
Provide as much information as possible.

Date: ____/____/____ **Signature: _____**

Date Received by HR Director
Human Resources Director Response

Date: ____/____/____ Signature: _____

Once you have completed this form, please return to the employee and have the employee sign the acknowledgement below:

I have read the Human Resources Director's response to my complaint and I understand that if I wish to further appeal my complaint I have five (5) working days from this response to submit the grievance to the grievance panel if I am a law enforcement employee. There is no provision for a grievance based on termination for non-law enforcement employees. Grievances not appealed in a timely manner are considered settled at the previous level. I have completed my introductory period.

Date: ____/____/____ Employee Signature: _____

•Human Resources Director keeps original and provides a copy to the employee.

County of Galveston - Human Resources
Harassment and Workplace Conflict Complaint Form

The information you provide below is considered sensitive and will be shared only with those who are considered essential to the investigation and disposition of this complaint. Do not feel limited by the space provided in this form- you are encouraged to attach additional pages and documentation if you believe it will assist in the investigation.

Your Name: _____ Date of Hire _____
Position: _____
Department: _____ Phone Number:_____
Immediate Supervisor: _____

1. Describe the alleged harassment incident(s).

2. Who was responsible for the alleged harassment incident(s)?

3. Identify any witnesses to the alleged harassment incident(s).

4. Where did the alleged harassment incident(s) take place?

5. List the date(s) and time(s) that the alleged harassment incident(s) occurred.

6. How did you feel?

7. Have you reported this incident to anyone else? If so, whom?

8. What would be your desired outcome as a result of the investigation?

I agree to keep this information confidential and not discuss it without clearing through Human Resources

Signature: _____ Date: _____

Galveston County is an equal opportunity employer. It is Galveston County's policy that all employees have a right to work in an environment free of discrimination and harassment based on sex, age, race, color, national origin, religion, disability or any other basis protected by federal, state, or local law.
Galveston County's policy prohibits retaliation against any employee for complaining about discrimination or harassment. Please contact HR at 409-770-5350 if you need any assistance.

The purpose of the grievance system is to settle grievances as quickly as possible to assure efficient work operations and maintain positive employee morale. Department Heads and supervisors are encouraged to work with employees to resolve grievances informally.

These procedures apply to all employees of the County. Employees may use the Appeal process for adverse actions, including termination of employment with the Human Resources Director prior to utilizing the Grievance Procedure.

Employees should pursue, if possible, an informal resolution of their complaints, utilizing all available avenues within their department before filing a formal, written grievance. Efforts at informal resolution are unrelated to the formal grievance procedure and do not extend the time limit(s) included in the procedure.

The grievance procedure does not apply to allegations of discrimination based on race, color, religion, sex, national origin, age, or disability. Discrimination allegations, Anti-Discrimination and Anti-Harassment complaints are filed with the Director of Human Resources.

Grievable Matters
"Grievance" means a claim by an employee that he was adversely affected by a violation, misinterpretation, misapplication, or disparity in the application of a specific law, ordinance, resolution, written or unwritten policy, or rule regarding wages, hours of work, or conditions of work.

a. Examples of grievable matters include, but are not limited to:
   - Misinterpretation of a department mandatory overtime policy;
   - Disparity in the application of a department shift policy;
   - Violation of the County compensatory time policy.
   - Suspension
   - Demotion
   - Termination- if Law Enforcement Employee

b. Examples of matters that are not grievable include, but are not limited to:
   - Employee performance evaluations that are not directly related to wages;
   - Written reprimands;
   - Terminations for Non law enforcement – May use appeal process through Human Resources
   - Promotion decisions, unless covered by a salary ladder.

If at any point in the grievance process the Department determines that the subject of a grievance is not grievable as defined above, the Department notifies the employee in writing before the next applicable deadline.

Time limits begin on the first working day after the applicable occurrence, filing, appeal, response, or recommendation. Working days do not include weekends or County Holidays.

A. An Employee may submit any complaint about non-grievable personnel actions to the County's Director of Human Resources. The Director of Human Resources should review the complaint, determine whether there is a legitimate reason for dissatisfaction by the Employee, and take appropriate actions based on the nature of the complaint. Appropriate actions might be a discussion of the problem with the other persons implicated if it involves Employee relationships, or correction of an error in the recording of benefits or compensation received.

B. No Employee should ever be discriminated against, harassed, intimidated, or suffer any reprisal as a result of filing a grievance or participating in the investigation of a grievance by providing information, testimony or assistance.

C. Grievance Panel

1. Commissioners Court. One member will be appointed by United Steelworkers 13-1 (USW). The two appointees will then choose a third member who shall also serve as the Chair of the Panel.

2. Grievance Panel members will serve for a period of one (1) year or until their respective successors are appointed.

D. A Regular Law Enforcement Employee who has been such for a minimum of 12 consecutive months and who is thereafter suspended or demoted or involuntarily separated based on violation of policy may request the matter be considered by the County Grievance Panel. No person who is disciplined during their introductory period, affected by a Reduction-in-Force or absent from the work place in excess of six (6) months (cumulative) during a period of 12 consecutive months may utilize the grievance system.

E. The maximum relief which may be obtained by a grievant through the grievance process is reinstatement to their former position and restoration of lost salary and benefits. The Grievance Panel may not recommend transfer to another department, or to another position in the same department.

F. An Employee must file a grievance within five calendar days after the date of the grievable occurrence. The Employee must submit the request for a grievance to the County Legal Department by no later than 5:00 p.m. of the fifth day. The Employee's request must state why the Employee disagrees with the disciplinary action that was taken and the relief sought.

G. IF AN EMPLOYEE FAILS TO MEET THE FILING TIME LIMITS, THE EMPLOYEE LOSES THEIR RIGHT TO USE THE GRIEVANCE SYSTEM. But, where it has been impossible for the individual to observe the time limits, the grievant may request the County Legal Department to waive the time limits, stating the reasons the time limits should waived. Failure to grant this request is not a grievable action.

H. A vacant position created by a dismissal should not be permanently filled until the Grievance Panel has made its recommendation and the Department Head their decision.

I. The Grievance Panel will conduct the hearing. Grievants may be represented by a Union Representative **or** Attorney. Presentations must be relevant and will be limited to 45 minutes for the grievant and 45 minutes for management unless the Panel decides to grant an extension of time. No cross is permitted. Loud and abusive language by any of the participants in the formal hearing process will not be allowed and will be grounds for removal from the hearing. The grievant will present his case first.

