

# **HUNT COUNTY HUMAN RESOURCES POLICIES AND PROCEDURES**

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# GLOSSARY OF TERMS

## A. EMPLOYEE:

### 1. Exempt Employee

Employees who meet the criteria established by the Fair Labor Standards Act which exempts certain Managerial, Professional, or Administrative employees from payment of overtime.

### 2. Full-time Employee

Employees who must, by provision of the Fair Labor Standards Act, be compensated for hours worked in excess of forty (40) hours per week and law enforcement employees who work in excess of eighty-six (86) hours during a fourteen (14) day work period.

Employees who are currently work an average of 30 hours or more during a 12 month “Look-Back Period” will be considered full-time effective October 1, 2015.

### 3. Part-time Employee

An employee who works twenty-five (25) or less hours per week on a regular basis. Hourly employees are not eligible for county benefits, except as required by law or special funding agreement.

### 4. Temporary Employee

An individual hired by the county to perform a job for a limited period of time, generally not to exceed six (6) months. Temporary employees may work full-time or part-time, and are not eligible for benefits.

### 5. Seasonal Employee

An individual hired by the county to perform a job during summer break or holidays. Seasonal employees are not eligible for benefits.

### 6. Inactive Employee

An employee who is on an Approved Leave of Absence without Pay and who shall not accrue any benefits. (service, vacation, sick, etc.)

## B. Elected Official

An individual elected to an elective County Office.

## C. Department Head

A person appointed by the Commissioner’s Court or District Judges to manage a department.

- D. Supervisor (Chief Deputy, Foreman)**  
A person who under the general direction assigns tasks, schedules work for a specific group of employees or area.
- E. Designated Authorized Person**  
One who has been appointed by a Department Head/Elected Official to sign time sheets, purchase orders, etc.
- F. Overtime**  
All hours worked in excess of forty (40) hours per week for regular employees and eighty-six (86) hours per a 14-day work period for Law Enforcement employees.
- G. Effective Date of Employment**  
The initial day a regular or part-time employee begins work for the County, as approved by Commissioner's Court.
- H. Adjusted Service Date**  
Adjusted hire date to be given for an employee who terminates employment with the County and returns to work within one (1) year.
- I. Disciplinary Action**  
Measure taken to correct deficiencies in performance of work or attendance necessary to the operation of a work area.
- J. Termination of Employment**  
The discontinuance of an employee's service with the County as a result of resignation, dismissal, retirement, reduction in force or death.
- K. Effective Date of Termination**  
The final day the employee works for the County.
- L. Reduction-In-Force**  
A decrease in the number of employees authorized for a department.
- M. Reinstatement**  
The reinstatement of a former employee to his/her position.

- N. Lateral Transfer**  
The job classification change or interdepartmental change at the same rate of pay.
- O. Promotion**  
The advancement of an employee from a lower salary range as a result of a change in position.
- P. Demotion**  
The reduction of an employee from a higher salary range to a lower salary range.
- Q. Travel/Seminar Expense**  
Policy defined under Travel/Education/Seminar Policy.
- R. Immediate Family**  
An employee's spouse, father, mother, stepfather, stepmother, father-in-law, mother-in-law, brother, brother-in-law, stepbrother, sister, sister-in-law, stepsister, son, son-in-law, stepson, daughter, daughter-in-law, stepdaughter, grandparents, grandchildren, or relatives residing in the same household.
- S. Fair Labor Standards Act**  
Federal Law regulating wage, hours (overtime, etc.) as regulated by the U.S. Department of Labor.

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: HUMAN RESOURCES ADMINISTRATIVE OBJECTIVES**

**I. POLICY**

Hunt County Human Resources Administrative Objectives are designed to bring to the County a high degree of understanding, cooperation, and efficiency through the systematic application of personnel practices and procedures.

These objectives shall apply to all county employees except Elected Officials.

A person on retainer or under specific contract with the County is not considered to be a County employee unless a specific agreement has been established to that effect. Persons covered by a specific employment agreement are not covered by the Hunt County Administrative Objectives.

**II. PROCEDURES**

**A. Objectives**

The objectives of the County Human Resources management program, which shall incorporate and include the Hunt County Policies and Procedures, shall be:

1. To promote efficiency and responsiveness to the public.
2. To provide a fair and equal opportunity for qualified persons to enter and progress in County service in a manner that is based on individual merit, fitness, and performance as ascertained through the application of equitable and practical personnel management methods.
3. To maintain recruitment, advancement, and tenure practice which will enhance the attractiveness of a County career and encourage each employee to give his/her best effort to the County and the public.
4. To maintain a consistent, up-to-date classification and compensation program based on the objective evaluation of the relative duties and responsibilities of the position.
5. To promote high morale among County employees by fostering good working relationships and by providing uniform personnel policies, opportunities for advancement and recognition, and consideration of an employee's needs and desires.

**B. Equal Employment Opportunity**

Discrimination against any person in recruitment, examination, hiring, training, promotion, retention, discipline, or any other aspect of personnel administration because of political or religious affiliation, race, national origin, genetic information, sex, veteran status, marital status, age, disability, pregnancy, retaliation, harassment, or other non-merit factors is prohibited.

**C. Amendment**

These objectives may be changed, supplemented, or superseded at any time as provided by the Commissioner's Court.

**D. Administrative Responsibility**

The Human Resources Department has been delegated the responsibility for developing, administering, and interpreting personnel objectives and procedures as they apply to all departments and employees. All major interpretations, with County-wide implication, shall only function as an advisor in regards to the interpretations of Policies.

**E. Dissemination**

All County employees shall be informed of the existence of these objectives and each department shall keep a copy readily available for review by the employees.

**Questions concerning the Human Resources Administrative Objectives shall be directed to the Human Resources Department.**



**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: PERSONNEL FILES AND REPORTS**

**I. POLICY**

It shall be the responsibility of the Human Resources Department to maintain personnel files, protect the confidentiality of said files, and to prepare all reports dealing with personnel matters.

**II. PROCEDURE**

**A. Status Changes**

Department Heads and Elected Officials shall report changes in the personnel status of their employees in accordance with procedures specified by the Human Resources Department.

**B. Personnel Files**

The Human Resources Department shall maintain the official personnel files for all County employees. Unless otherwise provided by law, personnel files and information shall be confidential and may not be used or divulged for purposes unconnected with the Hunt County Human Resources management system except with the permission of the employee involved. Nothing herein shall prevent the dissemination of impersonal statistical information. An employee shall have the right of reasonable inspection of his/her personnel files under the procedures prescribed by the Human Resources Department. Department Heads and Elected Officials may submit to the Human Resources Department for inclusion in an employee's personnel file performance appraisals, other documentation regarding performance and disciplinary action. The Human Resources Department shall place such documentation in the employee's personnel file if it receives evidence from the Department Head or Elected Official that:

1. The employee reviewed and signed the documentation;
2. The employee reviewed and refused to sign the documentation; or
3. The employee was given an opportunity to review and sign the documentation.

**Questions concerning Personnel files shall be directed to the Human Resources Department.**

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: DEPUTIZATION/OATH OF OFFICE**

**I. POLICY**

It shall be the responsibility of all elected officials to either deputize or administer an oath of office to their employees as required by law (i.e. County Clerk, District Clerk, Constables, District Attorney, Justice of the Peace, Sheriff, and the Tax Office for Deputization, and Oath of Office for the Treasurer).

**II. PROCEDURE**

- A.** Elected Officials deputizing a new employee must submit properly executed deputization forms to the County Clerk's office for recording.
- B.** All deputization forms must be properly executed as required by law.
- C.** Copies of approved deputization forms must be forwarded to the County Clerk to be duly recorded.
- D.** All deputies are re-deputized with the change of office holder and the beginning of a new term of office.\*

\* See Local Government Code for Laws and Rules.

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: NEW HIRE EMPLOYEES**

**I. POLICY**

Each Appointed Official, Department Head, and Elected Official shall notify the Human Resources Department no later than 10:00 a.m. on Friday of any new hires to be presented at the next scheduled Commissioner's Court meeting. Holidays may require earlier time.

**II. PROCEDURE**

- A. The Human Resources Department shall be informed of new hires by signed applicant statement from the Department Head/Elected Official.
- B. New hires must be approved by Commissioner's Court prior to an employee reporting to work. (Exception: hourly, seasonal, and temporary employees)
- C. Should a new hire be made and the person not report to work, a re-opening of the position shall be sent to the Human Resources Department.
- D. All successful applicants must be tested for substance abuse after a tentative job offer has been made and the results must be received by the Human Resources Department prior to being hired by the Court.
- E. All final applicants must provide the Human Resources Department with proof of identification (approved picture I.D., Social Security card, etc.) and eligibility to work in the United States prior to being hired by the Court.

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: ANTI-HARASSMENT**

**I. POLICY**

Harassment on the basis of race, color, religion, sex, sexual orientation, national origin, age or disability is discrimination and, as such, is a violation of federal law. Harassment of any individual in the workplace is a violation of Hunt County Policy and will not be tolerated.

No employee or future employee is to be subjected to discrimination or harassment. Management will maintain a focused effort to prevent and discourage such action by all employees or officials. Any violation of the letter or spirit of this policy by any employee, including supervisors or managers, shall result in disciplinary action up to and including, where appropriate, discharge. Compliance with this policy is a condition of employment.

Sexual harassment is deserving of special mention. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- Submission or rejection of conduct by an individual is used as a basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Retaliation against any employee for having complained of discrimination, for having been a party to or a participant witness to any unlawful employment practice, or having inquired about or having discussed the possibility of filing a discrimination complaint because of sex, sexual orientation, race, color, national origin, religion, age (age 40 or over) or disability is forbidden. All employees have the right to report a complaint of discrimination and the right to inquire about or discuss the possibility of filing a discrimination complaint. Such inquiries should be directed to the Human Resources Department, the District Attorney's Office or the Sheriff's Internal Affairs Officer, as appropriate.

## **II. PROCEDURES**

### **A. Complaint Procedures**

Sheriff's Department employees may report harassment to their supervisor or the Sheriff's Internal Affairs Officer. All other employees may report directly to their Supervisor, department head, official, or the Human Resources Department. All employees should report such complaints as soon as possible after the incident precipitating the complaint. County departments, with the exception of the Sheriff's Department, may forward such complaints to the Human Resources Department or to the District Attorney's Office.

Department heads and supervisors should make every effort to allow the complainant and other employee's time, with pay, to meet with the investigating officer when the meeting is requested by the staff assigned to investigate the complaint.

Nothing in this procedure shall restrict the right to file a complaint with any state or federal agency responsible for the enforcement of civil rights laws.

Investigations of all complaints will be handled as confidentially as possible.

### **B. Investigation Procedures**

1. Complaints received by the Human Resources Department or the District Attorney's Office shall be reviewed in the following manner:

#### **a. Informal Review Process**

Upon receipt of a complaint, the Human Resources Department shall notify the District Attorney's Office and the Department Head or Official of the complaint. The Human Resources Department or the District Attorney's Office shall investigate the complaint promptly. The investigation shall include the right to all necessary information to conduct a thorough review. This includes, but is not limited to, the right to interview witnesses and to request the complainant and the respondent join in discussions of the complaint. Investigations will be completed within thirty (30) days from the date the discrimination is reported. If this is not possible, the investigating party will explain the delay to the parties involved and obtain approval from both sides for an extension. Complaints may be administratively closed for various reasons, such as, but not limited to the following:

1. The complainant withdraws the complaint;
2. The complainant does not cooperate in the investigation; or
3. The complainant cannot be reached after repeated efforts.

**b. No Probable Cause Finding**

After the appropriate review process, if there is insufficient evidence to support the charge of discrimination, the complaint shall be closed with a finding of no probable cause to believe there was discrimination.

**c. Conciliated Settlement**

If a finding of probable is made, the Human Resources Department or the District Attorney's Office will attempt to reach an agreeable solution of the complaint. If a mutually acceptable conciliation is achieved the case shall be closed. A written notice shall indicate the agreement reached and shall be provided to the complainant, the respondent and the appropriate management officials.

**d. Failure to Conciliate**

If conciliation efforts fail, the Human Resources Department or the District Attorney's Office shall provide the appropriate authorities with a recommendation regarding appropriate remedial action. Remedial action may include apologies, training, warnings, reprimands, demotions, unpaid suspensions, reassignment, termination or a combination of these above actions.

2. Complaints Received by the Sheriff's Department

Unless directed by the Sheriff in writing, all harassment complaints concerning Sheriff's Office employees, will be investigated by the Sheriff's Internal Affairs Officer.

**Nothing in this policy shall be construed as limiting the rights of free speech and association.**

**Questions concerning Sexual Harassment should be directed to the Human Resources Department.**

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: WORKPLACE VIOLENCE**

**I. PURPOSE**

Hunt County strives to continue to maintain a safe and secure working environment for all County employees. Hunt County will pursue prosecution of violators of Texas statutes prohibiting the carrying of firearms into public facilities.

**II. POLICY**

- A. Hunt County will not tolerate violence committed by or against employees or other individuals while on County premises, County-owned property or County work sites.
- B. County employees are prohibited from carrying or using any weapon, with or without a concealed handgun license, on County premises or in County vehicles, while conducting County business with the exception of duly authorized and licensed Peace Officers.
- C. Possession of any weapon on County-owned property for historical, educational, or ceremonial purposes must receive prior approval from the Commissioner's Court.

**III. DEFINITIONS**

- A. **Workplace Violence** includes:
  - 1. Hitting, pushing or causing harm to another;
  - 2. Threats against another's well-being;
  - 3. Threatening to harm one's self;
  - 4. Threats of terrorism;
  - 5. Hoaxes;
  - 6. Intentionally causing physical damage to Hunt County facilities or defacing County property;
  - 7. Making obscene, harassing or threatening communications to others by telephone, fax, conventional mail, e-mail or other communication medium;
  - 8. Physical displays of aggression that a reasonable person could perceive as menacing, such as throwing things, hitting things or slamming doors;
  - 9. Physical acts of behavior, such as horseplay, that could escalate and become violent;

10. Intimidating or attempting to coerce an individual to engage in acts that are wrongful or illegal;
  11. Obsessive behavior, including preoccupation with a grudge or grievance, or unreciprocated romantic interest in another that places an individual in fear of his or her safety;
  12. Engaging in harassing behavior such as stalking;
  13. Bringing firearms or weapons onto Hunt County premises or while conducting Hunt County business. (With the exception of duly authorized and licensed Peace Officers who are lawfully assigned to carry and use weapons).
- B. **Intimidation** is engaging in actions that include, but are not limited to, stalking as defined in the Texas Penal Code or behavior intended to frighten or coerce.
- C. **Threat** is the expression of intent to cause harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry it out and without regard to whether the expression is contingent, conditional or future.
- D. **Physical Attack** is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving or throwing objects.
- E. **Property Damage** is intentional damage to property and includes property owned by the County, employees, visitors or vendors.
- F. **Weapon** includes but is not limited to weapons as defined in the Texas Penal Code, explosive weapon, firearm, handgun, illegal knife, knuckles, machine gun, short-barrel firearm, switchblade knife, and zip gun.
- G. **County Premises** means buildings or portions of buildings owned, leased, or otherwise controlled by Hunt County.
- H. **County-Owned Property** shall include, but not be limited to, any parking area, sidewalk, park, recreational field, campground, remote job-site, or any other fixed property which the County owns, leases, or otherwise controls. This shall also include County fleet vehicles and equipment.
- I. **County Vehicles** includes any vehicle owned, leased, or otherwise controlled by Hunt County.
- J. **County Work Site** includes any assigned work location which may or may not be on County owned property but for which work in an official capacity is being performed for the County.



- K. **County Employee** shall mean all full-time, part-time, seasonal, volunteer, and temporary employees.

**IV. RESPONSIBILITY**

It is the responsibility of every employee to be alert to the possibility of violence in the workplace. Workplace safety is a major concern for all employees; therefore, employees must refrain from acts of violence and seek assistance to resolve personal issues which may lead to acts of violence in the workplace.

**V. PROCEDURES**

- A. Threats or acts of violence that require immediate or emergency action should be reported to 911 or 9-911. After placing the call to 911 or 9-911, stay on the call and follow the instructions given to you by emergency personnel. Immediately after that call is completed, employees in the following facilities should immediately notify staff in the offices designated below:

- 1. Hunt County Courthouse -- Courthouse Security
- 2. Facilities housing constable offices – resident Constable
- 3. All other facilities – Hunt County Sheriff’s Office

- B. To report other acts of violence or disruptive behavior where emergency action is not required, notify your immediate supervisor or department head. Supervisors in the following facilities should immediately notify staff in the offices designated below:

- 1. Hunt County Courthouse -- Courthouse Security
- 2. Facilities housing constable offices -- resident Constable
- 3. All other facilities -- Hunt County Sheriff’s Office

Notify the Human Resources Departments if events may involve workers’ compensation, employee assistance or other risk management issues.

- C. To report harassment of any form, refer to the Hunt County Anti-Harassment Policy.

- D. All reports of violence in Hunt County workplace will be taken seriously and will be investigated thoroughly and promptly.

- E. If, after a thorough investigation, Hunt County determines workplace violence has occurred, appropriate corrective action will be taken.

- F. Hunt County will not tolerate retaliation in any form against an employee who makes a report of alleged workplace violence.
- G. Acts of workplace violence are grounds for disciplinary action, up to and including termination. If a non-employee is responsible for the violent activities, Hunt County will encourage prosecution to the full extent of the law.
- H. Employees are encouraged to request immediate law enforcement action when physical violence is possible.

## **VI. INSPECTIONS**

All county workspaces and property are subject to reasonable inspections at all times by departmental officials, supervisors or other authorized officials.

## **VII. WHEN WORKPLACE VIOLENCE OCCURS**

- A. Seek safety immediately. Be familiar with exits and escape routes. Use the exit or escape route that will maintain the greatest distance from the violence. Do not return to workstations to collect personal belongings. Do not attempt to make phone calls prior to leaving. Do not delay exiting for any reason.
- B. From a safe distance contact 9-1-1 or 9-9-1-1. Identify yourself, describe the violence that is occurring, the location of the violence, and provide as much information as possible about the person or persons involved in the violence.
- C. If it is not possible to escape safely, hide and protect yourself. Secure your area immediately, if possible. Move away from door and windows. Lie prone. Avoid clumping or huddling together with other employees. Notify authorities your area has been secured and await instruction from law enforcement.
- D. Do not pick up any weapons.

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: IDENTIFICATION BADGE POLICY**

**I. POLICY**

In a continuing effort to provide a safe and secure workplace and to allow for identification of County employees and other authorized persons by and from the public, it is the policy of the Hunt County Commissioner's Court that all employees and other authorized persons possess a valid and current identification badge issued and authorized by Hunt County.

**II. DEFINITIONS**

- A. **Issuing office** shall mean Hunt County Human Resources Department. The Commissioner's Court may add other authorized locations after approval of this policy.
- B. **Employee** shall mean full-time, part-time, temporary, and seasonal employees.
- C. **Other authorized persons** shall mean local attorneys, contractors, vendors, special visitors or others designated by the department head or elected official.

**III. PROCEDURES**

- A. An ID badge will be issued to all employees, other than those hired for a specific short-time period such as election workers who do not work in a County building, and other authorized persons. Exceptions may be considered and approved by the Courthouse Security Chief after receipt of a written request and justification.
- B. A Hunt County ID badge should not be considered a method to by-pass security checks or stations. All employees and other authorized persons are expected to observe and participate in established security measures.
- C. Identification badges shall not be loaned to other employees or individuals for any purpose.
- D. Use of a Hunt County ID badge for personal or unauthorized uses may result in disciplinary action up to and including termination from employment by Hunt County. Unauthorized use by other authorized persons will be considered on a case-by-case basis, but may result in a loss of access, termination of contract(s), etc.

- E. Employees hired by the County will have an ID badge made as soon as possible after employment. New employees should have a badge made when they are processed into the county.
- F. Elected Officials and Department Heads are charged with the responsibility to ensure that all employees and other authorized persons possess an ID badge. It is an employee's and other authorized person's responsibility, along with the Department Head or Elected Official, to ensure that their ID badge is valid and contains accurate information. An Elected Official or Department Head may temporarily seize an employee's ID badge as the result of a disciplinary action including time off with or without pay.
- G. The first ID badge issued will be free of charge. There will be a charge to the employee for replacement ID badges. Only one (1) badge will be allowed per employee or other authorized person. If an employee transfers to another department, a replacement badge will be issued, at no charge, indicating the change of department. The departments involved in the transferring of an employee are responsible for coordinating the collection of the old badge and returning it to the Human Resources Department. The Human Resources Department is responsible for insuring that old badges are returned to them and destroyed by them.
- H. Lost or stolen ID badges should be reported immediately to the Human Resources Department and Courthouse Security Department.
- I. Badges shall not have other symbols or ornaments attached to it in any form or fashion.
- J. Hunt County ID badges are and will remain the property of Hunt County and will be surrendered to the Human Resources Department by the employee or other authorized person upon termination of their employment or relationship with Hunt County.
- K. The Human Resources Department and Courthouse Security Department shall supervise the implementation of this policy.
- L. ID badge designs and variations will be formulated and secured in the Human Resources Department. Departments will not be allowed to design their own badges. Consideration will be given to special markings, etc. so employees can better perform assigned or legal duties.
- M. The Human Resources Department shall provide a secure area for identification badge software, hardware and supplies.

- N. Employees and other authorized persons are required to possess at all times a Hunt County identification badge whenever they are in County owned or leased facilities and while working on county projects or programs. A Department Head or Elected Official may require ID badges to be visibly worn by their employees or other authorized persons while on County business.

If wearing of an ID badge is required, it should be worn in a conspicuous location for easy identification and readability. It is not the intent of this policy to compromise the safety of its employees or other authorized persons; therefore, discretion should be exercised to determine if visibly wearing and/or possessing an ID badge is to their detriment.

- O. The Commissioner's Court, as the policy-making authority, may amend policy as needed.

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: NEW EMPLOYEE ORIENTATION**

**I. POLICY**

Hunt County shall require all new employees to attend a New Employee Orientation Program.

**II. PROCEDURE**

- A. A new employee orientation will be given to all fulltime employees when they start to work.
- B. The employee orientation will be conducted by the Human Resources Department.
- C. The orientation will consist of an overview of Hunt County Government, Employee Benefits and Safety Program.

**SUBJECT: PERSONNEL PROCEDURES**

**TITLE: JOB REQUIREMENTS**

**I. POLICY**

It is the responsibility of all employees to perform their work in a manner that successfully achieves the minimum work requirements set for the performance of their assigned duties according to their job description.

**II. PROCEDURE**

**A. Work Requirements**

Employees shall be expected to make every effort to accomplish their assigned duties in a manner that is efficient, economical and safe.

**B. Disciplinary Measures**

Employees not meeting the minimum work standards shall be counseled by their Appointed Officials, Department Heads, Elected Officials or Supervisor.

**SUBJECT: EMPLOYMENT PROCEDURE**

**TITLE: APPLICATION FOR EMPLOYMENT**

**I. POLICY**

Hunt County's hiring process is centralized and managed by the Hunt County Human Resources Department.

**II. PROCEDURES**

- A. The Human Resources Department shall distribute applications for employment to all interested applicants.
- B. Only completed applications for employment officially received by the Human Resources Department shall be considered to be active. Applications for hire will be active for two (2) years after being received by the Human Resources Department, after which they will expire and shall be considered inactive. Applications for transfer, promotion, and/or demotion are active for two (2) years after receipt by the Human Resources Department. After the two (2) years, the applications will expire and shall be considered inactive.
- C. Copies of all applications will be forwarded to the appropriate Appointed Official, Department Head and Elected Official.
- D. Original Applications shall remain in the control and custody of the Human Resources Department.



**SUBJECT: EMPLOYMENT PROCEDURE**

**TITLE: EMPLOYMENT SELECTION PROCESS**

**I. POLICY**

All new hires shall be based on the qualifications of the applicants as ascertained through a fair, practical, and legal selection process.

**II. PROCEDURE**

A. The County's selection process shall be based on definable selection criteria: items for evaluation may include the applicant's level of expertise, range of experience, educational achievements, work history, driving record, criminal history, and/or certification requirements. Equivalent combinations of education and related experience should be considered where job descriptions allow. A year or a number of years of related experience should be substituted for the same number of years of formal education beyond the high school level, or vice versa. Thirty (30) to thirty two (32) semester hours earned at an accredited college or university is considered to be a year of education and approximately one hundred twenty eight (128) hours to be the same as a Bachelor's Degree. Hiring managers should be careful to make distinctions between clerical and professional experience where appropriate.

B. The Human Resources Department will review applications and notify Commissioner's Court if new hires would be inconsistent with Hunt County policies. Criminal histories will be weighed as they relate to the job for which the applicant is being considered. Commissioner's Court has final authority in making hiring decisions.

1. The following felony convictions will disqualify applicants:
  - a. All capital felonies
  - b. All first (1<sup>st</sup>) degree felonies
  - c. Any felonies related to serious bodily injury, indecency with a child or arson.
2. All remaining lesser felony convictions will disqualify applicants only when the nature of the felony is directly related to the job.

C. New Hires shall be reviewed by the Human Resources Department in order to ensure compliance with the Hunt County Equal Opportunity Plan.

**SUBJECT: EMPLOYMENT PROCEDURE**

**TITLE: APPLICANT EVALUATION**

**I. POLICY**

The Human Resources Department may assist Appointed Official, Department Head or Elected Official with their needs to determine the most appropriate means of evaluating applicants for the job, legal, ethical, and EEO requirements, in order to determine the most qualified applicant.

**II. PROCEDURE**

- A. Applicants shall be required to provide any information and undergo any examination necessary to demonstrate compliance with prescribed qualification requirements for the position involved.
- B. All applicants shall be considered in accordance with the County's policy on Equal Employment Opportunity.
- C. All applicants meeting the minimum desired qualifications for a position shall be referred to the department where the vacancy exists.
- D. All interviews shall be conducted by either the Appointed Official, Department Head or Elected Official or person(s) designated by the Appointed Official, Department Head or Elected Official to conduct the interviewing and evaluation process.
- E. Upon completion of the interview and evaluation process, the Appointed Official, Department Head or Elected Official shall, after consultation with all appropriate departmental personnel (when such consultation is deemed necessary), concur and approve the final hiring decision.

**SUBJECT: EMPLOYMENT PROCEDURE**

**TITLE: JOB OPPORTUNITY LISTINGS**

**I. POLICY**

The Human Resources Department shall publicly announce all vacancies to be filled in the County service, and shall maintain a list of announced vacancies for public inspection.

**II. PROCEDURE**

- A.** A Department Head must submit a completed Job Announcement Request Form to the Human Resources Department when desiring to fill a vacancy.
- B.** The Human Resources Department shall prepare a Job Opportunity Listing which specifies the job title, rate of pay, and job requirements of each job available. The listings will also contain statements affirming Hunt County's commitment toward Equal Opportunity Employment and compliance with the Americans with Disabilities Act.
- C.** Department Heads may request that job opportunities be posted internally (accepting applications of County employees only) for at least five (5) business days. When a Department Head does not make such a request, or when an internal applicant is not selected for employment, positions shall be posted externally (accepting all applications) for at least five (5) days not including internal posting time. (NOTE: Internal job opportunities for attorney positions do not have to be posted).
- D.** Internal and external postings shall be displayed in or near the Human Resources Office and on County website.
- E.** External postings may be forwarded to local universities, public agencies and interested organizations.
- F.** Selected opportunities will be advertised in local newspapers and additional publications as requested by Department Heads and as budget allows.
- G.** The Human Resources Department shall update the Hunt County Website on a weekly basis.
- H.** Department Heads/Elected Officials may fill vacant positions by reassigning employees in their department(s) if the employees meet the minimum requirements for the job.

