

# ANDREWS COUNTY PERSONNEL POLICY

ADOPTED BY THE ANDREWS COUNTY COMMISSIONERS' COURT  
EFFECTIVE OCTOBER 1, 2014.

REPLACES ALL PRIOR PERSONNEL POLICY MANUALS.

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Richard H. Dolgener  
County Judge

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Barney Fowler  
Commissioner, Pct. 1

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Brad Young  
Commissioner, Pct. 2

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Jeneane Anderegg  
Commissioner, Pct. 3

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Jim Waldrop  
Commissioner, Pct. 4

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Kenda Heckler  
Attest, Andrews County Clerk

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I have received a copy of the Andrews 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 Andrews 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 Andrews County's policies, practices and benefits. I understand that Andrews 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 an Andrews 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 have read these policies and understand these policies and I agree to abide by and adhere to these policies.

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Signature of Employee

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Printed Name of Employee

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Date Signed

**COUNTY OF ANDREWS  
COMMISSIONER'S COURT ORDER**

WHEREAS THE Andrews County Commissioner's Court desires to provide the employees of Andrews County with a uniform format for dealing with various employment related issues; and

WHEREAS the Andrews County Commissioner's Court wish to adequately communicate to employees the policies and procedures of the County;

THEREFORE, BE IT RESOLVED that the Andrews County Commissioner's Court does hereby approve, and adopt, the ANDREWS COUNTY EMPLOYEE HANBOOK.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
County Judge

\_\_\_\_\_  
Commissioner Pct 1

\_\_\_\_\_  
Commissioner Pct 2

\_\_\_\_\_  
Commissioner Pct 3

\_\_\_\_\_  
Commissioner Pct 4

Witnessed and Attested By:

\_\_\_\_\_  
County Clerk

## **NOTICE TO EMPLOYEES**

Andrews County operates under the legal doctrine of employment-at-will and, within requirements of state and federal law regarding employment, can dismiss an employee at any time, with or without notice, for any reason or no reason. The county will attempt to ensure that employee dismissals are not made in an arbitrary or capricious manner. However, these personnel policies do not constitute or imply a contract, agreement, promise, or guarantee of employment or of continued employment. The county has the right to change these policies at any time, without prior notice to employees.

Each reference in these policies to the county means ANDREWS County, Texas.

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## WELCOME

Welcome to employment with Andrews County. We are happy to have you on our team of employees that serves the people of our county. You will find public service a rewarding career.

As taxpayers ourselves, we expect nothing less than the highest quality of service from our government. As public servants, our objective is to provide the best possible service to the citizens of the county in a fair, efficient, and courteous manner. Your job is important to our overall success.

As a county employee, you have a responsibility to the citizens of Andrews County. How well you do your work and how you conduct yourself on the job are both subject to public approval. Oftentimes, your contacts with citizens will be the only basis on which the county government is judged; therefore, you owe it to both the county and yourself to serve the public in the best possible manner. The county has proven to be a good place to work, but it is up to each individual employee to maintain his or her position as a result of good performance, proper attitude, and responsible action in the use of tax dollars.

The personnel policies contained within this manual are guidelines on how we work as a team to provide that public service. Whether you are a new or experienced employee, this manual will give you facts about the county, how it works, and the policies, which govern us as employees.

The personnel policies and procedures of the county are adopted by the Commissioners' Court, are subject to regular review, and may be updated or changed from time to time without prior notice.

Other county elected officials and department heads may have additional policies governing their employees. State and federal law will govern any departmental policy that conflicts with a countywide policy. Be sure to check with your supervisor or department head to see which additional policies, if any, are applicable to you. If you need more details on the countywide policies and procedures, please consult the County Judge.

Sincerely,

Richard H. Dolgener, County Judge  
Barney Fowler, County Commissioner  
Brad Young, County Commissioner  
Jeneane Anderegg, County Commissioner  
Jim Waldrop, County Commissioner

## **ABOUT ANDREWS COUNTY GOVERNMENT**

Andrews County's government organization is established by the Constitution of the State of Texas and by state statutes. Its operations are governed by state and federal law and by actions of the Commissioners' Court.

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

County operations are conducted through departments, each administered by an elected public official or an appointed department head.

## **SERVICE TO THE PUBLIC**

On a day-to-day basis, citizens base their opinion of Andrews County on the actions of county employees like you. We have developed a code of personal conduct we think will help maintain a reputation for good county government.

## **CODE OF PERSONAL CONDUCT:**

1. Remember that we are here to serve the people of Andrews County.
2. Our responsibility is to provide fair, efficient service in a courteous manner.
3. Be a good and sincere listener; our visitors and callers want us to understand and care about their problems.
4. Learn all about the activities of the county and try to help others get their problems solved in the most efficient manner, even if the problem must be referred to another employee or department.
5. Write down all of the information you will need to complete a task for a citizen, including the date and time of a call or request and the telephone number or address where the person can be contacted.
6. Fulfill all promises you make. If you cannot complete a promised task as anticipated, get back in touch and explain the circumstances.
7. Respect the dignity of every individual; try honestly and sincerely to see the other person's point of view; speak kindly to and of others; avoid arguments; and be friendly.
8. Be punctual in your work and for appointments.
9. Make suggestions about ways that we can improve our services to the citizens of Andrews County or perform work in a more efficient manner.
10. Dress and appearance must be appropriate to our job. Expensive clothes are not necessary, but a neat, orderly appearance is important.
11. County employees are trustees of public funds - - conserve county money, time, and equipment as if it were your own.
12. Finally, public service requires that we not only obey the law, but it is also important that we avoid even the appearance of any improper action or of using our official position to gain any personal advantage.

## 1.00 GENERAL POLICIES

<b>AUTHORITY</b>	<b>1.01</b>
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These policies are established by the Commissioners' Court and any deletions, amendments, revisions, or additions to the policies must be approved by the Commissioners' Court.

These policies completely replace and supersede any and all personnel policies previously adopted, individually or as a set of policies, by the Commissioners' Court.

In addition to these personnel policies, elected officials and department heads may establish departmental rules and regulations that relate specifically to their departments, as long as they do not conflict with these policies. Departmental rules are important and employees must comply with them. If there is a conflict between a departmental rule or policy and these policies or any future amendments to these policies, the terms of these policies, which implement state and federal law, as amended, will prevail.