J. Grievance hearings should be held within thirty (30) days after the grievance is filed. Written notice of the date of the hearing and a copy of the grievance will be sent to all involved persons, including the Grievance Panel, at least five days prior to the date of the hearing, by the County Legal Department.

K. The grievant and the Department Head will be permitted to present documentary evidence and the testimony of witnesses at the hearing. County Employees named as witnesses by either the grievant or County Legal must attend the hearing. Witnesses shall be limited to testimony relevant to the incident leading to the discipline being grieved. No character witnesses or observers are permitted to attend the hearing. A list of the witnesses and a copy of the documentary evidence must be delivered to the County Legal Department by noon five (5) working days prior to date of the hearing for distribution to all involved persons, including the Grievance Panel. Other witnesses and documents will not be admitted.

L. Grievants may not contact or communicate with any member of the Grievance Panel during the grievance process except in response to a direct question. A violation of this rule will result in cancellation of the hearing and automatic upholding of disciplinary action.

M. The Grievance hearing is not to be used as a forum for personal attacks against management and/or coworkers.

N. The County's Director of Human Resources or her designee should be in attendance or readily available by telephone and should serve as a resource of information to the Grievance Panel. The Director does not have a vote.

O. The formal hearing will be recorded on cassette tape to assist the Grievance Panel in their deliberation and for record-keeping purposes.

P. At the end of the hearing, the Grievance Panel will deliberate and make a recommendation. Recommendations should be made on the same day the grievance is held. If the Grievance Panel decides it is necessary, the deliberations may be continued as reasonably necessary.

Q. The recommendation will be given or mailed by the Chair of the Grievance Panel to the County Legal Department for distribution to the Department Head. The Department Head will advise the Grievant of their decision as soon as is reasonably practical.

R. If either County Legal or Director of Human Resources believes the Department Head is not acting in the best interest of the County, either will have the opportunity to bring the issue to Commissioner's Court in an Executive session.

S. The following guidelines have been adopted by the County Grievance Panel to help the grievance hearing process move efficiently and effectively.

1. The Grievance Panel will keep each hearing to a maximum of 1 ½ hours.

2. Presentations of testimony should be brief and relevant. Relevant means specifically related to the incident from which the disciplinary action arose or the Grievant's prior work performance which was considered by the Supervisor in taking the disciplinary action.

3. Witnesses should only be called to provide testimony that is relevant to the incident leading to the grieved discipline. Character witnesses will not be permitted.

4. The Grievance Panel may impose sanctions to control the hearing process. This sanction authority includes the power to dismiss witnesses and to terminate the hearing.

5. Loud, abusive or profane language will not be permitted.

6. The Grievant may represent their self or be represented by either an attorney **or** a Union Representative. The County will be represented by the County Legal Department.

7. The Grievant and the Supervisor will be given an opportunity to present documents and witnesses to support their position. Presentations, including openings and closings, are limited to a sequential 45 minutes for the Grievant and 45 minutes for the Supervisor. No cross examination is permitted. The Grievant will begin the process.

8. Grievance Panel members may ask questions of any person in attendance.

9. Witnesses for each party will not be permitted to remain in the room in which the grievance hearing is being conducted. They will be summoned as needed.

10. After the conclusion of closing arguments, the Grievance Panel will deliberate and make a recommendation to the Employer for distribution to all parties.

11. A written copy of the Employer's response to the recommendations will be sent to each Grievance Panel Member.

A. DEFINITIONS:

AUTHORIZED REPRESENTATIVES: Elected or Appointed Officials, Department Heads or their designees.

COMMUNICATION EQUIPMENT AND SERVICES: All mail, memos, dvd's, digital imaging, electronic mail (E-mail), voice mail, courier services, facsimiles, telephone systems, telephone credit cards, computer networks, on-line services (i.e., Internet), computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, bulletin boards, lap tops, photocopiers and other forms of written or oral communication.

CONTRACT WORKERS: Persons who are under contract with the County to provide services.

COUNTY: Galveston County.

E-MAIL: E-mail is divided into two areas, records and non-records.

1. E-mail records include: (1) E-mail contents and all attachments and (2) transmission and receipt data, such as send and receive dates and distribution lists. Examples of E-mail records are: policies and directives; correspondence or memos pertaining to the County's contractual, administrative, engineering, quality, and fiscal business; work schedules and assignments; drafts of documents circulated for approval or comment; messages that initiate, authorize or complete a business transaction; and final reports or recommendations.

2. E-mail non-records include: personal messages or announcements not related to official business; phone message reminders; meeting reminders.

Transitory E-mail messages are requests for reports, notices of meetings, reminders of a deadline or other communications that are informational. They may be records or non-records depending on their content.

EMPLOYEE: All Employees of Galveston County regardless of employment status.

IMPROPER USE: Any misuse as described in this Policy as well as any vulgar, harassing, offensive, demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

INCIDENTAL USE: Use consisting of an occasional or "by chance" encounter or use. Personal use outside of related County or professional related business, not to exceed 25 per week. (Can be variable, depending on the situation and content of communication)

REASONABLE SUSPICION: Suspicion based on information and belief that an act occurred in violation of the rules and policies of the County.

B. These Policies are established to ensure the well-established principle of Texas law that all County property, including County communication services and equipment is used for County purposes, not private purposes. In accordance with this principle, authorized representatives of the County may access and oversee Employee communication and equipment to ensure that the equipment is properly used. Such access may occur when there is reasonable suspicion as defined in this Policy. Access may also occur when there is a non-investigatory work-related need to retrieve items such as correspondence, files, or reports.

C. This Policy applies to all Employees and Contract Workers of Galveston County.

D. Authorized representatives should instruct Employees on the proper use of communication services and equipment used by the county for both internal and external business. Questions regarding this Policy may be directed to the Human Resources Department.

E. It is the Policy of the County to provide or contract for communications services and equipment necessary to promote the efficient conduct of its business. All communication services and equipment, including messages transmitted or stored by the County of such contractors are the property of the County or the County's contractor. Employees and Contract Workers have no ownership interests in such communication services and equipment.

