

# **LEON COUNTY PERSONNEL POLICY MANUAL**

**The County reserves the right to amend, change or delete this plan at any time, with or without prior notice. Furthermore, this plan does not grant a right or benefit to any employee, either expressed or implied, that in any way alters the “at will” basis of employment that is intended by the County.**

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# **LEON COUNTY PERSONNEL POLICY MANUAL**

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**LEON COUNTY  
PERSONNEL POLICY**

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**PREFACE**

This Personnel Policy and Procedure Manual supersedes and rescinds all existing policies in Leon County, Texas.

It is not the intention of Leon County to deprive a person employed at the time of the adoption of this policy, of any benefits earned under a previous policy.

The rules outlined in this manual are not intended to be inflexible; therefore, it is expected that amendments and revisions will be made with the approval of the Leon County Commissioners Court.

**LEON COUNTY  
POLICY ON EMPLOYMENT AT WILL**

**EMPLOYMENT AT WILL**

1. All employment with Leon County shall be considered “at will” employment.
2. No contract of employment shall exist between any individual and Leon County for any duration, either specified or unspecified. No provision of this handbook shall be construed as modifying your employment at will status.
3. Leon County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time either with or without notice.
4. Leon County shall have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice.

**LEON COUNTY  
POLICY ON EMPLOYMENT STATUS**

**FULL TIME**

**Regular Full Time:**

A full time employee shall be any employee in a position who has a normal work schedule of at least forty (40) hours per week. Full time employees are eligible for county health insurance and retirement benefits. Other county policies will dictate eligibility for other benefits. Employees may be non-exempt, hourly employees or exempt employees. Non-exempt employees are eligible for overtime compensation. Exempt employees are not eligible for overtime compensation. Leon County makes exempt status determination based on the Fair Labor Standards Act.

**PART TIME**

**Regular Part Time:**

A part time employee shall be any employee in a position which has a normal work schedule of less than 30 hours per week. Part time employees may be eligible for certain Leon County benefits. All regular part time employees must be placed on TCDRS retirement regardless of the number of hours worked per week.

**TEMPORARY**

**Temporary Part Time:**

A temporary short term part time employee shall be any employee who is expected to work less than thirty (30) hours each week in a position that is expected to last for a specific period of time or until a specific project is completed, but no longer than 12 months. If this project goes beyond 12 months, the employee will move into a regular part time status. Temporary short term part time employees are not entitled to any benefits under the Affordable Care Act and are also not eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits.

**REGULAR**

**Regular Employee:**

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

**EMPLOYMENT AT WILL**

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

**LEON COUNTY  
POLICY ON EQUAL EMPLOYMENT OPPORTUNITY**

**EQUAL OPPORTUNITY**

Leon County is an equal opportunity employer. The county will not discriminate on the basis of race, color, religion, national origin, sex, age, genetic information, pregnancy, veteran status, and disability, or any other condition or status protected by law in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by state or federal law or where a bona fide occupational qualification exists. If an employee needs an accommodation as a result of a condition or status protected by law, please advise your elected official, appointed official, department head or the county attorney.

**AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT**

It is the policy of Leon County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels he or she has been subject to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, appointed official, department head or the county attorney. All elected officials, appointed officials, department heads and employees with responsibilities requiring knowledge are instructed to treat the employee's disability with confidentiality.

It is Leon County's policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the county. In accordance with the Americans with Disabilities Act, as amended (ADAAA), reasonable accommodations may be provided to qualified individuals with disabilities when such accommodations are necessary to enable them to perform the essential functions of their jobs, or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment, and all employees. If you require accommodation, please contact your elected official, appointed official, department head or the county attorney. Reasonable accommodation shall be determined through an interactive process of consultation.

**LEON COUNTY  
APPLICATION FOR EMPLOYMENT**

**APPLICATION PROCEDURE**

Before an individual can be considered to be an applicant for employment with Leon County he/she shall be required to complete the “Leon County Employment Application”

Copies of the “Leon County Employment Application” are available from the County Treasurers Office and may be picked up at any time during the normal business hours.

**SELECTION**

Each elected or appointed official, or his/her designee, shall be responsible for selecting the applicant who he/she feels best meets the qualifications for an open position in his/her department. If applications do not meet qualifications, applications will reopen.

Any application for county employment is subject to a background check and pre-employment drug testing.

**DISQUALIFICATION**

1. An applicant shall be disqualified from consideration for employment if he/she:
  - a. Does not meet the minimum qualifications necessary to perform the duties of the position for which he/she is applying
  - b. Has made a false statement on the application form or any other document related to or which has bearing on the selection process
  - c. Has committed or attempted to commit a fraudulent act at any stage of the application process
  - d. Is not legally permitted to hold the position
  - e. Results of a background search could be grounds for non-hire
  - f. If he/she cannot pass a drug test as required

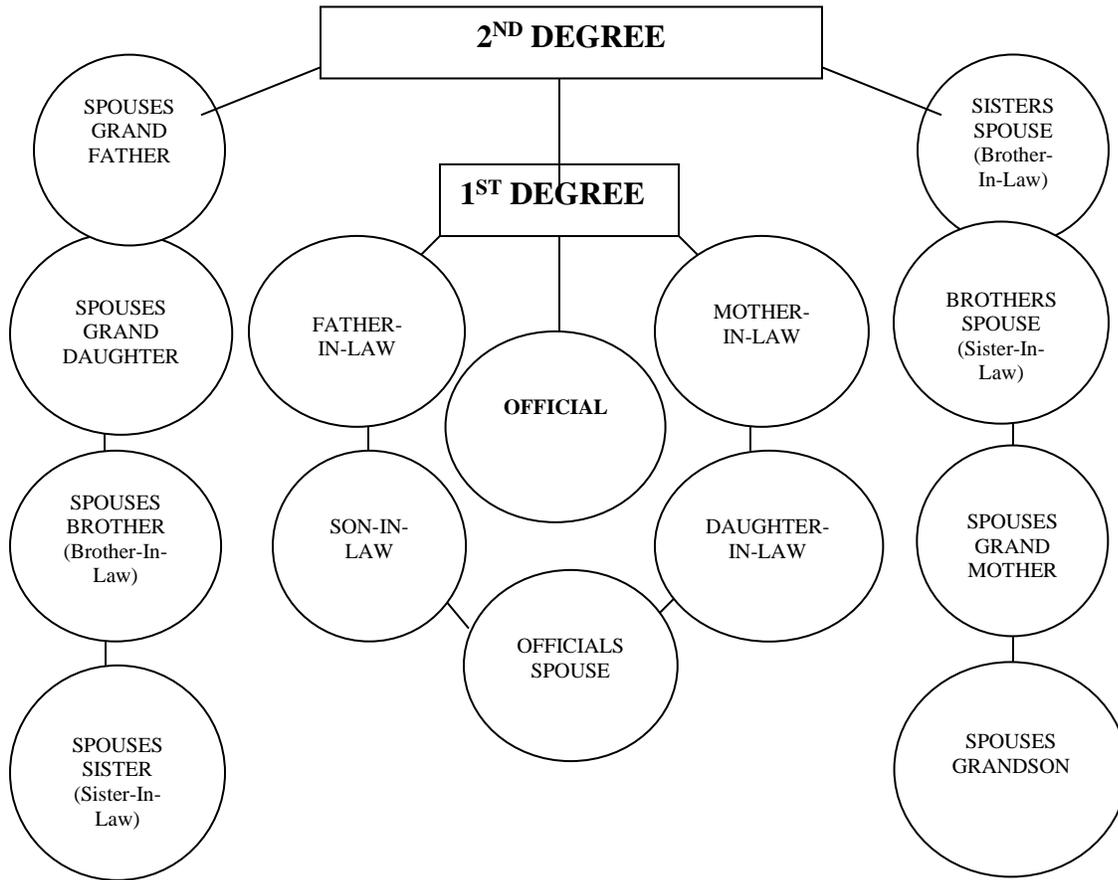
**LEON COUNTY  
POLICY ON NEPOTISM**

Texas Government Code Chapter 573, a Public Official of Leon County is prohibited from hiring a relative related in the third degree of consanguinity (blood) or the second degree of affinity (marriage) to work in a department that he or she supervises or exercises control over.

A degree of relationship is determined under Texas Government Code Chapter 573. (See the charts that follow.)

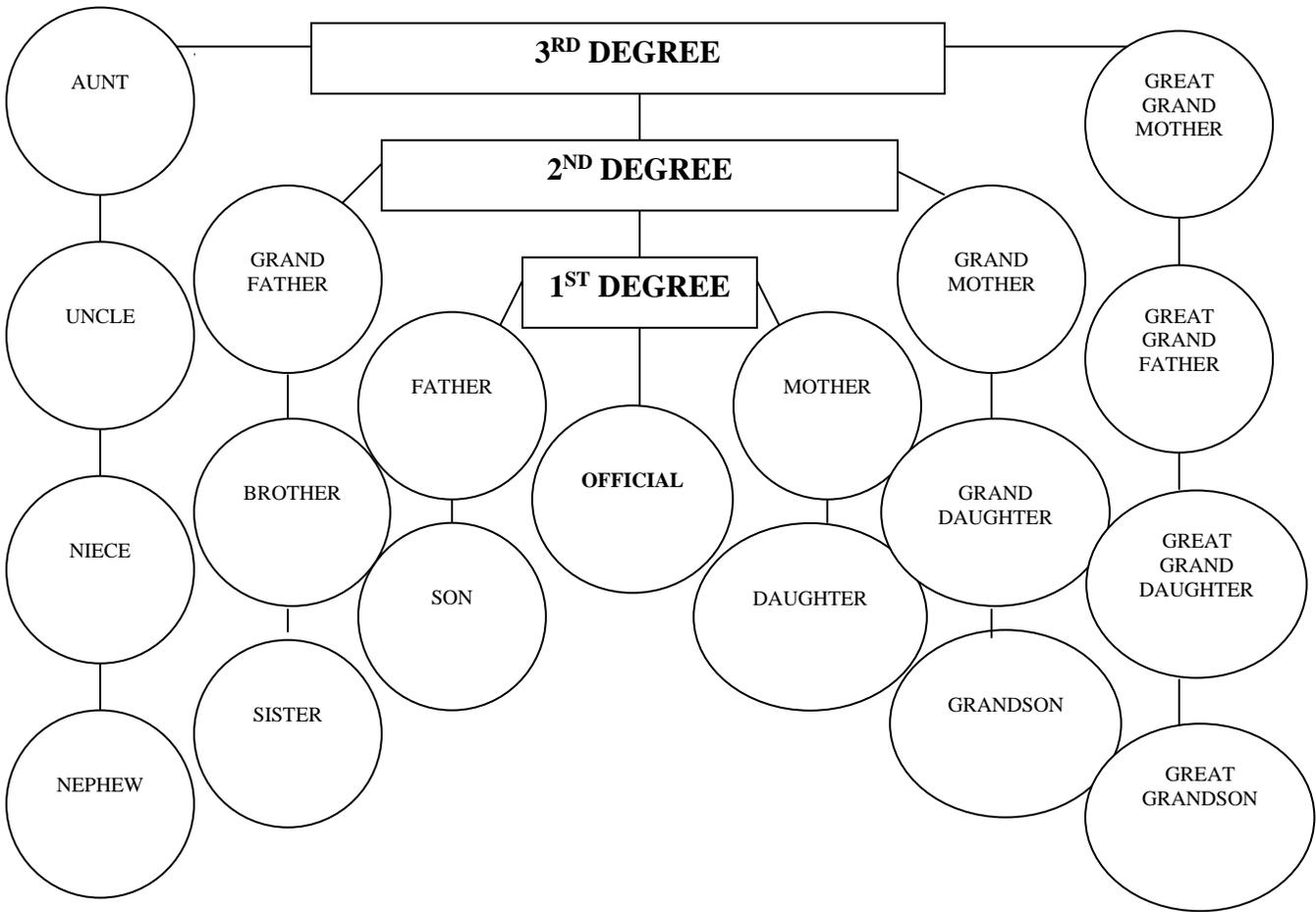
**Affinity Kinship Chart  
(Marriage)**

**TEXAS NEPOTISM CHART  
CIVIL LAW METHOD**



**Consanguinity Kinship Chart  
(Blood)**

**TEXAS NEPOTISM CHART  
CIVIL LAW METHOD**



**LEON COUNTY  
POLICY ON VACATION**

**ELIGIBILITY**

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

**ACCRUAL RATES**

Employees working a full pay period shall earn vacation time at the rate of 3.34 hours per pay period, which is equivalent to ten (10) working days per year.

For purposes of this policy, a working day shall be defined as the regular number of hours that an employee would be expected to work on a day that he/she is scheduled to work.

Vacation shall not be accrued while an employee is on leave without pay (FMLA, disciplinary action). Vacation shall not accrue while an employee is out on worker's compensation leave.

Employees will be allowed to accrue vacation hours throughout the year from Jan. 1 to Dec. 31. On Jan. 1 of the following year after the accrual, all vacation hour accruals will be reduced to 120 hours in all circumstances.

**SCHEDULING**

Scheduling of vacations shall be at the discretion of the individual department heads.

**MINIMUM USAGE**

The minimum amount of vacation that an employee may use at any time shall be one (1) hour per day.

**BORROWING**

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

## **PAY IN LIEU OF VACATION**

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

## **HOLIDAY DURING VACATION**

If a holiday falls during an employee's vacation, the holiday shall be charged in accordance with the policy on holidays and shall not be charged against the employee's vacation balance.