**SUBJECT: EMPLOYMENT PROCEDURE**

**TITLE: NEPOTISM POLICY**

**I. POLICY**

Hunt County shall not contribute, through employment, promotion, reorganization demotion or transfer to the creation of inequity or impropriety among its employees. This policy applies to all departments that report to the Commissioner's Court. It is the intention of the Hunt County Commissioner's Court that this policy does not conflict with federal, state and local laws.

**II. DEFINITIONS**

- A. **Related** – for the purposes of this policy, the term related refers to individuals that are listed in Section IV of this policy.
- B. **Chain of Supervisory Command** – refers to those employees in the line of supervision and/or management from the Department Head down through the organization.
- C. **Employee** – regular, temporary, full-time, part-time, contract or intern.
- D. **Appointed** – hired, promoted, demoted, transferred, reinstate or assigned (This does not refer to emergency assignments of less than thirty (30) days duration).

**III. PROCEDURE**

- A. A County employee shall not be hired in a manner that would violate laws against nepotism or any local rules that have been passed prohibiting nepotism. Elected Official/Department Head and/or their appointees are prohibited from evading nepotism rules by trading favors in hiring relatives for each other.
- B. Hiring of Employees. Elected Officials/Department Heads or Appointed Officials may not appoint or supervise any person related to them.
- C. No person related to any member of the Commissioner's Court shall be appointed to any position in any department that reports to the Commissioner's Court.
- D. No person related to any Department Head shall be appointed to any position in the Department Head's department.

- E. In addition, no appointment shall be made that would place any employee in the chain of supervisory command of a relative.
- F. Relatives of Hunt County employees will not be hired, promoted, demoted, or transferred or reinstated if any such action would violate the provisions stated in III (A-E) of this policy. All Hunt County employees who are promoted, demoted, or transfer to another Hunt County position, must at the time of such personnel action, disclose the name(s) of any relative(s) serving as officials or employees of Hunt County. Nondisclosure may result in disciplinary action.
- G. If a relationship is created by marriage, the two related employees may continue employment as long as it does not conflict with III (A-F) of this policy. If the conditions prohibited by this policy occur, the situation must be corrected within ninety (90) days, or the employee with lesser seniority shall be terminated.
- H. Termination of a marriage by divorce or the death of a spouse terminates relationships by affinity created by that marriage, unless a child of that marriage is a minor, which case the marriage is treated as continuing to exist until all children of that marriage are at least eighteen (18) years of age.
- I. If the County institutes a reorganization which changes division boundaries, causing an employee to supervise a relative, the situation must be corrected within ninety (90) days, or the employee with the lesser seniority shall be terminated.
- J. This policy does not apply to appointments made prior to its adoption.

**IV. EXHIBIT**

**Consanguinity (Blood Relationships and Those Created by Adoption)**

- Mother
- Father
- Brother
- Sister
- Son
- Daughter
- Grandfather
- Grandmother
- Grandson
- Granddaughter
- Uncle (your mother's or father's brother)
- Aunt (your mother's or father's sister)
- Nephew (your brother's or sister's son)

Niece (your brother's or sister's daughter)  
Great Grandson  
Great Granddaughter  
Great Grandfather  
Great Grandmother  
Grand Nephew  
Grand Niece  
Grand Uncle  
Grand Aunt

**Affinity (Marriage Relationships)**

Mother-in-Law  
Father-in-Law  
Brother-in-Law  
Sister-in-Law  
Son-in-Law  
Daughter-in-Law  
Stepchild  
Stepparent  
Step Sibling  
Spouse  
Grandfather-in-Law  
Grandmother-in-Law  
Grandson-in-Law  
Granddaughter-in-Law  
Uncle-in-Law (your spouse's uncle or your aunt's husband)  
Aunt-in-Law (your spouse's aunt or your uncle's wife)  
Nephew-in-Law (your spouse's nephew or your niece's husband)  
Niece-in-Law (your spouse's niece of your nephew's wife)

**SUBJECT: EMPLOYMENT PROCEDURES**

**TITLE: AGE REQUIREMENTS**

**I. POLICY**

The minimum age for any employee hired by a Hunt County Elected or Appointed Official will be at least 18 years of age, except in the cases of the Sheriff Department deputies, who must be at least 21 years of age, or students 14 to 17 years of age who are involved in job training programs, summer jobs, or school programs. Employment of students requires strict adherence to the Fair Labor Standards Act. A copy of this law will be available to officials in the Human Resources Department. Hunt County must be careful to comply with federal laws. Guidelines must be followed.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: ESTABLISHED WORKWEEK**

**I. POLICY**

The normal working hours for county employees is Monday through Friday from eight (8:00) a.m. to five (5:00) p.m., with the exception of Certified Law Enforcement personnel and those employees who are assigned varying work schedules according to the needs of the county. The lunch period shall be of one (1) hour duration for office personnel and a morning and afternoon rest period of fifteen (15) minutes duration is permitted as assigned by your supervisor.

The workday for the County shall begin at 12:01 a.m. each day and end twenty four (24) consecutive hours later. For purposes of record keeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Hunt County shall begin at 12:01 a.m. on each Sunday and end seven (7) consecutive days later.



**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: ATTENDANCE**

**I. POLICY**

All employees are expected to be at their assigned work station as prescribed by their respective department in order to provide consistent, dependable service to all citizens of Hunt County.

**II. PROCEDURE**

**A. Scheduling**

Each Department Head/Elected Official shall establish a work schedule for his/her department that provides for maximum operating efficiency. It shall be the responsibility of the Department Head or designated Supervisor to ensure that all employees are informed of existing work schedules.

**B. Reporting**

Each employee is personally responsible for notifying his/her Supervisor or Department Head prior to being late or absent. Any employee who does not call or report in within fifteen (15) minutes after his/her regularly scheduled time may be carried absent without pay. The Department Head should review all situations for extenuating circumstances.

**C. Unexcused Absences**

Unexcused absence will result in disciplinary action by the Department Head/Elected Official.

**D. Abandonment of Duties**

Any employee who fails to call in during the specified reporting time or report to work for three (3) consecutive days may be deemed to have abandoned his/her duties and his/her employment may be immediately terminated.

**E. Inclement Weather**

The County Judge, or his designated representative, based upon recommendations from the Office of Emergency Management, will decide whether the County will remain open, delay opening or close.

**1. Closings and/or Delayed Openings**

In the event that the County plans to close or delay opening of offices, the County Judge's Office will notify all area news media of the decision no later than 6:00 A.M. All essential personnel must make every effort to report to duty. (If Hunt County is not on

the news media's list of closures, the County will be open for business as usual).

Employees who are required to work on days that Hunt County Offices are officially closed due to inclement weather are compensated as if they had worked on a holiday. Employees who are scheduled to work when the county is closed due to inclement weather should record the hour(s) as (weather). Employees who are on scheduled paid days off when Hunt County closes offices due to inclement weather will record the hour(s) as (weather) just as though they had not been on scheduled days off.

Employees not reporting to work will receive up to eight (8) hours per day of inclement weather paid time.

The following media will be notified of delays or closing of Hunt County offices:

WFAA-TV	Channel 8
KIKT	93.5 FM
KGVL	1400 AM

**2. Call-Ins When County is not closed:**

- a. Individual employees who are unable to report to work because of inclement weather must call their department and notify their Department Head/Supervisor of the situation. Such notification must be made within fifteen (15) minutes after their regularly scheduled time to work or the time lost from work may be carried as leave without pay.
- b. Employees who have called in will have the option of having their time lost from work recorded as leave without pay or other approved leave time.
- c. Final pay decisions will be determined by the Department Head/Elected Official.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: PAY PERIODS**

**I. POLICY**

The pay period is bi-weekly and consists of twenty-six (26) pay periods per year for all employees of the County.

**II. PROCEDURE**

- A. Exempt employees are paid an annual salary divided by twenty-six (26) to establish the pay for the bi-weekly amount, provided there are no valid reasons to deduct from that amount. \*
- B. Non-exempt employees are paid for the time worked and paid leave time during the pay period.
- C. Pay period is bi-weekly except where otherwise provided by law.
- D. Effective October 1, 2016 all new hires (not Elected Officials) will be a pay period in the arrears.

\* FLSA provides that no reduction in pay is permitted for absences of less than eight (8) hours per day.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: TIME SHEETS**

**I. POLICY**

To provide an accurate recording of and proper payment for all time worked by Hunt County employees, in compliance with the Fair Labor Standards Act.

**II. PROCEDURE**

- A. All time worked should be accurately recorded to maintain proper accounting records for non-exempt employees. Time worked should be rounded to the nearest quarter of an hour. Care must be exercised to ensure that the rounding practice is used in such a manner that employees are fully compensated for the time they actually work.
- B. Use proper symbols to report leave time.
- C. A time sheet must be completed on all employees and each employee shall sign a verification of correct time. If an employee is absent, the employee will sign upon his/her return and, if correction is needed, the employee's supervisor will send a corrected time sheet to the Treasurer's Office requesting such correction.
- D. All employees will show vacation, sick leave, holiday, etc. on their time sheets.
- E. All time sheets are to be signed by an authorized person. The Treasurer's Office will set up all employees on the time clock system.
- F. Time sheets shall be turned in no later than noon on Monday. If your department has a time problem you must contact payroll.  
  
If a holiday falls during the pay period, times sheets should be turned in as directed.
- G. Time sheets will be submitted to the County Treasurer's Office. Computations of vacation or sick leave will be maintained by Treasurer's Office.
- H. Elected Officials do not turn in time sheets for themselves.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: OVERTIME (NON-EXEMPT)**

**I. POLICY**

Overtime is the method of payment for time worked more than forty (40) hours a week or eighty-six (86) hours every 2 weeks for law enforcement. (Effective October 1, 2022)

**II. PROCEDURE**

**A. COMPENSATION FOR OVERTIME WORKED  
(NON-LAW ENFORCEMENT)**

1. All non-exempt, non-law enforcement employees will be compensated for overtime worked more than forty (40) hours in a workweek by receiving pay at a rate of one and one-half (1 ½) times the number of overtime hours worked.
2. When a holiday is worked, the employee shall be paid for the hours worked plus eight (8) hours of straight time for holiday.

*Example:* The employee worked five (5) days, one of which was a holiday. The employee would be paid for forty (40) hours and paid for eight (8) hours holiday time.

3. When an employee uses Holiday time as well as time worked to accumulate more than forty (40) hours during a holiday week, the hours over 40 will be paid at straight time.

*Example:* The employee works 34 hours during the week of holiday. The employee will be paid for 34 hours of straight time and 8 hours holiday pay at straight time for a total of 42 hours straight time.

**B. COMPENSATION OF OVERTIME WORKED:  
(LAW ENFORCEMENT-29 U.S.C. 207 (k))**

1. Overtime will be paid in cash at one and one-half (1 ½) times the regular rate of pay for each overtime hour worked more than eighty-six (86) hours in a fourteen (14) day work period.
2. Straight time will be paid for all hours worked from eighty-one (81) through eighty-six (86) in a fourteen (14) day work period.

3. Hours worked more than eight-six (86) in a fourteen (14) day work period will be paid at a rate of one and one-half (1 ½) times the number of overtime hours worked.
4. Time not worked but compensated such as sick leave, holiday, vacation, etc., shall be calculated at straight time.

**C. APPROVAL OF OVERTIME**

All overtime work must be approved by the Supervisor.

**D. EXEMPT EMPLOYEES**

Exempt employees do not qualify for overtime.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: HOLIDAYS**

**I. POLICY**

Hunt County provides paid time off to fulltime employees in recognition of traditional holidays.

**II. PROCEDURE**

A. The following holidays are observed by Hunt County:

New Year's Day	January 1
Martin Luther King's Birthday	3 <sup>rd</sup> Monday in January
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Veteran's Day	November 11
Thanksgiving (2)	4 <sup>th</sup> Thursday/Friday in November
Christmas Eve	December 24
Christmas Day	December 25

B. If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday. If a holiday falls on a Sunday, the following Monday shall be observed as the holiday.

C. To be eligible for holiday pay, an employee must work the day before the holiday and the first scheduled work day after the holiday, unless the absence is approved by the Department Head/Elected Official.

D. Holidays falling during a scheduled vacation shall be processed as holidays and shall not affect the vacation balance.

E. Holiday Pay – as many employees as possible shall be granted holidays on the designated date. If unable to comply, the following shall be used.

1. Exempt employees who work on a holiday will be granted a day off at a later date.
2. Non-exempt full-time employees shall be granted eight (8) hours holiday time for holidays worked. Those compensation hours accumulated will be paid upon termination. Exempt employees shall not be paid for holiday time upon separation from Hunt County.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: VACATION TIME**

**I. POLICY**

Hunt County fulltime employees, after having completed a minimum of six (6) months continuing service to the County, shall be eligible to take vacation time as accrued.

Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of six (6) months in such a position before being eligible to take any vacation. At the end of six (6) months, the employee will have accrued forty (40) hours vacation.

If an employee resigns, is discharged, or is terminated for any reason before working six (6) months, the employee is not eligible for vacation and will not be paid vacation.

**II. PROCEDURE**

A. Vacation shall accrue bi-weekly based on the employee's years of service.

B. Employees shall accrue vacation as follows:

Years of Service	Vacation Hours	# of Days	Bi-weekly Accrual
1-9 yrs	80	10	3.08
10 + yrs	120	15	4.62

C. Vacation is accrued per pay period upon completion of six (6) months of employment.

D. Accruals will be on a bi-weekly basis and reports sent to Department Heads/Elected Officials on a monthly basis.

**E. Excess Accumulation**

Employees shall be encouraged to use their full vacation prior to the end each year. However, an employee may carry over the unused vacation. The amount of vacation eligibility shall be computed based on the employee's anniversary date, not the calendar year (Jan. 1 – Dec. 31). Maximum accrual allowed: 120 hours (3 weeks) for 1-9 yrs of service and 160 hours (4 weeks) for 10 + yrs of service.



- F. **Transfer, Promotions and Demotions**  
Employees being transferred, promoted, or demoted shall retain vacation credits.
- G. **Vacation Schedules**
1. Department Heads/Elected Officials shall review vacation schedules to ensure that due consideration is given to meeting both the needs of the County and the interest of the employee. The need of the Department shall prevail.
  2. Vacation with the approval of Department Heads/Elected Officials may be taken as follows:
    - a. All at one time.
    - b. Vacation to be granted if workload permits and is at the discretion of the Department Head/Elected Officials.
    - c. Vacation time may be used to supplement Sick Leave or other authorized time off.
- H. **Holidays**  
When a holiday occurs during an employee's paid vacation, the employee receives holiday pay for that day and may use vacation at a later date.
- I. **Termination – Vacation Pay**  
Employees who terminate will be paid for all vacation accruals up to one hundred sixty (160) hours at the time of separation. No employee will be compensated for more than one hundred sixty (160) hours.
- a. Vacation is paid at the employee's current rate of pay at the time of separation.
  - b. An employee is not paid for any unused vacation except upon termination with the County.
  - c. If an employee resigns, is discharged, or is terminated for any reason before working six (6) months, the employee is not eligible for vacation and will not be paid vacation.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: SICK LEAVE**

**I. POLICY**

Sick time is to be used for the purpose of illness or injury of the employee or of the employee's spouse, parent or child and other health care appointments that cannot be reasonably scheduled at another time.

**II. PROCEDURE**

Sick time accruals will begin on the first pay period of employment.

- A. Full-time employees will accrue sick time at 4.62 hour per pay period.
- B. Any sick time used will be recorded on a time sheet.
- C. Any employee who uses more than three consecutive days of sick time shall be required to submit a written statement from a physician stating the nature of the illness and the estimated recovery time.
- D. Pregnancy is a condition warranting the granting of sick leave.
- E. If a holiday falls during the time an employee is on sick leave, the employee will receive holiday pay.
- F. Sick time may not accrue to more than sixty (60) days or four hundred eighty hours (480).
- G. Sick leave shall not be advanced to any employee. Employees who have exhausted their sick leave due to serious illness or injury and need additional leave may be eligible to apply for additional benefits under Sick Leave Bank.
- H. It is the employee's responsibility to report in to his/her immediate supervisor on a daily basis when on sick leave unless other arrangements are made with the Supervisor or Department Head/Elected Official.
- I. It is the employee's responsibility to notify the Human Resources Department if sick leave is to be considered for Family Medical Leave Act.

- J. Any abuse of sick leave privileges, such as unauthorized use, shall constitute grounds for discipline up to and including dismissal from employment. A physician's statement may be required:
1. prior to return from an absence of three (3) or more working days.
  2. Prior to return from any absence that involves an injury that incapacitates the employee from performing assigned duties.
  3. When the supervisor, in good faith, believes the employee is abusing Sick Leave Privileges.
- K. For extended medical leave see Family Medical Leave Act.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: SICK LEAVE BANK**

**I. POLICY**

Hunt County, consistent with Chapter 157.071 of the Texas Local Government Code, provides for a Sick Leave Bank, which will enable County employees to contribute accumulated sick leave and also will allow Hunt County employees to use time from the Sick Leave Bank for their own or their dependent's serious illness.

**II. DEFINITIONS**

- A. **"Administrator"** means the Hunt County Human Resources Director. This position has no voting rights.
- B. **"Eligible employee"** means a non-elected district, county, or precinct employee paid from the fund of the county or from special grants paid through the county with twelve (12) or more months of continuous service with the county.
- C. **"Dependent"** means an employee's parent, spouse or child.
- D. **"Serious illness or injury"** is a severe condition or combination of conditions which is non-job-related and which has a prolonged negative effect on an individual's health. Such conditions require in-patient hospital care, hospice care, prolonged outpatient care or home health care as determined to be medically necessary by a licensed physician.  
  
Such conditions include, but are not limited to, cancer, AIDS, myocardial infarction, stroke, chronic obstructive pulmonary disease, chronic liver disease and cirrhosis, chronic kidney disease and major injuries.
- E. **"Sick Leave Bank Board of Directors"** means employees who have been elected by voting members of the Sick Leave Bank.
- F. **"Executive Officer"** means the County Judge. This position has no voting rights.
- G. **"Immediate Family Member"** includes the following relationship:
  - Husband
  - Wife
  - Grandparents
  - Grandchildren
  - Son, Son-in-law, Stepson

Daughter, Daughter-in-law, Stepdaughter  
Father, Father-in-law, Stepfather  
Mother, Mother-in-law, Stepmother  
Brother, Brother-in-law, Stepbrother  
Sister, Sister-in-law, Stepsister

### **III. PROCEDURES**

#### **A. Sick Leave Bank Board of Directors**

1. To be a member of the Sick Leave Bank Board of Directors, individual must have been employed by the county for at least four (4) consecutive years and a minimum balance of 200 hours of sick leave at time of application.

2. Member of the Board of Directors shall consists of:

Three Elected Officials and/or Department Heads  
Six representative employees  
Total of nine (9) members

3. **Term of Office**

The term of office will be four (4) years. A member of the board may serve a maximum of three (3) consecutive terms.

4. **Election Procedures**

Elections will be held in May for term to begin in June. Only current members in the bank are eligible to vote.

Members of each group named above may file as candidates from their group. Candidates must file for office with the administrator in May of each year. A form will be provided.

Voting will be by secret paper ballot. Ballots will be distributed and returned through the (inter office) county mail. The Administrator shall call a meeting of the Board of Directors to tabulate the ballots no later than one week following the election. The candidate with the plurality of the vote will be elected.

The Administrator shall rule on the eligibility of all other personnel not covered above.

In the event no one files as a candidate for one of the positions on the Board of Directors, the Board shall fill such position by appointment at the first Board Meeting following the filing deadline.

The selection will be made from the group, which would be represented, by the vacant position.

If a member of the board is representing one group on the Board and accepts or is transferred to a new classification, then he/she must resign his/her position.

5. **Duties and Responsibilities of the Board of Directors**

- a. At the first meeting of the year for the newly elected Board members, the Board shall select from its group a chairperson, vice chairperson, and secretary.
- b. The Sick Leave Bank Board of Directors will approve or deny written requests for the use of time from the pool. Upon request, the Sick Leave Board of Directors will review each request for Sick Leave on an individual basis and the physician certification whether or not the condition is serious.
- c. The Sick Leave Bank Board shall send written notice to the employee and the payroll services section of the County Treasurer's Office of the denial or approval. Where leave has been approved, such notice shall include the amount of leave.
- d. All eligible employees (See Section II) may be granted up to forty five (45) days a year. The Sick Leave Bank Board will not grant more days than its members have contributed.
- e. The Administrator or designee shall maintain records of leave contributions, requests, denials and approvals made under this policy.
- f. Board of Directors unable to attend the committee meeting pertaining to a Sick Bank request may vote absentee. **Conditions:** The member must review the information pertaining to that request in the Human Resources Department and vote by 5 pm the day prior to the meeting, by fax, email, or in written form.
- g. A member may appeal the decision of the Board by writing a letter to the Executive Officer (See Section II) requesting to appear in person before the Board of Directors. The Board of Director's decision is final.

## **B. Contributions**

An employee shall contribute twenty four (24) hours of accrued sick leave when they first join and eight (8) hours each year after. The days donated become the property of the Hunt County Sick Leave Bank. **All donations will remain in force and cannot be returned even upon cancellation of membership.**

The Administrator shall notify the Treasurer's Office of all Sick Leave Bank donations. Sick leave time will be deducted from the contributing employee's sick leave balance.

Employees who terminate their employment with Hunt County forfeit membership in the bank at the effective date of termination. If the employee wishes to regain membership in the bank upon his/her return to the county, twenty-four (24) hours must again be donated.

Employees who terminate or who resign or retire (that are members of the sick bank) may donate not more than 10 days (80 hours) of accrued sick leave time earned by the employee to take effect immediately before the effective date of termination, resignation, or retirement.

## **C. Requesting Sick Leave Bank**

1. An employee requesting Sick Leave Bank time must have exhausted all accrued paid leave to which the employee is otherwise entitled and must have been absent from work due to a serious illness or injury. An employee receiving workers' compensation benefits will not be covered by sick leave bank. Sick leave bank grants will not be authorized for illness or disability resulting from self-inflicted injury or act of war.
2. An eligible employee electing to apply for use of time from the Sick Leave Bank must complete a Request for Sick Leave Bank Form. The eligible employee must also ensure that the Attending Physician's Statement is completed by a physician or other licensed medical practitioner. Both forms should be submitted together to the Human Resources Department who will present it to the Sick Leave Bank Board of Directors.
3. If a request to draw upon the bank is for other than consecutive days of illness, a separate request, including a new physician's statement, must be submitted for each period of illness. Each separate application must meet the initial criteria of just cause.

4. Employees returning to work after being off on Sick Leave Bank time must provide the Human Resource Department and their Department Head/Elected Official a written release from a physician documenting the employee's ability to return to work.

**D. Use of Sick Leave Bank for Immediate Family**

To provide additional sick leave days for members whose immediate family has suffered catastrophic illness or injury. To make the Sick Bank a more significant benefit for Hunt County employees, the committee has included the immediate family. This has necessitated that the committee adopt stricter guidelines to protect the bank and the county from the excessive use of sick leave days.

To apply for sick leave days the member must follow the procedures set out in Section III, C.

All regulations pertaining to the use and issuing of sick leave days will also be applied to the illness or injury of the family member.

The maximum number of days that may be granted to an employee for use with the sickness or injury of a family member is fifteen (15) days per occurrence with a maximum of thirty (30) days per year.

Upon a unanimous vote of the Board of Directors, the Board may provide a member thirty (30) additional days or fifteen (15) days for the illness of an immediate family member in extreme hardship cases.

**E. Payroll Services**

1. Upon receipt of notification of approval of Sick Leave Bank for an employee, the County Treasurer's office will credit the approved amount of time, taken from the bank to the sick leave recipient. Payroll will track the Sick Leave Bank time used by the employee and notify Human Resources Department when the employee is close to exhausting the paid leave. If the employee returns to work prior to exhausting the leave, Payroll will notify the Human Resources Department of the amount that may be credited back to the Sick Leave Bank.



2. Payroll will ensure that the employee continues to accrue vacation leave and sick leave while on Sick Leave Bank (unless the employee does not return to work). However, vacation and sick leave which accrue for any month in which the employee is not physically at work cannot be used until after the employee returns to work. A holiday within the leave period is not counted as sick leave.
3. The estate of a deceased employee is not entitled to payments for unused sick leave acquired by the employee from the Sick Leave Bank.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: FAMILY AND MEDICAL LEAVE AND MILITARY FAMILY LEAVE**

**I. POLICY**

Hunt County shall provide Family and Medical Leave (FMLA) and Military Family Leave (MFL) to all eligible employees as required by the Family and Medical Leave Act of 1993.

**II. DEFINITIONS**

**A. “Employee” means:**

An individual hired by the County on a continuing basis without limitation as to the duration of employment. (This does not include limitations necessitated by grant funding) Elected Officials are not covered by the Family Medical Leave Act or this policy.

**B. “Eligible employee” means:**

1. An employee who has been employed by Hunt County in a paid status for at least twelve (12) months. The twelve (12) months are calculated on an accumulated basis, not a consecutive basis.
2. An employee who has worked a minimum of 1250 hours with Hunt County in the twelve (12) month period immediately preceding the beginning of Family Medical Leave.

**C. “Employee Benefits” means:**

1. All benefits provided or made available to the fulltime employees by Hunt County, including group life insurance, medical and dental insurance, sick leave, vacation leave and retirement benefits.

**D. “Health care provider” means:**

1. A doctor of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors (under the limitations of the act), nurse practitioners, nurse midwives and Christian Science practitioners listed with the First Church of Christ Scientist in Boston, MA.

All providers, except for Christian Science practitioners, must be authorized to practice medicine by the state in which they practice and perform within the scope of practice under that state’s law; or,

2. Any other person determined by the Secretary of Labor.

E. **“Highly compensated employee”** means:

1. A salaried eligible employee who is among the highest paid ten (10 %) percent of the employees employed by Hunt County.

F. **“Parent”** means:

1. The biological parent of an employee or any individual who stood in loco parentis (in place of a parent) to an employee when the employee was a child. This term does not include parent “in-law”.

Persons who are “in loco parentis” include those with day to day responsibilities to care for an employee, who had such a responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

G. **“Reduced leave schedule”** means:

1. A leave schedule that reduces the usual number of hours per work week, or hours per work day, of any employee.

H. **“Serious health condition”** means:

1. An illness, injury, impairment or physical or mental condition that involves:

a. inpatient care in a hospital, hospice or residential medical care facility; or,

b. any period of incapacity requiring absence from work of more than three (3) consecutive calendar days, that also involves continuing treatment by or under supervision of a health care provider; or,

c. continuing treatment by a healthcare provider for the following situations:

1. A period of incapacity of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to that condition that involves two (2) or more visits to the health care provider or treatment on at least one occasion resulting in a regime of continuing

treatment under supervision of the health care provider.