<b>SEVERABILITY</b>	<b>1.02</b>
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The provisions of these policies are severable, and if any provision or part of a provision is held invalid, illegal, or unenforceable, this will not affect the validity of the remaining provisions or parts of provisions, which will remain in force and effect.

<b>RESPONSIBILITY FOR IMPLEMENTATION OF PERSONNEL POLICIES</b>	<b>1.03</b>
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Responsibility for personnel functions in the county is divided among county offices as follows:

1. County Commissioners' Court oversees general personnel policies. The record of any modifications will be recorded in the official minutes of the court.
2. The County Auditor maintains a copy of these policies, official personnel records pertaining to time and attendance, payroll, resignations, unemployment, and medical records.
3. Elected Officials and department heads maintain other records on departmental employees and are responsible for administration of these personnel policies within their own departments or units.

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<b>PURPOSE</b>	<b>1.04</b>
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These policies set forth the primary rules governing employment with Andrews County. The policies contained here inform employees of the benefits and obligations of employment with the county. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by both employees and supervisors, which will result in high quality public service to the citizens of the county.

<b>PERSONNEL FILES</b>	<b>1.05</b>
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The Andrews County Auditor's office will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, insurance, retirement, deductions, as well as, records concerning performance, discipline and compensation.

It is important that the personnel records of Andrews County be accurate at all times. In order to avoid issues, compromising your benefit eligibility of having W2's returned, Andrews County requests employees to promptly notify the appropriate personnel representative of any change in name, home address, telephone number, marital status, number of dependents, or any other pertinent information.

The public Information Act allows county employees to keep their home addresses and telephone numbers confidential. You may keep this information private by requesting in writing not to allow this information to be released to the public no later than 14 days after your first day of employment.

<b>EMPLOYMENT-AT-WILL</b>	<b>1.06</b>
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All employment with Andrews County shall be considered "at will" employment. No contract of employment shall exist between any individual and Andrews County for any duration, either specified or unspecified. No provision of this employee handbook shall be construed as modifying your employment at will status.

Andrews 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.

Andrews County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice. Employees of Andrews County shall have the right to leave their employment with the County at any time, with or without notice.

<b>DISSEMINATION OF PERSONNEL POLICIES</b>	<b>1.07</b>
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The County Auditor maintains the official set of the personnel policies with all revisions for reference by employees.

In addition, the County Auditor will provide a complete copy of this manual and copies of all subsequent revisions or policy changes to each department head or elected official for distribution to each employee in the department; and will make the updated manual available to employees.

If a question arises about a particular policy, the official set of policies in the County Auditor's office should be consulted and will control. The Auditor's office provides a copy of the personnel policies to new employees on their first day of employment. Employees are required to read this manual carefully and to adhere to the rules and regulations stated herein.

Every employee is required to sign an acknowledgment that they were provided a copy of the Personnel Policy Manual and that they understand they are responsible for knowing its contents. The signed acknowledgment page shall be maintained in the employee's official personnel file in the County Auditor's office.

<b>EQUAL EMPLOYMENT OPPORTUNITY</b>	<b>1.08</b>
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Andrews 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.

<b>SEXUAL HARASSMENT</b>	<b>1.09</b>
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Sexual harassment is strictly prohibited by Andrews County, whether committed by elected official, appointed official, department head, co-worker or non-employee that the County does business with. It is the policy of Andrews 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 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 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 may be 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, Andrews 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.

<b>PERSONS WITH DISABILITIES</b>	<b>1.10</b>
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It is the policy of Andrews County to make its employment application process, employee activities, working environment, benefits, training, and advancement process accessible to persons with disabilities and to make reasonable accommodations to a qualified individual with a disability who is an applicant or employee unless that accommodation will place an undue hardship on county finances or operations.

In this section, a person with a disability is defined as a person who:

- a) is presently disabled
- b) has been disabled in the past, or
- c) is perceived to be disabled.

The Americans with Disabilities Act (ADA) defines disability as:

1. A physical or mental impairment which substantially limits one or more of a person's major life activities;
2. A record of such an impairment; or
3. Being regarded as having such impairment.

It is also illegal, and against county policy, to discriminate against a person because of his or her relationship or association with an individual with a known disability. See Section 14.07

Persons with disabilities must be provided equal access to the hiring process. Persons with disabilities who perform the essential functions of their job must be provided equal access to promotion, training, and other benefit opportunities. No person will be subject to any form of retaliation for pursuing a complaint based on disability-related discrimination.

<b>SMOKING</b>	<b>1.11</b>
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In keeping with Andrews County's intent to provide a safe and healthy work environment, smoking is prohibited within County facilities.

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These personnel policies may be amended or revised or new policies may be added, at any time, with or without notice, upon the approval of the Commissioners' Court.

In addition, the County Auditor may conduct an annual review of the policies contained in this manual as part of the budget process and submit any necessary or recommended changes to the Commissioners' Court for approval prior to the beginning of the new fiscal year.

Employees are encouraged to make constructive suggestions for improvements in these policies or in work procedures or conditions. Any employee who wishes to suggest a personnel policy change should submit his or her suggestion(s) to the appropriate department head or elected official who will forward the information to the Commissioners Court, where appropriate, along with the rationale for making the change.

Employees are responsible for maintaining current knowledge and understanding of all personnel policy changes and for requesting clarification or assistance when needed.

## 2.00 EMPLOYEE RESPONSIBILITIES

<b>GENERAL</b>	<b>2.01</b>
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The County is a public, tax-supported organization. Its employees must adhere to high standards of public service that emphasize professionalism, good judgment, courtesy, and avoidance of even the appearance of illegal or unethical conduct at all times.

Employees are required to give a full day's work, to carry out efficiently the work items assigned as their responsibility, to maintain honest conduct, and to do their parts in maintaining good relationships with the public, their supervisors, county officials, and their fellow employees.

<b>PROFESSIONAL APPEARANCE – DRESS CODE</b>	<b>2.02</b>
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Employees of Andrews County are hired to provide services to the county's citizens and to perform specific tasks in a professional manner. As representatives of the county, employees are encouraged to set and meet high standards both in performing quality work and in presenting a professional personal image to the public.