## **PAY AT TERMINATION**

1. If an employee has worked for at least one (1) year in a position which accrues vacation at the time the employee resigns, is discharged, or is separated from employment for any reason, the employee or the employee's estate shall receive payment for all unused vacation up to the maximum of 120 hours.
2. An employee who has not worked for a minimum of one (1) year in a position which accrues vacation shall not be eligible for any vacation pay upon termination of employment.

## **RECORD KEEPING**

1. Each supervisor shall be responsible for accurately recording all vacation time used by each employee in his/her department on the employee's time sheet.
2. It will be the duty of each supervisor to report vacation and sick leave time used to the payroll department by the end of each pay period.

**LEON COUNTY  
POLICY ON SICK LEAVE**

**ELIGIBILITY**

All full time regular employees shall be eligible for sick leave benefits.

**ACCRUAL RATE**

1. Eligible employees shall accrue sick leave at the rate of 3.34 hours per pay period, up to ten (10) working days per year.
2. For the purposes of this policy, a workday is defined as the normal number of hours an employee would be expected to work on a day which he/she is scheduled to work.
3. Accrual of sick leave shall start at the time an individual begins work for the county in a position eligible for the sick leave benefit.
4. Sick leave shall not be accrued while an employee is on leave without pay (FMLA or disciplinary action). Sick leave shall not be accrued while an employee is out on worker's compensation leave.

**MAXIMUM ACCRUAL**

The maximum amount of unused sick leave an employee shall be allowed to have at any time is (300) hours.

**USE OF SICK LEAVE**

1. Sick leave may be used for the following purposes:
  - a. Illness or injury of the employee
  - b. Appointments with physicians, optometrists, dentists, and other qualified medical professionals
  - c. To attend to the illness or injury of a member of the employee's family members as defined by the employee's supervisor
  - d. An employee who has children who are attending grades pre-kindergarten through 12<sup>th</sup> grade may use up to eight hours of sick leave each physical year to attend parent-teacher conference sessions for these children. It is the responsibility of the supervisor to maintain adequate records to ensure that no more than eight hours are taken for parent-teacher conference sessions in a fiscal year.

**LEON COUNTY  
POLICY ON SICK LEAVE**

**NOTIFICATION**

1. Where sick leave is to be used for medical appointments, an employee shall be required to notify his/her supervisor of the intent to use sick leave as soon as the employee knows of the appointment.
2. Where use of sick leave is not known in advance, an employee shall notify his/her supervisor of the intent to use sick leave within fifteen (15) minutes of the employee's normal time to begin work, when practicable.
3. Where it is not practicable to notify the supervisor within fifteen (15) minutes of the normal starting time, the employee should notify his/her supervisor as soon as reasonably practicable.
4. If the employee feels that the situation will cause them to miss more than one (1) day of work, the employee should notify his/her supervisor of the anticipated length of absence.

**DOCUMENTATION**

If an employee used three (3) or more consecutive days of sick leave, the supervisor shall require a physician's statement or some acceptable documentation of injury or illness.

Documentation requirements under this policy shall also apply in situations where the absence is for the care of a family member.

**MINIMUM USE**

1. Documentation of illness or injury shall be required for any sick leave used during the two (2) weeks prior to resignation of employment with the county.
2. The minimum amount of sick leave that an employee may use at any time shall be one (1) hour per day.

**BORROWING**

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

**PAY AT TERMINATION**

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

**LEON COUNTY  
SICK LEAVE POOLING POLICY**

**PURPOSE**

To establish guidelines for the creation and operation of a Sick Leave Pool (hereinafter referred to as “The Pool”) to benefit certain Leon County employees who suffer a catastrophic injury or illness. A catastrophic injury or illness is defined as:

1. A severe condition or combination of conditions affecting the mental or physical health of the employee or the employee’s immediate family that requires the services of a Licensed Practitioner for a prolonged period of time and which forces the employee to exhaust all leave time accrued by that employee, causing loss of employee compensation from the county.
2. Licensed Practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of his/her license.
3. Immediate family is defined as an employee’s spouse, mother, father, brother, sister, son or daughter.
4. Examples of illnesses or injuries generally considered severe enough to be catastrophic include but are not limited to:
  - a. Major surgery requiring long-term recuperation
  - b. Severe stroke or heart attack
  - c. Severe head or internal injuries requiring long-term recuperation
  - d. Terminal or debilitating cancer, including debilitation caused by treatments
  - e. Organ transplant
  - f. Loss of limb
  - g. Mental condition requiring commitment for some period of time and a regimen of intense treatment thereafter which prevents the employee from working

These examples are by no means exhaustive. Rather they are merely illustrative of conditions that would be catastrophic. Obviously, other catastrophic conditions may be determined to exist. Each request is considered on a case-by-case basis.

**ADMINISTRATION OF THE POOL**

1. A Pool Administrative Committee (PAC) will be appointed by Leon County Commissioners Court to be responsible for developing mechanisms to transfer accrued sick leave hours into and out of the Pool, developing rules and procedures for the operation of the Pool, and developing forms for contributing hours to or using hours from the Pool.
2. The PAC will be composed of a total of five (5) members. At least one PAC member will be a full time Leon County employee and the Leon County Attorney will be a member (Ex Officio) with voting privileges. The PAC will be responsible for receiving and reviewing all applications for Pool Leave Hours and making recommendations to the Leon County Commissioners Court.

## **GENERAL PROVISIONS**

Participation in the Pool by full-time employees is strictly on a voluntary basis.

1. All full-time participating employees of Leon County may apply to use pool leave hours from The Pool if they have contributed to The Pool.
2. Employees may use pool leave hours for their own catastrophic illness or injury, or for catastrophic illness or injury in their immediate family as defined above.
3. An employee may be entitled to the use of pool leave hours if all of the following conditions are met:
  - a. The employee has been employed with the county for at least one (1) year and has not abused the sick leave policy
  - b. The employee or employee's family member suffered a catastrophic illness or injury
  - c. The employee has exhausted all accrued leave and earned time with the exception of employees receiving Workers Compensation benefits due to an occupational injury or illness (in a Workers Compensation case, the employee would need to exhaust only paid sick leave entitlements)
  - d. The employee is subject to loss of compensation from the county
  - e. The employee has not previously been granted and utilized the maximum amount of pool leave hours within one (1) year of when the current request is made
  - f. The employee is not eligible for a modified duty or alternative duty position under any applicable county policy
4. Employees using pool leave hours continue to accrue paid leave provided the employee returns to work following the sick leave.
5. Employees who use pool leave hours are not required to pay back the hours.
6. Pool leave hours that are awarded to an employee will be distributed on an every two-week basis.
7. If an employee appeals a decision, their contributed hours may be returned to them.

## **CONTRIBUTING SICK LEAVE TO THE POOL**

1. Enrollment in The Pool is strictly voluntary and will take place each December. Enrollment is open to all regular, full-time employees who have been continuously employed by the county for twelve (12) months and who have accrued a minimum of forty-eight (48) sick leave hours.
2. Active employees who enroll each calendar year in The Pool shall contribute at least three (3) days and no more than five (5) days of accrued sick leave in eight (8) hour increments, giving a minimum of twenty-four (24) hours up to a maximum of forty (40) hours. (Example: An employee must have a minimum of forty-eight (48) hours before contributing twenty-four (24) hours, or a minimum of eighty (80) hours before contributing forty (40) hours.). Contributed hours shall be attributed to the coming calendar year.
3. Employees who contribute hours to the Pool may not stipulate who is to receive their contributions.

4. Employees who contribute hours to the Pool cannot get the hours back unless they are eligible to use them.
5. Enrollment in The Pool is strictly voluntary and will take place each December. Enrollment is open to all regular, full-time employees who have been continuously employed by the county for twelve (12) months and who have accrued a minimum of forty-eight (48) Sick Leave hours.
6. Upon cessation of employment or for regular employees going to elected or appointed status, employees may contribute up to forty (40) hours of sick leave to The Pool.

#### **REQUESTING TO USE LEAVE FROM THE POOL**

1. Requests for pool leave hours will be forwarded to the PAC through appropriate supervisory channels and will be considered on a first-come, first-served basis.
2. The PAC shall review all requests for pool leave hours and make its final recommendation on each request to the Leon County Commissioners Court.
3. Any unused balance of pool leave hours granted to an employee shall be returned to The Pool. The estate of a deceased employee is not entitled to payment for unused pool leave hours.
4. An employee may request to be granted pool leave hours any number of times during a calendar year for only one (the same) catastrophic illness or injury, but the total amount of pool leave hours granted shall not exceed one-third of the balance of the total hours in the Pool, or ninety (90) work days, whichever is less. This "Pool Leave Cap" shall be calculated and determined at the time the employee makes his/her first request and application to the PAC.

#### **GRANTED LEAVE**

1. For each catastrophic illness or injury determined by the PAC and Commissioners Court to be approved for Pool Leave Hours, the amount of hours granted shall not exceed one-third of the balance of hours in the Pool or 90 work days, whichever is less.
2. Leave time given from The Pool must be so noted on time sheets when used and reported to payroll personnel.

**LEON COUNTY  
POLICY ON HOLIDAYS**

**ELIGIBILITY**

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

**HOLIDAYS**

1. The county holidays for the following calendar year shall be determined by the Leon County Commissioners Court at the first meeting of each November.
2. The hours of a holiday that is observed or accrued is equal to a normal day's work shift.
3. The accrual of holiday time earned and/or used will be calculated in hours. Holiday hours accrued in the previous year, January through December, must be taken before June 1<sup>st</sup> of the following year. On June 1<sup>st</sup> of each year, all holiday hours from the previous year will be reduced to zero (0) in all circumstances. (Hours accrued prior to May 29, 2013 have been grandfathered.)

**HOLIDAY DURING VACATION**

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

**HOLIDAY ON DAY OFF**

1. If a designated holiday falls on an eligible employee's day off, the employee shall be allowed to take another day off with pay.
2. An employee shall not be allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

**EMERGENCIES**

An eligible employee called into work on a holiday because of an emergency, or other special need of the county, shall be given paid time off equivalent to the amount of time worked on the holiday.

**LEON COUNTY  
POLICY ON HOLIDAYS**

**SPECIAL OBSERVANCES**

1. Special consideration shall be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for the county.
2. Determination of granted leave under this policy shall be made by the supervisor of the department in which the employee works, based on the needs of the department.
3. Vacation, compensatory time, or leave without pay may be used for leave granted under this policy.

**BORROWING**

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

**LEON COUNTY  
POLICY ON JURY DUTY LEAVE**

**JURY DUTY**

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

**OFFICIAL COURT ATTENDANCE**

Employees who are subpoenaed, ordered or required to appear as a witness or to testify in any legal matter involving the county shall be entitled to leave with regular pay for such period as his/her court attendance may be require.

**PRIVATE LITIGATION**

If an employee is absent from work to appear in private litigation, the time shall be charged to vacation, other eligible paid leave, or leave without pay. This rule does not apply to subpoena.

**LEON COUNTY  
POLICY ON MILITARY LEAVE**

**GUARD AND RESERVE**

1. County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) working days off per Federal Fiscal year (October 1<sup>st</sup> through September 30<sup>th</sup>) to attend authorized training sessions and exercises.
2. The fifteen (15) working days paid military leave shall apply to the Federal Fiscal Year and any unused balance at the end of the year shall not be carried forward into the next Federal Fiscal Year.
3. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule.
4. An employee may use annual leave, earned compensatory time, or leave without pay if he/she must attend Reserve or National Guard training sessions or exercises in excess of the fifteen (15) working days maximum per Federal Fiscal year.
5. Leon 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.

**ORDERS**

An employee going on military leave shall provide his/her supervisor and the Treasurer's Office with a set of orders within two (2) business days after receiving them.

**ACTIVE MILITARY**

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

**LEON COUNTY  
POLICY ON FUNERAL LEAVE**

**ELIGIBILITY**

All full-time regular employees shall be eligible for funeral leave, part-time employees are not eligible.

**FAMILY FUNERAL LEAVE**

Employees shall be allowed leave with pay for a death in the immediate family for a time period of five working days.

Any additional leave required beyond five days will be charged to the employee's available personal leave time.

For purposes of this policy, immediate family shall include the employee's spouse, and the child, parent, brother or sister of the employee or of the employee's spouse.

Funeral leave taken should be notated as such on your timesheet.

**OTHER LEAVE**

Employees shall be allowed time off with pay, up to a maximum for four (4) hours to attend a funeral inside Leon County and a maximum of one (1) day to attend a funeral outside of Leon County of a relative who is not a member of the employee's immediate family or the funeral of a friend.

**LEON COUNTY  
POLICY ON MEDICAL INSURANCE**

**ELIGIBILITY**

1. All full time regular employees of Leon County shall be eligible for county paid group medical insurance benefits.
2. Group Medical Insurance benefits will be effective on the first of the month after a 60 day waiting period. Except elected and appointed officials who will be covered immediately.
3. Open enrollment will start Aug. 15 thru Sept. 30.

**LIFE INSURANCE**

Employees shall have a limited amount of life insurance on themselves as part of their group medical insurance coverage.

**INFORMATION**

1. Details of coverage under the group medical insurance plan are available in the office of the County Treasurer and may be obtained during the normal business hours.
2. Changes can only be made during open enrollment, with the exception of special enrollments.

**LEON COUNTY  
POLICY ON WORKERS' COMPENSATION**

**ELIGIBILITY**

All Leon County employees are covered by workers' compensation insurance while on duty for the county.