F. Communication services and equipment shall be used solely for job-related purposes. Authorized representatives may access, copy, review, and download any communications or files created or maintained by Employees or Contract Workers on the computer systems or voice mail.

G. The Information Technology Department is responsible for the general administration of this policy as well as the operation and maintenance of communications equipment and services. Information Technology employees are held to a higher standard of ethical behavior due to this responsibility. IT may periodically recommend to the Commissioners' Court for adoption detailed operational procedures and practices for the operation and use of communications equipment and services.

H. While Employees and Contract Workers are provided a confidential password for access to Communications Equipment and Services, users are advised that this does not suggest that the equipment and services are for personal confidential communication. Nor does it suggest that any Employee or Contract Worker has a property right or interest in such Equipment or Services including e-mail.

I. Pass words should periodically be changed to help ensure security of the Communications Equipment and Services. Users must not share their passwords with anyone else other than their Supervisor and Department Head. Employees and Contract Workers shall protect messages, files, records and passwords from unauthorized third parties.

J. The County recognizes that its Employees' personal lives occasionally intersect with their work lives and that reasonable and incidental use of County time or County property in crossing such intersections is not a misuse of County resources. A typical example includes an occasional short personal local phone call made by an Employee to their spouse toward the end of a working day. Although such personal communications are permissible, they should not be made for private commercial purposes and they should utilize only incidental amounts of Employee time.

K. Employees and Contract Workers shall minimize use of the County's telephones, cellular phones, facsimiles, email and Internet use for personal purposes. Personal use shall not unreasonably interrupt or interfere with the Employee's or Contract Worker's work or prevent or hinder the use of the telephones, facsimiles or other communications equipment for County business. Personal communications which result in direct costs paid by the County (e.g., long distance or cellular phone calls) may be made only in case of emergency.

L. Telephones/Cellular Phones/Facsimiles

1. Employees and Contract Workers who do not have direct access to a telephone during work hours should make arrangements to have emergency or other necessary incoming calls routed to their supervisors or an area designated by their supervisors.

2. Cell phones shall be turned off or set to silent or vibrate mode during meetings, conferences and in other locations where incoming calls may disrupt normal workflow.

3. Employees may carry and use personal cell phones while at work on a sporadic basis. If employee use of a personal cell phone causes disruptions or loss in productivity, the employee may become subject to disciplinary action.

4. Department managers reserve the right to request that the employee provide cell phone bills and usage reports for calls made during the working hours of that employee to determine if use is excessive.

5 The County switchboard has the capability to access most exchanges within the Houston/Galveston area without incurring long distance charges. Access of these exchanges should be made by dialing the appropriate sequence instead of long distance and should be used for County business calls only.

6. Long distance use is limited to those Employees and Contract Workers who have been authorized to have County access codes by their Department Heads.

These access codes may be used only for County business. Employees and Contract Workers are forbidden from making any personal long distance phone calls except in case of emergency. Emergency long distance phone calls may be made upon prior approval of authorized representatives.

7. Employees and Contract Workers shall have a duty to inquire into the cost of and shall reimburse the County for any unauthorized or emergency long distance calls made by them prior to the payment of such costs by the County.

8. Employees and Contract Workers making personal calls on County cellular phones shall reimburse the County for such calls prior to the payment of such costs by the County.

9. The County monitors telephones usage according to length of calls and long distance calls made. Employees and Contract Workers may be asked to provide documentation for telephone calls and facsimiles. Authorized representatives have the ability to request extension reports which detail the length of calls and to whom the calls were made.

M. Voice Mail

1. Voice mail should not be used for personal messages (i.e., soliciting contributions, arranging for an after-work get together).

2. Employees and Contract Workers should listen and respond to their messages within a reasonable time frame.

3. Employees and Contract Workers are expected to exhibit the same high level of ethical and business standards when using voice mail messages as they are required to do in all other forms of County communication.

4. Use of voice mail is not an acceptable alternative to proper notification of being late or absent from a regularly scheduled workday. An Employee or Contract Worker must call and speak to his/her immediate supervisor and if he/she is not available, then to the next available supervisor.

N. E-Mail

1. The County Electronic Mail System (“e-mail”) is designed to facilitate the transmittal of messages, memoranda and other business communications among Employees and other business associates.

2. The e-mail system is County property and is intended for County business only. The system is not to be used for Employees’ and Contract Workers’ personal use, gain or to support or advocate for non-County related business, personal parties, social meetings,

political or religious causes or other matters not connected with the County's business. All data and other electronic messages within this system are the property of the County.

1. All e-mail documents must reflect the ethical standards that the County expects from every Employee. Employees and Contract Workers must take care to ensure all facts are accurate and words are carefully chosen to accurately reflect situation or record the event or business transaction. Improper use of the email system is prohibited and will result in disciplinary measures up to and including termination.

2. Employees and Contract Workers should not respond to inappropriate unsolicited e-mail. The Employee and Contract Workers must make every effort to stop inappropriate and or unsolicited e-mail.

3. The County, through its authorized representatives, reserves the right to review the contents of Employees' and Contract Workers' e-mail communications when necessary for County business purposes.

4. Employees and Contract Workers may not intentionally intercept, eavesdrop, record, read, alter or receive another person's email messages without proper authorization. Unintentional interceptions must be discontinued immediately upon discovery.

5. Employees and Contract Workers should be aware that when they have deleted a message from their mailbox, it may have not been deleted from the e-mail system.

6. Employees and Contract Workers are required to follow County standard procedures for properly managing, retaining and deleting e-mail records.

7. Only authorized persons may use e-mail. If an Employee or Contract Worker has not been issued an e-mail password, he/she may not use the e-mail system.

8. Employees and Contract Workers shall not access e-mail belonging to others by any means, unless authorized to do so. Employees and Contract workers in IT are required to maintain confidentiality relating to County e-mails, computer, and or internet information and specific individual usage, unless expressly authorized to disclose information. IT employees and contractors shall not use their position to threaten either veiled or otherwise users of the County email, internet, or computer systems.

8. Use of e-mail is not an acceptable alternative to proper notification of being late or absent from a regularly scheduled workday. An Employee or Contract Worker must call and speak to his/her immediate supervisor and if he/she is not available, then to the next available supervisor.

9. Information Technology may limit the number and/or the amount of space available for Employees and Contract Workers' e-mails. But, before taking limiting or blocking e-mails, Information Technology will notify the Employee of their intention and give the Employee an opportunity to come into compliance with the request.