2. Incapacity due to pregnancy or for prenatal care;
3. Any period of incapacity or treatment due to chronic serious health condition;
4. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, requiring continuing supervision of but not necessarily treatment by a health care provider (e.g., Alzheimer's, stroke, terminal disease); or,
5. Any period of absence required to receive multiple treatments by health care provider or provider of health services under orders of/or referral by a health care provider (e.g., chemotherapy, radiation, kidney dialysis, physical therapy or severe arthritis).

Examples of serious health conditions include but are not limited to heart attacks, heart conditions requiring bypass or valve operations, most cancers, back conditions requiring extensive therapy or surgical procedures, strokes, severe respiratory conditions, spinal injuries, appendicitis, pneumonia, emphysema, severe arthritis, severe nervous disorders, injuries caused by serious accidents on or off the job, ongoing pregnancy, miscarriages, complications or illnesses related to pregnancy, such as severe morning sickness, the need for prenatal care, childbirth or recovery from childbirth.

I. **“Son or daughter”** means:

A biological, adopted, foster child, a stepchild, a legal ward or child of a person standing in a parental capacity, who is:

1. Under eighteen (18) years of age; or
2. Eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability.

J. **“Spouse”** means:

1. A husband or wife, as the case may be.

### **III. DURATION OF LEAVE**

An eligible employee is entitled to a total of twelve (12) work weeks of leave during any twelve (12) month period; to be measured backward from the date leave is issued.

### **IV. QUALIFYING EVENTS**

- A. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
- B. Because of the placement of a son or daughter with the employee for adoption or foster care in anticipation of adoption.
- C. In order to care for the spouse, son, daughter or parent of the employee if such spouse, son, daughter or parent has a serious health condition.
- D. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee, including intermittent leave for prenatal appointments, dialysis, chemotherapy or other similar situations.
- E. A qualifying exigency arising out of the fact that an employee's spouse, child or parent is a covered military member (National Guard or Reserves) on active duty or has been notified of an impending call or order to active duty in support of a contingency operation.
- F. To care for a covered service member (Regular Armed Forces, National Guard, or Reserves) with a serious injury or illness if the employee is the spouse, child, parent, or next of kin (nearest blood relative) of the service member.

### **V. EXPIRATION OF ENTITLEMENT**

The entitlement under sub-paragraphs (A) and (B) of IV above shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

### **VI. INTERMITTENT OR REDUCED LEAVE SCHEDULE**

- A. Leave taken under (A) or (B) of IV above may be taken by an employee intermittently or on a reduced leave schedule, upon approval of employee's Appointed Official, Department Head or Elected Official.

- B. Leave taken under (C) or (D) of IV above may be taken intermittently or on a reduced leave schedule when medically necessary, subject to VIII, subsection B, below and X, subsection B (5), below.

**VII. USE OF PAID LEAVE DURING FAMILY MEDICAL LEAVE**

All eligible employees approved for Family Medical Leave will be required to use all appropriate paid leave, including sick leave and vacation if any, before going into an unpaid leave status. Family Medical Leave is not additional leave. It consists of paid time, if any, and unpaid leave together totaling twelve (12) weeks.

Those employees off duty due to work related injury or illness will be carried in accordance with the provisions of the Workers' Compensation policy with such time running concurrent with Family and Medical Leave.

**VIII. NOTIFICATION**

- A. Where the necessity of leave is foreseeable, an employee shall provide the supervising Appointed Official, Department Head, or Elected Official with not less than thirty (30) days written notice, before the date the leave is to begin, of the employee's intention to take leave. When need for leave is unforeseeable, the employee shall provide such notice as is practicable. Upon receipt of such notice, the supervising Appointed Official, Department Head or Elected Official should **notify the Human Resources Department immediately.**
- B. When necessity for leave under (C) or (D) of IV is foreseeable based on planned medical treatment, the employee:
  - 1. Shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of Hunt County, subject to the written approval of the health care provider of the employee or the health care provider of the son, daughter, spouse or parent of the employee, as appropriate, and
  - 2. Shall provide the supervising Appointed Official, Department Head or Elected Official with not less than thirty (30) days notice, before the date the leave is to begin, of the employee's intention to take leave except that if the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide written notice as is practicable.

**IX. SPOUSES EMPLOYED BY HUNT COUNTY**

- A. The aggregate number of workweeks of leave to which both spouses may be entitled shall be limited to twelve (12) work weeks during any twelve (12) month period, if such leave is taken:
1. Under (A) or (B) of IV above, or
  2. To care for a sick parent under (C) of IV above.

**X. CERTIFICATION**

**A. Certification Requirement:**

A request for leave under (C) or (D) of IV above shall be supported by certification issued by the health care provider of the eligible employee or of the son, daughter, spouse or parent of the employee, as appropriate. The employee shall provide a copy of such certification in a timely manner to the Human Resources Department of Hunt County.

**B. Certification shall be sufficient if it states:**

1. The date on which the serious health condition commenced;
2. The probable duration of the conditions;
3. The appropriate medical facts within the knowledge of the health care provider regarding the condition;
4. For the purposes of leave:
  - a. Under (C) of IV above, a statement that the eligible employee is needed to care for the son, daughter, spouse or parent and an estimate of the amount of time that such employee is needed to care for the son, daughter, spouse or parent, and
  - b. Under (D) of IV above, a statement that the employee is unable to perform the functions of the position of the employee.
5. In the case of certification of intermittent leave, or leave on a reduced leave schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment;

6. In the case of certification for intermittent leave or leave on a reduced schedule, under (C) of IV above, a statement of the medical necessity for the intermittent leave or leave on a reduced leave schedule, and the expected duration of the intermittent leave or reduced leave schedule; and,
7. In the case of certification for intermittent leave, or leave on a reduced leave schedule, under (C) of IV above, a statement that the employee's intermittent leave or leave on a reduced leave schedule is necessary to care of the son, daughter, spouse or parent who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

**C. Second Opinion:**

*In General* – any case in which the Hunt County Human Resources Department has reason to doubt the validity of the certification provided under subsection (A) for leave under subparagraph (C) or (D) of IV above, Hunt County shall require, at the expense of Hunt County, that the eligible employee obtain the opinion of a second health care provider designated or approved by Hunt County Human Resources Department concerning any information certified under the subsection (B) above for such leave.

**D. Resolution of Conflicting Opinions:**

1. *In General* – In any case in which the second opinion described (C) differs from the opinion in the original certification provided under subsection (A), Hunt County may require, at the expense of Hunt County, that the employee obtain the opinion of a third health provider designated or approved jointly by the Hunt County Human Resources Department and the employee concerning the information certified under subsection (B).
2. *Finality* – The opinion of the third health care provider concerning the information certified under subsection (B) shall be considered to be final and shall be binding on Hunt County and the employee.

**E. Subsequent Recertification:**

The Human Resources Department may require that the eligible employee obtain subsequent recertification.



## **XI. EMPLOYMENT AND BENEFITS PROTECTION**

### **A. Restoration to Position:**

1. *In General* – Except as provided in subsection (B), any eligible employee who takes leave under this policy for the intended purposes of the leave shall be entitled, on return from such leave:
  - a. To be restored to the position of employment held by the employee when the leave commenced; or,
  - b. To be restored to an equivalent position with equivalent employment benefits, pay, and other terms and condition of employment.
2. Persons returning to work shall be required to furnish a release to return to work from the employee's health care provider.
3. **Loss of Benefits:**  
The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.
4. **Limitations:**  
An employee shall report periodically to the supervising Appointed Official, Department Head or Elected Official on the status and the intention of the employee to return to work.

Nothing in this section shall be construed to entitle any restored employee to:

- a. The accrual of any seniority or employment benefits during any period of leave; or,
- b. Any right, benefit or position of employment other than any right, benefit or position to which the employee would have been entitled had the employee not taken leave.

## **XII. EFFECTS ON OTHER BENEFITS**

1. **Retirement:** While the employee is on **paid** leave during the Family Medical Leave, time is included in calculating eligibility for vesting and/or retirement.
2. **Sick Leave:** Sick leave benefits do not accrue for any period during which an employee is on **unpaid** Family Medical Leave.

3. **Vacation:** Vacation benefits do not accrue for any period during which an employee is on **unpaid** Family Medical Leave.
4. **Group Insurance Benefits:** While the employee is on Family and Medical Leave, the employee's health insurance is covered by the county. However, the employee must continue to pay the employee's portion of the premiums for dependent coverage, if continued coverage is desired.

**XIII. EXEMPTION CONCERNING HIGHLY COMPENSATED EMPLOYEES, AS DEFINED IN II, E., ABOVE:**

**A. Denial of Restoration**

The supervising Appointed Official, Department Head or Elected Official may deny restoration under Section XI to any eligible employee described in Paragraph B below if:

1. Such denial is necessary to prevent substantial and grievous economic injury to the operations of Hunt County.
2. The Appointed Official, Department Head or Elected Official notifies the employee of its intent to deny restoration on such basis at the time the Commissioners Court determines that such injury would occur; and,
3. In any case in which the leave has commenced, the employee elects not to return to employment after receiving such notice.

**B. Affected Employees:**

An eligible employee as defined in II, E., above.

**XIV. MAINTENANCE OF HEALTH BENEFITS**

**A. Coverage:**

Except as provided in paragraph (B) below, during any period that an eligible employee takes leave under this policy, Hunt County shall maintain the same coverage of "group health plan" (as defined in Section 5000 (B) (1) of the Internal Revenue Code of 1986) for the duration of such leave at the level and under the conditions that coverage would have been provided if the employee had continued in employment for the duration of such leave. An employee on paid Family and Medical Leave will continue to have

his/her portion of insurance premiums for dependent coverage deducted from his/her paycheck. An employee on unpaid Family and Medical Leave will be responsible for paying the employee's portion of insurance premiums for dependent coverage directly to the Treasurer's Office. All insurance premiums are due on last business day of the month by 4:00 p.m. (Example: April's premium is due on the last business day in March) Payments may be made by cash, cashiers check or personal check, made payable to Hunt County Treasurer's Office. Failure to pay premiums will result in termination of insurance benefits in accordance with 29 CFR 825.212.

**B. Failure to Return From Leave:**

Hunt County will recover the premium that is paid for maintaining coverage for the employee under such group health plan during any period of unpaid leave under this policy if:

1. The employee fails to return from leave under this policy after the period of leave to which the employee is entitled has expired: and,
2. The employee fails to return to work for a reason other than:
  - a. The continuation, recurrence, or onset of a serious health condition of an eligible family member that entitles the employee to leave under this policy; or,
  - b. Other circumstances beyond the control of the employee.

**C. Certifications:**

1. **Issuance:** Hunt County shall require that a claim that an employee is unable to return to work because of continuation, recurrence, or onset of the serious health condition of an eligible family member described in this policy be supported by:
  - a. A certification issued by the health care provider of the son, daughter, spouse or parent of the employee, as appropriate, in the case of an employee unable to return to work because of a condition specified in IV, (C), of this policy.
  - b. A certification issued by the health care provider of the eligible employee, in the case of an employee unable to return to work because of a condition specified in IV (D), of this policy.

2. **Copy:** The employee shall provide, in a timely manner, a copy of such certification to the Hunt County Human Resources Department and the supervising Appointed Official, Department Head or Elected Official.

3. **Sufficiency of Certification:**

- a. **Leave Due To Serious Health Conditions of a Family Member:**  
The certification described in subparagraph 1(a) above shall be sufficient if the certification states that the employee is needed to care for the son, daughter, spouse or parent who has a serious health condition on the date that the leave of the employee expires.
  
- b. **Leave Due To Serious Health Condition of Employee:**  
The certification described in subparagraph 1 (b) above shall be sufficient if the certification states that a serious health condition prevented the employee from being able to perform the functions of the position of the employee on the date the leave of employee expired.

**XV. NOTICE**

Hunt County shall post in the Hunt County Human Resources Department and in other conspicuous places on the premises of the Hunt County where notices to employees and applicants for employment are customarily posted, a notice prepared and approved by the Secretary of Labor setting forth excerpts from or summaries of, the pertinent provisions of this Policy and information pertaining to the filing of a charge.

**XVI. INFORMATION**

Any employee seeking information concerning the Family and Medical Leave Act should contact the Human Resources Department.

**XVII. MILITARY FAMILY AND MEDICAL LEAVE**

The Family and Medical Leave Act now entitles eligible employees to take leave for a covered family member's service in the Armed Forces (Regular Armed Forces, National Guard or Reserves). This policy supplements our FMLA policy and provides general notice of employee rights to such leave. Except as mentioned below, an employee's rights and obligations to MFL are governed by our existing FMLA policy.

**A. Leave Entitlement**

MFL provides eligible employees unpaid leave for any one, or for a combination of the following reasons:

1. Leave may be taken to address any issue that arises because the covered military member was given seven or less days' notice for active duty deployment in support of a contingency operation. Eligible employees may take up to seven (7) days beginning on the date the covered military member receives the call or order to active duty.
2. Leave may be taken to attend any official ceremony, program, or event sponsored by the military that is related to the active duty or call to active duty status of a covered military member.
3. Leave may be taken to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to active duty or call to active duty status of a covered military member.
4. Leave may be taken to arrange for alternative childcare, provide childcare on an urgent basis (not as routine), to attend school or daycare meetings, to enroll or transfer covered children under age 19 when it is necessitated by the active duty or call to active duty status of a covered military member.
5. Leave may be taken to make or update financial or legal arrangements to address the covered members' absence while on active duty or call to active duty status.
6. Leave may be taken to act as the covered military members' representative before a governmental agency for obtaining, arranging or appealing military service benefits while the covered military member is on active duty or call to active duty status and for a period of ninety (90) days following the termination of the covered member's active duty status.
7. Leave may be taken to attend counseling provided by someone other than a health care provider for oneself, for the covered military member or covered child provided the need for counseling arises from the active duty status or call to active duty status of a covered military member.
8. Leave may be taken to spend time with the covered military member who is on a short-term, temporary, rest and recuperation leave during the period of deployment. Eligible employees may take up to five (5) days of leave for each instance of rest and recuperation.
9. Leave may be taken to attend post-deployment activities for the covered military member for a period of 90 days following the termination of the covered member's active duty status.

10. Leave may be taken to address issues that arise from the death of a covered military member while on active duty status.
11. Leave may be taken to address any other additional events that may arise out of the covered military member's active duty or call to active duty status provided Hunt County agrees the leave shall qualify as an exigency and agree to both the timing and the duration of such leave.

**B. Leave Amount**

1. Up to twelve (12) weeks leave per twelve (12) month period may be used under this policy.
2. Hunt County will measure the twelve (12) week period as a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy..
3. All leave taken under this policy during the prior twelve (12) month period shall be subtracted from the employee's twelve (12) week leave eligibility and the balance is the leave the employee is entitled to take at that time.
4. If a husband and wife both work for Hunt County 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 service member with a serious injury or illness, the husband and wife may only take a combined total of 26 weeks of leave.
5. An eligible employee is entitled to up to twenty-six (26) workweeks of leave to care for a covered service member with a serious injury or illness during a single twelve (12) month period.
  - a. The single twelve (12) month period begins on the first day the eligible employee takes MFL to care for covered service member and ends twelve (12) months after that date.
  - b. If an eligible employee does not take all of their twenty-six (26) workweeks during this twelve (12) month period, the remaining part of the twenty-six (26) workweeks of leave entitlement to care for the covered service member is forfeited.
  - c. This leave entitlement is applied on a per-injury basis such that an eligible employee may be entitled to take more than one period of twenty-six (26) workweeks of leave if the leave is to care for different covered service members or to care for the same covered service member with a subsequent

serious illness or injury, except that no more than twenty-six (26) workweeks may be taken within any single twelve (12) month period.

**C. Use of Paid and Unpaid Leave**

1. If an employee has accrued leave, the employee shall be required to use the following paid leave as detailed below:
  - a. Vacation time
  - b. Sick time
2. An employee who is taking leave because of their own serious health conditions, or the serious health conditions of an eligible family member shall be required to first use all paid sick leave and vacation with the remainder of the 12 week period being unpaid leave.
3. An employee taking leave for the birth of a child shall be required to use paid sick leave and vacation for the recovery period after the birth of the child and prior to being on unpaid leave. A paternal employee taking leave for the birth of a child shall be required to use vacation time with the remainder of the twelve (12) week period being unpaid leave.
4. After the recovery period from giving birth to a child, the employee shall be required to first use all earned vacation time with the remainder of the twelve (12) week period being unpaid leave.
5. An employee who is taking leave for the placement of a child in the employee's home for adoption or foster care shall be required to use vacation time with the remainder of the twelve (12) week period being unpaid leave.
6. An employee who is taking leave for a qualifying exigency for a covered military member shall be required to use vacation time with the remainder of the twelve (12) week period being unpaid leave.
7. An employee taking leave for the care of a covered service member shall be required to use all sick leave, then vacation time with the remainder of the twenty-six (26) week period being unpaid leave.
8. The maximum amount of paid and unpaid leave that may be used under this policy in any twelve (12) month period is twelve (12) weeks, except for qualifying leave to care for a covered military member with a serious injury or illness with the maximum leave being twenty-six (26) weeks in a single twelve (12) month period.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: NURSING PAID BREAKS**

**I. POLICY**

The Texas Right to Express Breast Milk and 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. Hunt County supports the practice of expressing breast milk.

**II. PROCEDURE**

- A. Hunt County will provide two paid 15 minute 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 minutes in duration, the break time will be unpaid time off.
- B. 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. The nursing mother must contact the Human Resources Department for a designated place for expressing breast milk.
- C. Hunt County does not allow any retaliation against nursing mothers for asking for this break. Nursing mothers are entitled to this break for the duration of the time they are expressing milk. Employees of the county who need to express breast milk may not be discriminated against.
- D. 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.



**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: ADMINISTRATIVE ABSENCE**

**I. POLICY**

Employees may be granted administrative absence with pay when deemed necessary in order to vote in an official election.\*

**II. PROCEDURE**

**Voting**

Employees wishing to vote in an official election may be granted administrative absence with pay for time off as needed, not to exceed two (2) hours.

To be eligible for administrative absence in order to vote, an employee must notify his/her Department Head, in advance of the election and his/her intention to vote.

Employees who do not notify their Appointed Official, Department Head or Elected Official prior to their absence from work shall not receive their administrative absence pay.

\*See Voting Statutes

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: DEATH IN THE IMMEDIATE FAMILY**

**I. POLICY**

All employees may be granted paid leave for the express purpose of attending the funeral of, or attending to the details concerning the death of a member of the employee's immediate family.

**II. PROCEDURE**

**A. Notification and Approval**

1. Any employee desiring to attend the funeral of, or required to attend to the details concerning the death of an employee's immediate family must notify his/her Supervisor in advance of the anticipated absence.
2. Approval for the absence must be granted by the employee's Supervisor or the absence will be without pay.

**B. Duration of the Absence**

The maximum leave permitted per calendar year shall be 24 (twenty four) work hours or your normal shift hours not to exceed three (3) consecutive work days unless administrative approval is given for an extension of the absence.

**C. Immediate Family**

See Glossary of Terms for definition of Immediate Family.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: MILITARY LEAVE**

**I. POLICY**

Regular and part-time employees who participate in the military duty will be allowed time off for military duty pursuant to United States Code, Title 38, Chapter 43.

**II. PROCEDURE**

This is to apply to all full-time and part-time employees who are members of any State or National military forces. An employee required to participate in annual active duty for training informs his supervisor of the plans in advance and provides a copy of his orders. The supervisor shall forward copies of the orders to the Human Resources Department and to the County Treasurer immediately upon receipt to ensure compliance with the Uniformed Services Employment and Re-Employment Rights Act of 1994 (USERRA).

**A. Short-Term Military Leave**

**1. Scheduled Duty**

Regular and part-time employees who are required to participate in annual active military duty for training, or who are called up for short-term National Guard or Federal duty, will be allowed time off without loss of time or salary on all days engaged in authorizing training or duty ordered. Paid military leave will not exceed fifteen (15) days per federal fiscal year (October 1 to September 30). When alternate training dates are available to the employee, he/she obtains his supervisor's concurrence when scheduling his/her absence period. An employee going on military leave shall provide his or her supervisor with a set of orders within two (2) business days after receiving them. Hunt County will provide upon request of the employee a statement that contains the number of workdays used for military leave in the fiscal year as well as a statement of the number of workdays left for use during the fiscal year.

**2. Return to Work**

Service of 1 to 30 days. The employee must return to work not later than the first full regularly scheduled work period on the first full calendar day following the completion of service and the expiration of eight (8) hours after a period allowing for the safe transportation of the employee from the place of that service to the employee's residence.

**B. Other Types of Military Leave**

1. **Initial Active duty for training.** This is an obligation of reservists; it usually lasts for twelve (12) consecutive weeks, but may be for a longer period than that.
  - a. **Application for re-employment for service of 31 to 180 days.** Reservist and National Guard members on twelve (12) consecutive weeks, or more, of duty have only fourteen (14) days after release from training duty (or discharge from hospitalization incidental to training, or two (2) years after such members scheduled release from such training, whichever is earlier), for which to apply for re-employment.
  - b. **Eligibility Requirement.** To be eligible for re-employment after initial active duty, reservists and guardsmen must have:
    1. Left a job that was other than temporary.
    2. Satisfactorily completed his/her military training duty.
    3. Be qualified to perform the duties of his/her former job.
  - c. **Re-employment Rights.** If the initial active duty is completed within the first twelve (12) consecutive weeks of the Military Leave-of-Absence without pay, the employee may be returned to the position at the conclusion of the leave. However, if the return is outside the initial ninety (90) days, the employee upon applying for re-instatement will be eligible for the next available position of the same nature or similar position to the class from which he/she left.
2. **Regular Active Duty.** This is active military service, including persons who enlist or are called to active duty as a result of their membership in the Reserve Component of the Armed Forces of the United States.
  - a. **Application for re-employment for service of 181 or more days.** Those individuals seeking re-employment after active duty must apply with Hunt County within ninety (90) days of being released from service or within ninety (90) days after release from hospitalization that lasted no more than two (2) years after the discharge. A letter of application must be submitted to the Department Head from which the employee was last employed prior to entering the military service.

b. **Eligibility Requirements** In order to qualify for re-employment, employees on military leave must meet the following requirements:

1. Must have been employed in a position other than temporary before leaving for active duty.
2. Must have left his/her job to enter military service.
3. Must receive a certificate of satisfactory completion of military service if not a member of the Reserved Armed Forces of the United States.
4. Must apply for re-employment within ninety (90) days of discharge from military service or after release from hospitalization that lasted no more than two (2) years after the discharge.
5. Must be able to perform the duties of his/her former position.

c. **Re-employment rights.** Any person who enters into active duty, whether or not voluntarily, in the Armed Forces of the United States in response to an order or call to active duty shall, upon such persons relief from active duty under honorable conditions, be entitled to re-employment, provided the total of such active duty does not exceed five (5) years. A member of the reserve component of the Armed Forces of the United States who voluntarily or involuntarily enters into active duty or whose active duty is voluntarily or involuntarily extended during a period when the President has authorization to order units of the Reserve or members of a Reserve Component to active duty is entitled to re-employment rights stated in the preceding paragraph, but not to exceed that period of active duty to which the President is authorized to order units of the Reserve or members of the Reserve Component. If the employee on military leave-of-absence qualifies for re-employment, the County will place the employee in the same or similar position. In any case, if two (2) or more persons left the same position in order to enter the Armed Forces, the person who left such position first shall have the prior right to be re-employed.

3. **Benefits.** Employees that are on a military leave-of-absence without pay shall have the same rights and privileges as those employees who are on a non-military leave-of-absence without pay except as noted in sections 4, 5, 6 and 7 of this policy.

4. **Seniority.** Employees returning from a military leave-of-absence are entitled to be restored to the seniority they had on entering service plus credit for the time spent in the service.
5. **Pension Right.** Time spent in the military will be credited towards the employee's eligibility for retirement. A person re-employed under this chapter shall be entitled to make retirement contributions that would have been deducted from his/her pay for the military leave. No such payment may exceed the amount the person would have been permitted or required to contribute had the person remained continuously employed by the employer throughout the period of military service. Any payment to the plan described in this paragraph shall be made during the period beginning with the date of re-employment and whose duration is three times the period of the person's service in the uniformed services, such payment period not to exceed five (5) years.
6. **Vacation Pay.** An employee's period of military service will be credited toward vacation accrual, and the employee will be entitled to vacation pay in the year of his/her return to work. Service members must, at their request, be permitted to use any vacation that had accrued before the beginning of their military service instead of unpaid leave. However, service members cannot be forced to use vacation time for military service.
7. **Sick Pay.** An employee's period of military service will be credited toward sick leave accrual, and the employee will be entitled to sick pay in the year of his/her return to work.
8. **Holiday Pay.** Employees on military leave-of-absence are not entitled to holiday pay.
9. **Wages and Wage Increases.** An employee that is re-employed or reinstated after military leave-of-absence is entitled to the pay he/she would have received had he/she remained continuously on the job during the period of military service. If the pay for the job has been increased during the military service, the employee is entitled to the increase.
10. **Medical and Dental Insurance.** These insurances may be continued while the employee is on military leave. However, the employee is responsible for any premium payment. The employee's coverage will be provided through COBRA and will be increased in accordance with the rates that are in effect at the time. The maximum period coverage of a person and the person's dependents under such

an election will be the eighteen (18) month period after the day the person's absence begins or the day after the date on which the person fails to apply for or return to position of employment.

**C. Protection from discharge**

Under USERRA, a reemployed employee may not be discharged without cause as follows:

1. For one year after the date of reemployment if the person's period of military service was for more than 180 days.
2. For six months after the date of reemployment if the person's period of military service was for 31 to 180 days.

NOTE: Exceptions to the deadlines imposed in this policy may be made when the employee is unable to meet such deadlines due to circumstances beyond the employee's control, in compliance with U.S. Code, Chapter 38, Section 43.

A person who fails to report to or apply for employment within the appropriate period specified in this policy shall not automatically forfeit such person's entitlement to the rights and benefits referred to in this policy, but shall be subject to the conduct rules, established policy, and general practices of the employer pertaining to explanations and discipline with respect to absence from scheduled work.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: JURY DUTY**

**I. POLICY**

A. An employee called for jury service or for service as a witness under subpoena is given the time off required for such service. The employee presents to his/her Supervisor, in advance, official evidence that the service is required.

B. An employee is required to report to work when excused or dismissed from jury or witness service before the end of the working time remaining if it is practical to do so. If there is any question in the employee's mind on whether or not to report to work, they should contact their Supervisor immediately after being excused or dismissed from serving.

1. Shift employees will be considered to be on the first shift during the period they are required to serve on a jury or as a witness.

C. Payment of Wages

1. State/County/City Jury Duty

Because of the small compensation paid, employees who are called to serve on State, County, or City juries will be paid their regular hourly rate. No adjustments in pay will be made.

2. Employees requested by the County to attend court or appear as a witness at a hearing, or subpoenaed to give testimony arising out of employment with the County (other than suits against the County filed on behalf of an employee), will be paid for scheduled time off at their regular base rate of pay. Employees required by the State or Federal Government to testify at a criminal proceeding will also be covered by this policy.

3. No compensation will be made to the employee by the County for personal travel expense to and from court or meal allowances.

4. Jury witness duty will count as time worked when computing overtime.

5. Employees will have to use paid vacation to testify or attend proceedings in which they are a principal party to the lawsuit.