Employees are expected at all times to present a professional, businesslike image to the public that is appropriate to the particular job being performed.

Employee hair should be clean, combed, and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible at any length. Sideburns, moustaches, and beards should be neatly trimmed. Allowing visibility of tattoos and body piercing (other than earrings) will be at the discretion of the Department head/Elected official/Appointed official. This policy does not apply to law enforcement officers as determined by the Andrews County Sheriff.

Employees who do not regularly meet the public should follow basic requirements of safety and comfort, but should still be as neat and businesslike as working conditions permit.

Nonexempt employees (those employees subject to the minimum wage and overtime requirements of the Fair Labor Standards Act) will not be compensated for any work time missed because of failure to comply with this policy. Expensive clothes are not necessary, but a neat, well-groomed appearance and a courteous attitude are necessary in creating and maintaining a professional, favorable image of the county's work force.

Employees who arrive for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for time away from work. Appropriate attire is determined at the sole discretion of the department head or elected official unless otherwise noted in this section.

<b>TIMELINESS AND ATTENDANCE</b>	<b>2.03</b>
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As an Andrews County employee, you are expected to be punctual and demonstrate consistent attendance.

Each employee shall report to work on each day they are scheduled to work and at the starting time set by their supervisor unless prior approval for absence is given by the supervisor or the employee is unable to report for work because of circumstances beyond the control of the employee.

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.

Each supervisor is responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness.

Frequent unexcused absences or tardiness, as determined by your immediate supervisor, may make an employee subject to disciplinary measures, up to and including termination of employment.

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

A department head may require a different reporting schedule if it would work better for that particular department.

See also the **Leave Time** chapter of these policies for matters involving planned absences.

<b>OUTSIDE EMPLOYMENT</b>	<b>2.04</b>
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Andrews County employees are expected to give their full and undivided attention to their job duties. They should not use Andrews County facilities or equipment or their association with Andrews County to carry on a private business or profession. Unless express approval is obtained in advance and in writing from their immediate supervisor, County employees should not engage in a profit-making business nor become involved with a non-profit organization outside their employment with Andrews County that interferes with the employee's assigned duties with Andrews County.

The County accepts no liability for any action, failure to act, injury to self or others, property damage, or any other damage resulting from outside employment by a County employee.

<b>GIFTS AND GRATUITIES</b>	<b>2.05</b>
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A County officer or employee may not accept any gift or free services that might tend to influence his or her official actions or impair his or her independence of judgment in performance of duties for the County. See "Conflict of Interest" section below.

<b>CONFLICT OF INTEREST</b>	<b>2.06</b>
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Employees of Andrews 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 an Andrews County employee.

Neither an officer nor an employee of Andrews County will have financial interests in the profits of any contract, service, or other work performed for the county, nor derive personal profit directly or indirectly from any contract, purchase, sale, or service between the county and any person or company.

Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination and these actions may have criminal consequences.

1. County Elected Officials:

A member of the Commissioners' Court and certain other county officials will not participate in a vote or decision affecting a business or real estate in which the member or official has a substantial interest.

2. County Employees: An employee may not:

- (1) solicit or accept or agree to accept a financial benefit, other than from the county, that might reasonably tend to influence his or her performance of duties for the county or that he or she knows or should know is offered with intent to influence the employee's performance;
- (2) accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties;
- (3) accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the county;
- (4) make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the county;

- (5) solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as a county employee in favor of that person.

<b>POLITICAL ACTIVITY</b>	<b>2.07</b>
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Employees of Andrews County are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. County employees are not required to contribute to any political fund or render any political service to any person or party. No employee will be dismissed, suspended, demoted, or otherwise prejudiced for refusing to do so.

An employee may not:

1. Use his or her official authority or influence to interfere with or affect the result of an election or nomination for office; or
2. Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose.

County employees, except elected officials, may not participate in political activities while on county duty. Employees are expected to remove county uniforms before participating in a political activity. In addition, no county-owned property, vehicle, building, and/or office may be used for displaying campaign materials or for conducting any partisan political activity other than conducting party primary elections.

Any county employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election (a partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected). County employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity, which is financed in whole or in part by loans or grants made by the federal government.

An employee's political activity which is not in violation of this section will not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee.

<b>CHAIN OF COMMAND</b>	<b>2.08</b>
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Individual county employees are responsible to the appropriate elected or appointed department head or to a supervisor designated by the elected official or department head. Elected officials are responsible to county voters. Directions regarding work to be done, expected results, the adequacy of work performance, and grievances will follow the chain of command.

<b>COMMUNICATIONS</b>	<b>2.09</b>
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From time to time, an employee may be given directions from persons other than his or her immediate supervisor or elected or appointed department head. In such cases, it is the employee's responsibility to notify his or her immediate supervisor about the direction, its purpose, and the relevant facts of the situation. Failure to do so in a timely manner may result in disciplinary action.

Communication with the public about county issues or problems is the responsibility of the appropriate department head or elected official or his or her designee. Employees are to refer the public to the appropriate elected or appointed department head if a question is non-routine, controversial, or outside of the scope of the employee's normal duties.

<b>TELEPHONE USE</b>	<b>2.10</b>
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Telephones are to be used for county business. It is understood that occasionally personal calls are necessary; however, use of telephones for local personal calls is permitted only if the number and length of calls are kept to a minimum.

County employees and officials may not place personal long-distance telephone calls on county telephone equipment unless the charges will be directly billed to the individual employee, except under emergencies.

County employees are not permitted to place personal or long distance calls on county-owned cellular or mobile phones in which a charge to the county will apply unless such calls are tracked and paid for by the employee. A call to notify family of county requirements to work unscheduled overtime is a county business call.

Andrews 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.

Andrews County strongly discourages 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.

Andrews County bans all employees from texting while operating any county owned vehicle or machinery of any kind. 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 an Andrews 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.

Each department may request that certain key personnel use their personal cell



phone for work related business and compensate the employee with a cell-stipend. The cell phone policy and cell phone stipend request form can be obtained from the Andrews County Auditor's office and must be approved in Commissioner's Court.