**BENEFITS**

1. Workers' compensation insurance pays for medical bills resulting from injury or illness an employee incurs while carrying out the duties of his/her job.
2. The first seven (7) days of lost time will be paid at 100% by the county. Workers' Compensation will pay a partial salary of 70% for continuation benefit for time lost from work starting with the eighth (8<sup>th</sup>) day for eligible work related injuries or illness. Commissioned law enforcement officers receive 100% of their salary while incapacitated from the 1<sup>st</sup> day of injury without usage of accrued leave, until the end of the current Sheriff's term at midnight December 31 as per state constitution Section 52 E. Employees will not be required to use any type of accruals nor will they be eligible to accrue vacation, sick or holiday time while on leave due to a work-related injury.
3. If an employee is receiving workers' compensation for an extended period of time, his/her county medical insurance benefits shall be terminated after a period of 12 weeks, at which time you will be eligible for COBRA.

**ACCIDENT REPORTING**

1. Any employee who suffers a job related illness or injury shall be required to notify his/her supervisor as soon as possible.
2. Failure to report an injury or illness within 72 hours may affect an employee's eligibility for benefits or delay benefit payments which are due.

**PHYSICIAN'S RELEASE**

An employee who has lost time because of a work related accident or illness shall be required to provide a release from the attending physician before being allowed to return to work.

**LEON COUNTY  
POLICY ON WORKERS' COMPENSATION**

**CONTRIBUTORY FACTORS**

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

**CONTINUED BENEFITS**

Leon County will continue benefits for an employee on worker's compensation leave for a period of 12 weeks or when the employee is able to return to work, whichever occurs first. If after an injured employee has been absent from work for a period of 12 weeks, all county benefits will be terminated and you will be eligible for COBRA.

**LEON COUNTY  
POLICY ON RETIREMENT**

**ELIGIBILITY**

Regular full time and part time employees who work a normal schedule shall be eligible for retirement benefits through the Texas County and District Retirement System.

**CONTRIBUTIONS**

1. Eligible employees shall make contributions to the retirement program through a system of payroll deductions.
2. Leon County shall make a contribution to each eligible employee's retirement account equal to the contribution of the employee.

**INFORMATION**

Information on the retirement program may be obtained at the County Treasurer's Office during normal business hours, or online at [www.tcdrs.org](http://www.tcdrs.org).

**LEON COUNTY  
POLICY ON SOCIAL SECURITY**

**SOCIAL SECURITY**

All county employees shall participate in the Federal Social Security Program which provides certain retirement, disability, and other benefits.

**CONTRIBUTIONS**

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

**LEON COUNTY  
POLICY ON FAMILY MEDICAL LEAVE**

**ELIGIBILITY**

1. To be eligible for benefits under this policy, an employee must:
  - a. Have worked for Leon County at least twelve (12) months (it is not required that these 12 months be consecutive)
  - b. Have worked at least 1250 hours during the previous twelve (12) months

**QUALIFYING EVENTS**

1. Family and medical leave under this policy may be taken for the following situations:
  - a. The birth of a child and in order to care for that child
  - b. The placement of a child in the employee's home for adoption or foster care
  - c. To care for a spouse, child, (under the age of 18 or if over 18 incapable of self-care due to a disability) or parent with a serious health condition
  - d. The serious health condition of the employee

**SERIOUS HEALTH CONDITION**

Serious health condition of the employee shall be defined as a health condition that makes the employee unable to perform the essential functions of his/her job.

Serious health condition of a spouse, child, or parent shall be defined as a condition which requires inpatient care at a hospital, hospice, or residential care medical facility, or a condition which requires continuing care by a licensed health care provider.

A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

1. A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
  - a. Treatment two or more times within 30 days of incapacity
  - b. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment by a health care provider. This treatment must occur within the first seven days of incapacity
2. Any period of incapacity due to pregnancy or pre-natal care
3. Any period of incapacity or treatment due to a chronic serious health condition that requires periodic visits to a health care provider and continues over an extended period of time
4. Any period of incapacity which is permanent or long term due to a condition that treatment is not effective
5. Any period of incapacity or absence to receive multiple treatments by a health care provider.

## **EXIGENCY LEAVE**

Eligible employees may take FML when an employee's covered military member (spouse, child of any age or parent) is on active duty or called to active duty status in a foreign country. The following qualify as exigency leave:

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 employee may take up to 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 in a foreign country 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 in a foreign country 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 in a foreign country
6. Leave may be taken to act as the covered military member's 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 in a foreign country and for a period of 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 in a foreign country of a covered military member
8. Leave may be taken to spend time with a covered military member who is on a short-term, temporary, rest and recuperation leave during leave during the period of deployment. Eligible employees may take up to fifteen (15) 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 in a foreign country
11. Certain activities related to the care of the military member's parent who is incapable of self-care where those activities arise from the military member's covered active duty
12. 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 in a foreign country provided the County agrees the leave shall qualify as an exigency and agree to both the timing and the duration of such leave

### **LEAVE AMOUNT**

1. Up to twelve (12) calendar weeks leave per twelve (12) month period may be used under this policy.
2. The county will measure the twelve (12) month 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 which the employee is entitled to take at that time.
4. If a husband and wife both work for the county the maximum combined leave they shall be allowed to take in any 12 month period for the birth or placement of a child, or care for a parent with a serious health condition is 12 weeks. The combined limit is 26 weeks in a single 12-month period if leave is to care for a covered service member or covered veteran with a serious injury or illness.

### **MILITARY FAMILY LEAVE**

An eligible employee is entitled up to 26 workweeks of leave to care for a covered service member or covered veteran with a serious injury or illness during a single 12-month period:

1. The single 12 month period begins on the first day the eligible employees takes FMLA to care for covered service member or covered veteran and ends 12 months after that date.
2. If an eligible employee does not take all of their 26 workweeks during this 12 month period, the remaining part of the 26 workweeks of leave entitlement to care for the covered service member or covered veteran is forfeited.
3. 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 26 workweeks of leave. If the leave is to care for different covered service members or covered veterans or to care for the same covered service member or covered veteran with a subsequent serious illness or injury, except that no more than 26 workweeks may be taken within any single 12 month period

**LEON COUNTY  
POLICY ON FAMILY MEDICAL LEAVE**

**PAID AND UNPAID LEAVE**

1. If an employee has accrued leave, the employee shall be required to use appropriate paid leave first with the remainder of the twelve (12) weeks as unpaid leave.
2. An employee who is taking leave because of the employee's own serious health condition or the serious health condition of an eligible family member, shall be required to first use all sick leave, vacation, and any other paid leave with the rest of the twelve (12) week leave period being without pay.
3. An employee taking leave for the birth of a child shall be required to take sick leave, and/or other paid leave for the recovery period after the birth of the child prior to going on leave without pay.
4. After the recovery period from giving birth to a child, the employee shall be required to first use all earned compensatory time, then vacation and other available paid leave, except for sick leave with the remainder of the 12 week leave 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 all paid leave due, except for sick leave, prior to going on leave without pay.
6. 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 26 weeks in a single 12 month period

**INSURANCE**

1. While on leave under this policy, the county shall continue to pay the employee's medical insurance premium at the same rate as if the employee has been actively at work.
2. The employee shall be required to pay for any other insurance coverage for which he/she would normally pay, or the coverage will be discontinued.
3. Payment for coverage under this policy shall be made through regular payroll deduction while the employee is on leave with pay.
4. While on leave without pay, the employee shall be required to pay for premiums due to the county under this policy no later than thirty (30) days after the due date which the county sets or the coverage shall be discontinued.
5. At the end of the 12 weeks leave all eligible employees will be offered COBRA if they are unable to return to work, except for the care of an injured covered military member where the eligible employee will be offered COBRA at the end of 26 weeks in a single 12 month period.

**LEON COUNTY  
POLICY ON FAMILY MEDICAL LEAVE**

**INTERMITTENT LEAVE AND REDUCED SCHEDULE**

1. Intermittent leave under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee or the employee's eligible family member or care of a covered military member or covered veteran.
2. A reduced schedule under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee or the employee's eligible family member, or care of a covered military member or covered veteran.
3. All work time missed as the result of intermittent leave or a reduced work schedule under this policy shall be deducted from the employee's 12 week leave eligibility. If the time missed is for the care of a covered military member or covered veteran with a serious injury or illness the time will be deducted from the employee's 26 week leave eligibility in a single 12 month period.

**PHYSICIAN'S STATEMENT**

1. The County shall have the right to ask for certification of the serious health condition of the employee or the employee's eligible dependent when the employee requests or is using leave under this policy.
2. The employee should respond to the request within fifteen (15) days of the request or provide a reasonable explanation for the delay. If an employee does not respond, leave may be denied.
3. Certification of the serious health condition of the employee shall include:
  - a. The date the condition began
  - b. Its expected duration
  - c. The diagnosis of the condition
  - d. A brief statement of the treatment
  - e. A statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of his/her job.

**PHYSICIAN'S STATEMENT (continued)**

4. Certification of the serious health condition of an eligible family member shall include:
  - a. The date the condition began
  - b. The expected duration
  - c. The diagnosis of the condition
  - d. A brief statement of treatment
  - e. A statement that the patient requires assistance and that the employee's presence would be beneficial or desirable
5. If the employee plans to take intermittent leave or work a reduced schedule, the certification shall also include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. Certification for intermittent or reduced schedule leave may be requested every six months in connection with an eligible absence.
6. The county shall have the right to ask for a second opinion from a physician of the county's choice, at the expense of the county, if the county has reason to doubt the certification, except FML to care for a seriously injured or ill covered service member supported by an ITO or ITA.
7. If there is a conflict between the first and second certifications, the county shall have the right to require a third certification, at the expense of the county, from a health care practitioner agreed upon by both the employee and the county, and this third opinion shall be considered final.

**REQUESTING LEAVE**

1. Except where leave is unforeseeable, an employee shall be required to submit, in writing, a request for leave under this policy to his/her immediate supervisor.
2. Where practicable, an employee should give his/her immediate supervisor at least thirty (30) days' notice before beginning leave under this policy.
3. Where it is not reasonably practicable to give thirty (30) days' notice before beginning leave, the employee shall be required to give as much notice as is reasonably practicable.
4. If an employee fails to provide thirty (30) days' notice for foreseeable leave, the leave request may be denied until at least (30) days from the date the county received notice.

**LEON COUNTY  
POLICY ON FAMILY MEDICAL LEAVE**

**REINSTATEMENT**

1. Employees returning from leave under this policy, and who have not exceeded the twelve (12) week maximum allowed under this policy, shall be returned to the same job or a job equivalent to that the employee held prior to going on leave. Employees who have not exceeded the 26 week maximum, in a single 12 month period, allowed to care for a seriously ill or injured covered military member, shall be returned to the same job or a job equivalent to the job they held prior to going on leave.
2. Where an employee is placed in another position, it will be one which has equivalent status, pay, benefits, and other employment terms and one which entails substantially equivalent skill, effort, responsibility, and authority.
3. The county shall have no obligation to reinstate an employee who takes leave under this policy and who is unable to return to work after using the maximum twelve (12) weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave. This includes employees who may still have sick leave or vacation leave still available.

**REPAYMENT OF PREMIUMS**

Except in situations where the employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or other situations beyond the control of the employee, an employee who does not return to work after using the maximum leave allowed under this policy shall be required to reimburse the county for all medical premiums paid by the County while the employee was on leave without pay.

**OTHER BENEFITS**

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

**LEON COUNTY  
POLICY ON FAMILY MEDICAL LEAVE**

**OTHER ISSUES**

Employees who are out on approved FML may not take trips outside of the county unless the travel is related to the employees own serious health condition, the serious health condition of the child, spouse or parent of the employee or to attend qualifying military events. Employees may ask for permission from their immediate supervisor to take other trips outside of the county and supervisors may grant employee requests at their discretion.

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

The county may send out to an employee who has been out for 3 or more days a Medical Certification to determine the employees FML eligibility. The employee should have their physician complete and return the certification within 15 days of receipt to be eligible for FML. Failure to return the medical certification may result in denial of FML. Employees will be required to provide a fitness-for-duty certification prior to returning to work.

Employees on FML are not allowed to actively hold another job.

**LEON COUNTY  
POLICY ON BREAKS & NURSING MOTHERS**

The Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk. The Texas Right to Express Breast Milk in the Workplace Act also imposes duties on public employers and, under the other state law, is applicable for the duration of a nursing mother's need to express breast milk. Leon County supports the practice of expressing breast milk.

Leon County will provide reasonable paid breaks for nursing mothers to express breast milk. The nursing mother will be allowed whatever time is needed to express breast milk.

The County will provide the nursing mother with 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.

Leon 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 breast milk. A reasonable accommodation will be given for the needs of employees who express breast milk. Employees of the county who need to express breast milk may not be discriminated against.

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, it 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.

**LEON COUNTY  
ADMINISTRATIVE LEAVE**

Administrative Leave is a temporary paid absence from work which has been authorized by an Elected Official or Department Head. Administrative Leave is typically used during investigations of alleged employee misconduct, but may occasionally be approved due to local emergencies, during office closures, or for other purpose which are in the best interest of Leon County.

**LEON COUNTY  
POLICY ON ATTENDANCE AND TIMELINESS**

**ATTENDANCE**

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

**TARDINESS**

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

**NOTIFICATION**

If an employee is unable to be at work at his/her normal reporting time, the employee shall be responsible for notifying his/her supervisor as soon as reasonably practicable.