D. Definitions

1. Regular hourly rate means compensation time based on the employee's regular base hourly rate or months' salary for the number of his/her normal workday incentives and leave pay when applicable.
2. Compensation by the court refers to the payments made for jury duty and does not include payment for personal travel expense to and from court or meal allowance.

**SUBJECT: ATTENDANCE/LEAVE TIME**

**TITLE: LEAVE WITHOUT PAY**

**I. POLICY**

In special circumstances, if an employee has exhausted all available leave time, supervisors may consider granting leave without pay to employees for educational or other legitimate purposes when it is in the best interest of Hunt County to do so. If a need to fill the position should arise due to unforeseen circumstances, or if the job is eliminated due to a reduction in force, Hunt County cannot guarantee the reinstatement of an employee on a leave at the end of the leave period.

**II. PROCEDURE**

**A. Anticipated**

1. An employee who anticipates a need for additional time off from work for which they have no appropriate paid time available may submit a written request for leave without pay (LWOP) to his/her immediate supervisor. An employee must use all paid leave prior to being granted an anticipated leave of absence.
2. The immediate supervisor will consider workload, scheduling, the employee's work record, the reasons that the employee previously exhausted all appropriate accrued paid time, and whether the employee's absence would place an undue burden on the department when evaluating requests.
3. The supervisor will review the request with his/her Department Head or Elected Official prior to granting or denying request.
4. The supervisor will return a decision to the employee as soon as feasible after receipt of the written request.

**B. Unanticipated**

1. An unanticipated leave of absence without pay may be granted by an Elected Official or a Department Head provided that the absence will not unduly disrupt department operations. For purposes of this policy, an unanticipated leave of absence may be defined as any unpaid leave resulting from illness, injury, pregnancy, or other psychological disorder.

2. An employee must use all sick leave and vacation prior to being granted an unanticipated leave of absence. An employee must have paid accrued time for the day before and the day after a holiday during an unanticipated leave of absence to be eligible for holiday pay.
3. Employees on an unanticipated leave without pay shall be required to report their status to their supervisor at the beginning of each work week.

**C. All Leave Without Pay**

1. Authorized leave without pay is a matter of administrative discretion and no employee may demand that such leave be granted.
2. No leave without pay shall be granted without the consent of the employee's Department Head or Elected Official. When leave is granted, the Supervisor, Department Head or Elected Official shall do the following:
  - a. Notify the Human Resources Department immediately.
  - b. Provide the employee with the Leave Without Pay Policy.
  - c. Direct the employee to the Treasurer's Office for payment of group insurance benefits.
3. Leave without pay should be documented on times sheets as LWOP.
4. Payroll is responsible for ensuring that any employee on an approved leave of absence is not paid.
5. Employees who are on unpaid leave for an entire pay period shall not accrue vacation, sick time or holiday pay until they return to a paid status. Group insurance benefits may remain active, provided the employees pay the entire premium (including the County's portion). Insurance premiums should be paid directly to the Treasurer's Office by 4:00 p.m. on the last business day of the month in which the employee does not receive a paycheck. (Example: April's premium is due on the last business day in March) Payments should be made by cash, cashier's check or by personal check made payable to the Hunt County Treasurer's Office. Failure to pay premiums will result in termination of insurance benefits.

6. An employee is required to return from unpaid leave on the originally scheduled return date. If the employee is unable to return, he/she may request an extension of the leave in writing prior to the scheduled return date.
7. An employee who neither returns from unpaid leave, nor requests an extension of the leave, shall be terminated.
8. If leave is for medical reasons, physician's certification may be requested periodically. Employees returning to work from leave without pay must furnish the Department Head/Elected Official and the Human Resources Department with a written release from a physician documenting the employee's ability to return to work.
9. The total duration of leave taken under combinations of policy Family and Medical Leave, Workers Compensation and/or policy Leave without Pay, during any twelve (12) month period, shall not exceed six (6) months.

**SUBJECT: BENEFITS/PAYROLL**

**TITLE: HUNT COUNTY BENEFIT PLAN**

**I. POLICY**

Hunt County offers medical and dental insurance to its employees as part of a comprehensive compensation and benefits package. The benefits package is evaluated annually and revisions are made as deemed appropriate. This policy applies to eligible employees enrolled in the medical and/or dental insurance plan, as well as those employees who have opted out and certified alternate medical insurance coverage.

In accordance with the Affordable Care Act all full time or full time equivalent employees must be offered Health Benefits. In order to comply, Hunt County will measure the hours worked of all employees who were not considered full time upon hire or those who were hired as full time but went to part time. Any employee who exceeds 30 hours per week (120 hours per month) average during the measurement period will be offered Health coverage for the following 12 months.

The Standard Measurement Period based on fiscal year 10/1 – 9/30 is a twelve month “look-back” measurement period, a two month administrative period, and a twelve month stability period.

Newly hired employees are also subject to a measurement period, an administrative period and a stability period, but the initial periods are based on date of hire before transitioning to the standard periods.

**II. ELIGIBILITY**

**Employees**

Hunt County employees are eligible for medical and/or dental insurance if they meet the following requirements:

- The employee must be a full-time employee.
- The employee must be actively employed.
- The employee must complete the enrollment process within 30 days of their hire date.

Part time employees are not eligible for medical and/or dental benefits. Elected Officials are eligible and are always considered actively at work. However, Elected Officials must complete the enrollment process within 31 days office is officially taken.

## **Retirees**

Hunt County employees are eligible for retiree medical and/or dental insurance if they meet the following requirements:

- A. **Under 65 Retiree Health Benefits** – you are eligible for retiree health benefits if:
1. You retire under the Texas County & District Retirement (TCDRS) system service retirement guidelines.
  2. You must meet one of the following requirements to qualify:
    - (a) be 60 years of age and provide 8 or more years of service;
    - (b) the sum of your age added to your years of service must be equal to or greater than 75; or
    - (c) you must have 30 years of service;
  3. You retire from Hunt County after serving 8 years of continuous service with Hunt County for the 8 years immediately preceding the date of retirement.
    - a. Any time you may have served another municipality, county or district during the 8 years immediately preceding retirement does not apply to meet the terms of this requirement.
    - b. The term “continuous service” includes time away for an approved leave of absence under another provision of the Hunt County Human Resources Policies and Procedures.
    - c. The term “continuous service” also includes prior service that was bridged according to the terms of Hunt County’s Bridging Policy.
  4. You are less than 65 years old at the time of retirement.
  5. You were enrolled in Hunt County Health Insurance plan at the time of retirement.
- B. **Premiums**
1. Health premiums include medical health plan and prescription drugs – if available in the health plan.
  2. Paid retirement insurance will be on year to year bases with confirmation at each budget year, by Commissioner’s Court.
- C. **General Guidelines**
1. Retiree can keep life insurance at their cost.
  2. Retiree can keep dental insurance at their cost.
  3. Health insurance is subject to change each year based on the Hunt County Commissioner’s Court recommendations.
  4. Hunt County reserves the right, at its discretion, to amend, change, or terminate any of its benefit plans, programs, practices or policies as it deems necessary.
  5. Retirees health insurance is canceled at age of 65 (Medicare Eligible).

### **III. ELIGIBLE DEPENDENTS**

#### **A. Employees**

Hunt County employees can elect to enroll eligible dependents on their medical and/or dental plan. Eligible dependents include:

1. A lawful spouse (lawful means the person is your spouse as evidenced by a valid Certificate of Marriage considered lawful in the State of Texas or a signed and filed legal Declaration of Informal Marriage considered lawful in the State of Texas).
2. An unmarried child up to age twenty six (26).
3. An unmarried grandchild up to age twenty six (26) (provided your grandchild is your dependent for federal tax purposes at the time of enrollment).
4. An unmarried child for whom you are required to provide coverage under a Qualified Medical Child Support Order.
5. An unmarried mentally or physically disabled child, if the child reached the limiting age of twenty six (26) and is a dependent on you for more than one-half (1/2) of their support as defined by the Internal Revenue Code.

If an employee and spouse both work for Hunt County, their dependents can only be covered under one parent's medical and dental plan.

#### **B. Retirees**

Retirees may enroll eligible dependents on their County Medical or Group Dental Plan, if the dependents meet all of the following criteria:

1. The dependent meets the eligibility requirements that are listed above under "eligible dependents of employees".
2. For medical coverage: The dependent is enrolled in the County Group Medical Plan and does not have a break in coverage, meaning that:
  - a. The dependent is enrolled in the County Group Medical Plan on the employee's last day as an active, regular employee or is enrolled in COBRA coverage through the County Group Medical Plan on the day prior to the employee's retirement date; and
  - b. The dependent is enrolled at the same time that the employee enrolls in the County Group Medical Plan retiree coverage within thirty one (31) days of the employee's retirement date; and

- c. The dependent is continuously covered by the County Group Medical Plan and does not have a break in coverage for any reason, including nonpayment of premiums. See the “Premium Payments” section below for more information.
- 3. For dental coverage: The dependent is enrolled in the County Group Dental Plan and does not have a break in coverage, meaning that:
  - a. The dependent is enrolled in the County Group Dental Plan on the employee’s last day as an active regular employee or is enrolled in COBRA coverage through the County Group Dental Plan on the day prior to the employee’s retirement date; and
  - b. The dependent is enrolled at the same time that the employee enrolls in the County Group Dental Plan retiree coverage within thirty one (31) days of the employee’s retirement date; and
  - c. The dependent is continuously covered by the County Group Dental Plan and does not have a break in coverage for any reason, including for nonpayment of premiums. See the “Premium Payments” section below for more information.

In addition to the eligible dependents described above, you may be able to add new dependents to the medical or dental plans if they meet the requirements in the “Change in Status Events” section below.

#### **IV. CHANGE IN STATUS EVENTS**

##### **A. Employees & Retirees**

Once enrolled in the County medical and/or dental plan, employees and retirees cannot make any changes to their benefit choices during the plan year unless they (or their enrolled dependents) experience a qualified Change in Status Event. Plan participants should refer to the Summary Plan Description for the underlying medical or dental plan (which can be found at [www.umar.com](http://www.umar.com)) for a list of the qualified Change in Status Events and description of the requirements.

If an employee or retiree experiences a qualified Change in Status event, the employee or retiree may make a new election for coverage as long as the election is consistent with the qualified Change in Status event. To be considered consistent, the qualified Change in Status event must result in either becoming eligible for or losing eligibility for coverage under the plan. The change must correspond with the specific eligibility gain or loss.



In order for a new dependent to be covered, the employee or retiree must enroll the new dependent within thirty one (31) days after the date of the qualified Change in Status event and satisfy all other eligibility and enrollment requirements of the County Group Medical Plan or County Group Dental Plan in which the employee or retiree is enrolled. Refer to the Summary Plan Description for specific enrollment deadlines and instructions. If the employee or retiree misses the plan's enrollment deadlines, the employee or retiree cannot make any changes, regardless of the type of Change in Status event that occurred.

## **V. DEPENDENTS OF DECEASED RETIREES**

The surviving spouse and eligible child(ren) of a deceased retiree are eligible to continue coverage, if they meet all of the following requirements:

- A. The surviving spouse and or eligible child(ren) are enrolled in the County Group Medical Plan or Group Dental Plan at the time of the retiree's death;
- B. The surviving spouse and/or eligible child(ren) meet all other eligibility requirements of the Plan; and
- C. The surviving spouse and/or eligible child(ren) do not have a break in coverage, including for nonpayment of premium.

If a surviving spouse or dependent drops the County Group Medical Plan or County Group Dental Plan coverage for any reason, that dependent will not be allowed to re-enter the applicable Plan in the future, including at Annual Enrollment.

After the retiree's death, no new dependents are eligible for coverage at any time. For example, if a surviving spouse remarries, the new spouse is not eligible for retiree medical or dental coverage. Surviving spouses and eligible child(ren) may make other coverage changes such as changing plan choices at Annual Enrollment or dropping dependent coverage due to a qualified Change in Status event.

## **VI. ENROLLMENT**

### **A. Initial Enrollment**

All new hires will be informed of their insurance options and requirements at New Employee Orientation. In order to enroll for medical and/or dental coverage or to opt out of Hunt County's plans, all new hires must complete the enrollment within thirty (30) days from their hire date. New Hires who do not complete this enrollment process will be enrolled by default in employee only medical coverage, dental coverage, and basic life insurance. Coverage for new hires will be effective on the ninety (90<sup>th</sup>) day of service.

**B. Annual enrollment**

Hunt County will hold an Annual Enrollment period each calendar year. During the Annual Enrollment period, employees and retirees may change their medical and dental plan choices, cancel coverage for dependents, or make no changes. Employees may also add new dependents during the Annual Enrollment but retirees may NOT add new dependents during this time. Retiree dependents are eligible only if they were covered by the plan at the time of the employee's retirement, or if they experienced a qualified Change of Status event as described in the "Change of Status Events" section above. Enrollment changes made during the Annual Enrollment period will be effective October 1 following the Annual Enrollment period.

**VII. PREMIUM PAYMENTS**

**A. Employees**

Employees' insurance premiums will be deducted on a pre-tax basis through payroll deduction. Employees who are on an approved leave and who are not receiving a pay check must pay their insurance premiums directly to the Human Resources' Office – refer to Family and Medical Leave Policy, and/or Workers Compensation Policy for specific details. Failure to pay required premiums will result in termination of insurance benefits.

**B. Retirees**

Retirees must pay their monthly insurance premiums through ACH debit and in accordance with the retiree billing rules communicated by the County Medical/Dental Plan or its Billing Administrator. Retirees, who discontinue premium payments for any reason, will lose insurance coverage and will not be able to elect coverage again at a later date.

**VIII. COBRA**

Eligible employees who leave Hunt County service will be notified of their right to continue insurance coverage and all related requirements and procedures, in compliance with COBRA provisions.

**SUBJECT: BENEFITS/PAYROLL**

**TITLE: STEP RAISES**

**I. POLICY**

Hunt County offers step raises to certain employees of the Sheriff Office, Homeland Security, and Constable Offices that are considered as full time employees that are considered as Law Enforcement Officers, Dispatchers and Detention Officers. These positions are eligible for the step raises.

**II. PROCEDURE**

- A. Full time Law Enforcement Officers, Dispatchers and Detention Officers shall be eligible for step raises. Excluded from step raises are all elected Law Enforcement Officers and the office staff.
- B. The eligible employees shall receive step raises each pay period.

<b>Years of Service</b>	<b>Detention Officer Step Raise</b>
After 1 yr	\$1200.00 a year
After 3 yrs	\$2400.00 a year
After 5yrs	\$3600.00 a year

<b>Years of Service</b>	<b>Deputy Position Step Raise</b>
After 1 yr	\$1200.00 a year
After 3 yrs	\$2400.00 a year
After 5yrs	\$4000.00 a year

<b>Years of Service</b>	<b>Dispatch Step Raise</b>
After 1 yr	\$1000.00 a year
After 3 yrs	\$2000.00 a year
After 5yrs	\$3500.00 a year

**SUBJECT: BENEFITS/PAYROLL**

**TITLE: POST-RETIREMENT EMPLOYMENT**

**I. POLICY**

Hunt County requires all of its employees to participate in the Texas County & District Retirement System. This policy applies to retirees who seek re-employment with Hunt County.

**III. PROCEDURE**

- A. Hunt County can rehire retirees after a bona fide separation of employment without a suspension of their monthly annuity.
- B. A bona fide separation means a separation that is not based on sham, collusion or subterfuge, and without a promise, agreement or understanding between the employer and the employee that the person would be rehired after retirement.
- C. A retiree who resumes employment with Hunt County must have had a break in service of at least one full calendar month (TCDRS requirement) and must have a true and bona fide separation.
- D. Any Hunt County department or office considering hiring a retiree should first consult with the Human Resources Department. The Human Resources Department will make appropriate recommendations to the Commissioner's Court regarding rehires.
- E. Any retiree who is rehired consistent with this policy will establish a new membership with the TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selection.

**SUBJECT: BENEFITS/PAYROLL**

**TITLE: LONGEVITY PAY**

**I. POLICY**

Hunt County recognizes and rewards employees for their continued service to the County.

**II. PROCEDURE**

- A. All Hunt County employees shall be eligible for longevity pay upon the completion of four (4) years of continuous service.
- B. All new hires will be assigned a longevity date that is the same as their hire date.
- C. Employees shall receive longevity pay each pay period.

Years of Service	Longevity Pay
4 years	\$600.00 a year
5 years	\$750.00 a year
6 years	\$900.00 a year
7 years	\$1,050.00 a year
For each additional year, add \$150.00 per year.	

**SUBJECT: BENEFITS/PAYROLL**

**TITLE: PAYROLL DEDUCTION POLICY**

**I. PURPOSE**

Hunt County provides guidelines for the submission of employee requests for voluntary payroll deductions to Commissioner's Court, review of such requests, and the establishment of the agreements between the County and the organization.

**II. BACKGROUND**

Local Government Code 155.001 states that in a county with a population of 20,000 or more, Commissioner's Court, on request of a county employee, may authorize a payroll deduction to be made from the employee's wages or salary for:

- A. Payment of membership dues in a labor union or a bona fide employees association; or
- B. Payment to a charitable organization.

Local Government Code 155.061 permits a county, on the request of a county official or employee, to authorize a payroll deduction to be made from the official's or employee's wages or salary for the payment of premiums on an individual insurance policy.

Public funds may not be used to pay the administrative costs of making these deductions. The Commissioner's Court shall determine the amount of administrative costs. The labor union or employee association for whose benefit a deduction is made shall pay the administrative costs of making the deductions.

This procedure establishes the process for adding a payroll deduction for an employee association or charity to the deductions available to Hunt County employees.

**III. DEFINITIONS**

**A. Charitable Organization**

V.T.C.A. Government Code 659.131 defines charitable organization as an organization that:

- 1. Is organized for charitable purposes under the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's

Texas Civil Statutes) or holds a certificate of authority issued under the Act;

2. is exempt from taxation under Section 501(a) of the Internal Revenue Code of 1986;
3. Complies with all applicable federal nondiscrimination law including Chapter 21, Title 42, United State Code;
4. Complies with all state statutes and rules related to charitable organizations; and
5. Is not a private foundation.

**B. Bona Fide Employee Association**

An organization of employees, formed in good faith to promote a common purpose, see Texas Local Government Code 155.001 and 155.061.

**SUBJECT: BENEFITS/PAYROLL**

**TITLE: BRIDGING SERVICE TIME**

**I. POLICY**

It is the policy of Hunt County to provide eligible employees, who are rehired, with credit for prior service by bridging short breaks in employment with Hunt County.

**II. DEFINITIONS**

A. **“Bridging”** means adding an eligible period of previous Hunt County employment to the current period of employment with Hunt County to create an “adjusted service date” for calculating an employee’s total time of service for the purpose of all Hunt County pay and benefit determinations.

B. **“Prior service”** with Hunt County means any permanent full-time employment with any department under the jurisdiction of Hunt County.

**III. ELIGIBILITY**

A. A Hunt County full-time employee in good standing, who voluntarily leaves employment or who is terminated through no fault of the employee, and is rehired within 365 days shall be credited for his/her prior service for the purpose of determining Hunt County pay and benefits.

B. This policy is not applicable to temporary or part-time employees.

C. This policy does not bridge employment gaps greater than 365 days.

D. Full-time employees whose employment is involuntarily terminated with cause will not be eligible for bridging prior service.

E. Upon notice to the Human Resources Department that the employee is a rehire and has eligible prior service, the employee’s start date will be immediately adjusted to reflect credit for his/her prior service.

F. Once rehired, the employee is subject to the initial enrollment requirements for healthcare benefits, subject to state and federal legal requirements, including the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, §1311(b) (2010), as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 11-152 (2010).



**SUBJECT: WORKERS' COMPENSATION/HEALTH/SAFETY PROCEDURES**

**TITLE: ON-THE-JOB INJURY REPORTING**

**I. POLICY**

Due to the State of Texas requirements for their prompt reporting of on-the-job and work related illnesses/injuries, it is imperative that such incidents be reported promptly and accurately.

**II. PROCEDURE**

**A. Minor or Non – Life Threatening Injury**

1. As soon as the alleged on-the-job injury has occurred, the affected employee (or a co-worker) should contact their immediate supervisor.
2. Within twenty four (24) working hours after the occurrence of an alleged on-the-job injury, the injured employee's Supervisor or Department Head should contact the Human Resources Department so a 1<sup>st</sup> Report of Injury can be completed.
3. Call and notify the Human Resources Department as soon as an employee starts losing time due to an alleged on-the-job injury. **The employee will need to be put on Family and Medical Leave.** (Follow the phone call with a written confirmation memo).

**(Delays in notification will result in a delay in the prompt payment of all Workers' Compensation benefits)**

4. If the employee is referred by the doctor/hospital for additional medical treatment, the employee needs to be sure to have their doctor and/or hospital call the Human Resources Department to verify information for processing the claim.
5. Charge all absences from work due to an alleged on-the-job injury to Workers' Compensation Injury (WC).
6. Employees returning to work from an alleged on-the-job injury must furnish the Department Head/Elected Official, and the Human Resources Department with a written release from a physician documenting the employee's ability to return to work.

## **B. Major or Life –Threatening Injury**

1. As soon as an alleged on-the-job accident has occurred, the injured employee’s co-worker or Supervisor should contact the following people in the order listed:
  - a. First Call: Ambulance (if one is needed)
  - b. Second Call: Injured employee’s immediate supervisor  
(If not already at the scene of the accident)
2. Once notified, the injured employee’s Supervisor or Department Head should immediately contact the Human Resources Department so that an accident investigation can be started.
3. After the employee has been taken or sent to the hospital, the Supervisor, working with the Human Resources Department should investigate the circumstances surrounding the accident; getting all the information possible and noting all of the details. If there were witnesses to the accident, get their statements.
4. Within twenty four (24) hours after the occurrence of an alleged on-the-job injury, the Human Resources Department should carefully complete a “1st Report of Injury”.
5. Call and notify the Human Resources Department as soon as an employee starts losing time due to an alleged on-the-job injury. **The employee will need to be put on Family and Medical Leave.** (Follow the phone call with a written confirmation memo).
6. Charge all absences from work due to an alleged on-the-job injury to Workers’ Compensation Injury (WC).
7. Employees returning to work from an alleged on-the-job injury must furnish the Department Head/Elected Official and the Human Resources Department with a written release from a physician documenting the employee’s ability to return to work.
8. If emergency treatment is needed, as in the case of a major accident, contact the Human Resources Department and give them the following information:
  - a. Employee’s full name
  - b. Department
  - c. Name of the doctor who provided treatment and/or hospital into which the employee was admitted.

**The Human Resources Department must be contacted when any type of injury occurs, regardless of severity, so that Workers' Compensation coverage can be verified with all the necessary health care providers. If the verification is not made, the claim can be denied or withheld.**

**C. Follow-up Medical Treatment**

Should an employee need further medical treatment sometime after the initial visit, the employee must notify their Supervisor or Department Head as soon as the need arises.

**D. After-Hours Reporting Procedure**

Medical treatment situations that arise during non-working hours must be reported by the employee as soon as he/she can contact his/her supervisor. If medical attention is required, the injured employee should be taken by appropriate conveyance to a local hospital. The hospital staff is familiar with accident reporting procedures and is also responsible for notifying the appropriate County employees of the injury accident. The Department Head/Supervisor is responsible for contacting the Human Resources Department the next business day. (If the employee starts losing time, contact the Human Resources Department immediately).

**SUBJECT: WORKERS' COMPENSATION**

**TITLE: WORKERS' COMPENSATION PAY/LEAVE**

**I. POLICY**

Hunt County is committed to providing a safe working environment for its employees and makes every reasonable effort to ensure that employees are not injured while performing their duties. All County employees are covered by the Texas Workers' Compensation Act and are entitled to receive all benefits as prescribed by law. **Hunt County employees who take leave due to work related illness or injury, and who are eligible for FMLA, are entitled to receive all benefits as described in Hunt County Family and Medical Leave Policy.**

**II. EMPLOYMENT STATUS and COMPENSATION OF OFFICIALS**

For the purposes of this policy, "official" refers to the Sheriff, Deputy Sheriffs, Constables, Deputy Constables, and other County or precinct law enforcement officials. Such officials are subject to the following:

"State Law provides as follows: Art. 3, 52e Payment of Medical Expenses of Law Enforcement Officials"

*Text of section adopted in 1967 as proposed by  
Acts 1967, 60<sup>th</sup> Leg., p2969, S.J.R. No. 6*

Sec. 52e: Each county in the State of Texas is hereby authorized to pay all medical expenses, all doctor bills and all hospital bills for Sheriffs, Deputy Sheriffs, Constables, Deputy Constables and other county and precinct law enforcement officials who are injured in the course of their official duties; providing that while said Sheriff, Deputy Sheriff, Constable, Deputy Constable, or other county or precinct law enforcement official is hospitalized or incapacitated that the county shall continue to pay his maximum salary; providing, however, that said payment of salary shall cease on the expiration of the term of office to which such official was elected or appointed. Provided, however, that no provision contained herein shall be construed to amend, modify, repeal or nullify Article 16, Section 31, or the Constitution of the State of Texas. Adopted Nov. 11, 1967.

*For text of section adopted in 1968 as proposed by  
Acts 1967, 60<sup>th</sup> Leg., p2976, S.J.R. No. 37, see 52e. post*

During any hospitalization or incapacity suffered as a result of a work related injury, the official shall continue to receive regular salary until the term of the office when the injury was sustained expires or the official is no longer incapacitated, whichever occurs first. Law Enforcement officials who have been employed by Hunt County for one (1) year and who take leave due to a work related illness or injury must apply for FMLA.

In the event that the term expires first, the injured officer will be eligible to receive the balance, if any, of 180 days paid leave which would have begun on the day following the injury. If there is no time remaining said official shall be separated from County service.

- A. In the event that an official is unable to return to work following one hundred eighty (180) days of paid leave, the department may proceed to fill the official's position. Such official, however, shall continue to receive full pay and benefits. In the event that such official desires to and is able to return to work, the individual must apply for employment for the available positions with Hunt County.
- B. Officials who receive a light duty release and are offered an alternative position with comparable pay yet refuse such an offer may have salary and benefits discontinued.
- C. Officials who resign their employment while on workers' compensation leave are no longer eligible to receive maximum pay. They will, however, continue to receive weekly compensation benefits as issued by the County's third party administrator until such benefits expire.

### **III. ALL OTHER EMPLOYEES**

#### **A. Employment Status**

All other employees will be allowed to use accrued sick leave during the first seven (7) calendar days before workers' compensation benefits start. If the sick leave has been exhausted, employees may use any other available leave time.

Employees who have been employed by Hunt County for one (1) year and who take leave due to work related illness or injury must apply for FMLA.

If it is determined to be medically necessary by an employee's physician, an employee is eligible for up to one hundred eighty (180) cumulative days leave. An employee that returns to work during this period of time will be eligible for the same or similar position provided that the employee is still capable of performing the duties of that position.

If an employee does not return to work within one hundred eighty (180) cumulative days from the date of injury, the employee shall be separated/terminated from the County service. Such employees may apply for employment for available positions with the County, in the event that he/she receives a full duty release.

If it is established during the workers' compensation leave that the employee is permanently unable to resume regular job activities, the employee shall be:

1. Given up to thirty (30) days to make application and secure another position within the County if the medical records indicate so. (This thirty (30) day period is not in addition to the one hundred eighty (180) days maximum workers' compensation leave), or;
2. Informed of their option to pursue a service retirement or disability retirement if appropriate, or;
3. Terminated. The Elected Official or Department Head shall in every case work closely with the Human Resources Department in determining the "best" option for the employee and the County.