<b>PERSONAL VISITORS IN THE WORKPLACE</b>	<b>2.11</b>
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Andrews County employees are public servants, paid from public funds to provide services to the citizens of Andrews County.

Employees are expected to provide the county a full day's work for a day's pay. Visits from employees' family or friends during the workday should be kept to a minimum.

In the event a non-work related person visits an employee during working hours, the employee is responsible for the conduct and safety of his or her visitor(s).

<b>UNIFORMS</b>	<b>2.12</b>
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Some county departments require employees to wear uniforms. Each employee is expected to keep his or her uniform neat and clean.

<b>PURCHASING</b>	<b>2.13</b>
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Purchases by county employees will be made only as authorized by elected or appointed county department heads or the Commissioners' Court and must go through the County Auditor with certain exceptions provided for in the county's purchasing policies or department heads purchasing with non-county funds.

All purchases must be made in accordance with state purchasing laws and county purchasing policies as they apply to counties.

Any purchase of \$25,000 or more must be presented to the Commissioner's Court for approval before the purchase is made.

Andrews County is classified as a tax exempt government entity. When making purchases, it is the responsibility of the purchaser to notify the vendor of Andrews County's tax exemption status and supply the vendor with the Andrews county tax I.D. number. This number can be obtained from the County Auditor's office. It will be the responsibility of the purchaser to reimburse Andrews County any taxes paid.

Individual meals, hotel taxes, and certain fuel taxes are not exempt.

<b>INDEBTNESS TO THE COUNTY</b>	<b>2.14</b>
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State law prohibits issuing a paycheck to a county employee if the employee is indebted to the county or to the state.

<b>EMPLOYEE FUNDRAISING</b>
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<b>2.15</b>
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County employees are free to engage in fundraising efforts for outside organizations of the employee's choice as long as the employee's job performance is not adversely affected. A County employee shall not use their position with the county to influence fundraising solicitations.

### 3.00 HIRING PRACTICES

<b>METHODS OF SELECTION</b>	<b>3.01</b>
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Andrews County has four methods of selecting persons to fill vacancies:

- (1) promotion from within;
- (2) transfer from within;
- (3) public announcement and competitive consideration of applications for employment;
- (4) selection from a valid current eligibility list of applicants.

(A valid current eligibility list is a record of applications for the same or a similar position for which selection was conducted within the preceding 180 days.)

The elected official(s) or appointed department head determines the method of selection to be used in filling each vacancy. However, the Commissioners Court must approve funding for a position before the selection process begins.

Elected officials and department heads are encouraged to fill vacancies with qualified residents of Andrews County whenever practical.

<b>POSITION ANNOUNCEMENTS</b>	<b>3.02</b>
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Elected Officials and department heads must send a notice of all position openings for which there will be a competitive consideration to the County Judge's office for posting. The County Judge will post any notices received on the bulletin board on the first floor of the courthouse.

Job openings may be published in the local newspaper, however accommodations may be made depending on the job needs for other listings.

County employees are permitted to apply for positions for which they believe themselves to be qualified.

Applications will be accepted until the position is filled.

<b>QUALIFICATIONS</b>	<b>3.03</b>
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The county maintains a job (class) description that establishes the required knowledge, skills, and abilities for each staff position and the acceptable levels of experience and training for each.

<b>SELECTION</b>	<b>3.04</b>
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The Commissioners' Court is responsible for the selection and employment of all appointed department heads except as specified by law or in these policies.

The District Court Judge of Andrews County appoints the County Auditor and the director of the Community Supervision and Corrections Department (CSCD). The Andrews County Juvenile Board (District Judge, County Judge, and County Attorney) are responsible for appointing the Director of the Juvenile Community Supervision Department.

The Commissioners' Court approval is required for all position appointments funded by federal and/or state grants.

Except for positions filled by a vote of the Commissioners' Court or as set out above, each elected official or department head is responsible for selection of persons to fill each vacant position within the pay limits set by the Commissioners' Court.

It is the county's policy to check the employment references of all applicants to ensure that individuals who join Andrews County are well qualified and have a strong potential to be productive and successful employees.

In addition, the county will respond to reference check inquiries from other employers. These inquiries should be directed to the County Auditor's office, and will be limited to confirmation of employment dates, wage rates, and position(s) held.

Once a selection is made, the elected official or department head will submit to the County Auditor's office, a personnel action form listing the name of the applicant, the requested classification, beginning salary, and the effective date of employment. A copy of the applicant's resume or application for employment must be attached to the personnel action form. Form may be obtained in the County Judge's Office. The examining medical doctor will be instructed to submit the results from the employee's physical examination directly to the County Judge, who will then forward it to the County Auditor.

<b>AGE REQUIREMENTS</b>	<b>3.05</b>
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Persons under 16 years of age will **not** be employed in any full-time regular position. Persons under 18 years of age will **not** be hired in any hazardous occupation.

Any prospective county employee under 18 years of age must have filed written permission (a signed Minor's consent form) from his or her lawful parent or guardian in the County Auditor's office prior to the first day of employment.

Other age limitations will be applied only as required by state or federal law applicable to the county.

<b>APPLICATION FOR EMPLOYMENT</b>	<b>3.06</b>
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Each person desiring employment with Andrews County may obtain an application for employment from the department in which the vacancy exists, the County Auditor's Office, or the County Judge's Office. The completed application should be returned to that department.

To be valid, an application must be made on the county's official application form. When an application is received for a specific departmental position vacancy, the Auditor will collect the EEO statistical data from the application and file the EEO form, by position applied for, with the appropriate authorities.

The county must retain each employment application for two years after receipt of the application.

It is the responsibility of the employing department to make appropriate checks to verify education, criminal history, experience, character, and required certificates and skills of an applicant prior to appointment. When a position requires driving a vehicle, the Elected official or department head must contact the Texas Department of Public Safety to check the prospective employee's driving record prior to offering the applicant employment with the county.

<b>EMPLOYMENT OF RELATIVES (NEPOTISM)</b>	<b>3.07</b>
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Nepotism is the showing of favoritism toward a relative. Andrews County forbids the practice of nepotism in hiring personnel or awarding contracts.