**EXCUSED AND UNEXCUSED**

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

**ABANDONMENT**

An employee who does not report for work for three (3) consecutive scheduled work days, and who fails to notify his or her supervisor, shall be considered to have resigned their position by abandonment.

**LEON COUNTY  
POLICY ON COUNTY OWNED PROPERTY**

**RESPONSIBILITY**

1. Each county employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other county equipment assigned to him/her.
2. County employees shall only use equipment, vehicles, tools, and other county property that they have been authorized to use.
3. Keys issued for the use of county owned equipment must be returned at the time of separation.
4. Each county employee that drives a county vehicle home is required to submit mileage forms for each day that the vehicle is driven home. If an employee is called out to an emergency while at their home, mileage forms are to be submitted for mileage from their home to the emergency site. This is considered a taxable fringe benefit according to the IRS. Mileage forms can be obtained from the Treasurer's Office and are to be submitted to the Treasurer's Office on the 11<sup>th</sup> and 25<sup>th</sup> of each month.

**PERSONAL USE**

1. Personal use of county vehicles (other than commuting to and from work), equipment, supplies, tools, and other county property shall not be permitted and may result in discipline up to and including termination.
2. Use of county vehicles, equipment, supplies, tools, computers, and other county property by non-employees shall not be permitted.
3. Improper use may subject you to criminal prosecution.

**LICENSES**

1. A county employee who operates any county equipment or vehicle which requires a license shall be required to have a current active license for that vehicle or equipment at any time he/she operates it.
2. Any employee who operates a vehicle or equipment which requires a license for legal operation shall notify his/her supervisor of any change in the status of that license immediately.
3. An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation shall be subject to possible job change or termination if that license is suspended or revoked.

**LEON COUNTY  
POLICY ON COUNTY OWNED PROPERTY**

**LICENSES (continued)**

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

**ACCIDENTS**

1. Any employee involved in an accident while operating county equipment or vehicles shall immediately report the accident to his or her supervisor and to the proper law enforcement or other authority immediately.
2. A copy of all accident and incident reports prepared by the employee shall be sent to his/her supervisor, the County Judge, County Treasurer and the County Safety Coordinator.

**LEON COUNTY  
POLICY ON CONFLICT OF INTEREST**

**CONFLICT OF INTEREST**

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

**PROHIBITED**

Activities which constitute a conflict of interest shall include but are not limited to:

Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the county, that might reasonably tend to influence the employee's performance of duties for the county or that the employee knows or should know is offered with the intent to influence the employee's performance.

Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of duties.

Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the county.

Making any personal investments that might reasonably be expected to create a substantial conflict between the employee's private interest and his/her duties for the county.

**LEON COUNTY  
POLICY ON POLITICAL ACTIVITY**

**POLITICAL ACTIVITY**

1. The employees of Leon County shall have the right to support candidates of their choice and to engage in political activity during their personal time.
2. County employees shall not:
  - a. Use their official authority or influence to interfere with or affect the result of any election or nomination for office
  - b. Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for a political reason
  - c. Use any equipment, property or material owned by the county for political activity or engage in political activity while on duty for the county

**LEON COUNTY  
POLICY ON SAFETY**

**SAFETY STANDARDS**

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

**VIOLATIONS**

1. Failure to follow the safety standards set by the county shall make an employee subject to disciplinary action, up to and including termination.
2. An employee causing an accident resulting in major injury or death because of failure to follow safety standards shall be terminated.
3. No pets allowed in buildings other than service animals.

**REPORTING**

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

**LEON COUNTY  
POLICY ON HARASSMENT/RETALIATION**

Leon County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, race, color, religion, national origin, age, genetic information, pregnancy, disability, family or military leave status or veteran's status. Such conduct becomes harassment when (1) the submission to the conduct is made a condition of employment; (2) the submission to, or rejection of, the conduct is used as the basis for an employment decision; or (3) the conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Leon County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the county does business.

Employees who feel they have been harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Retaliation against an employee who reports harassment or who cooperates in the investigation is prohibited by law as well as this policy. Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Remedial action will be taken in accordance with the circumstances when the county determines unlawful harassment or retaliation has occurred, up to and including termination.

## **SEXUAL HARASSMENT**

Sexual harassment is strictly prohibited by Leon County, whether committed by elected official, appointed official, department head, co-worker or non-employee the county does business with. It is the policy of Leon County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.

Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where: (1) the submission to such conduct is either an expressed or implied condition of employment; or (2) the submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or (3) the conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

All claims of sexual harassment shall be taken seriously and investigated promptly and thoroughly. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.

Employees who feel they have been sexually harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Use the following procedures so that your complaint maybe resolved quickly and fairly.

- a. When practical, confront the harasser and ask them to stop the unwanted behavior.
- b. Record the time, place and specifics of each incident, including any witnesses.
- c. Report continuing sexual harassment to the Elected Official or Appointed Official who is responsible for your department or to the County Judge or the County Attorney.
- d. If a thorough investigation reveals that unlawful sexual harassment has occurred, Leon County will take effective remedial action in accordance with the circumstances, up to and including termination.

Retaliation against an employee who reports sexual harassment or who cooperates as a witness in the investigation is prohibited by law as well as this policy.

Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Reporting or failing to report claims in accordance with the procedure given in this policy shall not limit other legal recourse an employee may have in regard to sexual harassment charges.

**LEON COUNTY  
POLICY ON WHISTLEBLOWER ACT**

**POLICY**

It is the policy of Leon County and its officials and supervisors to comply with the Texas Whistleblower Act (Tex. Gov't. Code Ann, 554.002(a) {Vernon 1999} which prohibits action against public employees who report official wrongdoing in good faith.

**DEFINITION OF REPORTING OFFICIAL WRONGDOING**

An employee may, in good faith, report an alleged violation of a Leon County Policy or federal or state law to his or her supervisor, or department head, unless all of these persons are the alleged perpetrators of the alleged violation of policy or law. If all of the listed persons are alleged to be involved in the violation, the employee may report the allegation to the County Attorney, District Attorney, or Sheriff. The county will investigate the reported activity.

An official, supervisor, department director, or any other employee is prohibited from taking adverse employment action against an employee who, in good faith, reports an alleged violation of county policy or federal or state law to a designated person, pursuant to this policy.

An employee who intentionally makes a false report of wrongdoing may be subject to discipline up to and including termination.

An employee who, in good faith, believes he or she is being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact the County Attorney, District Attorney, or County Judge. The county will investigate the reported activity.

An employee with a question regarding this policy should contact one of the above mentioned officials.

**PROHIBITED CONDUCT**

An employee who in good faith has reported a violation of law by an official, supervisor, or another county employee may not be suspended, terminated, or have any adverse personnel action taken against him/her.

**LEON COUNTY  
CELLULAR TELEPHONE POLICY**

**PURPOSE**

The purpose of the Cellular Telephone Policy is to establish the regulations and procedures under which employees of Leon County will utilize these devices in the conduct of official business and other specifically approved purposes.

Elected Officials/Department Heads and Managers are responsible for ensuring that their employees follow this policy.

This policy documents the appropriate use of cellular telephones and defines misuse. Users may be disciplined for non-compliance with this policy. In addition, users must recognize that the policy cannot govern every operating circumstance. As such, users must always employ good judgment relative to the use of cellular telephones, and report to the appropriate manager any special or unique circumstances not encompassed by this policy.

Leon County determines on a case by case basis the need for county provided cell phones. County cell phones are to be used for business purposes only.

Leon County prohibits the use of any cell phone while operating any vehicle. Employees should plan calls to allow placement of calls either prior to traveling or while on rest breaks.

Leon County bans all employees from texting while operating any county owned vehicle and equipment. County employees who are driving their own personal vehicle are also banned from texting while driving on county business. Federal law prohibits any CDL driver operating any vehicle over 10,000 GWR from texting with fines and penalties, up to including loss of CDL.

Employees in possession of a county owned cellular phone are required to take appropriate precautions to prevent theft and vandalism.

Each department may set their own rules and regulations regarding personal cell phone usage while at work.

Leon County may add to or change this policy at any time.

### **AUTHORIZED USERS**

The Leon County Commissioner's Court has delegated to county government elected officials/department heads the authority to authorize the staff use of cellular telephone service. Pursuant to County budget policy, adjustments to the operating budgets of County departments will be performed resulting in the appropriate establishment of funds to pay for official use. In every case, a department head shall carefully examine the need for a cellular telephone before authorizing such use. No person shall be considered an authorized user if his or her department head has not authorized such use, amended the departmental budget according to county policy, and obtained cellular service through the County Auditor's Office.

### **AUTHORIZED USE**

The use of cellular telephones is permitted in the discharge of one's duties as an elected official or employee of Leon County. The use of a county-owned cellular telephone, except as permitted by county policy, is limited to "official business" purposes.

### **CARE OF COUNTY OWNED CELLULAR TELEPHONES**

Any person assigned a county-owned cellular telephone shall take reasonable care of the device and ensure that the device remains in good working order. County-owned cellular telephones should not be taken into environments where the equipment is likely to be damaged or destroyed, unless the possession of the telephone within such an environment is necessary for the performance of an employee's official duties. Malfunctions or cellular telephone failures should be reported to the County Auditor's Office.

Persons assigned county-owned cellular telephones and accessories, shall maintain possession or control of these devices at all times. Staff members may not permit others to use a county-owned cellular telephone except as permitted by this policy. If a county-owned telephone is stolen, the theft must be reported to the appropriate law enforcement agency and County Auditor's Office as soon as practical.

### **REIMBURSEMENT FOR PERSONAL CELL PHONES**

Reimbursement of personal cell phones used for County Business will be paid through payroll and taxes will be withheld as per the IRS rules. Beginning October 16, 2015 (first payroll of fiscal year 2016) all reimbursements will be included in the employee's salary.

**LEON COUNTY  
CELLULAR TELEPHONE POLICY**

**PROHIBITED USE**

Any use of a county-owned cellular telephone in an inappropriate manner beyond the permitted uses described within this policy subjects the staff member to disciplinary action in accordance with county policies. However, certain types of prohibited use are more serious and may warrant criminal prosecution and/or termination of employment. Such serious circumstances include, but are not necessarily limited to the following:

1. Use of the cellular telephone in the commission of a crime
2. Calls to any telephone number generating extraordinary charges beyond the normal charges for cellular use, e.g., “900” or similar numbers, including any special “800” numbers, which charge a special toll fee, even though described as “toll-free”
3. Calls placed to adult entertainment services
4. Internet access to pornographic materials, gambling, or similar web sites providing content unrelated to the requirements of the county
5. Permitting the use of a County-owned cellular telephone by another for personal remuneration of any kind

**REPLACEMENT OF CELLULAR TELEPHONES**

The County purchases a very limited number of replacement cellular telephones each year. Any person who loses or causes a cellular telephone to be disabled or non-repairable may be required to provide the County with a replacement. The replacement cellular telephone will become the property of the County. In the event that a cellular telephone is lost, damaged, or disabled due to an extraordinary circumstance, the person to whom the cellular telephone was assigned may request an exception to the replacement requirement. All request for exceptional will be considered on a case-by-case basis.

**RESPONSIBILITY FOR CELLULAR TELEPHONES**

County-owned cellular telephones are assigned to specific authorized employees. Once authorized to use a County-owned cellular telephone and issued an instrument, the employee assumes complete and total responsibility

Relative to the use of the device and this responsibility may not be delegated to another person.

**SEPARATION FROM EMPLOYMENT**

If an authorized user separates from the employment of the County, any assigned cellular telephone, along with all accessories, shall be returned to the elected official/department head responsible for such employee. It shall be the responsibility of the elected official/department head to promptly advise the County Auditor’s Office in writing or by email of such separation from employment as well as recovery of the cellular telephone and any applicable accessories. The decision to redeploy the cellular telephone remains with the elected official/department head, who shall immediately notify the County Auditor’s Office when the cellular telephone is reassigned to another employee.

**LEON COUNTY  
POLICY ON SMOKING AND TOBACCO USE**

**SMOKING AND TOBACCO USE**

In recognition of the county's responsibility to provide a safe and healthy work environment for all employees and visitors, smoking, E-cigarettes and any other tobacco products such as chewing tobacco are prohibited in all county facilities and vehicles.

Employees and visitors desiring to use tobacco products will be permitted to do so outside of county facilities. Smoking outside of county buildings must be done only in designated areas.

Usage of tobacco products in the jail and the sheriff's office facilities is at the discretion of the Sheriff.

Absences from the worksite for smoking breaks should be kept to a minimum, and work assignments always take priority over such absences.

# LEON COUNTY VEHICLE USE POLICY

## **1. Valid Driver's License Required**

No County Official, employee, or volunteer shall be permitted or authorized to operate either a County-owned vehicle under any circumstances or a privately-owned vehicle for County related matters unless that person holds a valid driver's license for the class of vehicle he or she is to operate. If, at any time, the driver loses his or her license due to suspension, revocation, expiration, or non-renewal, the driver shall notify his or her respective Department Head and/or Elected Official and shall immediately discontinue use of County-owned vehicles and privately-owned vehicles for County-related matters until the driver's license is reinstated and the other provisions of this Policy are satisfied. Drivers License history will be ran annually for verification of status.