**B. Compensation**

Supplementary pay is defined as the difference between workers' compensation benefit and the employee's regular salary.

1. Employees will receive workers' compensation, but will not receive supplementary pay.

**IV. DENIAL OF BENEFITS**

- A. Coverage under the Act does not apply in instances where an employee has intentionally injured him/herself or another person nor shall the coverage apply if the employee was in a state of voluntary intoxication when the injury was sustained.
- B. Employees who are on workers' compensation and who are simultaneously occupied in other employment must report such employment to their immediate supervisor. Said employees are prohibited from receiving compensation while on workers' compensation if such compensation is derived from work that directly conflicts with the existing medical condition.

Employees found to be occupied in such a situation may be subject to termination.

- C. Coverage under the Act does not apply where an employee is injured through voluntary participation in an off-duty recreational, social or athletic activity that did not constitute part of the employee's work-related duties, unless the activity is a reasonable expectancy of or is expressly or impliedly required by the employment;
- D. Coverage under the Act does not apply where an employee fails or refuses to comply with or follow the treating physician's instructions or advice regarding treatment of his injured condition.
- E. Coverage under the Act does not apply where an employee refuses, when allowed by the treating physician, to perform modified duty or a different job with the County that is, in the opinion of the treating physician, within his physical capability and for which the employee is qualified or will be trained.
- F. Coverage under the Act does not apply where an employee is injured as a result of an employee's horseplay.
- G. Coverage under the Act does not apply where an employee is injured out of an act of God, unless employment exposed the employee to a greater risk of injury from an act of God than ordinarily applies to the general public.
- H. Coverage under the Act does not apply where an employee is injured by an act of a third person because of a personal reason and not directed at the employee because of employment.

## V. **BENEFITS**

- A. **Officials**. The Sheriff, Deputy Sheriffs, Constables, Deputy Constables, and other County or precinct law enforcement officials.
  - 1. **Group Insurance Benefits**: Group insurance benefits will remain in effect during paid injury leave. The County will continue to pay its portion of the employee's premium. In addition, Hunt County will continue to deduct the employee's portion of the insurance premiums via payroll deduction. In the event of separation from County service and expiration of County subsidized health insurance such officials may continue their insurance under the COBRA provision (unless such employee has been involved in gross misconduct) which requires such officials to pay the entire premium.

2. **Vacation:** Vacation will continue to accrue for any months in which an official is on paid injury leave.
3. **Sick Leave:** Sick leave will continue to accrue for any months in which an official is on paid injury leave.
4. **Retirement:** While an official is being carried on paid injury leave, the County will continue to credit the individual's account in the retirement plan.
5. **Longevity:** Longevity will continue to accrue for any months in which an official is on paid injury leave.

**B. All Other Employees**

1. **Group Insurance Benefits:** Group insurance benefits will remain in effect during the first one hundred eighty (180) days of workers' compensation leave as determined to be medically necessary by the employee's physician. The county will continue to pay its portion of the employee's premium. The employee is responsible for continuing to pay his/her portion of the insurance premium while on workers' compensation leave. If the employee is receiving a paycheck from Hunt County while on leave, insurance premiums will be deducted from his/her paycheck. If the employee does not receive a paycheck from Hunt County, the employee is required to pay his/her insurance premiums directly to the Human Resources Department. All insurance premiums are due by 4:00 pm on the first business day of the month for the next month's credit. (Example: April's premium is due on the first business day in March) Payments may be made by cash, cashier's check, or by personal check made payable to the Hunt County Treasurer's Office. Failure to pay premiums will result in termination of insurance benefits. In the event that the employee is unable to return to work within one hundred eighty (180) days, and is terminated, insurance coverage may be continued under the COBRA provision (unless such employee has been involved in gross misconduct) which require the employee to pay the entire premium.
2. **Vacation:** Accrued vacation will remain in their account; however, no additional accrual will be made while out on a worker's compensation injury.
3. **Sick Leave:** Sick leave benefits do not accrue while out on a worker's compensation injury.



4. **Retirement:** No credit is given to the retirement plan for the individual's account or benefit while out on a worker's compensation injury.
5. **Longevity:** Longevity will continue to accrue as long as the employee continues employment with Hunt County.

**SUBJECT: WORKERS' COMPENSATION**

**TITLE: RETURN TO WORK**

**I. POLICY**

Hunt County is committed to providing a safe workplace for our employees. This policy provides opportunities for employees who are injured on the job to return to work at full duty. If an injured worker is not physically capable of returning to full duty, the program provides opportunities to perform his/her regular job with modifications or, when available, to perform alternate temporary work that meets the injured worker's physical capabilities.

This policy applies to all County departments under the Commissioner's Court.

**II. PROCEDURE**

- A.** An employee who is injured at work must immediately report the incident to his/her supervisor and follow procedures pursuant to On-The-Job Injury Reporting Policy.
- B.** The supervisor and injured worker review information received from the doctor and jointly determine if appropriate work is available.
- C.** Following an injured worker's return to work, the supervisor coordinates with the Human Resources Department and monitors the injured worker's progress to assure that restrictions are carefully followed and assist in resolving any difficulties.
- D.** The injured worker must immediately report any difficulties with performing assigned work. The supervisor and the injured worker will work together to address the problem.

**III. ALL EMPLOYEES**

- A. **Coordination with Attending Physician****

An employee on leave due to a work-related disability can return to work only when Hunt County receives the attending physician's written medical release authorizing such return. Each Department supervisor is responsible for providing the physician with a copy of the employee's job description, copies of job descriptions for potential limited-duty assignments, and written information explaining Hunt County's return-to-work program. Inquiries regarding appropriate job descriptions should be directed to the Human Resources Department.

**B. Job Descriptions**

Each Elected Official and Department Head is responsible for working with supervisors to ensure that job descriptions are accurate and completely describe the essential functions of each position. Each Elected Official and Department Head works with Human Resources Department and the employees' medical provider to analyze any new limited-duty position and develop a job description describing the essential functions of the position.

**C. Return-to-Work Options**

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

1. **Return to prior position.** An employee is offered the opportunity to return to his/her prior position if the attending physician certifies that the employee can perform the essential functions of the job with or without reasonable accommodations. The Human Resources Department is responsible for working with the employee's supervisor, the Elected Official, and attending physician (and third-party consultants, as necessary) to identify any necessary and reasonable accommodations.
2. **Temporary modified duty.** Any employees who are not yet able to return to their former duties are offered (subject to restrictions set out in Section D of this policy) a temporary limited-duty assignment that complies with the restrictions set forth by the Human Resources Department. The Human Resources Department is responsible for working with the employee's supervisor, the Elected Officials, and the employee's attending physician to develop and implement the limited-duty assignment. The assignment can consist of the employee's regular job with reduced working hours and/or activities, or an alternative limited-duty position.

**D. Restrictions on Limited-Duty Assignments**

The following restrictions apply to limited-duty assignments:

1. **No guarantee of work.** As provided in Section III., C of this policy, Hunt County will endeavor to return employees to gainful employment as soon as possible by exploring possible limited-duty assignments. However, Hunt County does not guarantee the availability of limited-duty work.
2. **Pay rates and workers' compensation benefits.** Employees on temporary modified duty are not guaranteed the rate of pay they received for the position they held at the time they sustained their

work-related injury or illness. Employees receive temporary income benefits from workers' compensation to supplement this income to a pre-injury level. (Exception: Law Enforcement officials are guaranteed one hundred (100%) percent of salary by the State Constitution while incapacitated under workers' compensation standards whether on limited-duty assignment or not).

The pay rate for a limited-duty assignment is based on the knowledge, skills, and abilities required for the job as well as general market conditions and actual time worked. Employees who return to work in limited-duty positions before they have reached maximum medical improvement are eligible for temporary partial disability benefits under Texas Department of Insurance Division Workers' Compensation if they earn less than they earned in the position held at the time they sustained the work-related accident or illness. Employees in limited-duty positions are not permitted to supplement their workers' compensation benefits by using their accrued vacation or sick leave.

3. **Ninety (90) day limit.** Limited-duty assignments are temporary arrangements intended to complement and facilitate the healing process. Limited-duty assignments should be as brief as possible and cannot exceed ninety (90) days without approval from Hunt County's Elected Officials or Department Heads.

**E. Employee Refusal of Work/Training**

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

A written offer of employment must clearly state:

1. The position offered and the duties of the position.
2. Hunt County's agreement to any limitations or condition set out in the attending physician's certification of the employee's fitness to return to work.
3. The job's essential functions.
4. The job's wage, working hours, and location.

**F. Permanent Disabilities**

When reaching maximum medical improvement, an employee can have a permanent disability that impairs the employee's ability, with or without reasonable accommodations, to return to his/her regular position. Hunt

County's workers' compensation insurance carrier, in consultation with the employee's attending physician, and the Texas Department of Insurance Division of Workers' Compensation must evaluate the following options:

1. Securing vocational rehabilitation services from the Texas Department of Assistive & Rehabilitative Services or private consultants, as appropriate. Services can include assessment and testing, counseling, and training.
2. Finding an open position at Hunt County commensurate with the employee's knowledge, skills, and abilities. Employees with permanent disabilities are paid partial or total permanent disability benefits as required under the Texas Department of Insurance Department of Workers' Compensation regulations.

**G. Medical Information**

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

**H. Coordination with FMLA**

Nothing in this policy should be construed as denying employees their rights under the Family and Medical Leave Act or any other federal or state law. It is Hunt County's policy to designate an employee's leave due to work-related injury or illness as FMLA leave.

Employees entitled to FMLA leave can voluntarily accept limited-duty assignments while they are recuperating, but they cannot be required to do so. Employees who lose their workers' compensation income benefits as a result of declining a limited-duty assignment are required to substitute any available paid leave, such as accrued vacation or sick leave for unpaid FMLA leave. Until employees have exhausted their twelve (12) weeks FMLA entitlement, they have the right to be reinstated to their original job or an equivalent job provided that they are able to perform the job's essential functions.

**SUBJECT: DISCIPLINARY ACTION/TERMINATION PROCEDURE**

**TITLE: NON – DISCIPLINARY SEPARATION**

**I. POLICY**

The County reserves the right to reduce work force for reasons other than disciplinary separation.

**II. PROCEDURE**

**A. Reduction in Work Force**

An employee may be terminated because of changes in duties, reorganization, or for lack of work or availability of funds. Whenever possible, an employee terminated from a County Department may apply for an available position within the County. Whenever possible, at least two (2) weeks' notice shall be given to an employee prior to separation.

Reduction of work force will be based on the most recent performance evaluation of employees within a job category. When employees' evaluations differ by 0.5 or less, seniority shall be the deciding factor.

**B. Incapacity**

An employee may be separated for medical reasons when the employee no longer meets the standards of fitness required for the position. A finding of incapacity shall be determined by a physician. Separation for incapacity shall not be considered disciplinary action and shall not deny an employee the use of accrued sick leave or other benefits. Separation for incapacity is an administrative measure designed to protect the interest of the County and the employee and to unencumber the employee's position so that a replacement may be assigned.

**C. Retirement**

Eligible employees may be separated by retirement in accordance with applicable program.

**SUBJECT: DISCIPLINARY ACTION/TERMINATION PROCEDURE**

**TITLE: EMPLOYEE NOTICE OF RESIGNATION/TERMINATION**

**I. POLICY**

Hunt County, in order to maintain efficiency and uniformity in its personnel practices and procedures, shall require employees to provide written notification of resignation when they are voluntarily leaving employment with the County.

**II. PROCEDURE**

- A. The term “resignation” shall be used to refer to any situation where an employee is voluntarily leaving employment with the County.
- B. When an employee intends to resign his/her position, he shall provide his/her Supervisor and Appointed Official, Department Head, or Elected Official a written “Notice of Resignation” at least two (2) weeks prior to the last scheduled work date. **(A copy of the Notice should be forwarded to the Human Resources Department and the Treasurer’s Office as soon as it is received by the Appointed Official, Department Head and Elected Official).**
- C. The “Notice of Resignation” will be used to provide the County with the opportunity to find and train replacement personnel and/or rearrange work schedules.
- D. Whenever possible, all employees are encouraged to provide their written “Notice of Resignation” as soon as they are aware of their intended resignation. This extra time will be used to implement a smooth transition and help avoid disrupting the provision of County services.

**III. ENTITLEMENT TO CONTINUE HEALTH INSURANCE COVERAGE AFTER TERMINATION**

As of January 1, 1987, Hunt County complied with the Federal Government in offering insurance to all insured employees and their insured dependents upon termination of employment from the County.

The law — the Consolidated Omnibus Budget Reconciliation Act (COBRA) — gives workers who lose their health benefits the right to choose to continue group health benefits provided by the plan under certain circumstances.

The Law states that Health Insurance must be continued by an employer, for the length of time indicated, upon request of an employee and/or his covered dependents (beneficiaries) upon the following qualifying events:

- A. Upon termination (except for gross misconduct) of the employee –eighteen (18) months.
- B. Upon the death of the employee – thirty six (36) months
- C. Upon a divorce from the employee – thirty six (36) months
- D. Upon a dependent child losing coverage because of marriage or reaching the age limit – thirty six (36) months.

Beneficiaries, those held coverage under the Health Plan prior to the qualifying events must elect continuation of the coverage within sixty (60) days. They must pay full cost plus two (2%) percent. Once elected, the insurance will continue for the number of months indicated above or until one of the following events occur:

- A. Premiums not paid on time or
- B. The beneficiary becomes covered under another health plan through marriage, employment or is eligible for Medicare.

Please inform your spouse and dependents of this entitlement which becomes effective January 1, 1987. Show this letter to them.

You are to inform the Human Resources Department of a divorce or of a dependent child losing coverage. In such event or upon your termination, beneficiaries will receive a complete briefing and election instruction on this entitlement to continuation of Health Coverage. This also pertains to DENTAL BENEFITS.

**PLEASE REMEMBER TO INFORM THE HUMAN RESOURCES DEPARTMENT OF ANY CHANGE OF ADDRESS ON YOU AND/OR YOUR DEPENDENTS.**



**SUBJECT: DISCIPLINARY ACTION/TERMINATION PROCEDURE**

**TITLE: EMPLOYEE REINSTATEMENT**

**I. POLICY**

Any employee whose employment is terminated for reasons other than resignation or dismissal may be eligible for reinstatement.

**II. PROCEDURE**

**A. Reduction in Work Force**

Any employee, including temporary employees, may be recalled to work at any time within one (1) year provided the person remains qualified to perform the duties as required.

**B. Separation For Incapacity**

Any employee separated for incapacity may be restored to his/her former position provided the reason for incapacity has been removed and he/she is still qualified to perform the duties of said position.

**C. Veterans**

Employees who left the County in good standing to enter active duty with the Armed Forces of the United States shall be eligible for reinstatement in accordance with applicable State and Federal laws. For more information, please contact the Human Resources Department.

**SUBJECT: TRAVEL/EDUCATION/SEMINAR POLICY**

**TITLE: REIMBURSEMENT OF TRAVEL/CONFERENCE EXPENSES**

**I. POLICY**

Hunt County realizes the benefits that accrue to the County when its employees attend conferences, seminars, and professional training activities. The County will bear expenses incurred by County Officials and employees to attend such activities provided that the following procedures are followed. However, conference, seminars, and training must be directly related to the work of the County office involved. (For brevity and clarification, the term “Travel/Conference” will mean conferences, seminars, professional education classes and training activities).

**II. PROCEDURE**

- A. Attendance by County employees at conferences and seminars shall be at the discretion of the Elected Officials and Department Heads. The Travel/Conference expense must be related to the duties and responsibilities of the County office incurring the expenses and there must be adequate funds budgeted to cover the expenses to be reimbursed. Travel/Conference reimbursements that would exceed the related line item budget will not be approved for payment.
- B. Although no specific prior approval by the Commissioner’s Court is required for Travel/Conference expenses, the Commissioner’s Court reserves the right to deny payment for any Travel/Conference reimbursement that it deems to be improper or unnecessary. Additional justification for reimbursement of expenses may also be required of all County employees and Department Heads.
- C. Prior to incurring Travel/Conference expense, the Department Head of employees should submit proper documentation with request to the Auditor’s Office no later than Wednesday at 12:00 pm prior to Commissioner’s Court.
- D. Travel/Conference registration fees will be paid in advance by the County. A completed Travel/Conference expense form must be submitted to the County Auditor’s Office for fees to be paid. Additional documentation, such as registration form, a course schedule or agenda, and the credentials of presenters is also required. If a request for prepaid fees is not received in time for regular processing by the Auditor’s Office, then the registration fees will be paid by the County Official or employee and reimbursed by the County.
- E. Lodging, meals, and airfare may be advanced based per the Travel Advance Policy.

- F. The County will not pay for more than three (3) meals per day of not more than \$14.00 for breakfast, \$16.00 for lunch, and \$29.00 for the evening meal. This per diem will not be due on any meal provided at another organization's expense, or that is included in registration fee for conferences, meeting, etc. Employees must also be away before 6:30 a.m. to receive breakfast and after 7:00 p.m. to receive the dinner portion of the per diem allowance.
- G. Lodging is reimbursed at the conference hotel rate or a lower rate.
- H. Personal automobile expenses are reimbursed at the published rate by the Internal Revenue Service each January. Employee/Official receiving a fixed car allowance will only receive reimbursable mileage for training outside of Hunt County (only miles from county line to destination).
- I. All reimbursements will be made according to the County's usual and customary procedures for processing claims.
- J. Travel/Conference expense forms must be signed by the County employee and Department Head for reimbursement to be made. Such signatures serve as an affidavit that the claim for reimbursement is valid.
- K. Hunt County shall not refund as Travel/Education expenses any fees or tuition for courses taken which could apply towards a college degree or for which academic credit hours are granted.
- L. All claims for travel/education expense reimbursement must be submitted to the County Auditor's Office for processing by accounts payable no later than three (3) months after being incurred. Payment will be denied on any reimbursement claims presented after this time limit.

### **III. DAY MEAL REIMBURSEMENT**

Effective April 14, 2008 per Commissioner's Court, request for day meals must first be approved by Department Head/Elected Official before it is submitted to the County Auditor's office. The County Auditor will give initial approval/disapproval for it to be included in the next available payroll. The County Auditor, after giving the initial approval, will submit it to the Payroll Department to be processed. If the County Auditor initially disapproves the request, it will be returned to the Department Head/Elected Official stating why the request was disapproved. The Department Head/Elected Official may then seek the approval of the Commissioner's Court by having the issue placed on the next available Commissioner's Court agenda. The reimbursement amount will not exceed the current amount of allowable per diem as established by the Commissioner's Court.

**SUBJECT: TRAVEL/EDUCATION/SEMINAR POLICY**

**TITLE: TRAVEL ADVANCE POLICY**

**I. POLICY**

Travel advance checks will be issued to employees traveling on County business through the following policy.

- A. A maximum of fifty-nine (\$59.00) dollars per day, per person, advance for meals will be issued. Breakfast (\$14.00), Lunch (\$16.00), and Dinner (\$29.00).
- B. If traveling in a personal vehicle within the State of Texas, the employee can be advanced the published rate of the Internal Revenue Service each January per mile round trip to his/her destination.
- C. If lodging cannot be directly billed to the County, a check to the hotel can be issued in the amount of the daily charges times the number of days included in the trip. Travel advance checks will not be issued in the employee's name for lodging.
- D. Registration fees for conference will continue to be paid by the Auditor's Office.
- E. Travel advance check requests must be received in the Auditor's Office and placed on the bill report prior to payment. Requests must be received no later than Wednesday at 12:00 pm prior to Commissioner's Court.
- F. Per diem will be allowed for the actual number of days of the meeting/conference plus one (1) day travel time at the department's discretion.
- G. Receipts for advances other than meal advances will be retained by the employee and submitted with the Travel Request Form to his/her Department Head for approval. The Department Head will assure that all required receipts are attached to the form and may at that time approve any additional refund to the employee.

Additional refunds will be made for those expenses incurred over and above the normal expenses (i.e., taxi fare, shuttle fare, airport and hotel parking, tax on hotel rooms not included in the lodging advance, local calls, tips other than for meals in the description of incidental expenses that will be reimbursed, and mileage within the destination city, to and from meetings).

Documentation of expenses and refund of unspent funds/unsupported expenses, other than meal expenses for departments operating under the per diem policy for meals, of advance funds, must be completed within ten (10) working days of the employee's return. Unused or unaccounted for funds must be remitted back to the County with the final report. The completed and department approved form with receipts attached will be forwarded to the Auditor's Office for processing.

- H. Airline tickets should be secured in advance from an approved travel agent with billing coming directly to the County. Reservations should be made in advance to secure the most economical rate as in the previous policy.

## **II. PROCEDURE**

Employees will complete a County Warrant form and submit it to their Department Head/Elected Official for approval. The Department Head/Elected Official will then forward it with the proper documentation to the Auditor's Office for processing.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: TEMPORARY EMPLOYEES**

**I. POLICY**

This policy defines the benefits, methods of pay, and provisions of temporary employment.

**II. PROCEDURE**

All employees hired for a specific temporary job or project for a limited period of time.

- A. Temporary status should not normally exceed six months in duration.
- B. Temporary employees receive no County benefits.
- C. The employees will remain at the hiring rate until the job position is changed or until reclassified as a regular, full-time employee and qualified for a wage increase.
- D. Temporary employees do not receive holiday pay. Temporary employees who work on a designated holiday will be paid straight time.
- E. Temporary employees are subject to dismissal at any time.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: PART-TIME EMPLOYEES**

**I. POLICY**

This policy defines the benefits, method of pay and provisions of part-time employees.

**II. PROCEDURES**

All employees hired for a specific job or project for less than 25 hours per week:

- A. Part-time status may be for an unlimited period of time.
- B. Part-time employees are required by state law to participate in the Texas County and District Retirement System. Part-time employees are not eligible for any other County benefit. (vacation, sick leave, holiday pay, health or dental benefits)
- C. Hiring of part-time employee, regardless of the number of hours worked, must meet all the requirements of the Hunt County Equal Opportunity Plan. They must also be within budgetary constraints.
- D. Performance appraisals and merit shall be administered in and implemented as the budget allows in the same manner as full-time employees.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: OUTSIDE EMPLOYMENT**

**I. POLICY**

No employee shall engage in outside employment, including self-employment, where such employment would constitute a conflict of interest or would adversely affect the employee's performance in the County. It is always a good policy to communicate with your Elected Official or Department Head prior to engaging in outside employment.



**SUBJECT: GENERAL GUIDELINES**

**TITLE: EMPLOYEE PARTICIPATION IN POLITICAL ACTIVITIES**

**I. POLICY**

This directive outlines specific guidelines for employee participation in elections and appointive or elective offices of public trust. County employees may and are encouraged to participate in all public elections. There are some specific restrictions concerning political participation which County employees should be aware of during their tenure in public employment.

**II. PROCEDURE**

Except as may be otherwise provided by law, the following restrictions on political activity shall apply to all Hunt County employees.

- A. Employees while on duty as an employee of Hunt County may not actively support or solicit votes or funds for a specific candidate or party.
- B. No employee shall be required to support, contribute to, or campaign for any candidate or party as a requirement for holding such an employee's employment with Hunt County.
- C. Employees while not on duty may be involved in any political activities in which the employee so desires without fear of retaliation.
- D. County equipment shall not be used for campaign purposes.
- E. Campaign materials shall not be left or used on County property (i.e. materials on desk, vehicle left over weekend with campaign advertisement while not on County business).

**SUBJECT: GENERAL GUIDELINES**

**TITLE: EMPLOYEE PERSONAL APPEARANCE**

**I. POLICY**

All County employees are responsible for maintaining a neat and appropriate personal appearance at all times.

**II. PROCEDURE**

All employees, regardless of work location and the presence or absence of public contact, are expected to dress appropriately and in good taste and are expected to maintain good personal appearance and high standards of personal hygiene at all times.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: EMPLOYEE TELEPHONE USAGE**

**I. POLICY**

- A. Telephones are to be used for county business calls. Employees should not use the county's communication services and equipment (including fax machines, cellphones, etc.) for personal purposes except in emergencies or when extenuating circumstances warrant it.
- B. All employees are expected to keep personal calls to a minimum. If there is a need to place a personal call, employees are expected to keep personal calls to a minimum time, and are encouraged to place calls during lunch and break periods. Personal calls should not be made or received which either unreasonably interrupt or interfere with the employee's work or prevent or hinder the use of the services or equipment for County business. Prolonged personal calls and abuse of number of calls may subject the employee to corrective measures.
- E. Employees are responsible for records of long distance calls made. Personal long distance calls placed at county expense violate the Texas Penal Code. All personal long distance calls must be paid for during the billing cycle. In case of an emergency or accidental charge, the employee must promptly reimburse Hunt County by sending cash or a check payable to "Hunt County" to the Hunt County Treasurer.
- D. The County may monitor telephone usage according to length of calls and long distance calls made. Employees may be asked to provide documentation for telephone calls and facsimiles. Department Heads and Elected Officials may request extension reports from the Auditor's office which detail the length of calls and to whom the calls were made.
- E. All outgoing long distance calls should be kept to a minimum when possible. Ask if a toll-free or metro telephone number is available.
- F. Unless required and specifically requested by the Department Head/Elected Official, all county telephone lines will restrict international and pay-for-use (i.e. 900 numbers) telephone numbers.
- F. Replacement of damaged, stolen or lost equipment due to employee negligence is the responsibility of the employee. Reimbursements owed to the county shall be paid to the Hunt County Treasurer.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: HUNT COUNTY VEHICLE USE POLICY**

**I. PURPOSE**

To increase efficiency in County governmental operations, the Hunt County Commissioner's Court has adopted a policy which will maximize the County's vehicle resources. The purpose of this policy is to establish the County's guidelines in the assignment and use of county-owned vehicles, the designation of vehicle allowances, and authorized mileage reimbursed.

**II. ROLE OF THE COMMISSIONER'S COURT**

The Commissioner's Court, being the policy development and budgetary control unit of County government, shall be the final authority in determining the method of acquisition and the number of the County's vehicle resources. The Commissioner's Court shall also be the final authority in determining the utilization of such vehicles by county departments under direct supervision of the Court. Elected officials, excluding the Commissioner's Court, shall determine the utilization of vehicles assigned to their departments by the Court. The vehicle allowance and mileage reimbursement rates shall be reimbursed at the published rate by the Internal Revenue Service each January.

**III. CATEGORIES OF VEHICLES**

There are six (6) categories of County vehicles:

- A. **Precinct Support Vehicles.** Precinct support vehicles are those vehicles used principally to support road construction and maintenance at the precinct level. These vehicles include, but are not limited to, dump trucks, fuel trucks, and other vehicles.
- B. **Departmental Support Vehicles.** Departmental support vehicles are vehicles which county departments utilize to accomplish the departments' objectives. These vehicles include, but are not limited to transport vehicles, law enforcement vehicles, supply vehicles, probation vehicles, pick-ups not utilized as precinct support vehicles, and other such vehicles.
- C. **Department Head Vehicles.** Department Head vehicles are those vehicles which are utilized by County Department Heads in the performance of their managerial and departmental duties.
- D. **Elected Officials and Support Staff Vehicles.** Elected Officials and support staff vehicles are those vehicles which are utilized by Elected Officials and their immediate staff in the performance of their duties.