Texas Government Code Chapter 573, a Public official of Andrews 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.

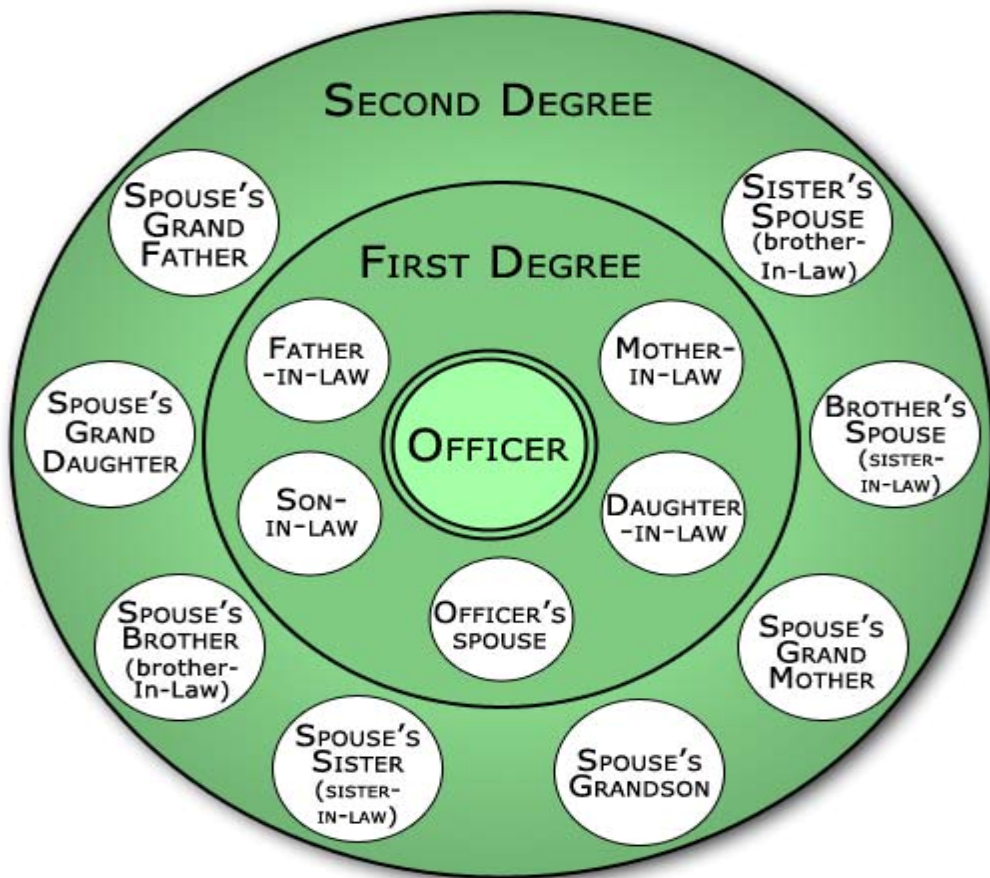
No person may be hired who is related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any member of the Commissioners' Court or to the elected official or department head for whom he or she works. (Prohibited degrees of relationship are defined in the charts on the following page.) No person may continue in county employment who is related in one of the prohibited degrees unless the employee has been employed continuously by the county for a period of:

1. At least 30 days, if the officer or member is appointed;
2. At least six months, if the officer or member is elected at an election other than the general election for state and county officers; or
3. At least one year, if the officer or member is elected at the general election for state and county offices.