10. The Commissioners' Court authorizes Information Technology to utilize various tools and services to protect the County's e-mail and system assets from the receipt or transmission of potentially damaging files. As a result certain types of e-mails and attachments may be blocked from receipt or may be quarantined before delivery.

11. Employees and Contract Workers should limit distribution of their County e-mail address information to County related business purposes only.

12. The County recognizes that Employees, Contract Workers and the County's e-mail services cannot always control unwanted or unsolicited e-mail. Users who receive unwanted or unsolicited e-mail shall unsubscribe, if possible, and shall bring threatening or offensive communications to the attention of their Supervisor and the Human Resources Department.

O. Internet

1. The Internet access provided by the County is to be used in a responsible manner for County business only. Its use may be limited as necessary by the County's Information Technology Department. It is not to be used for personal enjoyment or gain and under no circumstances is it to be used for improper or unethical, sexually explicit transmitting or receiving, any use in violation of County policy, or for purposes unrelated to topics necessary to perform an Employee's or Contract Worker's job.

2. All communications on the Internet can be traced back to the County and, by extension, an Employees' access code or password if it is done through County access. Employees and Contract Workers are required to follow professional ethics in their use of the Internet.

3. Employees and Contract Workers who are Network users should refrain from disclosing their access code or password to anyone other than their immediate Supervisor. Such access codes or passwords should be periodically changed to ensure security of the Internet system.

4. Network users shall not knowingly perform acts which deliberately waste computing resources. Examples include injecting a computer virus, sending or receiving excessively large mailings or files, batch programs, junk mail, chain letters and audio/video files.

5. Network users shall not knowingly unfairly monopolize resources to the exclusion of others.

6. The County recognizes that unwanted or unsolicited contact cannot be controlled on the Internet or the County network. Uses who receive threatening or offensive communications shall bring them to the attention of their Supervisor and the Human Resources Department.

P. Computer Systems and Software

1. Employees and Contract Workers shall not introduce unlicensed or unauthorized software into the County computer system for any reason. All software must be cleared by the Information Technology Department before installation on a County computer. Existing unlicensed or unauthorized software must be immediately removed or similarly cleared through the Information Technology Department.

2. Employees and Contract Workers shall not copy County software for use at home, unless authorized to do so by the Information Technology Department.

3. Employees and Contract Workers shall not use another Employee's or Contract Worker's computer, unless authorized to do so and shall not use another Employee's or Contract Worker's password to log on to the system unless authorized to do so.

4. Supervisors must inform the Information Technology Department of all new Employees, Employee terminations, transfers to other departments within the County, or changes within Employees' or Contract Workers' current responsibilities affecting information systems use.

5. Except to the extent permitted by the Texas Public Information (Open Records) Act, Employees and Contract Workers who are terminated, laid off, or otherwise no longer employed by the County of the County's contractor, have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Authorized representatives may access an Employee's or Contract Worker's e-mail if Employees or Contract Workers are on leave of absence, vacation, or are transferred from one department to another department and it is necessary for the County's business purposes.

6. Employees and Contract Workers shall not tamper with or intentionally or knowingly alter, damage, or destroy the hardware, software, and computer files of the County.

7. The consequence for obstructing, prohibiting, or inhibiting an investigation relating to the County e-mail, internet, or computer usage, will result in immediate discipline, up to and including termination.

Q. Mail and Official Communications

1. Employees and Contract Workers shall not use the County's stationary for personal purposes or allow their personal correspondence to appear to be an official communication of the County.

2. Personalized County stationary and business cards shall only be issued by the County.

3. Employees and Contract Workers should not use the County's address for receiving personal mail, packages or other communications.

4. Employees and Contract Workers shall not use County postage for personal mail.

R. Consequences to Employees and Contract Workers

1. Any Employee in violation of any portion of this Policy may be subject to disciplinary action. Illegal usage of communication equipment and services or other County property may subject an Employee or Contract Worker to criminal prosecution.

2. Any person under contract to provide services to the County who violates this Policy may be deemed to have breached his/her contract and may be banned from the work site.

3. Any Employee who refuses to consent to any reasonable access, copying, reviewing, and downloading of any communications equipment and services utilized by such Employee based on reasonable suspicion or a non-investigatory work-related need may be subject to disciplinary action. Any Contract Worker who refuses to consent to any reasonable access, copying, reviewing, and downloading of any communications equipment and services utilized by such Contract Worker based on reasonable suspicion or a non-investigatory work-related need may be banned from the work site.

4. Any Employee in unauthorized possession of either County property or the possession of property of another Employee or Contract Worker without their permission will be subject to disciplinary action. Any Contract Worker in unauthorized possession of either County property or the property of another Employee or Contract Worker will be banned from the work site.

Policy HR023- Internet, Social Media, and E-Mail Usage Work Expectations
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A. The county recognizes that use of the Internet has many benefits for the county and its employees. The Internet and e-mail can make communication more efficient and effective. Therefore, employees are encouraged to use the Internet appropriately. Unacceptable usage of the Internet can place the County and others at risk. This policy discusses acceptable usage of the Internet and e-mail.

B. The following guidelines have been established for using the Internet and e-mail in an appropriate, ethical and professional manner.

1. Galveston County Internet and e-mail access may not be used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature or pornographic. No messages received or sent with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted or received. Harassment, sexually oriented, and or discrimination of any kind are strictly prohibited.

2. Disparaging, abusive, profane, or offensive language; materials that might adversely or negatively reflect upon Galveston County or be contrary to Galveston County's best interests; and any illegal activities—including piracy, cracking, extortion, blackmail, copyright infringement, conflict of interests, communication and derogatory or sexually oriented pictures from personal phones, using the computer system for personal outside businesses, dating sites, face book (unless authorized for County business), and unauthorized access to any computers on the Internet or e-mail—are forbidden.

3. Copyrighted materials belonging to entities other than the County may not be transmitted by employees on the company's network. All employees obtaining access to other companies' or individual's materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only. If you find something on the Internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on his/her own.

4. Do not use the system in a way that disrupts its use by others. This includes excessive personal usage, (more than 25 personal emails per week) sending or receiving many large files and "spamming" (sending e-mail messages to thousands of users.)