- E. **Forfeited Vehicles.** Vehicles seized by county law enforcement agencies are those vehicles which are legally seized and forfeited to the seizing county law enforcement agency and by the appropriate judicial body.
- F. **Grant Vehicles.** Grant vehicles are those vehicles which are purchased or leased solely by non-county grant funds and whose operation, upkeep, and insurance are paid for entirely by grant funds.

#### IV. **ACQUISITION AND ASSIGNMENT OF VEHICLES**

- A. The method of acquisition of vehicles, and the number of vehicles to be acquired using the general funds of the County shall be strictly controlled by the Commissioner's Court through budgetary process. Upon acquisition, the Purchasing Agent will reflect the acquisition of the vehicles in the County's fixed asset inventory records. The number of vehicles assigned to County departments, including those departments/offices headed by an Elected Official, shall be determined by the Commissioner's Court through the annual budgetary process.

Vehicles acquired by an Elected Official with funds that are not subject to the control of the Commissioner's Court shall be added to the County's fixed asset records at the time title to such vehicles is placed in the name of the County.

Whenever these vehicles are sold, the proceeds from such a sale shall revert to the funds controlled by the Elected Official.

- B. County-owned vehicles may be assigned only to those departments and officials/employees who must have access to an automobile in order to carry out their duties. All departments/elected officials with county-owned vehicles will provide the Commissioner's Court (or its designee) with a list of all departmental vehicles and vehicle assignment. Commissioner's Court will make the final determination regarding the utilization of county-owned vehicles for the departments under its direct control and/or supervision and may require justification for the use of those vehicles at intervals to be established by the Court. The Commissioner's Court shall determine the number of vehicles to be assigned to a department headed by an Elected Official during the annual budget process but, once assigned County-owned vehicles, the Elected Official shall determine the utilization of the vehicles in the department under the Elected Official's control.
- C. All officials/employees driving a county-owned vehicle must have a valid Texas Driver's License with a classification which allows for operation of the assigned vehicle. If during the course of employment an official/employee loses his/her driver's license due to suspension or non-

renewal, the official/employee shall immediately notify his/her Department Head/Elected Official and the Human Resources Department. It shall be the Elected Official/Department Head's responsibility to ensure that each of his/her employees possess a valid Texas Driver's License with the proper classification to operate the employee's assigned vehicle. Improper use of a county vehicle shall be subject to disciplinary action. Improper use shall include but is not limited to, a) having three (3) or more moving violations assigned against your driver's license over a three (3) year period; b) driving a county vehicle while intoxicated or under the influence of an illegal narcotic drug.

- D. Vehicles which are assigned to individual officials/employees may be taken to the employee's primary residence only if:
1. The Department Head/Elected Official has approved the assignment;
  2. The official/employee utilizes the vehicle at least 40% of the time during his normal working hours;
  3. The official/employee frequently departs from his primary residence and goes directly to a job site without first coming to the official/employee's primary county office; and
  4. The official/employee's commute from their Hunt County residence to their primary county office does not exceed a radius of forty-three (43) miles to their primary county office.

All other vehicles must be parked on County property at the end of the day.

- E. All assignments of county vehicles to a department under the direct control and/or supervision of the Commissioner's Court shall be considered temporary subject to review and revocation at any time. The number of County vehicles assigned to a department headed by an Elected Official shall be reviewed during each annual budget process. Each Department Head/Elected Official shall maintain a listing of those officials/employees authorized to take a county vehicle to the employee's primary residence and a copy shall be furnished to the Human Resources Department. Vehicles may be used only for work-related duties and to drive to and from work. They may be used for no other purpose except in an emergency or for trips completely incidental to county employment or driving to and from a County-related job site. During this commute, the official/employee is fully covered by the County's self-insurance program and is not required to carry supplemental insurance.

If an official/employee uses a county vehicle to commute to and from their primary residence, the fringe benefit use of said vehicle shall be included as taxable income of the official/employee in accordance with Internal Revenue Service Commuting Valuation Rules. Marked vehicles used by law enforcement officers used to commute to and from work are considered as qualified non-personal vehicles and the use of such vehicles is not considered taxable income. Unmarked vehicles used by law enforcement officers are also qualified non-personal vehicles and the use of the vehicles by such personnel to commute to and from work is not considered as taxable income. The term "law enforcement officer" means an individual who is employed on either a full-time or part-time basis by a governmental unit that is responsible for the prevention or investigation of a crime involving injury to persons or property (including apprehension or detention of persons for such crime), who is authorized by law to carry firearms, execute search warrants, and to make arrests (other than merely a citizen's arrest), and who regularly carries firearms (except when it is not possible to do so because of the requirements of undercover work). Use of either a marked or unmarked vehicle by a person who is not a law enforcement officer would be considered a taxable income.

Only county officials/employees, duly commissioned reserve officers authorized by the County Sheriff or Constable, Fire Marshal, or officers assigned to special operations and/or task force units approved by Commissioner's Court, are authorized to drive a county vehicle. A list of duly commissioned reserve officers authorized by the County Sheriff, Constable, or Fire Marshal to drive a county vehicle shall be maintained by the respective Department Head/Elected Official and a copy kept by the Risk Management Division of the Human Resources Department.

F. Personal Use.

1. At no time may a County vehicle, including a law enforcement vehicle, be used for personal gain, personal business, to drive to a place of secondary or part-time employment not related to County business, or for any other non-County related use.
2. A County law enforcement official/employee assigned an unmarked vehicle may use the assigned vehicle for personal reasons during normal work hours, when called in to work and/or during the commute to and from a work site. Unmarked vehicles shall not be used as transportation to a secondary job.
3. An employee in any County department under the direct control and/or supervision of the Commissioner's Court, who knowingly violates the provisions of this section, shall surrender his/her county vehicle to the Commissioner's Court. However, prior to the

department surrendering the vehicle to the Commissioner's Court, the County Judge may authorize the department to maintain temporary control of the vehicle until the review process is completed if the County Judge determines that the vehicle usage is essential to the department's operations. The Commissioner's Court may consider violations of this Section on a case-by-case basis to determine if the vehicle should be permanently removed from the violating department's inventory. While conducting the review to determine the final disposition of the vehicle, the Commissioner's Court may consider what personnel action has been taken against the individual employee who violated this Section, what restrictions have been placed on the future use of the vehicle by the employee, what the overall impact would be to the department's operations if the vehicle were removed from their inventory and any other criteria which the Commissioner's Court believes is relevant to their review.

In the event the affected County department is headed by an Elected Official, excluding Commissioner's Court, said Elected Official, in lieu of the County Judge and/or Commissioner's Court, shall have the exclusive authority to make the authorizations and determinations.

- G. Allowed passengers in County vehicles are: a) anyone in the care and custody of a law enforcement official; b) County employees; c) a non-employee on County-related business; and d) any person in need of transport due to a medical emergency.
- H. In the event of an accident involving a county-owned vehicle being used by a County official/employee for personal reasons, the County official/employee will be fully liable for all damage and/or injuries sustained to all parties in the accident.
- I. All drivers of county-owned vehicles, and those using their personal vehicles on County business, shall comply with all applicable State and local laws. It will be the responsibility of the driver to pay any fines imposed for not complying with such laws.
- J. An employee may not routinely be assigned a precinct support vehicle as a take-home vehicle. In case of emergency or special situation, a Commissioner may authorize his employee to take a precinct support vehicle home. However, this authorization should be exercised sparingly.
- K. An employee may not be assigned a department support vehicle as a take-home vehicle unless specifically authorized to do so.



- L. A Department Head may be assigned a department vehicle and use the vehicle as a take-home vehicle if the Commissioner's Court determines that the vehicle is an essential tool needed to perform his duties and if the Department Head is subject to a continuous on call status.
- M. If the county-owned vehicle is driven out of the county on official business, actual gasoline and repair expenditures shall be reimbursed upon proper documentation and Department Head/Elected Official approval.
- N. No County-owned vehicle shall be used for out-of-state travel, or otherwise removed from the boundaries of Texas, without such trip or use being first formally approved under the same criteria and standards utilized for out-of-state travel requests, and that any use of such a vehicle without the approval required herein shall subject the user, the department and the vehicle to the results and consequences that are prescribed in the Hunt County Vehicle Policy for an unauthorized or unapproved use of County-owned vehicles. (This does not apply to law enforcement officers while on official duty, such as prisoner transport or Precinct's driving to get rock, etc.).

V. **VEHICLE ALLOWANCE AND MILEAGE REIMBURSEMENT**

The Commissioner's Court may grant a vehicle allowance to any official/employee deemed appropriate. Generally, a vehicle allowance shall be granted as additional compensation for the official/employee.

A vehicle allowance is a fixed monthly monetary payment to an Elected Official/employee for which the Elected Official/employee does not have to account for or refund any portion thereof to the County.

- A. In order to receive a vehicle allowance, the official/employee must furnish the Risk Management Division of the Human Resources Department the following information:
  - 1. Copy of a current Texas Driver's License.
  - 2. A certificate of insurance or copy of currently in-force insurance policy showing the minimum State requirements for liability coverage has been met.
  - 3. Subsequent renewals must be forwarded to the Risk Management Division of the Human Resources Department, by the employee's Department Head/Elected Official to replace outdated information for items 1 and 2 above.
- B. The vehicle allowance will be paid on one payday of the month and will be subject to FICA and Federal Income Tax withholding.

- C. In the event that an official/employee receiving a vehicle allowance travels out of the County on official business, mileage reimbursement at the published rate by the Internal Revenue Service each January will be paid. Mileage reimbursement is a variable reimbursement to employees/officials for the business use of a personal vehicle and is not considered as taxable income. The amount paid represents the operating cost excluding the cost of the vehicle.

All claims for mileage reimbursement must be submitted to the County Auditor's Office for processing by accounts payable no later than three (3) months after being incurred. Payment will be denied on any reimbursement claims presented after this time.

- D. Although they are included as taxable compensation, fixed vehicle allowances are not included as wages for the purpose of the County's pay for performance or any other percentage driven compensation.

## **VI. VEHICLE SAFETY**

- A. Each person assigned a county vehicle shall maintain a copy of this policy in his/her assigned vehicle for reference.
- B. Employees shall operate all vehicles in accordance with its designed use, taking into consideration traffic and conditions surrounding the use of the vehicle and the safety of others.
- C. All drivers of County vehicles shall comply with all State, County and local rules and regulations governing the safe and legal operation of vehicles.
- D. Seat belts shall be worn and secured at all times when the vehicle is moving.
- E. The driver shall be responsible for assuring that all passengers are seated and properly secured before moving the vehicle. Under no circumstances shall passengers ride on fenders, running boards, the tops of vehicles, or any place not designated for passengers. Employee drivers are responsible to secure all doors and check seat belts prior to moving the vehicles. Extra caution should be used when closing sliding doors on vans or other vehicles.
- F. Trucks transporting materials shall secure said material tightly to prevent movement in transportation. All cargo that extends beyond the end of the bed shall be clearly marked with a red cloth not less than sixteen (16) inches square. At night, red lights shall be used.
- G. Lights, brakes and other vehicle equipment shall be checked regularly to verify proper working order. Any malfunction of the vehicle shall be

reported to the immediate supervisor and arrangements for repairs shall be made immediately.

- H. If a vehicle is found to be unsafe, proper repairs shall be made before it is placed back in service no matter how urgent the need for such vehicle.
- I. All County employee/drivers are required to drive defensively and observe all traffic laws.
- J. All County employee/drivers are required to always be courteous to all other drivers.
- K. Flashing lights shall be turned on and traffic cones in place whenever a vehicle or piece of equipment is stopped where work is being performed, or whenever it obstructs traffic. Vehicles and/or equipment shall not be parked where they obstruct traffic unless it is absolutely necessary.
- L. Whenever backing up, be positive about what is behind you even if it requires getting out of the vehicle to look.
- M. Remember that a driver is held responsible for the vehicle he/she is driving, any passengers riding with the driver, and the load he/she is carrying.
- N. During any hauling operations, loads shall be tarped whenever designated by the immediate supervisor.
- O. Operators must constantly be aware of surrounding conditions (i.e. ground personnel, overhead lines, pedestrians and other hazardous conditions).
- P. All vehicles shall be properly parked and secured before being left unattended at the end of the day. Keys shall not be left in any unattended vehicles.
- Q. All tailgates will be secured (closed) while traveling.

## **VII. USE OF PERSONAL VEHICLES**

The use of personal vehicles by County officials/employees in conducting official County business is frequently necessary. A mileage reimbursement is part of this policy to address this type of use. The use of any personal vehicle, excluding cars and trucks, is expressly prohibited without prior approval of the Commissioner's Court or the appropriate Elected Official. Additionally, a non-county owned vehicle may not display any markings which indicate County affiliation. This policy does not prohibit, when appropriate, the use of placards or other indicators that the personal vehicle is on official County business.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: EMPLOYEE DRIVING RECORD**

**I. POLICY**

Hunt County shall require that all employees that drive or operate County vehicles or use their vehicle in their employment maintain a safe driving record and comply with the driving regulations of the County Insurance Program.

**II. PROCEDURES**

**A. All Employees**

All Hunt County employees who operate County vehicles will have their driving record checked annually by the Human Resources Department. Those whose driving record makes them ineligible to operate a County vehicle may be either transferred to a non-driving position or be terminated.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: USE OF HUNT COUNTY PROPERTY/EQUIPMENT**

**I. POLICY**

Hunt County Employees shall not take property or equipment which belongs to Hunt County for the purpose of using said property or equipment for capital gain or personal use.

Violation of this policy may lead to disciplinary action.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: SMOKING POLICY**

**I. STATEMENT OF PURPOSE AND POLICY**

Hunt County Commissioner’s Court recognized the hazards to health and environment created by the use of tobacco products. Out of concern for the health, safety and wellbeing of county employees and the general public, the following policy has been implemented.

**II. AUTHORITY**

Commissioner’s Court has final authority to designate areas in County facilities as “smoking” or “non-smoking” areas.

**III. SMOKING PROHIBITED IN CERTAIN AREAS**

A person commits an offense if he smokes or possesses a burning tobacco weed, or other plant product in any of the following indoor or enclosed areas:

- A. An elevator used by the public;
- B. A room or enclosed place or public assembly in which public business is conducted, when the public business requires or provides an opportunity or direct participation or observation by the general public;
- C. Conference/Meeting rooms;
- D. Any portion of this County facility to which the public or a substantial group of the public has access, has been designated by Commissioner’s Court, and/or the Appointed Officials, Department Heads and Elected Officials of such area, as a non-smoking area;
- E. A room or enclosed workplace occupied by two or more employees;
- F. Public service areas;
- G. Restrooms;
- H. Court Rooms

**IV. APPLICABILITY**

This policy shall apply to all employees who are employed by Hunt County, volunteer their services to the County, or perform services for the County as salaried employees of other agencies. It shall also apply to any member of the general public obtaining access to any County facility.

**V. VIOLATION OF POLICY**

Any employee committing an act of violation to this policy shall receive disciplinary action in accordance with established Human Resources Policies.

A member of the general public committing any act of violation to this policy shall be warned of violation. Should such person continue to violate this policy, the person shall be removed from the County facility by the Courthouse Security Department and/or any other County Peace Officer if deemed necessary.

**VI. RESPONSIBILITIES**

**A. Appointed Officials/Department Heads/Elected Officials**

Each Appointed Official, Department Head, and Elected Official shall post and implement approved Commissioner's Court written policy for "No Smoking".

**B. Maintenance Director**

The Maintenance Director shall be responsible for placement of proper signs at building entrances, in restrooms, and in other designated locations.

The Maintenance Director shall be responsible for providing an approved selection of signs.



**SUBJECT: GENERAL GUIDELINES**

**TITLE: DRUG AND ALCOHOL POLICY**

**I. PURPOSE**

Employees are Hunt County's most valuable resource; therefore the employees' health and safety are of utmost concern. The County also recognizes that drug and alcohol abuse gives rise to accidents, decreased productivity and increased medical expenditures. In recognition of the nationwide drug and alcohol abuse problem, the County prohibits the use of controlled substances or alcohol on County facilities, arriving for work impaired or under the influence of a controlled substance or alcohol and the other acts outlined.

This policy applies to all county departments under the Commissioner's Court.

**II. DEFINITIONS**

A. **Accident:** An accident is defined as an incident involving a commercial motor vehicle in which there is either a fatality, an injury treated away from the scene, or a vehicle being required to be towed from the scene.

**Alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

**Alcohol concentration (or content)** means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

**Breath Alcohol Technician (BAT):** A person who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

**Collection site** means a place where individuals present themselves for the purpose of providing breath, body fluid to be analyzed for alcohol or specified controlled substances. The site must possess all necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage and transportation of shipment of the samples to a laboratory.

**Commercial Driver's License (CDL):** A special license required of drivers who drive Commercial Motor Vehicles which meets the following criteria:

- Meets or exceeds 26,001 lbs. gross vehicle weight; or
- Transports 16 or more passengers, including the driver; or
- Transports hazardous materials as determined by the Hazardous Materials Act, 49 USC 5101, and are required to placard the vehicle under the Hazardous Materials Regulations, 49 CFR chapter I, subchapter C.

**Commercial Motor Vehicle (CMV):** Any self-propelled or towed vehicle used on a highway, any roadway or passage which may be available to public transportation at any time, whether on private or public property, in interstate or intrastate commerce to transport passengers or property when the vehicle:

- Has a gross vehicle weight rating or gross combination weight rating of 26,001 lbs. or more, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds; or
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in the transportation of hazardous materials as determined by the Hazardous Materials Transportation Act, 49 USC 5101, and which require the motor vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR chapter I, subchapter C.

**Confirmation Test:** For alcohol testing, a second test, following a screening test with a result of 0.02 grams or greater of alcohol per 210 liters of breath, that provides quantitative data of alcohol concentration. For controlled substances testing, a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test in order to ensure reliability and accuracy.

**Controlled substance** has the meaning assigned by 21 U.S.C. 802 and includes all substances listed on Schedule I through V as they may be revised from time to time (21 CFR 1308).

**Designated Employer Representative (DER):** An employee authorized by Hunt County to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the County, consistent with the requirements of 40.3.

**Driver** means any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are directly employed by or under lease to the County or who operate a commercial motor vehicle at the direction of or with the consent of Hunt County. For the purposes of pre-employment/pre-duty testing only, the term “driver” includes a person applying for a position with Hunt County, which requires a CDL to drive a commercial motor vehicle.

**Drug** means any substance (other than alcohol) that is a controlled substance as defined in this section and 49 CFR Part 40.

**Evidential Breath Testing device (EBT):** A device approved by the National Highway Traffic Safety Administration (“NHTSA”) for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA’s “Conforming Products List of Evidential Breath

Measurement Devices” (“CPL”), and identified on the CPL as conforming with the model specifications available from NHTSA’s Traffic Safety Program.

**Medical Review Officer (MRO):** A licensed physician responsible for receiving and reviewing laboratory results generated by the county’s drug testing and for evaluating medical explanations for certain drug test results.

**On duty time** means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. “On duty time” shall include:

1. All time on the County's premises, at a carrier or shipper plant, terminal or facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been released from duty by the County.
2. All time inspection, servicing, or conditioning any commercial motor vehicle at any time;
3. All driving time;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
6. All time spent performing the driver requirements relating to accidents;
7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

**Performing a Safety-Sensitive Function:** Any period in which the driver is actually performing, ready to perform, or immediately able to perform any safety-sensitive functions.

**Safety-Sensitive Function:** Any of the seven on-duty functions set forth in 395.2, On-duty time, listed below:

- All time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatch, unless the driver has been relieved from duty by the employer.
- All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations, or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle.
- All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- All time spent performing the driver requirements associated with an accident.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

**Screening test:**

- In alcohol testing it means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system.
- In controlled substance testing it means an immunoassay screen to eliminate negative urine specimens from further consideration.

**Substance Abuse Professional (SAP):** A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning evaluation, treatment, follow-up testing, and after-care.

**III. ALL EMPLOYEES**

Drug and alcohol testing will be conducted after accidents, due to reasonable suspicion, and prior to employment. Sheriff's Deputies assigned to the Narcotics Investigation Unit will adhere to the specific policies of the Sheriff's Office with respect to drug testing. The purpose for the drug and alcohol testing is to promote a Drug-Free Environment and to protect the employee who might be impaired by the use of a controlled substance, his or her fellow employees, and the general public from harm or injury.

**A. Confidentiality/Documentation**

Laboratory reports or test results shall be maintained in a confidential medical file within the Human Resources Department. The reports or test results may be disclosed to Appointed Officials, Department Heads, and Elected Officials on a strictly need-to-know basis and to the tested employee/applicant upon request. Disclosures, without patient consent, may also occur when: the information is required by law or by judicial or administrative process; the information has been placed at issue in a formal dispute between the employer and the employee; the information is to be used in administering an employee benefit plan; or the information is needed by medical personnel for diagnosis or treatment of the patient who is unable to authorize disclosure.

Note: All exceptions to this policy must be approved by the Commissioner's Court.

**B. Pre-Employment**

Hunt County shall require that newly hired employees be drug free. Drug screening will be limited to the successful applicants after offer of employment is made. Each offer of employment shall be conditioned upon the passing of a drug test. Applicants rejected for employment with Hunt County due to an unresolved positive result reading on a drug confirmation will not be considered for the employment with any County department for one hundred eighty (180) days from the date of the rejection.

**Drug Test Exception:**

Note: Promotions, demotions, and transfers are not considered pre-employment; therefore, current employees will not be drug tested as provided herein.

**C. Post Accident**

Any employee involved in an accident while on duty will be required to submit to alcohol and drug testing immediately after the accident. A supervisor should report to the accident scene and take the employee to the drug testing facility as soon as possible. After the test has been conducted if there is no impairing physical or emotional condition, the supervisor should send the employee back to work. Any employee, who is unable to work following an accident due to a physical or emotional condition, may be sent home using the appropriate leave balances.

Before the drug testing of any employee, a representative of the department shall call the Human Resources Department for test authorization. The testing facility maintains a list of County personnel who can authorize a drug and/or alcohol test and who can receive the test results.

Any supervisor encountering an employee who refuses to submit to drug and/or alcohol analysis upon request shall remind the employee that refusal to take the test will be considered insubordination and shall result in termination. Then the supervisor should order the employee to take the test. If the employee still refuses, the Appointed Official, Department Head, or Elected Official should then consult with the Human Resources Department regarding termination procedures. After the drug/alcohol test, if the supervisor observes the employee appears to be “under the influence”, a family member of the employee should be contacted to take the employee home or the supervisor should make arrangements for the employee to be taken home. Appropriate leave balances should be used to account for time away from work. The employee may not operate equipment/vehicles until the test results are available.

If the need for a test occurs after the primary testing facility’s hours of operation, the employee should report to the testing facility as soon as it opens. The employee must report to work whether or not he/she is scheduled or contact the Appointed Official, Department Head or Elected Official. A copy of the executed notice should be maintained within the department and the Human Resources Department.

**D. Follow-Up Testing**

Follow-up Testing may be conducted following the referral of an employee for treatment of substance abuse; or following discipline under the provisions of this policy.

**E. Social Functions**

Employees attending training and conferences may participate in social functions associated with the conference. Employees who consume alcohol at these functions shall not drive if they are legally intoxicated. Employees shall not operate a County owned vehicle after consuming alcohol.

**F. Prohibited Acts**

(In this section, references to possession and use of a controlled substance referred to as Possession or use in a manner other than prescribed by a physician).

Employees who engage in the following actions shall be subject to disciplinary action up to and including termination:

1. Possessing alcohol or controlled substance while at work. Possession of a controlled substance or alcohol in a county vehicle whether on duty or off duty. Possession does not include having alcohol in personal vehicles. Being on duty or operating a commercial motor vehicle (CMV) while possessing alcohol.
2. Reporting to work, being on duty, or operating a County vehicle or personal vehicle while conducting County business when impaired by or under the influence of alcohol and/or a controlled substance. Reporting for duty or remaining on duty in a safety sensitive position while having an alcohol concentration of 0.02 or greater.
3. Using a controlled substance or alcohol on or off County premises during working hours, work and meal breaks, and “on call” assignments. Using alcohol while performing safety-sensitive functions.
4. Using or possessing a controlled substance or alcohol outside working hours on County property.
5. Using or possessing a controlled substance or alcohol outside working hours while wearing a County uniform.
6. Tampering with any urine specimen in an attempt to influence test results will result in termination of employment.
7. When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
8. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements.

9. Reporting for duty or remaining on duty for the purposes of performing safety-sensitive functions, when the employee is using or has used any controlled substance except when a physician has advised the employee that the substance does not adversely affect his ability to safely perform a safety-sensitive function.
10. Reporting for duty, remaining on duty, or performing a safety-sensitive function if the driver tests positive for controlled substances.
11. Being on duty or performing a safety-sensitive function when the employee's general appearance or conduct or some other substantiating evidence indicates he has used alcohol within the preceding four (4) hours.

**G. Policy Violation**

An employee who is terminated for violation of this policy or who resigns in lieu termination may not apply for County employment for one hundred eighty (180) days.

Peace officers who confiscate or are required to possess alcohol, drugs, or controlled substances in the course of their work will not be considered in violation of this policy.

**H. Effects of Over-the-Counter or Prescribed Medication**

Any employee who takes a medication that may impair his/her ability to perform his/her job duties has a responsibility to inform his/her supervisor. The employee may be placed in an assignment consistent with his/her ability to perform work, if such an assignment is available. Alternatively, the employee may be sent home and allowed to use accumulated appropriate leave balances until they are able to return to work without impairment.

**I. Consequences to Employee**

Employees who are determined to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to the following consequences:

1. When an employee is tested the first time and his blood alcohol level is 0.02 to 0.039, he shall be relieved from duty for three (3) days without pay.
2. An employee with a previous test showing alcohol use that is tested a second time and found to have a blood alcohol level of 0.02 or greater will be terminated.

3. Employees who refuse a test shall be considered to have received a positive result and shall be terminated.
4. Employees who test 0.04 or greater on the test should be transported home, and shall be terminated; this termination should be done in writing.
5. Employees tested after being referred to a SAP and showing a blood alcohol level of 0.02 or greater shall be terminated.
6. Employees who test positive for controlled substance shall be terminated.
7. Before a driver returns to duty in a safety-sensitive function, he/she shall undergo a return-to-duty drug and alcohol test at a county approved facility with the county authority, and at his/her own expense, with a result indicating a breath alcohol level of less than 0.02.

#### IV. GUIDELINES

**Human Resources Department:** Human Resources is responsible for the following Drug and Alcohol Screening compliance activities:

- Ensure each employee required to have a CDL participates in an appropriate drug and alcohol testing program in accordance with DOT regulations. All results will be kept and maintained on file by Human Resources pursuant to county policy.
- Review all driver qualification forms and documents for completeness and compliance.
- Maintain Driver Qualification files includes mandatory drug testing information (for drivers operating a vehicle with a GVWR of 26,001 lbs. or more, a vehicle requiring a placarding for hazardous materials; or a vehicle designed to transport 16 or more passengers including the driver)

**Supervisor/Department:** The duties of the driver's supervisor or his/her department include:

- Active participation in the hiring process for employees who drive CMVs, which includes:
  - Ensuring all offers of employment shall be contingent upon successful conformation of prior employment, driving record, completion of physical, drug and alcohol testing, and other DOT requirements for drivers.
  - Ensuring the post-offer applicant obtains his/her CDL drug testing.
- Informing and requiring CDL drivers to submit a urine sample for drug/alcohol testing at the designated medical and/or collection facility when the supervisor suspects that the driver is under the influence of drugs or alcohol, pursuant to DOT regulations and County policy, and



- Contact Human Resources Department as soon as possible following the incident, and
- Complete the Supervisors Reasonable Suspicion Form.
- Compliance with DOT regulations

**Driver:** The responsibilities of a driver include:

- Avoid the use of non-prescribed drugs and alcohol while conducting safety-sensitive activities, and to comply at all times with county policy.
- Submit a sample for drug or alcohol testing when called upon to do so by his/her supervisor, including random testing for CDL drivers, pursuant to county policy (see “Refusal to Submit Form”).