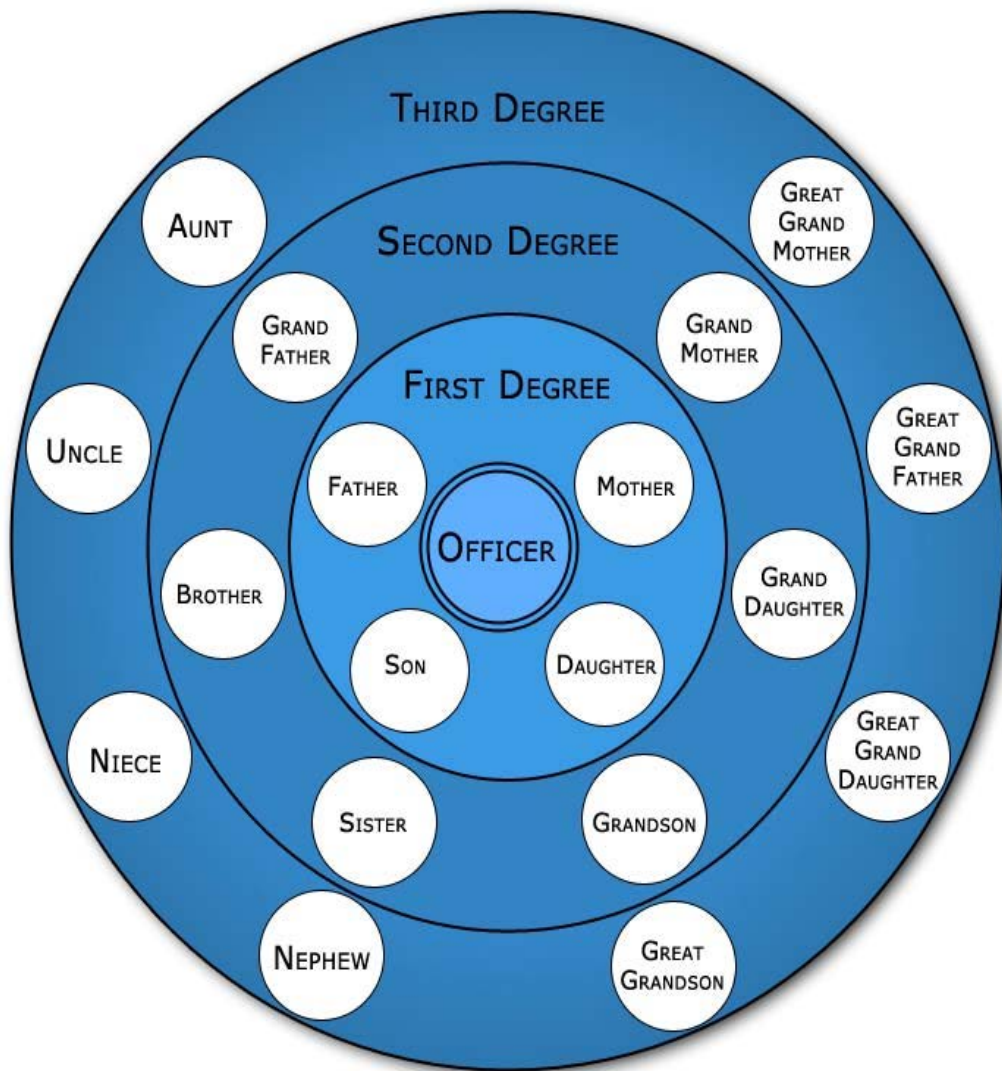
## NEPOTISM CHART

The chart below shows

- **Affinity Kinship** (relationship by marriage)
- **Consanguinity Kinship** (relationship by blood) for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025



### **AFFINITY KINSHIP** Relationship by Marriage



**CONSANGUINITY  
KINSHIP**  
Relationship by Blood

<b>PHYSICAL STANDARDS</b>	<b>3.08</b>
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Knowledge of physical condition and existing health problems of employees is necessary to avoid occupational injuries and to ensure that it will be possible to differentiate any future job-related injuries from existing medical problems.

A prospective full-time or part-time employee is required to pass a drug test. And full-time employees shall be required to complete a physical examination at the county's expense, after a conditional offer of employment has been made and prior to the first day of employment. Depending upon the nature of work, a physical may be required for temporary and/or part-time employees.

No employee will be placed on the county payroll until he or she has satisfactorily completed any required physical exam and/or drug test. In each instance, the examining doctor will be provided a copy of the appropriate job description and will be required to certify that the prospective employee is physically able to perform the essential duties of the job.

X-rays may be required for persons who will perform physical labor.

Prospective employees for any position as a law enforcement officer or county jailer must be examined by a licensed psychologist or psychiatrist and be declared in writing by the psychologist or psychiatrist to be in satisfactory psychological and emotional health.

Required examinations will be made by a physician and psychologist or psychiatrist of the county's choice and will be paid for by the county.

All records relating to the medical condition, medical testing, or drug testing of an employee or prospective employee are maintained separately from employee personnel files. These medical files are confidential and are not released to anyone unless a "need to know" has been clearly established.

Reasonable accommodations (for ADAAA) will be considered for any disability.

<b>VERIFICATION OF ELIGIBILITY TO WORK</b>	<b>3.09</b>
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In order to comply with the Immigration Reform and Control Act of 1986, each new employee will be required to complete and sign an INS Form I-9 prior to his or her first day of employment to provide proof of his or her identity and employment eligibility.

Former employees who are rehired must also complete the form if they have not completed an I-9 with Andrews County within the past three years, or if their previous I-9 is no longer valid.

Andrews County uses E-Verify which is an internet based system that compares information from an employer's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and the Social Security Administration



records to determine employment eligibility.

<b>LICENSE AND CERTIFICATIONS</b>	<b>3.10</b>
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Every county employee who is required to drive a vehicle or operate a piece of equipment which requires a valid driver's license must maintain a safe driving record and may be required to participate in defensive driving courses at the county's request and expense.

Except as restricted by state law, the Elected official or department head is responsible for initiating a driver's record check prior to offering the applicant county employment in a capacity that requires operating a vehicle or piece of equipment.

Andrews County has many positions that require licenses and certifications. It is the responsibility of each employee to maintain all required licenses and certifications. If an employee is unable to renew or loses a license or certification, they must immediately notify their supervisor. If this license is a requirement for the position, the employee may be demoted, transferred or terminated. Under no circumstances will the employee be allowed to continue in the position where a license or certification is required if failure to have such license or certification is illegal under either Federal or State Law.

<b>DISQUALIFICATION</b>	<b>3.11</b>
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An applicant is disqualified from employment by the Andrews County if he or she:

- (1) does not meet the minimum qualifications for performance of the duties of the position involved.
- (2) knowingly has made a false statement on the application form
- (3) has committed fraud during the selection process
- (4) is not legally permitted to hold the position
- (5) has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process
- (6) does not meet the physical requirements as a result of the required physical examination and substance abuse screening
- (7) refuses or does not successfully complete examination and substance abuse screening
- (8) has not provided proof of citizenship or legal work status in the United States prior to employment.

<b>PRIOR SERVICE WITH ANDREWS COUNTY</b>	<b>3.12</b>
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Employees entering into service with Andrews County who have had prior service with the county **may** be considered for appointment above the customary entry salary level. However, any new employee being hired at a salary above the entry salary level **must** be approved in advance by the Commissioners' Court.

Employees rehired to fill regular full-time positions with the county will receive credit for their prior length of service as regular full-time employees for retirement purposes only.

An employee who has a break in continuous service with the county of more than thirty (30) days forfeits vacation and health leave benefits accrued prior to the break.

**See section 13.03 for policy on prior service after retirement.**

<b>PLACEMENT ON COUNTY PAYROLL</b>	<b>3.13</b>
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New employees **must** fill out employment forms before or during their first day of employment. The elected official(s) or appointed department head(s) must provide the necessary paperwork to the County Auditor before the new employee may be placed on the payroll.

<b>TEMPORARY/EMERGENCY EMPLOYEES</b>	<b>3.14</b>
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Before a department head or elected official may hire a temporary or emergency employee, the department's budget must contain a line item, authorized by the Commissioners' Court, for payment of temporary or emergency employees' salaries.

There also must be sufficient funds available in that line item to cover the incoming employee's salary for the specified temporary period of employment.

If the department's budget does not contain a line item for temporary or emergency employee salaries, the department head must first obtain authorization from the Commissioners' Court each time prior to hiring any temporary or emergency employee(s).

<b>ORIENTATION AND TRAINING</b>	<b>3.15</b>
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The County Auditor or his or her designee, or the hiring department head provides a general orientation for new employees, about employment with the county.

It is the responsibility of the hiring department head or elected official to include in the orientation information about the structure, functions, and services of county government in general.