5. Do not use the internet for personal use or as your only email service. A few personal emails, a very small amount in number is considered incidental use and may be allowable, if the content does not violate any of this policy.

6. Each employee is responsible for the content of all text, audio or images that he/she receives, places or sends over the company's Internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that The County's name is attached to all messages so use discretion in formulating messages or sending any messages from the County.

7. Generally, e-mail is not private or confidential. All electronic communications are The County's property. Therefore, the county reserves the right to examine, monitor and regulate e-mail messages, directories and files, as well as Internet usage. Also, the Internet is not secure so don't assume that others cannot read—or possibly alter—your messages.

8. Internal and external e-mail messages are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the Company.

C. Social Networking and Media

1. The County recognizes that employees may use social networking websites or similar media including, but not limited to, blogs (hereinafter referred to as "personal websites") during non-working hours. The use of the County internet to access personal websites is prohibited. Exceptions may be made when the County sponsors a website for business reasons or there is a legitimate business or professional use.

2. Employees who use personal websites are expected to refrain from presenting themselves as representative of the County or from portraying the County in a negative manner. Employees are expected to show a duty of loyalty and respect to the County and co-workers. Employees are prohibited from accessing personal websites during work hours, unless the personal website is directly related to County business.

3. Employees are expected to use good judgment and discretion when using personal websites.

4. Employees are not permitted to use personal blackberry or any other email enabled phone to connect the County email system, unless specifically requested in writing, and approved by the County Chief Information Officer and Commissioner's Court.

5. Employees are expected to respect the privacy of other employees and refrain from posting photos, opinion or other information which may portray other employees, the County or others in business relationships with the County in a negative manner.

6. The publication of confidential information is prohibited, including personally protected information, HIPAA protected information, confidential employee or County information. If employee's are uncertain whether information is confidential, they should consult Legal.

7. Employees are reminded that information posted on personal websites can be viewed by members of the public, by others in the County, by taxpayers, and customers or clients of the County. Employees are expected to be respectful and avoid disparaging remarks or images about any of these individuals.

D. Right to Monitor and Consequences

1. All County-supplied technology, including computer systems and company-related work records belong to the county and not the employee. The County may routinely monitor usage patterns for its e-mail and Internet communications. Although encouraged to explore the vast resources available on the Internet, employees should use discretion in the sites that are accessed. High ethical standards are expected from each employee.

2. Since all the computer systems and software, as well as the e-mail and Internet connection, are County -owned, all County policies are in effect at all times. Any employee who abuses the privilege of the County facilitated access to e-mail or the Internet, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including involuntary separation of employment.

A. It is the policy of Galveston County to prohibit solicitation and the distribution of literature on all premises operated by or leased by Galveston County except under the circumstances described below. It is the responsibility of the county to maintain an atmosphere consistent with respect for the citizens of Galveston County. In addition, in order to protect employees from undue interference in the course of performing their work, the following guidelines governing solicitation and distribution of non-Galveston County literature have been established.

B. The County participates in United Way and health awareness campaigns

C. Solicitation for any fund or charity shall not be permitted without prior Department Head approval being obtained.

D. Employees shall not be required to participate in any solicitation activity. Employees shall not be required to contribute to any fund or charity.

E. Persons who are not employed by the County are not permitted to distribute material or to solicit employees or anyone at premises operated by the County, in work areas. Persons may be allowed on the County premises if they are conducting official business with the County or they may be invited to provide presentations of products, equipment or services directly related to County business and as part of in-service training for employees.

F. Employees

1. During Work Time
   Employees may not solicit for any purpose during scheduled work time, which includes both the work time of the employee doing the soliciting and the work time of the employee to whom the solicitation is directed. Employees may not distribute non-County work related literature for any purpose during scheduled work time or in work areas. Work time does not include scheduled off-duty periods such as meal times or breaks, time before and after a shift, and any other period of time when employees are not expected to be performing their work tasks.

2. Litter
   The placement of “flyers” and/or printed matter on automobiles parked in our parking lots or host facility parking lots is strictly prohibited.

G. Bulletin Boards and E-Mail

Bulletin Boards and E-Mail are to be used strictly for purposes related to Galveston County business. Use of either for solicitation of any purpose is strictly prohibited.

H. Compliance

County Legal and the Human Resources Department are accountable for monitoring and coordinating all aspects of this policy. All violations of this policy should be reported to either County Legal or Director of Human Resources.

Campaigning

A. Employees are not permitted to campaign for any candidate or proposition during working hours or while in County uniform, but are allowed to utilize their right to vote in Federal, State, County and local elections. Use of County property for campaign purposes is prohibited except allowance is made for voting or campaign signs located in voting and polling places.

Voting

A. The County believes that it is the responsibility and duty of employees to exercise the privilege of voting in elections. In accordance with this philosophy, the company will grant its employees approved time off to vote and for periods of service as an election official.

B. All employees should be able to vote either before or after regularly assigned work hours. However, when this is not possible due to work schedules, Directors are authorized to grant a reasonable period of time, up to three hours, during the work day to vote. Time off for voting should be reported and coded appropriately on timekeeping records. Employees are encouraged to vote early or during extended voting hours to avoid missing work.

The Texas Public Information Act, formerly known as the Texas Open Records Act, declares that all information held by public officials or Employees is subject to public disclosure unless excepted.

A. Access of Records to Public

The Public Information Act permits access to public information by all persons and prohibits any inquiry regarding the motives or reasons for requesting the information. Everyone is considered to have equal access to public records although there are special provisions for an Employee seeking their own personnel records.

B. Custodian of Records

Each elected county official is the custodian of their records. Each Department Head is an agent of the officer for public information for purposes of complying with the Public Information Act.

C. Confidential Information

Most information requested under the Texas Public Information Act is open for disclosure. However, certain information is required to be excepted from disclosure and must not be released to the public. Examples include releasing the home address, home telephone number, social security number and whether a fellow Employee has any family members when the Employee does not want to have this information disclosed and has previously elected to not have this information disclosed.

D. Releasing Confidential Information

Information is excepted from disclosure under the Public Information Act under either mandatory or discretionary exceptions. Information that is mandatorily excepted from disclosure is confidential and must not be disclosed to the public. Your releasing such confidential information to the public may constitute criminal conduct.