### **SUBSTANCE PROHIBITED/PRESCRIPTION MEDICATIONS**

- A. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medications containing alcohol which, when consumed causes an alcohol concentration of 0.02 or greater.
- B. Controlled Substance: In accordance with FHWA rules, urinalyses will be conducted to detect the presence of the following substances:
  - Marijuana
  - Cocaine
  - Opiates
  - Amphetamines
  - Phencyclidine (PCP)
- C. Prescription Medications: Drivers taking legally prescribed medication issued by a licensed health care professional familiar with the driver's work-related responsibilities must report such use to their immediate supervisor, and may be required to present written evidence from the health care professional which describes the effects such medications may have on the driver's ability to perform his/her tasks.

In the sole discretion of the Alcohol and Drug Program Administrator, a driver may be temporarily removed, with pay, from a safety-sensitive position if deemed appropriate.

## **PROHIBITIONS:**

### **A. Alcohol Prohibitions:**

The new alcohol rule prohibits any alcohol misuse that could affect performance of a safety-sensitive function, including:

1. Use while performing safety-sensitive functions.
2. Use during the 4 hours before performing safety-sensitive functions.
3. Reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.02 or greater.
4. Possession of alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines which contain alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
5. Use during 8 hours following an accident or until he/she undergoes a post-accident test.
6. Refusal to take a required test.
  - NOTE: A driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, on or be permitted to perform, safety-sensitive functions for at least 24 hours. The other consequences imposed by the regulations and discussed below do not apply. However, documentation of this test constitutes written warning that County policy has been violated, and could result in disqualification of a driver and disciplinary action, up to and including termination under Hunt County policy.

### **B. Drug Prohibitions:**

The regulations prohibit any drug use that could affect performance of safety-sensitive functions, including:

1. Use of any drug, except by doctor's prescription, and then only if the doctor has advised the driver that the drug will not adversely affect the driver's ability to safely operate the CMV;
2. Testing positive for drugs; and
3. Refusing to take a required test.

All drivers will inform the Alcohol and Drug Program Administrator of any therapeutic drug use prior to performing a safety-sensitive function.

## **Procedures:**

Types of Tests: To the extent practicable, all tests will be conducted during employees' normally scheduled work hours. All testing required by this policy will be conducted in accordance with the Omnibus Transportation Employee Testing Act of 1991 and drug testing guidelines and regulations issued by the Department of Transportation. The following tests are required:

- Pre-employment. All applicants for employment in CDL positions, or candidates for transfer or promotion to such positions are subject to screening for improper use of controlled substances. (Pre-employment alcohol testing is optional) Note: A pre-employment drug test may be required for an existing employee who was removed from the random testing program for more than 30 days.
- Post-Accident. Conducted after accidents on CDL employees in County vehicles whose performance could have contributed to the accident, as determined by a citation for a moving traffic violation, and for all fatal accidents even if the driver is not cited for a moving traffic violation.
  - Alcohol tests should be conducted within 2 hours, but in no case more than 8 hours, after the accident.
  - CDL employees must refrain from all alcohol use until the test is complete.
  - Post-accident drug tests must be conducted within 32 hours.
- Reasonable Suspicion. Conducted when a trained supervisor or manager observes behavior or appearance that is characteristic of alcohol or illicit drug misuse.
  - If a CDL employee's behavior or appearance suggests alcohol or drug misuse, a reasonable suspicion test must be conducted.
  - If a test cannot be administered, the driver must be removed from performing safety-sensitive duties for at least 24 hours.
  - Testing for alcohol abuse must be based upon suspicion which arises just before, during or just after the time when the employee is performing safety-sensitive duties.
  - Testing for substance abuse may occur at any time upon suspicion.

The following conditions are signs of possible alcohol or drug use (not all-inclusive):

- Abnormally dilated or constricted pupils
- Glazed stare - redness of eyes (sclera)
- Flushed face
- Change of speech (i.e. faster or slower)
- Constant sniffing
- Increased absences
- Redness under nose
- Sudden weight loss
- Needle marks
- Change in personality (i.e. paranoia)
- Increased appetite for sweets

- Forgetfulness-performance faltering-poor concentration
  - Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for money
  - Constant fatigue or hyperactivity
  - Smell of alcohol
  - Slurred speech
  - Difficulty walking
  - Excessive, unexplained absences
  - Dulled mental processes
  - Slowed reaction rate
- Random: Conducted on a random, unannounced basis just before, during or after performance of safety-sensitive functions for alcohol or at any time for drugs.
    - Each year, the number of random alcohol tests conducted by the County must equal at least \*10% of all the safety-sensitive CDL employees.
    - Random drug tests conducted by the County must equal at least \*25% of all CDL employees.

\*Note: These percentages are subject to change. The FMCSA Administrator's decision to increase or decrease the minimum annual percentage rate for random alcohol and controlled substances testing will be applicable starting January 1 of the calendar year following publication in the Federal Register.

- Return to Duty and Follow-up. Conducted when an individual who has violated the prohibited alcohol or drug standards returns to performing safety-sensitive duties. All positive tests require a negative test result in or for employee to return to duty.
  - Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after a driver returns to duty.
  - Follow-up testing may be extended for up to sixty (60) months following the return to duty.

### **Conducting Tests:**

- Alcohol: DOT rules require breath testing using evidential breath testing (EBT) devices.
  - Two breath tests are required to determine if a person has a prohibited alcohol concentration.
  - A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second, confirmation test must be conducted
- Drugs: Drug testing is conducted by analyzing a driver's urine specimen, and must be conducted through a U.S. Department of Health and Human Services certified facility.
  - Specimen collection procedures and chain of custody requirements ensure that the specimen's security, proper identification and integrity are not compromised.

- DOT rules require a split specimen procedure.
  - Each urine specimen is subdivided into two bottles labeled as primary and split.
  - Both bottles are sent to the laboratory.
  - Only the primary specimen is opened and used for the urinalysis.
  - The split specimen remains sealed at the laboratory.
  - If the analysis of the primary specimen confirms the presence of illegal controlled substances, the driver has 72 hours to request that the split specimen be sent to another DHHS certified laboratory for analysis.
- All urine specimens are currently analyzed for the following drugs:
  - Marijuana (THC metabolite)
  - Cocaine
  - Amphetamines
  - Opiates (including heroin), and
  - Phencyclidine (PCP)
- Testing is conducted using a two-stage process.
  - First, a screening test is performed.
  - If the test is positive for one or more of the drugs, a confirmation test is performed for each identified drug.
  - Sophisticated testing requirements ensure that over-the-counter medications or preparations are not reported as positive results.
- All drug tests are reviewed and interpreted by a physician designated as a Medical Review Officer (MRO) before they are reported to the County.
  - If the laboratory reports a positive result to the MRO, the MRO will contact the driver and conduct an interview to determine if there is an alternative medical explanation for the drugs found in the urine specimen.
  - For all the drugs listed above, except PCP, there are some limited, legitimate medical uses that may explain a positive test result. The MRO will take into consideration when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
  - If the MRO determines that the drug use is legitimate, the test will be reported to the Designated Employer Representative as a negative result.

**Refusal to Submit to an Alcohol or Drug Test and the Consequences:**

- Refusal to submit to an alcohol or controlled substances test means that a CDL employee:
  - Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this policy,
  - Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the

- requirement for urine testing in accordance with the provisions of this policy,
  - Refuses to wash his or her hands after being directed to do so during collection of a urine sample,
  - Admits to the collector of a urine sample that he or she has adulterated or substituted their specimen,
  - An observed collection of a urine sample, fails to follow the observer's instructions to raise his or her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he or she has any type of prosthetic or other device that could be used to interfere with the collection process,
  - Possesses or wears a prosthetic or other device that could be used to interfere with the collection process, or
  - Behaves in a confrontational way that disrupts the collection process or otherwise engages in conduct that clearly obstructs the testing process.
- CDL employees who refuse to submit to an alcohol or drug test are not allowed to perform safety-sensitive functions. Pursuant to the County's authority, CDL employees who refuse to submit to a test will be subject to discipline, up to and including discharge.

### **Consequences of Alcohol/Drug Misuse:**

- CDL employees who have any alcohol concentration, defined as 0.02 or greater, who are tested just before, during or just after performing safety-sensitive functions must be removed from performing such duties for a minimum 24 hours.
  - Disciplinary action may up to and including termination may be imposed upon an employee whose alcohol test reveals any alcohol concentration, between 0.02 and 0.04.
- CDL employees who engage in prohibited alcohol or drug conduct, CDL employees who test positive for alcohol use greater than 0.04 or drug use, must be immediately removed from safety-sensitive functions for a period of time determined by the County at its' sole discretion.
  - Disciplinary action, up to and including termination, may be imposed upon a CDL employee who engages in prohibited alcohol or drug conduct, CDL employees who test positive for alcohol use greater than 0.04 or drug use.

### **NOTE BELOW ARE ONLY SOME OPTIONS TO CONSIDER:**

- Unless the circumstances warrant more serious discipline, the first time a CDL employee tests positive for alcohol use greater than 0.04 or drug use, he/she shall receive a one (1) day unpaid suspension.
- If a CDL employee tests positive for alcohol use greater than 0.04 or drug use for a second time within the five year period immediately following his/her first positive test, he/she will be terminated.
- A CDL employee in his/her introductory or training period who tests positive for any alcohol concentration (defined as 0.02 or greater) or drug use, shall be terminated.

- A CDL employee who tests positive for alcohol use greater than 0.04 or drug use, but is not terminated must be evaluated by a substance abuse professional and comply with any treatment recommendations to assist them with his/her alcohol or drug problem. Failure to comply will result in immediate termination.
  - The payment for any recommended treatment will be strictly at the expense of the employee (or his/her health insurance program, if applicable).
  - Employees may be placed on sick leave or leave without pay status during the treatment period, whichever is appropriate.
- CDL employees who have been evaluated by a substance abuse professional, who comply with any recommended treatment, who have taken a return to duty test with a result less than 0.02, and who are then subject to unannounced follow-up tests at the employees' expense, may return to work.
- Once an employee successfully completes rehabilitation, he/she shall be returned to his/her regular duty assignment or an equivalent position. Employee assignments during treatment shall be based on each individual's circumstances. As a condition of employment, the employee must comply with prescribed follow-up care.

**Information/Training:**

- All current and new employees will receive written information about the testing requirements and how and where they may receive assistance for alcohol or drug misuse.
- All employees must receive a copy of this policy and sign the Confirmation of Receipt – see attachments.
- All personnel responsible for supervising and managing CDL employees must attend at least two hours of training on alcohol and drug misuse symptoms and indicators used in making determinations for reasonable suspicion testing.
  - Supervisors and managers will be instructed on the detection of abuse problems and the enforcement of the testing policy. Periodic, on-going training will also occur after implementation of the policy.
- This policy will be posted on employee bulletin boards and will be available to all employees.
- Educational information will be made available periodically which will focus on the potentially dangerous effects of drug and alcohol use and abuse, the procedures associated with pre-employment drug screening and "reasonable suspicion" testing, the effects on job performance measured in loss of productivity, and the potential safety hazards presented to the individual employee, other employees and the public.
- All recruitment advertising will include the statement "Drug/alcohol screening is a condition of employment" at the bottom of the advertisement/posting with the EEO statement.
- All final candidates for employment will be given a copy of this policy, and be given the opportunity to read the policy in its entirety.

**Record Keeping:**

- Hunt County will keep detailed records of its drug and alcohol program per DOT Regulations.

- These records are confidential. Test results will only be released to the county, the substance abuse professional or the MRO. Any other release will only be made with written consent of the CDL driver or in response to court order.

### **APPEAL OF TEST RESULTS:**

A. Alcohol and drug abuse may not only threaten the safety and productivity of all employees of Hunt County, but causes serious individual health consequences to those who use them. Appendix A outlines several personal consequences which may result after abuse of controlled substances. Any confirmed actions prohibited by Part IV above, while performing a safety-sensitive function or refusing to take a breath test, will be grounds for termination. Refusal may be defined as not providing a breath sample or urine as directed, neglecting to sign appropriate control forms, using alcohol within 8 hours of an accident, or engaging in conduct that clearly obstructs the testing process.

B. Any driver testing positive for the presence of a controlled substance will be contacted by the County's MRO. The driver will be allowed to explain and present medical documentation to explain any permissible use of a drug. All such discussions between the driver and the MRO will be confidential. The County will not be a party to, or have access to matters discussed between the driver and the MRO. If medically supportable reasons exist to explain the positive result, the MRO will report the test result to the County as a negative.

C. Within 72 hours after the driver has been notified of a positive test result for drugs he/she may request a retest at their expense of the split sample. This signed request will be provided to the MRO in writing, who will then initiate the new laboratory analysis. If a different result is detected by the subsequent laboratory, the test will be voided by the MRO, and the County's Alcohol and Drug Program Administrator will be notified. A retest may be initiated as appropriate.

### **VIII. DRUG AND ALCOHOL CLEARINGHOUSE**

Beginning January 6, 2020, employers or their designated consortium/third-party administrator will be required to conduct queries to check if current and prospective employees are prohibited from performing safety-sensitive functions, such as operating commercial motor vehicles, due to an unresolved drug and alcohol program violation.

Employees must consent to Hunt County to conduct a limited query of the FMSCA Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about them exists in the Clearinghouse. This will allow Hunt County to run limited queries annually for the duration of their employment.

Employee understands that if the limited query conducted by Hunt County indicates that drug or alcohol violation information about them exists in the Clearinghouse, FMCSA will not disclose that information to Hunt County without first obtaining additional specific consent from the employee.



Employees further understand that if they refuse to provide consent for Hunt County to conduct a limited query of the Clearinghouse, Hunt County must prohibit them from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations.

## **IX. CONFIDENTIALITY**

Under no circumstance, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee.

Drivers are entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his/her alcohol or controlled substance tests. Copies will be provided within 5 days.

Collection of breath and urine samples must always be documented and sealed with a tamper-proof sealing system in the presence of the driver, to insure that all tests can be correctly traced to the driver. Drug test analysis from the DHHS approved laboratory will be forwarded directly to the Medical Review Officer assigned by the Alcohol and Drug Program Administrator.

Alcohol test results will be forwarded by the MRO to the Alcohol and Drug Program Administrator for confidential record keeping.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: REQUEST FOR SALARY INFORMATION / PUBLIC  
INFORMATION ACT**

**I. POLICY**

The names, sex, ethnicity, salaries, title and duties of employment for all employees and officers of governmental bodies are specifically made public information by the Public Information Act. [Texas Government Code, Chapter 552].

**II. PROCEDURE**

A request for salary information from a county employee concerning his/her salary or the salary of another employee in the same department shall be made to the department head.

**All other requests for salary information shall be in writing and directed to the Human Resources Department.**

**SUBJECT: GENERAL GUIDELINES**

**TITLE: VOLUNTEER RESERVE DEPUTY CONSTABLES**

**I. PURPOSE**

Constables are authorized to use Reserve Deputy Constables. Reserves will be available for volunteer work as needed and will be on call at the discretion of the Constable.

**II. NUMBER ACTIVE AT ONE TIME**

Each Constable shall not have more than three reserves on duty at the same time. (Commissioner's Court #8925 on November 10, 2003)

**III. DUTIES ALLOWED/PROHIBITED**

It is recommended that Reserve Deputy Constable perform the following duties:

- A. Serve civil process papers.
- B. Serve process papers for misdemeanors.
- C. Assist regular deputies in emergencies.
- D. Each Constable shall have discretion to decide whether or not reserves are allowed to drive Hunt County vehicles.

Reserve Deputies shall not be allowed to perform the following duties:

- A. Routine patrol except when with a regular deputy.
- B. Write traffic tickets.
- C. Make arrests except when assisting a regular deputy.

**IV. WEARING HUNT COUNTY UNIFORMS**

Reserve Deputy Constables shall not wear Hunt County uniforms except when performing duties assigned by a Hunt County Constable.

**V. WORKERS' COMPENSATION**

Reserve Deputy Constables shall be covered by Workers' Compensation insurance while they are performing duties for Hunt County.

**VI. BASIC REQUIREMENTS**

Reserve Deputy Constables shall possess a valid Texas Driver's License and valid basic certification from Texas Commission on Law Enforcement.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: COMMUNICATION WITH CUSTOMERS/CONSUMERS**

**I. POLICY**

It is the policy of Hunt County to maintain an effective, productive, and disciplined work force in order to deliver high quality services to the citizens of Hunt County.

**II. PROCEDURE**

Each employee is responsible for performing his/her job in a safe, productive, and effective way, within the instructions and standards established by the supervisor. With this as a primary goal of all employees, the following standards/expectations are expected to be maintained by all employees of the County:

- Rapid response to citizens calls
- Provision of relevant and accurate information to citizens
- Treatment of citizens with respect, including listening carefully
- Treatment of citizens as customers and owners
- Definition of customer satisfaction within the context of a request
- Diffusion of difficult situations

The citizen/customer-County relationship is essentially a human one. Citizens should be thought of and treated as customers or consumers. Department Heads and Elected Officials affect the quality of service by inspiring and motivating employees that have direct contact with the customers.

**SUBJECT: GENERAL GUIDELINES**

**TITLE: COMMERCIAL VENDORS**

**I. POLICY**

The solicitation of funds or the solicitation of anything of value for any purpose whatsoever shall not be permitted of or by any County employee on the job, except with the expressed approval of the employee's Appointed Official, Department Head or Elected Official.

**II. PROCEDURE**

- A. No employee shall be required to make any contribution nor shall any employee be penalized or rewarded in any way in connection with their employment according to the response to solicitation.
- B. Questions regarding Employee Solicitation shall be directed to the Human Resources Department.
- C. Employees who sell products or who have any type of second job should not use County time to promote sales and services.
- D. Commercial sales shall not be allowed and "No Soliciting" signs shall be provided for all departments and/or buildings (does not apply to charitable organizations (Girl Scouts, Boy Scouts, etc.), but must not infringe on County time to do so).

**SUBJECT: GENERAL GUIDELINES**

**TITLE: COMPUTER POLICY**

**I. PURPOSE**

The purpose of this policy is to outline the acceptable use of computer equipment at all Hunt County facilities. The rules described in this policy are in place to protect Hunt County. Inappropriate use exposes Hunt County to unnecessary risks, which include but are not limited to virus attacks, compromised network systems and services, and legal issues.

**II. SCOPE**

This policy applies to all employees, vendors, contractors, consultants, temporary employees, and all other workers at Hunt County. This policy applies to all personnel affiliated with third parties. This policy applies to all equipment owned or leased by Hunt County.

**III. BACKGROUND**

The Information Technology Department's intention for publishing this policy is not to impose restrictions that are contrary to Hunt County's established culture of trust and integrity. The Hunt County Information Technology Department is committed to protecting the county, its employees, and our partners from illegal or damaging actions by individuals, either knowingly or unknowingly.

Effective security is a team effort involving the participation and support of every Hunt County employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines and to conduct their activities accordingly.

**IV. POLICY**

**General Policy**

It is the responsibility of the individual employee to read, understand, and abide by this and other policies in regards to the usage of Hunt County Information Technology systems.

While Hunt County Information Technology Department desires to provide a reasonable level of privacy, users should be aware that the data they create on Hunt County systems remains the property of Hunt County. Because of the need to manage and protect the county's systems and network, Information Technology cannot guarantee the confidentiality of the information stored on any network

device belonging to the county. Additionally, all county data may be subject to open records request including personal data that is stored on county systems.

For security and network maintenance purposes, authorized individuals within Hunt County may monitor equipment, systems and network traffic at any time.

The use of Hunt County automation systems including computers, fax machines, servers, databases and all forms of Internet/intranet access is strictly for authorized county business and purposes only.

The same standards of decorum, respect, and professionalism that guide us in the office environment apply to electronic communications with third parties. Important, confidential, and proprietary information is stored on county computer systems, thus only Hunt County personnel are allowed access to the county's computer systems.

All computer information is considered confidential unless otherwise specified. Accessing or attempting to access confidential data is strictly prohibited unless you have been specifically granted access to view it. Confidential information shall only be used for its intended purpose.

All information on user computers, network shares, databases, and other storage locations is considered Hunt County property. Deleting, altering, or sharing any confidential or proprietary information upon termination is a violation of state law and will be investigated and prosecuted.

Users of the email system are personally responsible, with guidance and training from your supervisor and Information Technology staff, to manage email messages as well as other electronic documents according to the county's retention policy and schedule. It is the responsibility of the email message sender, within the county's email system and recipients of messages from outside the county, to retain the messages for the approved retention period. Names of the sender, recipient, date/time of the message, as well as any attachments must be retained with the message.

Use of county computers, networks, and Internet access is a privilege and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to the following:

1. Leaving passwords visible to anyone other than yourself or deliberately sharing your passwords, whether on paper, computer, or mobile device.
2. Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial email ("spam") that is unrelated to legitimate county purposes.
3. Engaging in private or personal business activities, including excessive personal use of Hunt County email.

4. Using someone else's credentials to access CJI data, networks, servers, drives, folders, or files to which the employee has not been granted access or authorization.
5. Making unauthorized copies of county data.
6. Destroying, deleting, erasing, concealing county data, or otherwise making files or data unavailable/inaccessible to the county or to other authorized users of county systems.
7. Violating the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way.
8. Engaging in unlawful or malicious activities.
9. Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code/file designed to disrupt, disable, impair, or otherwise harm Hunt County's network or computer systems.
10. Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages.
11. Sending, receiving, or accessing pornographic materials.
12. Causing congestion, disruption, disablement, alteration, or impairment of Hunt County networks or systems.
13. Failing to log off any computer or any other form of electronic data system to which you are assigned, if you leave such computer or system unattended.
14. Defeating or attempting to defeat security restrictions on Hunt County systems and applications.
15. Installing third party software, regardless if it is vendor supplied or personal, on Hunt County systems without authorization from the Information Technology Department.
16. Removing any Hunt County computer systems off county premises, unless authorized by the Hunt County Information Technology Director and the proper paperwork is completed, ***with the exception of mobile systems that are issued to employees to utilize outside the normal operating hours.***

### **Internet and Intranet**

The internet is to be used to further Hunt County's mission, to provide effective service of the highest quality to the county's citizens and staff, and to support other direct job-related purposes. Supervisors should work with employees to determine the appropriateness of using the internet for professional activities and career development. The various modes of internet/intranet access are county resources, and are provided as business tools to employees who may use them for research, professional development, and work-related communications. Limited personal use of Internet resources is a special exception to the general prohibition against the personal use of computer equipment and software.

Hunt County systems are allowed to access the Internet only through county approved and secured Internet accounts. Employees are strictly accountable for the content of their internet usage history and messages. Individuals shall in no way attempt to circumvent filters and other security measures restricting access to files, data, or networks.



Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense or harm to the county or otherwise violate this policy.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be used to solicit or sell products or services that are unrelated to the county business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

All information created via email, network, or other means of official communication is the property of Hunt County. ***Employees do not have any expectation of privacy regarding such information.*** This includes all email messages and electronic files. Hunt County reserves the right to at any time and without notice access, read, monitor and copy all messages and files on county computer system, as it deems necessary. When it believes necessary, Hunt County may disclose text or images to law enforcement or other third parties without the employee's consent.

To minimize vulnerabilities on Hunt County computer systems, all downloaded files will be scanned with virus detection software before viewed or opened.

Employees may not use Hunt County systems or network for any of the following reasons:

1. Downloading of any software without the prior approval of Hunt County's Information Technology Department.
2. Dissemination or printing of copyrighted materials, including articles and software, in violation of copyright laws.
3. Operating a business, usurping business opportunities, soliciting money for personal gain, or searching for jobs (excluding searching for other jobs within Hunt County offices or departments, which is permitted).
4. Offensive, harassing statements or language including disparagement of others based on their race, color, religion, national origin, veteran status, ancestry, disability, age, sex, or sexual orientation.
5. Sending or soliciting sexually oriented messages or images.
6. Visiting sites featuring pornography, terrorism, espionage, theft or drugs.  
***Exceptions for criminal investigation purposes only.***
7. Gambling or engaging in any other activity in violation of local, state or federal law.
8. Unethical activities or content, or activities or content that could damage Hunt County's professional reputation.
9. ***Exceptions to the above conditions will apply to the departments that require full access to the Internet for job related reasons. A request to gain access to***

***other Internet sites must be provided from the department head or elected official.***

The Hunt County website is a useful tool that provides a means for departments to communicate and provide services to the citizens of our county. Departments have the opportunity to establish and maintain a department webpage within the county web site. Departments are responsible for ensuring that the content will be reviewed, approved and published to the production web site by the Information Technology Department.

### **Network and Systems Authentication**

In order to maintain the security of Hunt County's network infrastructure, the Information Technology Department provides every employee with a unique user name and password for email, domain computers, courts and justice software, and various other network and software applications.

Each computer user is granted distinct permissions based on the requirements of their specific position in Hunt County. If a user cannot access specific data on a computer, server, or courts and justice software, that user's supervisor must request access on their behalf via the correct form provided by the Information Technology Department.

A Hunt County computer user's password must meet a minimum password requirement as detailed in the **U.S. Department of Justice Criminal Justice Information Services (CJIS) Security Policy** (Version 5.8 CJISD-ITS-DOC-08140-5.8). They must also meet the Microsoft Windows 10 domain password complexity requirements.

Minimum password complexity requirements:

1. Not contain the user's account name or parts of the user's full name that exceed two consecutive characters.
2. Be at least eight characters in length.
3. Contain characters from three of the following four categories:
  - a. English uppercase characters (A through Z)
  - b. English lowercase characters (a through z)
  - c. Base 10 digits (0 through 9)
  - d. Non-alphabetic characters (for example, !, \$, #, %)

### **Security Awareness Training**

Hunt County requires all new employees to complete the provided cyber security course within 24 hours of gaining access to the Hunt County computer network

system, *exceptions for employees that will never use a computer in the course of their employment.* Individuals that will access Hunt County's courts and justice software may be subject to completing CJIS Security Awareness Training as detailed in the **U.S. Department of Justice Criminal Justice Information Services (CJIS) Security Policy** (Version 5.9 CJISD-ITS-DOC-08140-5.9). Access may be revoked for failure to complete the required training.

### **Personal Electronic Equipment**

Hunt County prohibits the use of any type of camera phone, cell phone camera, digital camera, video camera, or other form of image- or voice-recording device without the management permission to record, photograph or download any file, software, confidential information, or County-owned information. This provision does not apply to designated county personnel who must use such devices in executing their duties of their positions.