## **2. Only Employees and Authorized Volunteers May Drive County-Owned Vehicles**

Only County Officials, employees, and volunteers (including commissioned reserve law enforcement officers) authorized by a County Official may be allowed to drive County-owned vehicles. No other persons shall be allowed to operate County-owned vehicles. Before an Elected Official, Department Head, employee, or authorized volunteer is permitted to operate a County-owned vehicle, he or she must authorize the release to Leon County of driving history and criminal history records. No driver will be authorized to operate a county-owned vehicle if his or her record indicates it would be unsafe to do so or that he or she may present a risk of harm to the public.

## **3. Drivers Must Comply with Applicable Laws**

All drivers of County-owned vehicles shall comply with all applicable state and local laws. It is the responsibility of the Official/employee/volunteer to pay any fines imposed for not complying with such laws. If an accident results from non-compliance, the driver may be held liable for any damages.

Any driver involved in an at-fault accident while driving a County-owned vehicle shall notify their supervisor and submit to a drug test immediately afterwards and will be required to attend a defensive driving class within sixty (60) days from the date of the accident. A copy of verification of completion of the course must be provided to the individual's Department Head or Elected Official and to the Treasurer's Office. The cost of the drug test and class will be the responsibility of the driver involved in the accident.

In the event of an at-fault accident involving a County-owned vehicle being used by a County Official/employee/volunteer for personal reasons, the Official/employee/volunteer for personal reasons, the Official/employee/volunteer may be held personally liable for all damages and/or injuries sustained by any party to the accident.

#### **4. Use of County-Owned Vehicles by Employees and Volunteers**

**Permissible uses of Vehicles:** County-owned vehicles may be used only for official County business and/or work-related duties, possible including the commute to and from work as permitted elsewhere in this policy. They may not be used for any other purpose except in an extreme emergency or for trips completely incidental to County employment. Examples of prohibited uses include, but are not limited to, the transportation of family members or acquaintances on matters that do not involve County business. At no time shall a County-owned vehicle be used for personal gain, personal business, or to drive to a place of secondary employment not related to County business. Supervisor may authorize additional use of a county vehicle in certain instances.

**Authorization of Commissioners Court Required for Department Heads:** Other than the Sheriff, no Official may authorize himself or herself to drive a County-owned vehicle while off-duty. However, notwithstanding anything contained herein to the contrary, the Commissioners Court may, in appropriate circumstances in cases of emergency or for convenience, authorize an Official to drive a County-owned vehicle while off-duty.

**Use of County-Owned Vehicles for Travel Outside of Leon County:** County-owned vehicles may be used for travel outside of Leon County only for purposes reasonably related to County business such as meetings related to County business, educational programs or seminars, and governmental conferences or meetings.

#### **5. Disciplinary Action**

Improper use of a County-owned vehicle shall be subject to disciplinary action in accordance with Leon County's Personnel Policies up to, and including, termination of employment where circumstances warrant. By way of example, "improper use of a County-owned vehicle" includes, but is not limited to, the following:

1. Having three (3) or more moving violations while operating a vehicle on County business over a three-year period.
2. Driving a County-owned vehicle while intoxicated or under the influence of an illegal drug.
3. Violation of any provision of this Policy.

**LEON COUNTY  
POLICY ON PAY PERIODS, TIME SHEETS, FAIR LABOR STANDARDS  
SAFE HARBOR ACT**

**PAY PERIOD**

The pay period for Leon County shall be a semi-monthly direct deposit and will be deposited on the 1<sup>st</sup> and 16<sup>th</sup> of each month by 9 AM. If the 1<sup>st</sup> and 16<sup>th</sup> fall on a weekend or bank holiday, payroll will be deposited on the preceding business day except for the first payroll of January which will always be made in January of each year.

All new hire employees will participate in direct deposit. Anyone not on direct deposit will have their checks mailed. All employees are encouraged to utilize direct deposit. No one will be allowed to pick up checks from the Treasurer's Office. Pay stubs will be delivered to local department heads. All others will be mailed.

The pay period for the 1<sup>st</sup> of the month will be the 11<sup>th</sup> thru the 24<sup>th</sup>. The pay period for the 16<sup>th</sup> of the month will be the 25<sup>th</sup> thru the 10<sup>th</sup>.

**TIME SHEETS**

**Timesheets are governmental documents and as such require accurate and truthful information. Falsifying a timesheet, a government record, is a criminal offense.**

1. Each employee shall be required to fill out a timesheet to be turned in to his/her supervisor on the last day of each pay period or at the end of the 28 day work period for deputies and jailers. It is the responsibility of the supervisor to ensure that timesheets are properly filled out and submitted to the County Treasurer's office no later than 9:00 AM on the 11<sup>th</sup> and 25<sup>th</sup> of each month.
2. The time sheet prepared by the employee shall show an accurate record of all time worked and leave taken, whether paid or unpaid, for the pay period.
3. Time sheets should be properly filled out and submitted. Payroll may be adversely affected if improperly filled out, which would cause a delay in payment. All time sheets turned into the Treasurer's office, must be signed by both the supervisor and the employee before they will be processed. The Treasurer's office will process timesheets as submitted and received. Any errors on the timesheet by either the employee or supervisor that causes an adverse effect on an employees pay check will be corrected on the next payroll.

## **PAY ADVANCES**

Advances in pay shall not be made to any employee for any reason.

## **OFFICIAL RECORDS**

Payroll records held in the Treasurer's office are the official records for all employees.

## **REISSUANCE OF EMPLOYEE PAYCHECK**

In the event there is a mistake or error in an employee's paycheck, that employee shall within one business day of becoming aware of such mistake or error; present the correction to the County Treasurer's Office, and request that a correction be made as needed.

Upon receipt of such correction, the Treasurer's Office shall verify and correct the mistake or error. Reissuance of an additional payroll amount is determined on a case by case basis.

## **FAIR LABOR STANDARDS ACT SAFE HARBOR**

Leon County makes every effort to pay its employees correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the Treasurer's Office attention, Leon County will promptly make any corrections necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below. If you are overpaid the county will make the necessary corrections at the next payroll.

Employees who are classified as non-exempt employees must maintain an accurate record of the total hours you work each day. It is the responsibility of each employee to verify that their time sheets are correct. Your time card must accurately reflect all regular and overtime hours worked; any absences, late arrivals, early departures, and meal breaks. Do not sign your time card if it is not accurate. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked each work week.

Non-exempt employees, unless authorized by your supervisor, should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so. That time worked is to be recorded on your time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination. If anyone directs you to work without documenting your time worked, you must tell the Leon County Treasurer.

It is a violation of Leon County policy for any employee to falsify a time card, or to alter another employee's time card. It is also a serious violation of County policy for any employee, supervisor or official to instruct another employee to incorrectly or falsely report hours worked, or to alter another employee's time card to under- or over-report hours worked. If anyone instructs you to

(1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to the Leon County Treasurer.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours worked for the County. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a pre-determined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

For exempt employees, your salary may also be reduced for certain types of deductions such as your portion of health, dental or life premiums; state, federal or local taxes, social security, retirement; or, voluntary contributions to a deferred compensation plan. In any workweek in which you performed any work, your wages may be reduced for any of the following reasons: 1) absence from work for one or more full days for personal reasons, other than sickness or disability; or 2) full day disciplinary suspensions for infractions of our written policies and procedures; or 3) full day for violating safety rules of a major significance; or 4) Family and Medical Leave or Military Leave absences; or 5) to offset amounts received as payment for jury and witness fees or military pay; or 6) the first or last week of employment in the event you work less than a full week.

If you are an exempt employee, in any workweek in which you performed any work, your salary will not be reduced for any of the following reasons: 1) partial day absences for personal reasons, sickness or disability; or 2) your absence because the facility is closed on a scheduled work day; or 3) your absence because of the County's operating requirements; or 4) absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or 5) any other deductions prohibited by state or federal law.

Please note: it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to the Leon County Treasurer. If you are unsure of who to contact or if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the Leon County Attorney. Every report will be fully investigated, and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including termination.

**LEON COUNTY  
POLICY ON COMPENSATION**

**APPLICATION**

Leon County Commissioners Court annually sets the maximum compensation for each employee in accordance with Texas State Law.

Leon County complies with the Fair Labor Standards Acts as outlined in the Fair Labor Standards str policy.

Law Enforcement personnel are treated in accordance with the 207(k) exemption under the Fair Labor Standards Act. The Commissioners Court has adopted this exemption.

All non-exempt county employees shall be paid an hourly wage.

**FULL TIME EMPLOYEES**

Some employees may have the classification of hourly employees paid on a salary basis, but they remain non-exempt for FLSA purposes. For full time non-exempt employees, the monthly salary compensates the employee for all hours worked up to 40 in each workweek of the month.

All new hires (non-elected personnel) will at the discretion of the elected official of the department in which the position exists, receive a rate of pay not higher than the base salary of the preceding fiscal year.

Salaried employees shall be paid for half their monthly salary on each pay day.

**PAY INCREASES**

All request for pay increases above the approved cost of living adjustment, must be brought before the Commissioners' Court by the elected and/or appointed official during the budget process for approval and/or denial. No pay increases will be allowed at any other time of the year.

**LEON COUNTY  
POLICY ON COMPENSATION**

**PART-TIME**

1. Part-time employees shall be paid hourly at a rate not less than the minimum wage established by the Fair Labor Standards Act, as amended, and no more than \$13.00 per hour.
2. Part-time employees are not eligible to receive percentage raises as approved by the Commissioners Court.
3. All requests for pay increases for part-time employees must be brought before the Commissioners Court by the Elected or Appointed Officials during the budget process for approval or denial. No pay increase will be allowed at any other time of the year.

**TEMPORARY**

Temporary employees shall be paid hourly at the minimum wage established by the Fair Labor Standards Act, as amended, or more as agreed to.

**DECLARED EMERGENCIES OR DISASTERS**

At the courts approval, overtime can be paid to those employees that have physically worked over their required number of hours during a State Declared or County Declared Emergency.

**LEON COUNTY**  
**POLICY ON “OTHER COMPENSATORY TIME” FOR 7 (K) EMPLOYEES**

**LAW ENFORCEMENT PAY AND OVERTIME**

Leon County Commissioners Court has adopted the 207(k) exemption under the Fair Labor Standards Act for certain law enforcement employees, which includes deputies and jailers. These employees have a work period of 28 days and overtime will be due after 171 physical hours are actually worked. Law enforcement employees’ salary covers all hours up to 171 hours in the 28 day work period. Paid leave taken shall not be counted in determining if overtime has been worked in any work period. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

The Leon County Commissioners Court has adopted the extended work period for law enforcement personnel authorized by the Fair Labor Standards Act §207(k). The work period is based on 28 consecutive calendar days beginning on Sunday, at 12:01 AM. A law enforcement employee will be paid a salary based on a minimum of 160 hours reported and a maximum of 171 actual hours worked, plus overtime for any authorized hours worked over 171 during a work period. Overtime may be paid at 1.5 times the regular rate as determined on the county’s annual budget. An employee will be paid his or her full salary if the employee reports at least 160 hours during a work period. Overtime will not accrue in any work period during which an employee uses sick, vacation, holiday or compensatory time until the number of actual hours physically worked reported during the work period exceeds 171.

A law enforcement employee must account for 160 hours during each work period, by reporting actual hours worked or sick, vacation, holiday or compensatory time. If an employee reports more than 160 actual hours worked during a work period he or she will receive no additional salary compensation for the actual hours worked between 160 hours and 171; however, the county will provide an hour-for-hour straight time-off benefit for actual hours worked up to 171 hours during a work period. The county will not pay an employee any monetary value for the hour-for-hour straight time-off benefit upon separation from employment by the employee.

Except in an emergency situation, as determined by the commissioners’ court or the sheriff, an employee must obtain advanced authorization from his or her supervisor before working more than 171 hours in any work period to receive overtime compensation.

## **USAGE**

Jailers and deputies may use this “other county compensatory hours” off at their discretion with supervisory approval. Also, jailers and deputies can use accrued “other county compensatory hours” to reach the minimum 160 hours in the event that the employee has not worked 160 hours in the 28 day work period. If there are no “other county compensatory hours” accrued (which will be used first), the employees may use vacation, sick or holiday time, as appropriate or federal compensatory time instead to reach the 160 hour minimum.

## **SEPARATION OF EMPLOYMENT**

In the event of a separation of employment, the “other time” accrual will be reduced to zero and will not be paid out to the separating employee. The only method of utilizing this “other time” benefit is to take straight time off. Once notice of separation is given, no burning of time is allowed.

## **OVERTIME PAYOUT OR COMPENSATORY TIME**

This policy has no bearing on paid overtime or compensatory time accrued in lieu of overtime payouts at time and one-half for all physical hours worked after 171 hours in the 28 day work period. Federal compensatory time at time and one-half will be treated and paid out in compliance with federal law.

**LEON COUNTY  
POLICY ON LONGEVITY PAY**

**PURPOSE**

The purpose of this policy/procedure is to establish guidelines for longevity pay for full time county employees.

**APPLICATION**

The policy/procedure statement shall apply to all regular, full-time employees. It does not apply to other governmental entities; nor does it apply to part-time employees.

**STATEMENT OF PROCEDURES**

- A. Longevity pay is to be awarded as follows:
  - 1. \$10.00 per pay period, per year of continuous, uninterrupted service, from last date of hiring, for all regular, full time, county employees, elected officials, and department heads whose salary is paid by the county. An employee must work a minimum of 1 full day in the pay period to be eligible for that pay periods \$10 accrual.
  - 2. The maximum number of years for which an employee is eligible for longevity pay will be 30 years, with a cap of \$7,200.00.
  