E. Questions

If you have any questions regarding whether information may be released or if you require assistance in determining the cost for releasing such information, contact the County Legal Department immediately for guidance. On occasion, the County Legal Department may be required to submit an Open Records Request to the Attorney General Opinion in order to determine whether the information being sought is confidential. There are strict time limits imposed on the County under the Act. Failure to comply with these time limits will in most instances compel that the information be released.

A. This policy applies to all Employees. This policy may be modified from time to time as necessary. This is only a portion of the entire policy. Please refer to the Safety Manual for the policy in its entirety. Every Employee is responsible to follow this policy.

B. The citizens of Galveston County depend on County Employees to report to work during and in the aftermath of a disaster to assist in the restoration of essential public services required for the health, safety and quality of life for the citizens of our community.

C. This policy will be in effect whenever the County Judge or his designee, in accordance with the Emergency Management Plan (EMP), declares that emergency conditions warrant either preparation for, or reaction to a potentially disastrous event. Each emergency situation is unique and while this policy is intended for overall guidance, the County Judge reserves the right to evaluate this policy and issue alternative procedures.

D. Emergency Management has also requested that all Employees have their identification badges readily available in order to facilitate easier access to their assigned areas in County buildings in the event of storm or hurricane or when returning to Galveston County after such an event.

E. Upon declaration of an emergency, Department Heads are authorized to release Employees in Tiers 2 – 4 from duty as outlined below.

F. Emergency Operation/Staffing - Emergency Workers

Department Heads are responsible for appointing individual classifications to each of their Employees. Every County Employee will have one of the following classifications. Any Employee classification can be immediately, permanently, or temporarily reclassified upwards or downwards depending on the needs of the County.

1. Tier 1 – Essential - Employees with specific responsibilities who physically remain in the County at a designated location during an emergency.

2. Tier 2 – Reserve Essential - Employees who report to or remain on the job preceding an emergency for the preparatory phase and who are subject to being re-designated as needed.

3. Tier 3 – Re-Entry Essential - Employees who must return to supplement or relieve Tier 1 or Tier 2 Employees immediately up on roads becoming accessible.

4. Tier 4 – Non-Essential - Employees whose presence is not essential in carrying out the emergency plan. These Employees may not leave their positions until released by their supervisor and must return to work as usual under normal operations after emergency status has ended.

Non essential Employees not at work are responsible for remaining in contact with their supervisor regarding assignments. They are also to stay abreast of the situation by monitoring radio/television for instructions or by calling the Emergency Operations Center as to when to report to work.

F. Adverse Weather Conditions

The County Judge or his designee has the authority to direct all County Employees not to report to work or to leave work if emergency situations such as adverse weather conditions threaten.

G. Emergency Preparation Phase

1. County property will be secured and protected and other actions will be taken as necessary in individual departments as required by the County's Emergency Management Plans, and departmental Emergency Plans and Standard Operating Procedures (SOP's).

2. Department Heads will reconsider and reschedule or cancel, if necessary, all vacations of Tier 1 or Tier 2 Employees who are on approved vacation or are scheduled for vacation.

3. When assigned tasks under the Preparation Phase are completed in accordance with the Departmental Emergency Plan, Tier 3 and Tier 4 Employees who are released from duty may choose to evacuate. Tier 1 and Tier 2 Employees will be allowed to secure their property and make arrangements for their families at such times as they are scheduled by their Department Head.

H. Emergency Services Phase

1. This phase occurs during the emergency situation. Only those Employees whose assigned functions are necessary for the benefit of the general public during the emergency situation will work during the Essential Services Phase. Tier 1 and Tier 2 Employees will not be authorized to evacuate.

2. Shifts during the Essential Services Phase will be established according to departmental needs. Employees who are assigned on call status must advise supervisors of locations where they can be contacted at all times.

3. Employees released from work should follow instructions regarding evacuation and shelter applicable to the general public as issued through public notification of evacuation and other disaster actions by the Office of Emergency Management.

I. Pay Provisions

1. If an emergency/disaster situation occurs of such magnitude that a Disaster Declaration is issued for the County, Employees, both exempt and non-exempt may be compensated in the following manner:

2. Non-essential employees released from duty by the County Judge may receive compensation (disaster pay) at their regular rate of pay until the County Judge or his designee declares the date and/or time when all Employees are expected to return to work or the expiration of three (3) working days, whichever event occurs sooner.

3. Essential personnel performing functions to save lives, protect health, safety and property under the County's Emergency Plan may receive compensation for hours worked during the situation. Hours worked up to 40 hours per week for the duration County offices are closed may be paid overtime at a straight time rate. All hours in excess of 40 hours will be paid at the overtime rate of time and one half.

4. Law Enforcement Personnel will be paid overtime at a straight time rate for any hours worked up to 86 hours in a two week period for the time County offices are closed. All hours worked in excess of 86 hours will be paid at the overtime rate of time and one half.

5. Reserve Deputies required to work 16 hours a month if requested to work will be paid overtime paid at a straight time rate for any hours worked up to 86 hours in a two week pay period for the time County offices are closed. All hours worked in excess of 86 hours will be paid at the overtime rate of time and one half. The rate of pay will be suggested by the Sheriff and is subject to the approval of the Commissioners' Court.

6. If additional days are needed once business has resumed, the Employee may request vacation time or compensatory time off for personal emergency recovery.

7. Employees not requesting vacation or compensatory time for personal emergency recovery or preparations will have their pay docked and are subject to other disciplinary action.

8. This policy may be modified as determined necessary. Any such modification will appear in the local disaster declaration issued by the County Judge.

J. Return to Duty Phase

By reporting to work on the return to duty date and/or the time specified by the County Judge each Employee meets their responsibility to work with other County Employees as a team in helping to restore the community to normal service levels following a disaster period.

K. Departmental Responsibilities

Department Heads must:

1. Give a copy of this Emergency Policy to their Employees.

2. Identify each position in which Employees in their department are required to work during an emergency. This list of positions and Employees who occupy them must be maintained and posted on the department's official bulletin board or circulated to all their Employees.

3. Ensure that all job descriptions state the Emergency Classification of their positions.

4. Complete the "Emergency Preparedness Employee Classification Form" for every Employee. Each Employee must be provided with a copy of their form. The original must be forwarded to the Human Resources Department.

5. Obtain an executed "Employee Acknowledgement Form" and "Employee Hurricane Location Form" from each Employee and return the original form to the Human Resources Department as soon as possible.