Employees should not bring personal computers or data storage devices (such as floppy disks, CDs/DVDs, external hard drives, flash drives, iPads, or other data storage media) to the workplace or connect them to county electronic systems unless expressly permitted to do so by management. Any employee bringing a personal computing device, data storage device, or image-recording device onto county premises thereby gives permission to the county to inspect the personal device at any time with personnel of the county's choosing, and to analyze any files, other data, or data storage devices or media that may be within or connectable to the personal device in question. Employees who do not wish such inspections to be done on their personal computers, data storage devices, or imaging devices should not bring such items into workplace.

### **Licenses**

Hunt County does not condone the illegal duplication of software or other copyrighted material.

Hunt County purchases or licenses the use of computer software from a variety of outside companies. Hunt County does not own the copyright to this software or its related documentation, and unless authorized by the software developer, does not have the right to reproduce it for use on more than one computer. With regard to the use on local area networks or on multiple machines, employees shall use software only in accordance with the license agreement.

Hunt County software licenses shall not be used for personal use on non-county computer equipment.

Software licenses purchased or received by employees for personal use is prohibited on Hunt County equipment.

Hunt County Information Technology Department is authorized to conduct random software license audits of its network and systems. Information Technology personnel shall install and/or relocate all computer equipment and software unless the employee is specifically authorized.

According to the U.S. Copyright Law, persons responsible for illegal reproduction of software can be subject to civil damages up to \$100,000 per work copied and criminal penalties including fines and imprisonment. County employees who make, acquire, or use unauthorized copies of software will be subject to the above law.

### **User Responsibilities**

Computer users are responsible for the appropriate use of Hunt County computers and for taking reasonable precautions to secure the information and equipment entrusted to them. Employees are responsible for reporting inappropriate use of Hunt County computers and breaches of computer security and assisting in resolving such matters.

Any employee who learns of a violation of this policy should notify the appropriate Hunt County elected official, department head, or the Information Technology Department.

Again, it is the responsibility of the individual employee to read, understand, and abide by this and other policies in regards to the usage of Hunt County Information Technology systems.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: GENERAL**

**I. POLICY**

Hunt County is committed to providing a safe and healthy work environment for all personnel. The effectiveness of our safety program is dependent upon the efforts of Department Heads, and the participation of **ALL EMPLOYEES**. This support is imperative for an effective Safety Program.

**II. PURPOSE**

This Safety Program is to serve as a guide in achieving the following:

- A.** To provide direction and coordination of a Safety Program which will be in compliance with established industry practices, State, and other safety and health standards.
- B.** Establish clear lines of communication, responsibility, and accountability for safety.
- C.** Prevention of personal injury and damage to property or equipment.

**III. SCOPE**

Our Safety program includes policies for the safe operation of equipment, handling of materials and conduct of employees. The procedures, duties, and responsibilities outlined in this program will be in effect throughout the County. It will require the support and cooperation of **ALL EMPLOYEES**.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: SAFETY ORGANIZATION**

**I. COMMISSIONER'S COURT**

The overall administration and effectiveness of the County Safety Program is the responsibility of the Commissioner's Court. The Commissioner's Court, from its position of control, sets the limitation of authority, designates the person or persons responsible for the program, and stipulates allocations of time and money.

**II. RISK MANAGEMENT DIRECTOR**

The Risk Management Director is the Commissioner's Court representative in all safety activities. This individual develops, implements, and administers the complete Safety Program in accordance with the Court's policy. This individual will provide the leadership and stimulation necessary to assure and maintain full employee interest and participation. The Risk Management Director will also advise the Court on the development and progress of the Safety Program as well as provide a channel of communications between the Commissioner's Court and County Officials and employees.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: RESPONSIBILITIES**

**I. DEPARTMENT HEADS**

Safety must be an integral part of proper and effective management. It is well recognized that safety performance is controllable; as are the standards of production, costs, and quality. It is toward this end that the following responsibilities are directed:

- A. Impress upon all employees the responsibility and accountability of each individual to maintain a safe place to work.
- B. Provide employees the necessary safety training in all facets of their work.
- C. Provide all employees with copies of appropriate rules and regulations.
- D. Continually monitor all aspects of the program for effectiveness, necessary assistance to the field personnel, and compliance with all standards in the County Safety Program.

**II. FOREMEN**

It cannot be overemphasized that the attitude developed by employees towards safety is a direct reflection of the Foreman. Foremen are the critical link between management and employees. In order for any safety program to be effective, Foremen must provide the leadership to ensure that the program is adhered to. Therefore, prompt attention to these standards is essential. The following responsibilities have been established for all foremen:

- A. Make sure all work is performed in a safe manner and no unsafe conditions or equipment is present.
- B. Make sure all employees understand their safety responsibilities.
- C. Immediately correct all hazards, unsafe conditions, and unsafe acts.
- D. Inform Department Head of problems which lie beyond the Foreman's authority.
- E. Ensure all injuries are cared for immediately and all accidents are reported promptly. A complete Supervisor's Report of Accident Investigation is required for all injuries which involve lost time and/or require a doctor's care. This is considered Worker's Compensation and must be reported to the Human Resources Department.

### **III. EMPLOYEE**

The six (6) primary employee responsibilities outlined below are mandatory:

- A.** Constantly observe work conditions, equipment, and tools for the purpose of preventing accidents.
- B.** Comply with all job safety instructions. Request help when unsure of how to perform any task safely.
- C.** Use all safety equipment which is required to do the job.
- D.** Correct unsafe conditions or acts within the scope of your immediate work. Report any unsafe acts to the Foreman.
- E.** Advise Foreman of any faulty tools or equipment.
- F.** Stop work if conditions are such that there is immediate danger to life, limb, or property.



**SUBJECT: SAFETY PROCEDURES**

**TITLE: SAFETY RULES**

**I. POLICY**

To establish a uniform job standard, all employees should be aware of and required to abide by established safety rules. Safety rules should be posted in an appropriate place and explained to new employees at the time of hire. It is Hunt County's responsibility to provide a safe working environment. By establishing and enforcing our safety rules is the first step towards achieving that goal. It will be the responsibility of each employee to know and comply with all established safety rules.

**II. GENERAL SAFETY RULES**

- A.** All injuries, accidents, and fires will be reported to your immediate supervisor at once.
- B.** No machines, tools, etc. will be operated until guards are in place.
- C.** Defective machines, tools, etc. will be reported and taken out of service at once.
- D.** When in doubt, request instructions as to your duties and how to perform them safely.
- E.** Know the location, type, and how to use all fire extinguishers in your job location.
- F.** Equipment will not be left unattended while in operation or in motion.
- G.** Portable electric equipment will be unplugged when not in use.
- H.** Air tools shall have air shut off when not in use.
- I.** Loose or torn clothing will not be worn around moving parts or equipment.
- J.** Running or horseplay will not be tolerated.
- K.** Report all hazardous conditions to your immediate supervisor at once.
- L.** Use or possession of alcoholic beverages or illegal drugs on job site is prohibited and will result in disciplinary actions or termination.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: HOUSEKEEPING**

**I. PURPOSE**

To include general housekeeping requirements in the conduct of business at Hunt County locations is an important element in the safety process.

**II. INTRODUCTION**

Good housekeeping is essential for any operation. Besides promoting orderliness and cleanliness, housekeeping helps eliminate accidents and fire hazards. It saves space, time, and effort in material handling, and improves employee morale by developing pride in a neat and orderly work environment.

Many County injuries are caused by falls, falling objects, or by the mishandling of materials. These injuries are often a direct result of poor housekeeping. Therefore, a good housekeeping program can be beneficial to employees as well as Hunt County.

**III. GENERAL REQUIREMENTS**

- A.** Good housekeeping means keeping tools, materials, equipment, building, vehicles, and properties clean and in good order.
- B.** All fire lanes, aisles, stairways, passageways, etc. will be kept clean and free from loose materials and debris. No such space shall be used for storage of any kind.
- C.** Tools and other supplies shall not be lying about or left where they may cause tripping or other hazards. At the end of each day, all tools and supplies will be collected and stored in their proper location.
- D.** Lumber and other materials (if no longer needed) and waste materials of any kind, shall be removed daily from the shop or construction area.
- E.** All nails will be removed or bent over from all boards, planks, or timbers. Under no condition will nails be left to form a hazard to workers.
- F.** All trash cans shall be emptied when full to prevent fire hazards.
- G.** Spillage of any liquids of **ANY** kind on floors will be immediately cleaned up to avoid slipping, falling, or possible fire.
- H.** Waste, rags, trash, etc. should be constantly picked up and placed in a proper container.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: WEARING APPAREL**

**I. PURPOSE**

To describe minimum wearing apparel requirements.

**II. CLOTHING FOR JANITORS, FIELD AND SHOP (R&B) EMPLOYEES:**

- A. Employees will wear apparel that minimizes body exposure. Sleeveless shirts and blouses, tank tops, muscle shirts, mesh material shirts, will not be permitted as an outer garment.
- B. Trouser legs should not be rolled up above the ankles for most work. Shirrtails should be tucked in.
- C. Employees shall not wear long, dangling sleeves, neckties, or other loose clothing or jewelry when working on or around machinery.
- D. Clothing saturated with oil or gas should be removed as soon as possible and the affected part of the body washed with soap and water. Oil or gas may irritate the skin and is dangerous in case of fire.

**III. JEWELRY**

Finger rings, watches, bracelets, and other jewelry are potential safety hazards when worn by employees while performing general field work. Employees should review the tasks to be performed to determine if jewelry should be removed.

**IV. WELDING, CUTTING, BRAZING EMPLOYEES**

Welders should have apparel that:

- A. Protects the skin from hot sparks, electric arc, or welding rays.
- B. Open pockets and pant cuffs are spark catchers, so make sure that shirt pockets are closed and pants are not cuffed.
- C. Welders should not use their clothing to clean torch tips. Acetylene impregnated clothing is highly flammable.

**V. ALL OFFICE EMPLOYEES**

Office employees should wear appropriate office attire.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: PERSONAL PROTECTIVE EQUIPMENT**

**I. PURPOSE**

To provide eye and facial protection for Hunt County Employees.

**II. GENERAL REQUIREMENTS**

- A.** Survey work areas to determine the bodily hazards and provide the specific protection necessary.
- B.** Store the appropriate protector in the immediate vicinity of the hazardous work area when appropriate.
- C.** Post a sign in the immediate vicinity of the hazardous work area stating that the wearing of appropriate protector is mandatory for the performance of the hazardous work.
- D.** Eye protection must be worn when there is danger of eye injury from flying particles, welding, etc.
- E.** Hard hats must be worn when there is danger of falling objects or when deemed necessary.
- F.** A good boot of solid leather construction must be worn by all Road and Bridge and Janitorial personnel, in accordance with the type of work being done at that specific time.
- G.** Hearing protection must be worn in high noise-level areas.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: VEHICLE DRIVER SAFETY**

**I. PURPOSE**

To provide information to prevent personal injuries or property damage that could result in the improper use to a county motor vehicle.

**II. INTRODUCTION**

Drivers should be thoroughly familiar with the vehicle operation and periodically check the condition of the vehicle.

**III. TRAFFIC LAWS**

All state and local traffic laws shall be followed explicitly. Only those employees specifically authorized and who possess a valid Texas driver's license shall operate vehicles on County business.

**IV. SEAT BELTS**

Seat belts should be maintained in proper working condition and must be worn by driver and **ALL** passengers whenever the vehicle is in motion. Shoulder straps should be worn when they are available. If seat belts are not available, where appropriate, they should be installed if feasible.

**V. HUNT COUNTY SEAT BELT POLICY STATES**

All occupants of a vehicle being used on County business are required to wear available seat belts while the vehicle is in operation. All passengers shall have their seat belts fastened before any company driver starts the vehicle in motion. Failure to use seat belts will be considered an unsafe act and a disregard for proper use of mandatory safety equipment.

**VI. BACKING**

When backing, check behind the vehicle before entering the vehicle to be sure that the area is clear. Do not rely completely on mirrors. Turn around and look out the back window. If view is obstructed, seek assistance to guide the backing maneuver.

**VII. VECHILE INSPECTION**

Proper maintenance of County vehicles is essential to safe operation. Inspect vehicles monthly using the vehicle safety inspection checklist.

**VIII. HOUSEKEEPING**

Loose equipment such as tools, boxes, etc. should not be loose in the driving compartments of cars or trucks. Place them in the car trunk or in separate compartment on a pickup or truck. Do not place objects on dashboard.

**IX. RADIOS AND MOBILE PHONES**

C.B. radios or mobile phones should only be used by the driver of the vehicle in motion if the use does not interfere with safe operation of the vehicle.

**X. WARNING DEVICES FOR STOPPED VEHICLES**

All vehicles should be equipped with warning devices for stopped vehicles. One warning should be placed on the traffic side of the stopped vehicle within 10 feet of the front and/or rear of the vehicle; and one approximately 100 feet in front and/or behind the stopped vehicle in the center lane of traffic or shoulder occupied by the vehicle.

**XI. STEERING KNOBS**

Steering knobs are not permitted on County vehicles.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: HANDLING OF MATERIALS**

**I. PURPOSE**

To provide information to prevent injuries that could result from the improper handling of materials.

**II. INTRODUCTION**

The improper handling of materials is one of the greatest single causes of injuries. Most of the injuries are caused by simple, sometimes repetitive actions. Such injuries could be avoided by the employee giving full attention to the job at hand.

**III. PREVENTION OF CUTS AND BRUISES**

- A. Bruises, lacerations, and puncture wounds of the extremities and strains and sprains of the back of other joints are the types of injuries encountered most frequently from material handling.
- B. Before handling materials, be alert to the possibility of sharp edges, nails, splinters, sharp wire ends, strap ends, or other projections that might cause cuts or punctures.
- C. Gloves are recommended when handling objects that are rough or can cause chemical burns.
- D. Be sure and keep hands and fingers away from the point of “pinch” or “bite” between the material being handled and another item, or the bench, floor, ground, structure, or other fixed object.
- E. Never carry sheet glass, tin, or smaller material under the arm. Wear gloves, use both hands, and carry it to the front and side, where it does not block your vision.

**IV. LIFTING HEAVY OBJECTS**

- A. If an object is heavy (generally greater than 35 lbs.) or larger, check its weight by tipping or moving it before attempting to lift or carry it.
- B. If an object is too heavy or bulky for you to lift, have someone help you or use mechanical means.
- C. When it is necessary for you to lift an object, use the following method: Lift with your legs and not your back.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: EQUIPMENT AND TOOL SAFETY**

**I. PURPOSE**

To establish the County requirements for tool safety. All personnel shall comply with these procedures.

**II. TOOLS**

- A.** Tools should be kept in an orderly fashion on the tool bench or in the tool chest so that they may be easily found when needed.
- B.** All tools and equipment should be used only in the manner and for the work for which they are designed.
- C.** Hand or power tools should be used only in the manner and for the work for which they are designed. Never subject a hand or power tool to strain obviously beyond its capacity.
- D.** Tools must never be left lying on moving machinery.
- E.** Tools or loose materials must never be left aloft. Everything not bolted, tied, or secured in an approved manner must be removed from elevations. When several tools need to be moved from one elevation to another, they should be hoisted and lowered by a rope and bucket instead of attempting to haul them by hand while climbing ladders.
- F.** Face of sledges, hammers, and mauls should be slightly tempered. Heads of flatters, cutters, and other anvil tools should **NEVER** be tempered.
- G.** Cutting tools are safer and more efficient when kept sharp. Avoid using dull cutting tools.
- H.** Crowbars, chain tongs, and the like must be placed in their proper racks and not leaned in corners.
- I.** All tools, especially wrenches, should be cleaned after use and during where necessary to keep tool free from oil or grease that could cause the hand to slip at point of contact. Use approved cleaning agents on tools; gasoline or absorption oil is not an approved agent.

**III. EQUIPMENT HANDLES**

- A.** Jack handles should be removed when jacks are not in use.
- B.** Handles of all sledges, hammers, mauls, and the like shall be properly wedged into the heads. Never use one that is loose.
- C.** Handles of all anvil tools, as hot and cold cutters, swages, etc., should be fitted loosely.
- D.** Wooden handles must never be painted, nor should cracked or split handles be taped. Paint causes handles to be slick and hides cracks as well as other defects.



#### **IV. POWER TOOLS**

- A.** Before making any repairs to or servicing any type of power tool, the power source must be disconnected. If the tool is driven by a gasoline engine, the ignition wire should be disconnected from the spark plug and taped away from the plug a safe distance, since precaution must be taken to prevent accidental firing of the engine.
- B.** Electric drills must never be used on tanks, lines, vessels, etc., until these containers are gas free.
- C.** The frames of portable electric tools and equipment, except U.L.- Approved double insulated tools, shall be grounded either through a third wire in the cable containing the circuit conductors or through a separate wire grounded at the source of the current.
- D.** Hand-held portable electric power saws and chain saws shall be equipped with a switch that must be manually held in the closed position for the unit to operate. Hand-held drills, sanders, saber, scroll, and jigsaws may have a lock-on control provided that turnoff can be accomplished by a single motion of the same finger that turned it on.
- E.** Electrical powered tools and equipment showing worn, deteriorated inadequate insulation, etc. shall be removed from service until properly repaired.
- F.** Where there is danger of explosive or fire, air-operated power tools are preferred to electric power tools.
- G.** Persons using air-operated tools must make certain that the source of air supply pressure cannot exceed the working pressure of the tool.

#### **V. POWER MOWERS AND EDGERS**

The following conditions must be observed when using power mowers and edger:

- A.** Before beginning work, carefully inspect area and remove all wire, rocks, glass, or other objects that could become airborne if struck by the blade.
- B.** Before starting the mower, it should be inspected for missing parts and defective or loose guards. Disconnect the spark plug wire before attempting inspection or repair of the mower blade.
- C.** Do not fuel the engine while it is running or while it is hot.
- D.** Do not allow anyone to loiter in immediate vicinity of operations. The hazard from flying objects is greater at sides and front than behind the machine.
- E.** The operator of a rotary power mower should wear a hard hat and safety goggles.
- F.** Fuel for power mowers must be carried and stored in approved containers.

## **VI. SCREWDRIVERS**

- A. Avoid careless or improper use of the screwdriver. Never attempt to use the screwdriver as a pry tool, drift, or chisel.
- B. The screwdriver should be held in such a way that if it should slip it will not stab the hands or body.

## **VII. SLEDGES AND HAMMERS**

Sledge work should be arranged so that sledging in a horizontal arc is not necessary. If the sledge has to be swung in a horizontal arc, the footing should be as secure as possible. All observers must stand in the clear. Check clearance overhead before starting to work. The claws on claw hammers should be used only for pulling nails and not as a substitute for a pry or crowbar.

## **VIII. WRENCHES**

- A. Wrenches should not be used directly over your own or another person's head where such can be avoided.
- B. Adjustable pipe and end wrenches should be adjusted to take a full but snug grip on the pipe or nut. The pull should be made toward the jaw of the wrench so as to tighten the grip and avoid undue strain on the tool. Replace the teeth of the pipe wrench jaws that have become worn to avoid injury due to slippage.
- C. Extensions or "cheaters" on wrench handles should never be used until efforts to break or make up the connection with the largest wrench available have failed. If a cheater must be used, place it on the largest wrench available. The use of cheaters on aluminum wrenches causes damage to the handle and should not be used. **NEVER USE A CHEATER ON A CRESCENT WRENCH.** Make sure the cheater is as close to the same diameter of the wrench so that it will slip over the handle. Use of a cheater may over stress the wrench and cause it to break, possibly resulting in injury to the user. Therefore, the requirement is that a cheater should extend beyond the handle of the wrench and should be the smallest size that will get the job done. Thus, several cheaters of different lengths should be available, using the shortest first, then a longer one until the job is done. Expect the wrench to break when using a cheater and you will be less likely to get hurt as a result of it happening.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: HAZARD COMMUNICATION PROGRAM**

**I. PURPOSE**

This program has been prepared to comply with the requirements of the Texas Department of Health to insure that information necessary for safe use, handling, and storage of hazardous chemical guidelines on identification of chemical hazards and the preparation and proper use of container labels, placards and other types of warning devices. (This especially applies to Road & Bridge and Maintenance employees.)

**II. CHEMICAL INVENTORY**

- A. Hunt County maintains an inventory of all known chemicals in use on all work sites. A chemical inventory list is available from the Department Head.
- B. Hazardous chemicals brought onto the work sites by Hunt County employees will be included on the hazardous chemical inventory list.

**III MATERIAL SAFETY DATA SHEETS (MSDS)**

- A. MSDS for all chemicals that are on the chemical inventory list shall be kept on all properties of the County and made available to all employees. (Preferably in a notebook or other binder to be centrally located within every building.)
- B. As new chemicals are brought into the workplace, their MSDS shall be added to the existing MSDS to ensure that a complete and current MSDS is on hand for every chemical Hunt County employees may be exposed to.
- C. Manufacturers of hazardous chemicals are required by federal law to provide MSDS to all entities that purchase their chemicals. If a chemical is received that does not have a MSDS, set it aside and do not use it. Write the manufacturer and request that a MSDS be sent to you. When the MSDS arrives, place it in the MSDS binder, list on chemical inventory list, train employees about hazards, and begin to use it.

**IV. CONTAINER LABELING**

- A. All chemicals on site will be stored in their original or approved containers with a proper label attached, except small quantities for immediate use. Any container not properly labeled should be given to the Department Head for labeling or proper disposal.
- B. Workers may dispense chemicals from original containers only in small quantities intended for immediate use. Any chemical left after the work is completed must be returned to the original container or to the Department Head for proper handling.
- C. No unmarked containers of any size are to be left in the work area unattended.

- D. Hunt County will rely on the manufacturer applied labels whenever possible, and will ensure that these labels are maintained. Containers that are not labeled or on which the manufacturers label has been removed will be relabeled.
- E. Hunt County will ensure that each container is labeled with the identity of hazardous chemical contained and any appropriate hazard warnings.

V. **EMPLOYEE TRAINING**

Employees will be trained to work safely with hazardous chemicals.

Employees training will include the following:

- A. An overview of the requirements contained in the Hazard Communications Act, including their rights under the Act.
- B. Inform employees of any operation in their work area where hazardous chemicals are present.
- C. Location and availability of the hazardous chemicals
- D. Physical and health effects of the hazardous chemicals.
- E. Methods and observation techniques used to determine the presence of, or the release of hazardous chemicals in the work area.
- F. How to lessen or prevent exposure to these hazardous substances through usage of work practices, and/or the use of personal protective equipment.
- G. Steps Hunt County has taken to lessen or prevent exposure to these chemicals.
- H. Emergency and first aid procedures to follow if employees are expose to hazardous substances.
- I. How to read labels and review MSDS to obtain appropriate hazard information.

Have each employee trained in the above, and sign the Employer Acknowledgment form.

Conduct an annual review of the Hazard Communications Program with all employees and maintain a record of those in attendance.

Note: It is critically important that all employees understand the training. Contact the Department Head for further questions.

VI. **PERSONAL PROTECTIVE EQUIPMENT (PPE)**

- A. Personnel are required to wear proper PPE when handling hazardous chemicals when there is a danger of over exposure.
- B. The Department Head will be responsible for ensuring that proper equipment is available and worn when employees are in danger of over exposure.

**VII. EMERGENCY RESPONSE**

- A. Any incident of over exposure or spill of hazardous chemical/substance must be reported to the Department Head at once.
- B. The Department Head will be responsible for ensuring that proper emergency response actions are taken in leak/spill situations.

**VIII. HAZARDS OF NON-ROUTINE TASKS**

- A. The Department Head will inform employees of any special tasks that may arise which would involve possible exposure to hazardous chemicals.
- B. Review of safe work procedures and use of required PPE will be conducted prior to the start of such tasks. Where necessary, areas will be posted to indicate the nature of the hazard involved.

**IX. GENERAL CONTRACTOR/SUBCONTRACTOR RESPONSIBILITIES**

- A. When employees of a subcontractor may be exposed to hazardous chemicals while working on County job sites, Hunt County shall provide access to the list of hazardous chemicals being used at the job site, and make available the MSDS sheets for all required protective measures.
- B. It shall be the responsibility of all subcontractors who bring hazardous material onto Hunt County's property to provide the appropriate MSDS to the County at the job site.
- C. When exposure to a hazardous chemical is expected, each subcontractor is responsible for the appropriate training of their employees.

**X. POSTING**

Hunt County has posted information for employee at this job site on the Hazard Communication Act. This information can be found at the job site bulletin board or with the Department Head.

**XI. RECORDKEEPING (AT THE JOB SITE)**

- A. Material Safety Data Sheets and request for any MSDS not furnished.
- B. Hazardous Chemical List
- C. Records of employee training and employee acknowledgment.
- D. Records of any environmental testing.

**SUBJECT: SAFETY PROCEDURES**

**TITLE: ACCIDENT INVESTIGATION**

**I. PURPOSE**

The real purpose of an accident investigation is to establish all relevant facts as to how and why the accident occurred so that appropriate corrective action can be taken to prevent a recurrence. Investigators should be directed towards fact finding not fault finding.

Careful evaluation of thorough accident investigations can normally reveal loss control weakness which can be corrected or eliminated.

**II. EMPLOYEE**

If an employee has an accident in a County-owned registered vehicle in which there is personal or property damage to any party, other than the County, that the employee be tested within three hours of the accident. (Minutes: Regular Session 8-14-1995, cause no. 6013).

All employee injuries requiring outside medical attention and/or resulting in lost time, are to be investigated for case (s) plus appropriate corrective action utilizing the Risk Management Director's Accident Investigation Report form. One copy should be helpful for conducting a thorough accident investigation. All injuries must also be reported to the Human Resources Department.

**A. THE FIVE W'S: WHO?, WHAT?, WHERE?, WHEN?, WHY?**

If these words are kept in mind, the problem of making a complete report is simplified. Answering all 5 questions is the secret to a thorough investigation.

**B. CLAIMANT'S POSITION**

When possible, discuss the accident with the injured employee. Discuss the accident with other employees who may have seen the accident as well. There are at least two sides to any accident; try to report all the **FACTS**.

**C. PROMPTNESS**

**At times you will be unable to gather all necessary information immediately to file a complete report. Rather than delay until more information is available, submit what you have with a comment that more will follow.**

### III. NOTE:

All accidents must be reported to Worker's Compensation.

#### A. **Back Up**

Any method you can use to make a report more understandable should be used. This could include the use of:

1. Diagrams: A simple drawing showing the relationship of all pertinent elements showing measurements, distances, etc.
2. Photographs: A brief description of what the photo shows, when it was taken; who took it and why should appear on the back.
3. Statements: Either written or recorded from witnesses and/or parties to the accident. This should be done as soon as possible following the accident and should be done in private, one witness at a time. Make the statement in the person's own words or if possible, have the person write it himself. Have it dated and signed.
4. Physical Objects: Defective materials, broken tools, etc. should be tagged with a brief description. Mention on the report all such items. Properly secure the object for management evaluation.
5. Reports from Others: These may include police and fire departments, owners, doctors, etc. An effort should be made to obtain a copy of these reports.
6. Miscellaneous: Other available forms of back-up might include maps, blueprints, equipment specification, etc. Remember, too much information is better than too little.
7. Third Parties: One of the most common errors in an accident report is not identifying third parties. Any involvement with other should be reported: i.e., whose light pole was knocked down? Who did the man work for? Who owned the equipment? The company, owner, subcontractor?

**Important: Please contact the Human Resources Department immediately when there is an accident or a worker's compensation claim.**