- B. Longevity pay will be calculated each year at the beginning of the county's fiscal year (October 1).
  - 1. Longevity pay starts on October 1<sup>st</sup> following the first year anniversary of the person's employment date with the county.
  - 2. An employee whose hire date is on or before the 15<sup>th</sup> of the month will receive credit for that month. If the hire date is after the 15<sup>th</sup> of the month, credit will start the first of the following month.
  - 3. Longevity pay will be paid with each eligible employee's semi-monthly check.

**LEON COUNTY  
POLICY ON PAYROLL DEDUCTIONS**

**REQUIRED DEDUCTIONS**

Deductions shall be made from each employee's paycheck for Federal Withholding, Social Security, Medicare, and any other deductions required by law.

**RETIREMENT**

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

**OPTIONAL DEDUCTIONS**

Any optional deduction authorized by the Commissioners' Court and approved by the employee shall also be made from the employee's paycheck.

No optional deduction shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the office of the County Treasurer.

**LEON COUNTY  
POLICY ON WORK SCHEDULE AND WORK WEEK**

**WORK WEEK & WORK PERIOD**

For the purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the work week for Leon County shall begin at 12:01 AM on each Sunday and end seven (7) consecutive calendar days later (168 hours).

The normal hours of work for most positions within the County shall be from 8:00 AM until 5:00 PM, Monday through Friday.

Law Enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of 28 days and 160 hours as established by the Leon County Commissioners Court.

**EXCEPTIONS**

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

**WORKDAY**

1. The workday for the County shall begin at 12:01 AM each day and end twenty-four (24) consecutive hours later.

**LEON COUNTY  
POLICY ON HOURS WORKED AND OVERTIME**

**HOURS WORKED**

Hours worked shall include all time actually spent in the service of the county as defined in the Fair Labor Standards Act (FLSA) and its regulations.

**OVERTIME APPLICATION**

1. Overtime, as defined by this policy, shall apply to all employees eligible for overtime compensation under the FLSA, except for law enforcement employees.
2. Overtime for law enforcement employees is defined in the policy addressing law enforcement overtime in the Sheriff's Department.
3. Overtime for Road and Bridge employees, which are on twenty-four (24) hour call in emergency situations, may be compensated either with compensatory time or overtime pay.

**OVERTIME DEFINITION**

1. Overtime shall include all time actually worked for the county in excess of forty (40) hours in any workweek.
2. Paid leave shall not be counted in determining if overtime has been worked in any workweek.
3. Except in emergency situations, an employee shall be required to have authorization from his/her supervisor before working overtime.

**LEON COUNTY  
POLICY ON OVERTIME COMPENSATION**

**POLICY APPLICATION**

1. This policy shall apply to all county employees eligible for overtime compensation under the Fair Labor Standards Act (FLSA) except for law enforcement and jail employees.
2. Overtime for law enforcement and jail employees shall be handled in accordance with the policy for overtime compensation as established by the Sheriff's Department.

**CASH PAYMENT FOR OVERTIME**

Overtime worked in any work week will be paid at one and one-half (1 ½) the employee's regular rate of pay. Effective on payroll issued December 15, 2017 and thereafter, Federal Compensation hours will be paid out in employee's payroll checks as hours are accrued on the timesheet. Previously accrued Federal Compensation hours will be paid out at a maximum of ten (flsa10) hours per pay period, beginning on payroll issued December 15, 2017, until all hours accrued are paid out.

**TERMINATION**

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

**RECORDKEEPING**

Each employee shall be responsible for recording any overtime worked within a pay period on the timesheet for that pay period.

It is the department heads responsibility for keeping records of all overtime worked and approving such time on the employee's timesheet.

**OTHER ISSUES**

Any issues on overtime compensation not addressed in this policy shall at least meet the minimum requirements of the Fair Labor Standards Act and the regulations issued by the Department of Labor to administer that act.

**LEON COUNTY  
POLICY ON GRIEVANCES**

**PROCEDURE**

1. An employee having a grievance related to his/her job should discuss the grievance with his/her immediate supervisor.
2. If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected or appointed official the final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that official.
3. The decision of the elected or appointed official with final responsibility for the employee's department shall be final on all grievances.

**LEON COUNTY  
POLICY ON DISCIPLINE**

**DISCIPLINE**

1. Each supervisor shall have the authority to administer discipline to employees in his/her department for poor performance, violation of policies, disruptive behavior, or any other behavior or activity which the supervisor feels is not acceptable as it relates to the employee's job or the best interest of the department or the County.

**TYPES OF DISCIPLINE**

1. Depending on the severity of the situation, discipline may range from informal counseling up to and including immediate termination.

**AT WILL EMPLOYMENT**

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

**LEON COUNTY  
POLICY ON DRUGS AND ALCOHOL**

**ZERO TOLERANCE**

Leon County is a drug and alcohol free workplace. A county employee may not be present at work during a period the employee's ability to perform his or her duties is impaired by drugs or alcohol. The County believes that a drug and alcohol-free workplace will help ensure a healthy, safe, and secure work environment.

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

**POLICY**

1. This policy applies to all employees of Leon County regardless of rank or position and shall include full time, part time and temporary employees.
2. The only exception to this policy is the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.
3. An employee may not unlawfully manufacture, distribute, dispense, possess, sell, purchase, or use a controlled substance or drug paraphernalia on county property or while conducting county business not on county property.
4. An employee may not be under the influence of alcohol or illegal drugs while on county property or while on duty for the county.
5. An employee may not possess or use unauthorized prescription or over-the-counter drugs while on county property or while on duty for the county. An employee may not use prescription or over-the-counter drugs while on county property or while on duty for the county, in a manner other than that intended by the manufacturer or prescribed by a physician.
6. An employee may use prescription and over-the-counter drugs in standard dosage or according to a physician's prescription if the use will not impair the employee's ability to do his or her job safely and effectively. An employee must keep prescription medications used at work in their original container.
7. An employee taking prescribed or over-the-counter medications is responsible for consulting the prescribing physician or a pharmacist to determine if the medication could interfere with the safe and effective performance of his or her job duties.

8. If the use of a medication could compromise an employee's ability to do his or her job or the safety of the employee, fellow employees or the public, the employee must report the condition to his or her supervisor at the start of the workday or used appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify company doctor).
9. A supervisor must treat any information related to an employee's authorized use of prescription medications and any other medical information provided by the employee as confidential information.
10. An employee having problems with drugs or alcohol is encouraged to seek treatment from a qualified professional.
11. Any employee who violates this policy shall be subject to disciplinary measures up to and including termination.

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

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

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

Use or being under the influence of other drugs, including prescription drugs, over the counter drugs, and any substance which, when used, causes an altered psychological and /or physiological state where there is any possibility that use may impair the employee's ability to perform his/her job safely or may adversely affect his/her safety of others.

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

## **DRUG AND ALCOHOL POLICY, continued**

Any employee who registers an alcohol concentration of 0.04 or greater and/or for illegal drugs at any level on any test administered by or for Leon County will be terminated. Refusal to take a test or cooperate in taking a test when directed by their supervisor is grounds for immediate dismissal. An employee who self refers them self for an alcohol or drug problem (prior to testing positive) and who wishes to seek counseling/rehabilitation or other assistance will not be terminated and will be sent to a substance abuse professional for evaluation at the employee's expense in a paid status (to the extent they have sick leave or choose to use their accrued vacation or comp. time). Subject to the exceptions (a), (b), (c) listed in the paragraph immediately following.

Drinking any alcoholic beverages while working for the county during your normal work schedule may result in your immediate discharge. It will not be a violation of this policy if an employee consumes alcoholic beverages at a banquet, reception or other social function, at which alcoholic beverages are served, although the employee is representing Leon County , where:

- a) Attendance is considered to be within the scope of the employee's job
- b) Such consumption does not impair the employee's ability to effectively serve as a representative of Leon County
- c) Attendance is part of your assigned duties, but you are not to violate any law by driving while intoxicated

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

The Drug and Alcohol Administrator will receive the results of all drug tests and maintain the records under lock and key, separate from the employee's personnel file. Results of drug and alcohol testing will only be released to the Department Head or a supervisor if there is a need to know.

## **SUSPICION-BASED TESTING**

Under the Influence shall be defined as having a blood alcohol concentration of .04 or more.

Reasonable Suspicion – If an employee is having work performance problems or displaying behavior that may be alcohol or drug related, or is otherwise demonstrating conduct that may be in violation of this drug and alcohol policy where immediate action is necessary, the elected official or supervisor will require that employee to submit to breathe test or urinalysis. The following conditions might be signs of possible alcohol or drug use (not an all-inclusive list):

- Abnormally dilated or constricted pupils
- Glazed stare – redness of eyes (sclera)
- Flushed face
- Change of speech (faster, slower, slurred)
- 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
- Difficulty walking
- Excessive, unexplained absences
- Dulled mental processes
- Slow reaction rate

Elected Officials or supervisors must take action if they have reason to believe one or more of the above listed conditions is indicated and that the substance abuse is affecting their employee's job performance or behavior. The following steps will be taken:

1. Confront the employee involved and keep him/her under direct observation until the situation is resolved. Inform the employee of the problem with his/her job performance and specific violations of the County Policy.
2. If the supervisor believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a breath test or urinalysis. If the employee refuses to submit to testing for any reason, the employee may be terminated.
3. Employees will be asked to release any evidence, such as alcohol or drug paraphernalia, relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline, up to and including termination. All confiscated evidence will be receipted for with signatures of either the elected officials or supervisors as well as the employee.
4. The elected official or supervisor will **remove** the employee from the county work station and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence. Under no circumstances will the employee be allowed to drive a vehicle until a confirmed negative test result is received.
5. The elected official or supervisor shall, within 24 hours or before the results of the controlled substance test are released, document the particular facts related to the behavior or performance problems and present such documentation to the Treasurer's Office for filing.

#### **Post-Accident Testing –**

All employees directly involved in an on-the-job accident or incident resulting in property damage and/or medical treatment may be required to be tested. This will be at the discretion of their elected official or supervisor.

#### **Testing Procedures –**

1. The employee will be escorted and driven to the designated facility for specimen collection and/or testing.
2. The employee will be required to follow the drug testing protocol of the medical facility providing the testing.
3. If the employee desires another test to be given, he/she may do so within 2 hours of the specimen being collected and the same specimen will be used. The cost of this request will be paid for by the employee. All initial costs will be paid for by Leon County.
4. The employee will be placed on paid administrative leave until the results of the test are known. The elected official or supervisor will make arrangements to ensure that the employee is safely returned to his/her residence.
5. Under no circumstances, unless required or authorized by law, will alcohol or drug testing information be released without written consent from the employee.

Each employee is expected to cooperate and consent to a drug test when requested under the terms of this policy. Refusal to consent to a drug and/or alcohol test when requested is cause for termination.

Any employee who violates this drug and alcohol policy shall be terminated.

**LEON COUNTY  
POLICY ON  
ALCOHOL AND DRUG ABUSE  
FOR CDL DRIVERS**

**STATEMENT OF PURPOSE AND POLICY**

Drivers are an extremely valuable resource for county's business. Their health and safety is a serious county concern. Drug or alcohol use may pose a serious threat to driver health and safety. It is, therefore, the policy of the county to prevent substance use or abuse from having an adverse effect on our drivers. The county maintains that the work environment is safer and more productive without the presence of alcohol, illegal or inappropriate drugs in the body or on county property. Furthermore, drivers have a right to work in an alcohol and drug-free environment and to work with drivers free from the effects of alcohol and drugs. Drivers who abuse alcohol or use drugs are a danger to themselves, their co-workers and the county's assets.

The adverse impact of substance abuse by drivers has been recognized by the federal government. The Federal Highway Administration ("FHWA") has issued regulations, which require the county to implement a controlled substance testing program. The county will comply with these regulations and is committed to maintaining a drug-free work place. All drivers are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with the county.

Specifically, it is the policy of Leon County that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any driver while on county premises, engaged in county business, while operating county equipment, or while under the authority of the county is strictly prohibited. FHWA stated that mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement.

The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis) conduct breath testing, and/or search all driver applicants for alcohol and drug use, and those drivers suspected of violating this policy who are involved in a U.S. Department of Transportation (DOT) reportable accident or who are periodically or randomly selected pursuant to these procedures. These procedures are designed not only to detect violations of this policy, but to ensure fairness to each driver. Every effort will be made to maintain the dignity of drivers or driver applicants involved.

Neither this policy nor any of its terms are intended to create a contract of employment or to contain the terms of any contract of employment. Leon County retains the sole right to change, amend or modify any term or provision of this policy without notice.

**LEON COUNTY  
POLICY ON SEPARATIONS**

**DEFINITION**

A separation shall be defined as any situation in which the employer-employee relationship ends.

**TYPES OF SEPARATION**

1. All separations from Leon County shall be designated as one of the following types:
  - a. Resignation
  - b. Retirement
  - c. Dismissal
  - d. Reduction in force (layoff)
  - e. Death
  - f. Other

**RESIGNATION**

1. A resignation shall be classified as any situation in which an employee voluntarily leaves his/her employment with Leon County and the separation does not fall into one of the other categories.
2. Employees who are resigning should submit a written notice of resignation to his/her supervisor. Once notice of separation is given, no burning of time is allowed.
3. An employee that terminates employment prior to being employed with Leon County for at least 12 months, will be required to reimburse the County for certifications/trainings paid for by the County and all expenses and costs incurred by the County incidental there to. Reimbursement to the County will be taken out of your final pay check.