Supervisors must:

1. Assist with the responsibility of the consistent and fair implementation of this policy.

2. Document and initiate any disciplinary action resulting from any violations of this policy.

County Employees must:

1. Know his/her responsibility under this policy. Compliance with this policy is mandatory.

2. Be responsible for complying with waiver requests procedures as outlined this policy.

Human Resources Department must:

1. Provide general information about this policy to all new Employees.

2. Maintain the signed originals of the "Employee Acknowledgment Form" and the "Emergency Preparedness Employee Classification Form" in each Employee's personnel file, along with an "Employee Hurricane Location Form" updated annually.

3. Documentation of any disciplinary action in the affected Employee's personnel file.

4. Maintain an original copy of any submitted "Waiver Request Forms" in the Employee's confidential file.

Emergency Management Office

The Emergency Management Coordinator will provide assistance to departments in planning and coordinating the activities for the preparation and initial services phases to ensure consistency with the County Emergency Plan.

L. Waivers

1. If an Employee has personal circumstances which would affect his/her ability to work during any phase of this Policy, he/she must file a "Waiver Request Form" with his/her Department Head upon employment or within 30 days of the onset of the extenuating circumstances. Waiver requests will be reviewed and approved/disapproved by each Department Head and such decision will be forwarded to Human Resources.

M. Employees are in violation of this policy if they:

1. Refuse to perform assigned duties required by this policy or to disobey any order made or direction given by a supervisor under this policy.

2. Fail to report for duty as directed during any applicable phase of this policy.

3. Fail to abide by County Policy, Departmental Rules or regulations, and Standard Operation Procedures.

N. Violation of this policy will result in disciplinary action up to and including dismissal.

Emergency Preparedness - Employee Classification and Information Form

Name: _____ _____ _____
Last First Middle

Department: _____ Date of Employment: _____
Division: _____ Social Security No.: _____
Job Title: _____ _____ Position No.: _____

Home Phone: _____ Alternate Phone: _____
Cellular Phone: _____ Pager No.: _____

Home Address / City, State / Zip Code: _____
Alternate Address:_____

JOB CLASSIFICATION

_____Tier 1 ESSENTIAL – Employee with specific responsibilities who remain in the County on the job or at a designated location during an emergency.

_____Tier 2 RESERVE ESSENTIAL – Employees who report to or remain on the job as instructed preceding an emergency for the preparatory phase and are subject to being re-designated by their Department Head as needed.

_____Tier 3 RE-ENTRY ESSENTIAL – Employees who must return to supplement or relieve Tier 1 or Tier 2 Employees when roads are accessible.

_____Tier 4 NON-ESSENTIAL – Employees whose presence is not essential in carrying out the Emergency Plan, but who cannot leave their positions until released by their supervisor and must return to work as usual under normal operations after emergency status has ended.

THIS JOB CLASSIFICATION IS A PART OF THE JOB DESCRIPTION.

_____ _____ _____
Employee Signature Supervisor Signature Department Head Signature

_____ _____ _____
Date Date Date

Instructions:

Return original signed for to the Human Resources Department for placement in Employee Personnel File. Give copy to Employee and retain copy for departmental file.

Galveston County Employee Hurricane Location Plan Form to Be Included with Departmental Emergency Management Plan

We urge you to make a plan for evacuation. Know where you are going to go and have an emergency kit loaded with food, water, medications, first aid kit, etc, ready to take with you.

Date _____ Department _____

Name _____

Phone (home) _____

(Pager/cell): _____

Emergency Contact:

Name: _____

Phone: _____

Where will you go for a hurricane evacuation? _____

_____

Address: _____

_____

Phone: _____

Please note a name and telephone number of a person to contact where we can leave a message for you. This should be a number outside of the Houston/Galveston area where we will be able to leave a message for you that you will retrieve on a daily basis.

Name _____

Phone _____

Note for Program Managers/Supervisors:
This form should be kept by program managers and/or supervisors. A copy should be sent to Human Resources, attention Kathy Branch.

New form October 1, 2011

A. Section 157.903 of the Texas Local Government Code provides that the Commissioners' Court may, by order, provide for the indemnification of an elected or appointed county officer against personal liability for the loss of County funds, or loss of or damage to personal property, incurred by the officer in the performance of their official duties if the loss was not the result of the officer's negligence or criminal action.

B. The purpose of this policy is to prescribe a procedure wherein an elected or appointed county officer may request and either be granted or denied indemnification for such loss or damage.

C. This policy shall not be construed to be a waiver of the County's authority to recover its lost funds or its damages from any party other than the elected or appointed county officer making the request for the indemnification.

D. The elected or appointed county officer will:

- Notify the Criminal District Attorney of the situation in the event the officer has reason to believe there has been a criminal action involved in the loss of funds or damage to personal property.
- Obtain from and submit to the County Auditor for review a properly completed and executed County Funds Indemnification Request Form.
- Attach copies of any documentation showing attempts to recover the funds such as returned item notices, investigative reports, credit card charge back notices, and all correspondence from credit card providers or other parties.
- Provide a description of all efforts undertaken to minimize the damage to personal property
- Attach a copy of any investigative reports conducted by any law enforcement agency or other party.
- Furnish the County Auditor with a copy of any insurance policy or bond, claims made on such policy or bond and related correspondence.
- Upon receipt of notice of denial of their request reimburse the County by tendering sufficient monies to account for the lost funds or damages to personal property to the County Treasurer along with the appropriate deposit warrant.

E. The County Auditor will:

- Receive and review the Funds Indemnification Request Form and other documentation and related materials, investigate the circumstances of the loss including prior internal control audits, control procedures and actions taken of and by the requesting county officer.

- Upon completion of the investigation forward the Funds Indemnification Request Form along with a recommendation for or against approval of the request to the Commissioners' Court for its consideration and determination.
- Upon receipt of the Commissioners' Court's approval of the request, prepare and process the necessary entries to record the indemnification transaction and have its accounts receivable division credit the applicable account of the county officer for the amount indemnified.
- Upon receipt of the Commissioners' Court denial of the request, notify the County Treasurer of such determination, and forward all related documentation to the both the County Treasurer and to County Legal to enable them to cooperatively pursue efforts toward recovery of lost funds or damages for the lost or destroyed personal property.