On the first day of employment, the new employee will be provided with a copy of the Personnel Policy Manual by the Auditor's Office or department head. Employees are responsible for knowing and following the information contained in the personnel policies. Each employee must turn in a signed acknowledgment to the County Auditor's office. A copy of the manual is available in the Auditor's office for viewing anytime. This includes information about the county benefits program.

Before an individual begins performing his or her actual duties, he or she normally will be given a brief orientation conducted by the elected official or department head for whom he or she will be working or by that person's designated representative. The purpose of the session is to enable a new employee to understand his or her job better and its relationship to the overall operations of county government.

Training an employee is the responsibility of the elected official or department head for whom he or she works. Whenever possible, employees receive on-the-job training under close supervision.

## 4.00 TYPES OF EMPLOYMENT

<b>CATEGORIES OF EMPLOYMENT</b>	<b>4.01</b>
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There are three categories of employment with the county:

- (1) Full Time;
- (2) Part-Time, and
- (3) Temporary Full or Part Time

<b>FULL-TIME</b>	<b>4.02</b>
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A full-time employee is appointed to an authorized regular position that involves 40 work hours per week.

The Affordable Care Act (ACA) defines FTE as an individual who works, on average, at least 30 hours per week. These employees are eligible for health coverage through the Andrews County health insurance plan but maintain part-time status for all other benefits. **See Section 7.01.**

Full-time employees are hourly or salaried employees and are eligible for Andrews County's benefits package subject to the terms, conditions, and limitations of each benefit program.

<b>PART-TIME</b>	<b>4.03</b>
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A Part-time employee is appointed to an authorized position that involves less than 40 hours per week under the FLSA. Part-time employees are paid on an hourly basis, **not** salaried.

The Affordable Care Act (ACA) defines FTE as an individual who works, on average, at least 30 hours per week. These employees are eligible for health coverage through the Andrews County health insurance plan but maintain part-time status for all other benefits. **See Section 7.01.**

Part-time employees receive those benefits that are mandated by law, such as social security and workers' compensation.

## 5.00 EMPLOYEE COMPENSATION AND ADVANCEMENT

<b>PAY</b>	<b>5.01</b>
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Pay for county elected and appointed officials and employees who are paid from county funds is set each year by the Commissioners' Court in the adopted county operating budget.

The Juvenile Board sets the salaries for the Juvenile Probation Department.

The District Judge establishes salaries for the County Auditor, Assistant County Auditor, District Court Reporters, Adult Probation, and District Court Bailiffs.

The Commissioners' Court also establishes rules governing salary administration and pay increases.

<b>PAYDAYS</b>	<b>5.02</b>
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The normal pay period for the county is bi-weekly. Checks are issued every other week during the year. If the payday falls on a county holiday or weekend, checks will be issued on the last working day preceding the holiday or weekend. Other employees not on the bi-weekly schedule will receive a check on the 25<sup>th</sup> of each month. If the payday falls on a county holiday or weekend, checks will be issued on the last working day preceding the holiday or weekend.

<b>PAY DELIVERY</b>	<b>5.03</b>
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Andrews County offers employees the choice of receiving their payroll through a check or direct deposit. Direct deposit forms may be obtained from the County Auditor's office.

If direct deposit is chosen, pay stubs will be e-mailed to the employee.

Paychecks will not be issued other than on the days set out above. Direct deposit will go into the employee's bank account the morning of payroll.

Each department head, or someone authorized to do so in his or her absence, is responsible for picking up the paychecks for employees in that department from the County Auditor on paydays. Paychecks are distributed to individual employees by their department heads or by an individual delegated this responsibility within each department. Only the employee himself or herself, or someone with permission from the employee, may receive the check in person. The employee must notify his supervisor of his intention to authorize another to receive the check on behalf of the employee,

No salary advances or loans against future salary will be made to any employee for any reason.

An employee must promptly bring any discrepancy in a paycheck (such as

overpayment, underpayment, or incorrect payroll deductions) to the attention of the department head.

<b>SALARY GRIEVANCES</b>	<b>5.04</b>
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See the chapter of these policies entitled **Grievances** for matters related to non-elected county employees.

The remainder of this section **applies only to elected officials**. An elected county or precinct officer who is aggrieved by the setting of his or her salary, expenses, or other allowances by the Commissioners' Court may request a hearing before the Salary Grievance Committee. The Salary Grievance Committee is composed of:

1. The County Judge, who will be chairman of the committee, but who will not be entitled to vote; AND The Sheriff, County Tax Assessor-Collector, County Auditor, County Clerk, District Clerk, County Attorney, and the number of public members necessary to provide nine voting members;

OR

2. The County Judge, who will be chairman of the committee, but who will not be entitled to vote AND nine public members, if the Commissioner's Court votes in January each year to have nine public members. Public members must be residents of the county.

Any request for a hearing must be in writing, must be submitted within five days after the date the officer receives notice of salary or personal expenses and must state the manner in which he or she is aggrieved, including the desired change in salary or personal expenses. A formal request must be delivered to the Chairman, the County Judge, who will announce the time and place of the hearing, which will be within 10 ten days after the date the request is received.

If, after a hearing, six or more of the members vote to recommend an increase in the officer's salary or personal expenses, the committee shall submit a recommendation to the Commissioners' Court in writing. If six to eight members vote to recommend the increase, the Commissioners' Court shall consider the recommendation at its next meeting.

If nine members vote to recommend the increase and sign the recommendation, the committee shall deliver its recommendation to the Commissioners' Court, the Commissioners Court shall include the increase in the budget before the budget is filed, and the increase shall take effect in the next budget year.

<b>PAYROLL DEDUCTIONS</b>	<b>5.05</b>
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Any deductions must be approved and authorized by the Commissioners' Court. Deductions **will** be made from each employee's pay for the following:

1. Federal social security;
2. Federal income taxes;
3. Court-ordered child support;
4. Texas County and District Retirement System contributions (for regular full-time employees and eligible elected and appointed department heads
5. Health Insurance
6. Any other deductions required by law.

In accordance with policies and general procedures approved by the Commissioners' Court, deductions from an employee's pay **may** be authorized by the employee for:

1. The portion not paid by the county of group health/medical or dental premiums for the employee or dependents;
2. Supplemental deferred compensation;
3. Such other deductions as may be authorized by the Commissioners' Court.