**RETIREMENT**

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

## **LEON COUNTY POLICY ON SEPARATIONS**

### **RETIREE REHIRES**

**(TCDRS requires at least a full calendar month break in service with no pre-arranged return)**

Retired employees shall be eligible to apply for open positions with Leon County as long as the following provisions are met: 1) The retiree has been retired for at one full calendar month, 2) No prior arrangement or agreement was made between Leon County and the retiree for re-employment, and 3) strict adherence to normal leaving employment procedures were followed at the time of the employee's retirement.

The retiree must have a bona fide separation of employment and have been retired for a minimum of one full calendar month. A bona fide separation means there is no prior agreement or understanding between Leon County and the retiree that the retiree would be rehired after retirement. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Newly elected officials who have recently retired from the county cannot draw their retirement because they have an arrangement to return to work for the county. Employees also cannot retire with an agreement to go work in a different department or different position. Changing employee status does not matter when determining if someone is still working for the county. Also, an employee cannot retire from the county with an arrangement to begin work as an independent contractor either.

Rehired retirees who did not have a bona fide separation of employment may owe a 10 percent excise tax and be required to repay all of their monthly retirement payments. Abusing the retirement provisions in such a manner would violate a qualification requirement for retirement plans under Section 401(a) of the Internal Revenue Code, potentially resulting in significant tax consequences for the employer, its participating members and those retired employees.

Any retiree who meets all other TCDRS requirements, who is rehired consistent with this policy, must establish a new membership with TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selections.

## **DISMISSAL**

1. A dismissal shall be any involuntary separation of employment that does not fall into one of the other categories of separation.
2. Leon County is an “at will” employer and a supervisor may dismiss an employee at any time for any legal reason or no reason, with or without notice.

## **REDUCTION IN FORCE**

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

## **DEATH**

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

## **OTHER**

1. Any separation that does not fall into one of the previously outlined categories in this policy shall be designated as an “other” separation.
2. When a separation is designated as “other”, the supervisor shall provide details of the nature of the separation for the personnel records.

## **NOTIFICATION**

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

**LEON COUNTY  
POLICY ON TRAVEL**

**MEAL EXPENSES**

A county employee, elected official, and department head will be granted \$25.00 per day for work related travel (meal) expenses, per full day of training, that necessitate an overnight stay. Pre-training and post-training travel days will be paid at a \$12.50 meal rate. Day trip meals are not reimbursable.

**TRAVEL POLICY**

1. Travel allowance will be reimbursed at the rate per mile as per the state mileage rate; excluding those receiving a monthly travel allowance. State mileage rate defined as all expenses associated with the use of the employee vehicle such as gas, maintenance, repairs and insurance. These payments are not meant to cover the entire cost of owning operating employee vehicle but rather the portion of expenses incurred during work related driving.
2. The number of reimbursable miles may not exceed the number of miles of the most cost – effective reasonably safe route between two duty points. In determining the most cost-effective reasonably safe route, a department head may consider the route that provides the shortest distance, the quickest drive time or the safest road conditions. Travel mileage requests submitted to the Auditor’s office will be processed for payment during the regularly scheduled Commissioners’ Court meeting prior to the travel. Required documentation must accompany the Leon County Travel Expense Request form. Mileage requests should be submitted no more than thirty (30) days and no less than two (2) weeks prior to travel date.

**SUBMISSION OF TRAVEL EXPENSE REQUESTS**

1. In order to receive a travel advance for county business travel, the Leon County Travel Expense Request form must be completed and submitted along with all required documentation to the Auditor’s office no more than thirty (30) days and no less than two (2) weeks prior to travel. Requests submitted to the Auditor’s office will be processed for payment during the regularly scheduled Commissioners’ Court meeting prior to the date of travel. The request form must be submitted no more than 10 days post travel for reimbursement. Receipts are no longer required.
2. When a travel advance has been granted and travel time has been reduced, a corrected Leon County Travel Expense Request form and reimbursement must be submitted to the Auditor’s Office within three (3) working days after return. (In accordance with TX Loc. Govt Code 154.025, excess travel advance funds not returned by employees become indebtedness to Leon County.)

## PURPOSE

1. Commissioners Court recognizes that expenditure of public funds for travel is necessary to conduct county business. This policy establishes appropriate requirements, limitations and guidelines for county employee business travel. The purpose of this policy is to:
  - Establish the appropriate use, and limitations on use, of public funds for travel by employees
  - Ensure travel expenses of employees are for legitimate, reasonable business travel
  - Provide an expectation to employees to be conscientious of their use of public funds for travel
  - Require accountability for the use of public funds by county employees and officials

## AUTHORITY

1. Upon adoption of this policy by Commissioners Court, the County Auditor shall be responsible for the implementation and interpretation of this policy, as well as enforcement of the policy, in accordance with Local Government Code 112.002, 112.006 and 112.007.
2. The County Auditor shall ensure compliance with this policy.
3. The County Auditor shall notify Commissioners Court whenever a change occurs in the optional standard mileage rate set by the IRS and the standard per diem rate set by the GSA.

## SCOPE

1. This policy applies to all employees whose travel expenses are paid from public funds controlled by the county or county officials.
2. Travel expenses for persons not covered by this policy and travel parameters should be established and approved by Commissioners Court before the expense is incurred on a case by case basis.
3. **Lobbying:** Commissioners Court (or its duly appointed designee) will present official county policy and the county stance on legislative bills and issues to the Texas and U.S. Legislature. Unless specifically authorized by Commissioners Court, no other county official or employee is to expend public funds to communicate directly with a legislator or a member of their office staff in support of or in opposition to official county policy. Any county official or employee who chooses to meet with, discuss or otherwise attempt to influence legislative issues must do so at their own expense and in their individual or elected capacity, not as a representative of Leon County.

## **DEFINITIONS**

### 1. **County Business**

Business travel for the purpose of conducting official authorized county business or professional/educational travel to attend meetings, conferences and training programs for professional growth and development as well as for the mutual benefit of the county.

### 2. **Employee**

Elected officials, appointed officials and paid employees of Leon County. This policy does not cover travel expenditures of volunteers, consultants or other person(s) representing the county unless specifically authorized by Commissioners Court prior to traveling.

## **GENERAL POLICY PROVISIONS**

1. Qualifying travel expenses will be paid or reimbursed for an employee traveling on official county business, provided the employee keeps and submits invoices, receipts and all other required documentation for those expenses as specified in the Accounts Payable Policy.
2. The County will pay for an overnight stay the day before a conference or training only if traveling to the conference or training on the 1<sup>st</sup> day of the event would create a hardship on the elected official or employee. The County will not pay for an overnight stay on the day the conference ends.
3. The employee is responsible for any and all charges due to “no show” or cancelling deadlines not met and will not be reimbursed.
4. All expenses must be reasonable, necessary and have a valid business purpose.
5. Travel expenses are not allowed for two or more county employees on the same receipt. Each employee must pay for their own travel expenses. The reason for each paying for their own expense is due to Freedom of Information Act (FOIA) requests. Exceptions can be made by the County Auditor, if necessary.
6. Duplicate travel expense payments or reimbursements are prohibited. This would include payment or reimbursement of the same expense by both the county and an outside party or paying an expense using the county credit card and submitting a reimbursement for the same expense.
7. If travel expenses are being paid by another source, the employee may claim reimbursement for any travel expense allowed under this policy that is **not** reimbursed by the other source, with proper documentation.
8. Travel expenses paid from grant funds may have specific requirements. For grant-paid travel, consult with the County Auditor prior to travel. If the travel expenses allowed by this policy are greater than the grant reimbursement, the additional expenses not covered by the grant may be submitted for reimbursement, providing there are funds available in that employee’s departmental budget.

9. Travel outside of the continental United States is prohibited without prior approval of Commissioners Court at least 45 days before the departure date of the trip.
10. Employees may, on occasion, combine personal and county travel on the same trip provided there is no additional cost to the county; personal travel is not reimbursed. An exception is allowed when an employee is to receive an award and a family member has been expressly invited to attend the ceremony by the awarding organization. The invitation must be submitted with the travel documents.
11. If an employee is combining personal and business travel, the county will only pay or reimburse expenses for the business travel portion of the trip. There should be no additional cost to the county for the personal travel. If there is any personal travel involved in a business trip, the employee shall seek the opinion of the County Auditor if there is any doubt as to the estimated cut off between personal and business travel.
12. If a county vehicle is used for transportation, the employee must follow all other applicable county policies and procedures.

### **GENERAL TRAVEL GUIDELINES**

1. When evaluating travel costs, it is important to consider employee costs. Savings from inexpensive travel can be more than offset by excessive travel time that keeps the employee away from normal county duties. Saving a few dollars on an airline ticket is not warranted if the employee must leave a day early and the cost of time away from the job exceeds the airline ticket savings.
2. Travel should be scheduled well in advance, when possible, in order to take advantage of lower rates. Leon County is a tax-exempt entity. When traveling, employees should avoid incurring sales tax.
3. All records for travel and training using public funds are open to inspection under the Texas Open Records Act, unless otherwise prohibited by law.

### **COUNTY OFFICIAL AND DEPARTMENT HEAD RESPONSIBILY**

1. County officials and department heads are responsible for ensuring travel expenditures are valid and appropriate.
2. County officials and department heads should ensure budgeted travel funds are available before authorizing travel for an employee. If travel is authorized without budgeted funds available, the official or department head may be held personally liable for the expenses and responsible for reimbursing the county for any amount not budgeted.
3. County officials and department heads should send the fewest number of individuals required to a seminar, conference or meeting, taking into consideration department objectives or needs.

4. If there are any questions regarding this policy or there are unusual circumstances involved, the county official or department head should seek the County Auditor's opinion prior to travel.
5. Any exceptions to this policy must be approved by Commissioners Court prior to expenditure of public funds for travel.

#### **EMPLOYEE RESPONSIBILITY**

1. Employees should use good judgment and be conscientious of their use of public funds for travel. An employee on official county business should exercise the same care in incurring expenses and accomplishing official county business that a prudent person would exercise if traveling for personal business. Excess costs, indirect routes, delays or luxury accommodations unnecessary or unjustified in the performance of official county business are not considered as exercising prudence and **will not** be covered at the county's expense.
2. In accordance with this county policy and the procedures established by the County Auditor, employees traveling on official county business will be paid or reimbursed for reasonable expenses incurred if travel funds have been budgeted and are available.
3. Employees traveling on official county business must submit all required or requested receipts for audit and reimbursement or risk being held personally liable for their travel expenses.
4. Employees are personally responsible for any expense not allowed under this policy. If the disallowed expense has been charged on a county credit card, the employee shall promptly reimburse the county for that charge in a timely manner (within 2 business days after returning from travel).
5. Any employee found to be submitting false travel claims is subject to disciplinary action, up to and including termination and possible prosecution.
6. Reasonable accommodation requests needed under the Americans with Disabilities Act should be coordinated with travel, transportation, lodging, meals and conference officials, as necessary, to comply with the needs of the employee.

## **LEON COUNTY POLICY ON CREDIT CARD AND FUEL CARD**

### **PURPOSE**

The purpose of this policy is to ensure that the functions of the Leon County Auditor's Office are integrated in a manner that provides assurance that credit card disbursements have been made only for authorized purposes and have been properly recorded. The County must at all times keep control over these credit card transactions to protect the County against misuse of public funds.

### **GENERAL GUIDELINES**

1. The County Auditor's Office shall be the only department authorized to distribute and allow the use of the credit card to be used for County purposes.
2. Purchases will be made in accordance with the County's Purchasing Policy.
3. No cash advances shall be authorized on any card issued.
4. The County Auditor's Office shall be responsible for reviewing monthly reports to ensure that all card transactions are allowable.
5. The County Auditor's Office shall determine a monthly deadline for processing credit card statements that will ensure payments are made prior to the statement deadline.

### **THE LEON COUNTY CREDIT CARD POLICY**

1. County purchasing cards may be used for lodging, forms of transportation with prior approval from Auditor's Office or conference registration. Cards shall be requested, in writing, in advance and obtained from the County Auditor's Office by the employee traveling. Cards shall be returned, along with all receipts at the immediate conclusion of county travel.
2. County gas cards shall be used to purchase fuel and minor repair items for county owned vehicles only. **ONLY**, with the exception of County Commissioners and County Sheriff who use their personal vehicles for county business. Each fuel credit card, with the exception of the County Commissioners and County Sheriff, will be assigned to a specific county vehicle and is to be used exclusively for that vehicle while on official county business. **The use of the fuel card shall be restricted to the purchase of fuel for official county business ONLY for all individuals.** (This policy coincides with the Purchasing Policy approved on September 26, 2018)
3. Those employees whose responsibilities include the possession of a County credit card are responsible for the safekeeping of that card.
4. County credit cards are only to be used for Leon County expenditures, within the budgetary guidelines established by the County Judge and Commissioners

5. All purchasing policies of the County shall be followed when using the credit card including receiving a purchase order and bidding requirements prior to checking out the credit card from the County Auditor's Office.
6. The credit card shall be checked out from the County Auditor's Office and must be returned promptly.
7. Each employee is responsible for providing original **detailed** receipts for each credit card transaction (not simply an acknowledgement of the credit card transaction), so that these transactions can be recorded as a valid expenditure of the Leon County. If an original receipt (or a certified copy) cannot be obtained, the employee will be held personally liable for these expenditures.
8. Employees are responsible for turning in their detailed receipts for payment prior to the deadline established by the County Auditor's Office. Any late fees incurred on the card because of failure to turn in the receipts before this deadline will be the personal liability of the employee. Payments or reimbursements are due upon immediately.
9. Employees shall make every effort to avoid paying sales taxes on credit card transactions. Copies of the tax-exempt certificate for the State of Texas can be obtained in the County Treasurer's Office.