F. The Commissioners' Court will:

- Receive and review the recommendation of the County Auditor and either approve or deny the request for indemnification.
- Advise both the County Auditor and the requesting county officer of its determination.

G. The County Treasurer will in the event of notification of denial of the request for indemnification:

- Receive funds from the county officer in the event of denial of the request for indemnification.
- Make certain the correct fund account is credited for the reimbursement.
- Provide the County Auditor's accounts receivables division with all necessary deposit information to clear the receivable.
- Coordinate collection efforts with County Legal to recover the lost funds or damages.

H. County Legal will:

- Together with the County Treasurer pursue collection of the lost funds or other damages from the county officer or his/her bond and/or insurance policy using such methods as are determined necessary.

A. This Policy Manual applies only to Employees hired and subject to dismissal by Galveston County Commissioners' Court, Department Heads, and Employees of Elected and Appointed Officials who have adopted this Policy Manual in its entirety in writing. The Salary Administration Policy applies to all Employees.

B. This Policy Manual, which supersedes all prior Policy Manuals, shall become effective upon adoption by the Commissioners' Court.

C. The Commissioners Court shall resolve any questions from any Elected or Appointed Official or Department Head regarding any interpretation of this Policy Manual that remain unresolved after their question is directed to the Human Resources Department as requested in Chapter 1, Section 1 (F).

D. If there is any conflict between this policy manual and the State Constitution, or State law or rule adopted under a State law or the United States Constitution, a federal law or rule adopted under a federal law, the provisions of this Policy Manual shall prevail to the greatest extent possible without violating any such named authority.

E. When set forth herein this Policy Manual, the masculine, feminine and neuter genders shall be construed to include the other, and vice versa where applicable. The singular and plural shall be construed to include the other number where applicable. The present tense as used herein shall be construed to include the future tense.

F. Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by definition in this Policy Manual or otherwise, shall be construed according to that acquired meaning.

G. Throughout this Policy Manual, headings for chapters and sections are used for convenience only. These headings shall not be construed to expand or to limit the interpretation of the section that follows the heading.

Computation of Time

A. When a period of time is stated in days, the days shall be construed as calendar days unless otherwise stated.

B. If the last day of any period is Saturday, Sunday, or County holiday, the period is extended to include the next day that is not a Saturday, Sunday, or County holiday.

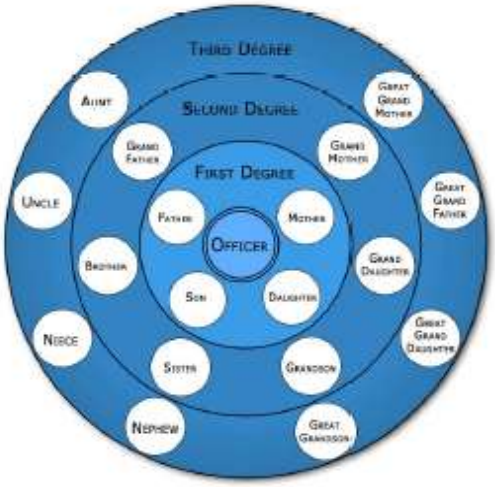
APPENDIX A –NEPOTISM CHART

NEPOTISM CHART

The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025

AFFINITY KINSHIP
Relationship by Marriage



CONSANGUINITY KINSHIP
Relationship by Blood

APPENDIX B

EMPLOYEE AT WILL ACKNOWLEDGMENT FORM

Employee Acknowledgement

I, (print name)_____, an Employee of Galveston County acknowledge:

1. I have been given a copy of the County's Human Resources Employee handbook and have been provided with access to the Human Resources Policy Manual posted on the County's website at www.co.galveston.tx.us. There is a paper copy of the HR Manual in the Employee's respective Department's office and Human Resources Department. I may review the HR Manual at any time and request a copy. I have had an opportunity to review the Employee Handbook and have had the opportunity to discuss it with the Human Resources Department, and have read and understand it.

2. I am an Employee AT WILL, whose employment may be terminated for any reason, with or without cause, with or without notice.

3. The Employee Handbook I have been given is not a contract for my employment but is a general guide for information purposes only.

4. I am not guaranteed by contract or otherwise, any term or condition of employment even after successful completion of the introductory period.

5. Employee Compensation and any or all Benefits, such as Vacation, Sick Time, Holidays, Medical or other benefits, are subject to change and do not create a specific right, contract, term or condition of employment.

_____
Employee PRINT NAME

_____ _____
DATE EMPLOYEE SIGNATURE

_____ _____
DATE HUMAN RESOURCES DEPARTMENT

_____ _____
DATE DEPARTMENT HEAD SIGNATURE

INSTRUCTIONS

1. Employee and Department Head must sign immediately upon hire.

2. ORIGINAL copy to Human Resources Department for Employee file.

APPENDIX C

Galveston County Employee/Official
Public Information Act (f/k/a Open Records Act) Election Form
(Texas Gov't Code §§ 552.024, 552.117, and/or 552.1175)

Public access to Galveston County employees and officials' records in the custody of Galveston County is permitted in accordance with the Public Information Act, formerly called the Open Records Act. However, this Act also authorizes County officials, employees, former officials, and former employees to choose to withhold from disclosure information that relates to their home address, home telephone number, emergency contact information, social security number, or that reveals whether they have family members.

Each employee, official, former employee, and former official who desires this information to be kept confidential must state that choice to the Human Resources Department in a signed writing not later than the 14th day after the date on which:

(1) the employee begins employment with the County;
(2) the official is elected or appointed; or
(3) the former employee or former official ends service with the County.

As well, an employee, official, former employee, or former official who wishes to close or open public access to the information may request in writing that the main personnel officer close or open access.

Please check the appropriate line or lines below on the information you wish to be kept confidential, then sign and return this Election Form to the Human Resources Department.

I want the following information kept confidential. Do not disclose to the public information that:

_____ relates to my home address

_____ relates to my home telephone number

_____ relates to my emergency contact information

_____ relates to my Social Security Number

_____ reveals whether I have family members

If you fail to state your choice (by not checking a line above), the corresponding information indicated on that line shall be subject to public access (open) in accordance with the Act (except for your Social Security Number, as a social security number of a living person is confidential under Section 552.147 of the Government Code).

_____
Date Signed

_____
Employee/Official Signature

_____
Employee/Official Name (please print)