Non-compliance with this policy may result in the employee's credit card use privileges being revoked, as well as possible disciplinary action.

# **LEON COUNTY POLICY ON COUNTY OWNED COMPUTERS**

## **SOFTWARE LICENSE**

Leon County purchases licenses for ALL computer systems and software required for conducting business. Any program installed on a county computer system must be licensed in accordance with the manufacturer and tracked by the Auditor's office. Every piece of software is licensed and assigned to only one computer. General rules concerning software:

1. Unless authorized by the Auditor's office do not install software assigned to another computer.
2. Software programs must not be brought in from another work center or from home.
3. If a software package is needed to perform your function contact your department head who will request the Auditor's office to obtain it.
4. Leon County prohibits the illegal duplication of software and the related documentation in any form.

## **SECURITY**

Individuals are given access to computers and information based on the needs of their work centers. The individual account owner is responsible for the proper use of this account, including proper password protection. Non-county employees will not be given access to computer accounts unless under strict controlled circumstances. Only the owner or administrator of that account module can grant this. Password sharing is prohibited. Employees should contact Techbundle to change passwords.

Leon County is now a network sharing system, which means, all county computers and resources are interconnected for the purpose of sharing data files. Programs and data files on other computers are for authorized users only. Files may only be accessed if they have been explicitly made available to employees. Employees cannot obtain copies, look into, modify, delete, or tamper with in any way any data, software, or computer systems, belonging to another agency or persons unless employees have the permission to do so.

Our wireless network is designed to enable connectivity to County devices only. To protect network security and integrity, all network wireless devices, including wireless modems, must be approved by Techbundle prior to installation.

## **RESOURCES**

Leon County is connected to the Internet via high-speed data connection. The speed of this service is determined by the amount of data passing through it at any one time. Unnecessary or unauthorized Internet usage causes network and server congestion. It slows other users, takes away from work time, consumes supplies, and ties up printers and other shared resources. Therefore, each employee must use this service responsibly. Radio stations that broadcast over the Internet using such programs as Pandora should be used sparingly due to the amount of bandwidth it takes up. Also, online gaming, chat lines, telephony, and video are prohibited unless business-related.

When at all possible, employees should schedule communications-intensive operations such as large files transfers, video download, mass emailing and the like for off-peak times.

The use of county printers, paper, and other associated property for other than county related business is prohibited subject to the discretion of the department head.

Leon County has installed a firewall to assure the safety and security of the county's networks. Any employee who attempts to disable, defeat or circumvent any county security facility will be held accountable. Only those Internet services and functions with documented business purposes for Leon County will be enabled through the Internet firewall.

### **COMPUTER REPLACE/REPURPOSE POLICY**

Leon County will attempt to repurpose existing approved IT computers/equipment under three years old where possible. If a piece of equipment meets the age criteria, the department head will/shall contact the Auditor's office to initiate the process.

### **PURCHASING PROCESS/POLICY**

New computers and/or software will be charged to individual department cost centers, unless deemed otherwise by the Commissioners Court.

Before selecting a new software vendor, department heads are encouraged to meet with the IT Committee to share information on their preferred vendor and to ensure IT compatibility with existing infrastructure.

Before any grant monies are approved for any IT hardware or software expenditures, all grant money vendors and purchases must be approved by the IT Committee, then the Commissioners' Court prior to purchase, unless directed otherwise by the Commissioner Court. The IT Committee shall work with the department head to ensure purchases and contracts will be compatible with existing IT network and infrastructure, as well as in compliance with IT security regulations.

### **REPORTING IT TROUBLE**

To report issues with IT software or equipment, department heads will/shall report the issue by sending an email to [team@techbundle.com](mailto:team@techbundle.com), and courtesy copy a representative of the Auditor's office.

### **THE INTERNET**

Leon County provides access to the vast information resources of the Internet to help employees do their job and be a well-informed business citizen. The Internet itself is a global network of computers and resources, which has no control over its content or users. It contains a diverse range of material, which may be objectionable or offensive. This Internet usage policy is designed to help employees understand the county's expectations for the use of those resources in the particular conditions of the Internet, and to help employees use those resources wisely.

## **LEON COUNTY'S INTERNET USAGE PHILOSOPHY**

First and foremost, the Internet for Leon County is a business tool only, provided to employees at significant cost. Leon County expects employees to use Internet access primarily for business-related purposes, i.e., to communicate with customers and suppliers, to research relevant topics and obtain useful business information. Employees should conduct themselves honestly and appropriately on the Internet, and respect the copyrights, software licensing rules, property rights, privacy and prerogatives of others, just as anyone would in any other business dealings. Employees should always remember that any data transmitted or received on county systems is considered part of the official public record and as such is subject to disclosure by law enforcement and authorized third parties.

The first and foremost rule to using the Internet is for employees to remember that all existing county policies apply to conduct on the Internet, especially (but not exclusively) those that deal with intellectual property protection, privacy, misuse of company resources, sexual harassment, information and data security, and confidentiality.

Leon County has software and systems in place that filter, monitor and record all Internet usage. Our security systems are capable of recording (for each and every user) each World Wide Web site visit, each chat, newsgroup or email message, and each file transfer into and out of our internal networks, and we reserve the right to do so at any time. No employee should have any expectation of privacy as to his or her Internet usage. System administrators as required to protect the integrity of the computer system may access computer systems and files. Leon County is sensitive to the legitimate privacy rights of the employees; every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

This company's Internet facilities and computing resources must not be used to violate the laws and regulations of the United States or any other nation, or the laws and regulations of any state, city, province or other local jurisdiction in any material way. Use of any company resources for illegal activity is grounds for immediate dismissal, and Leon County will cooperate with any legitimate law enforcement activity.

The display of any kind of sexually explicit image or document on any county system is a violation of our policy on sexual harassment. In addition, sexually explicit material may not be archived, stored, distributed, edited or recorded using our network or computing resources.

Because a wide variety of materials may be considered offensive by colleagues, customers or suppliers, it is a violation of county policy to store, view, print or redistribute any document or graphic file that is not directly related to the user's job or the county's business activities.

If employees find themselves connected incidentally to a site that contains sexually explicit or offensive material, they must disconnect from that site immediately, regardless of whether that site had been previously deemed acceptable by any screening or rating program.

Each employee using the Internet facilities of the county shall identify himself or herself honestly, accurately and completely (including one's county affiliation and function where requested) when participating in chats or newsgroups, or when setting up accounts on outside computer systems.

Employees with Internet access may download only software with direct business use and must arrange to have such software properly licensed and registered. No employee may use county facilities to download or distribute pirated software or data.

Employees with Internet access may not use county Internet facilities to download entertainment software or games, or to play games against opponents over the Internet.

Employees with Internet access may not use county Internet facilities to download images or videos unless there is an express business-related use for the material.

Employees with Internet access may not upload any software licensed to the county or data owned or licensed by the county without the express authorization of the manager responsible for the software or data.

In the interest of keeping employees well informed, use of news briefing services is acceptable, within limits that may be set by each department.

### **SOCIAL MEDIA POLICY**

Employees should not use county computers to access any social media (such as Facebook, Twitter, Instagram, Snapchat, etc.) unless given specific permission by the department head to use social media for County use.

As such, most social media sites will be blocked on county computers unless the department head specifically grants access through the county's IT vendor. Additionally, all social media sites, identities, and pages on Twitter, Facebook, Instagram, etc. that represent Leon County departments should be managed solely by Leon County employees to reduce any liabilities.

### **ELECTRONIC MAIL (EMAIL)**

Leon County strives to maintain a workplace free of harassment and sensitive to the diversity of its employees, therefore the county prohibits the use of the computer email system in ways that are disruptive, offensive to others, or harmful to morale. Leon County prohibits transmissions of sexually explicit images, messages, or cartoons. Other misuse includes but not limited to, ethnic slurs, ethnic jokes, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or any other non-business-related matters.

Abuse of the Internet access provided by Leon County in violation of law or Leon County policy will result in disciplinary action, up to and including termination of employment.

A County email address will not be issued or assigned to a non-County employee, for any reason.

## **ELECTRONIC MAIL (EMAIL) - ENCRYPTION POLICY**

Several offices within Leon County Government manage and maintain records with sensitive data, such as social numbers, driver license numbers, medical records, etc. Records or data containing this information should follow strict protocol; *please consult your department head prior to sending any information that may contain sensitive data!*

Our email system complies with several requirements regarding data management from various laws. To ensure compliance, all emails regarding county business should be sent from your Leon County email (john.smith@co.leon.tx.us), and **not** your personal email.

Employees may also be personally liable for any violation of this policy. The following behaviors are examples of actions or activities that are prohibited and can result in disciplinary actions.

- Sending or posting discriminatory, harassing, or threatening messages or letters
- Using business time and resources for personal gain
- Using someone else's password or login without authorization
- Failing to observe licensing agreements
- Viewing or exchange of pornography or obscene materials
- Using the Internet for any form of gambling

## **ONE FINAL NOTE ON EMAIL**

Email is the most dangerous security problem in the county. Viruses are so commonplace with most being delivered through email. These viruses are now using the network to look for open servers to bring down and other machines to infect.

This means that all county employees have the responsibility of using the county Email system securely and properly. This means never send attachments that are not business related. If you receive an attachment that was not requested, do not open it, delete it. Never sign up for non-business ventures (Joke of the Day, Words to live by, etc.). If you are getting unsolicited emails (SPAM) please request that you be removed from their mailing list.

Due to the severe virus threat the county Email system is to be used for business communications only. At this point Leon County has no other choice but to begin monitoring of Email accounts in an attempt to lower the amount of viruses caused by careless use of this dangerous service.

**ACKNOWLEDGEMENT OF RECEIPT OF  
LEON COUNTY  
PERSONNEL MANUAL**

I have received a copy of the Leon County Employee Handbook that outlines my benefits and obligations as a County employee. I understand that I am responsible for reading and familiarizing myself with the information in this manual and understand that it contains general personnel policies of the county. If I need clarification on any of the information in this manual, I will contact my immediate supervisor.

I further understand that the Leon County Employee Handbook is not a contract of employment. I understand that I am an, 'at will employee' and that my employment may be terminated by either myself or the county, at any time, with or without cause, and with or without notice.

I understand that this employee handbook is intended to provide guidance in understanding Leon County's policies, practices and benefits. I understand that Leon County retains the right to change this handbook at any time, and to modify or cancel any of its employee benefits when the need for change is recognized.

I further understand that as a Leon County employee, I am expected to provide quality service to the public; to work towards the highest degree of safety possible for my fellow workers', to continually make suggestions for improvements, and to display a spirit of team work and cooperation.

I understand that I will be granted compensatory time off in lieu of payment of overtime to the extent provided by law and I may be required to take earned compensatory time off at the County's discretion.

I understand that I may be subject to reasonable suspicion or post-accident drug and alcohol testing. If I am required to have a Commercial Driver's License (CDL) for my county position, I will be subject to random, reasonable suspicion and post-accident drug and alcohol testing.

I have read these policies and understand these policies and I agree to I abide by and adhere to these policies.

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Signature of Employee

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Printed Name of Employee

**Revised January 27, 2016**

## **Appendix of Amended and Adopted Policies**

### Amended and Adopted November 15, 2018:

Section 2.02.....	Policy on Sick Leave
Section 2.04.....	Policy on Holidays
Section 2.09.....	Policy on Workers' Compensation
Section 2.13.....	Policy on Breaks & Nursing Mothers
Section 4.02.....	Policy on Other Compensatory Time for 7 (K) Employees
Section 7.01.....	Policy on Drugs and Alcohol
Section 9.01.....	Policy on Per Diem
Section 10.01.....	Policy on Credit Card and Fuel Card
Section 11.01.....	Policy on County Owned Computers

### Amended and Adopted November 28, 2018:

Section 2.01.....	Policy on Vacation
Section 10.01.....	Policy on Credit Card and Fuel Card

### Amended and Adopted December 31, 2018:

Removed page 3--"return manual"

Section 2.04.....	Policy on Holidays
Section 4.02.....	Policy on Other Compensatory Time for 7 (K) Employees
Section 9.01.....	Policy on Travel

### Amended and Adopted May 29, 2019:

Section 2.05.....	Policy on Jury Duty Leave
Section 2.07.....	Policy on Funeral Leave
Section 2.14.....	Policy on Administrative Leave
Section 3.09.....	Policy on Smoking and Tobacco Use
Section 4.02.....	Policy on Compensation
Section 8.01.....	Policy on Separations

### Amended and Adopted July 8, 2019:

Section 4.01.....	Policy on Pay Periods and Timesheets
Section 9.01.....	Policy on Travel
Section 11.01.....	Policy on County Owned Computers

### Amended and Adopted August 28, 2019:

Section 4.01.....	Policy on Pay Periods, Timesheets, FLSA
Section 4.03.....	Policy on Longevity Pay
Section 4.07.....	Policy on Overtime Compensation

## **Appendix of Amended and Adopted Policies**

### Amended and Adopted March 9, 2020:

Section 1.02.....	Policy on Employment Status
Section 2.06.....	Policy on Military Leave
Section 3.10.....	Policy on Vehicle Use Policy
Section 4.01.....	Policy on Pay Periods, Time Sheets, Fair Labor Standards Safe Harbor Act