If there is a change in the employee's family status, address, or other factor affecting his or her payroll withholding or benefits status, the employee is responsible for obtaining, completing, and returning to the County Auditor the appropriate forms for communicating these changes.

<b>PERFORMANCE-BASED / MERIT INCREASES</b>	<b>5.06</b>
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In any year in which the Commissioners' Court sets aside funds for performance-based (merit) increases, the Commissioners' Court may determine the manner of distribution of those funds or the Commissioners' Court may provide the elected officials and department heads with sole discretion in the manner of distribution of those funds.

When the Commissioners' Court allows the funds to be distributed at the discretion of the elected official or department head. He or she

- 1) may **not** distribute any of those funds to increase the elected officials or department heads salary;
- 2) may distribute those funds **only** to the employees under the supervision of the elected official or department head;
- 3) **must** provide the County Auditor with a written plan (order) of distribution no later than August 1<sup>st</sup>, for implementation by the first payroll of the fiscal year. This written distribution order **must** be signed by the elected official or department

head and **must** include the employee's name, dollar amount of increase, and type of distribution (flat rate or step percentage).

A performance-based increase is an advancement to a **higher step** in the same pay group and is not to exceed 2 steps. The applicable elevation form must be submitted to the Commissioner's Court for Approval. Such increases recognize outstanding performance and may be granted for exceptionally good and consistent performance in the same position. Performance-based increases are not used to recognize increased duties and responsibilities (a promotion) and are granted without regard to cost-of-living factors or longevity. A performance-based increase cannot increase an employee's salary beyond the maximum of the pay group for the position.

All performance-based increases must comply with the rules established by the Commissioners' Court regarding such increases, and are distributed in accordance with the Grade and Step Salary guidelines (see section 5.10-5.13). To be eligible to be awarded a performance-based increase, the employee must have been employed before June 1<sup>st</sup> of that year. When awarded, merit raises will take effect on October 1<sup>st</sup> of that fiscal year.

<b>ACROSS-THE-BOARD PAY INCREASES</b>	<b>5.07</b>
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During budget deliberations for the forthcoming year, the Commissioners' Court will consider and may authorize an across-the-board pay increase.

When a pay increase is in the form of a percentage, each salary amount on the pay schedule and each individual employee's salary are adjusted by the authorized percentage increase. This type of pay increase is connected to the grade and step classification of the position of each employee, thereby increasing the salary amount for each grade and step in the salary scale.

<b>LONGEVITY PAY</b>	<b>5.08</b>
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Upon completion of two (2) years of service, each full time employee is eligible to receive longevity pay, which is distributed annually during the month of December.

If an employee leaves the service of Andrews County before December, his longevity will be prorated for the portion of the year he or she was employed by Andrews County.

If for any reason, an employee or Elected Official leaves employment with Andrews County and returns, longevity calculation will start over with the date of rehire. The employee will receive credit for their prior length of service as full-time employees and TCDRS will bridge previous time of employment for the purpose of calculating years of service for retirement purposes.

The longevity pay rate is set by the Commissioners' Court.



<b>LAW ENFORCEMENT CERTIFICATION PAY</b>	<b>5.09</b>
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The Commissioners' Court sets the rate of Certification Pay for licensed Peace Officers and Jailers in the Sheriff's Office and Jail who receive the required certification as follows:

Basic Certification for a Peace Officer \$50.00 per month

Intermediate Certification for a Peace Officer \$150.00 per month

Advanced Certification for a Peace Officer \$300.00 per month

Master Certification for a Peace Officer \$500.00 per month

Basic certification for a Dispatcher or Jailer \$25.00 per month

Intermediate Certification for a Dispatcher or Jailer \$50.00 per month

Advanced Certification for a Dispatcher or Jailer \$75.00 per month.

Master Certification for a Dispatcher or Jailer \$100.00 per month.

<b>CLASSIFICATION PLAN</b>	<b>5.10</b>
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The county maintains a classification plan, which assigns each class of positions to a pay group based on the principle of equity among positions requiring similar knowledge, skills, and abilities, and similar levels of responsibility. The plan also takes into account market rates for similar jobs.

<b>PAY PLAN</b>	<b>5.11</b>
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Pay ranges for each grade are established by a pay plan, which is approved by the Commissioners' Court.

<b>PAY GROUPS AND STEPS</b>	<b>5.12</b>
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Within the general guidelines of the pay plan and the budget, the Commissioners' Court is authorized to determine the appropriate pay group to which each position is allocated and the pay to which each particular employee is assigned. An employee who is designated exempt from the pay plan is paid within maximums set in a budget approved by the Commissioners' Court.

<b>CLASSIFICATION AND PAY ADMINISTRATION</b>	<b>5.13</b>
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A new employee normally is hired on step one of the pay group to which the position is assigned. A new employee may not be hired above step one without specific approval by the Commissioners' Court. In determining an employee's starting salary, the following factors will be considered:

1. The applicant's knowledge, experience, and education as compared to the minimum qualifications for the job;
2. If the employee is a rehired employee of the county, the previous salary he or she earned prior to leaving employment, as well as additional experience and knowledge gained subsequent to his or her prior service with the county; and
3. Any unusual external factors affecting the job.

<b>PROMOTIONS</b>	<b>5.14</b>
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A promotion is a change or increase in the responsibilities of an employee that results in advancement to a higher position requiring higher qualifications and involving greater responsibility. A promoted employee will receive a pay increase of the amount of difference from one pay group to the next or the salary at step one of the higher pay group, whichever is higher.

Promotions are approved by the elected or appointed department head within the staffing pattern and budget limits authorized and approved for that department by the Commissioners' Court and consistent with the classification and pay policies established by the Commissioners' Court.

Upon promotion, a newly promoted employee serves a introductory period of six months in the new position.

<b>LATERAL TRANSFERS</b>	<b>5.15</b>
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A lateral transfer is the movement of an employee between positions in the same pay group within the county. Lateral transfers may be made within the same department or between departments and are subject to a six-month introductory period.

Lateral transfers may be requested by the employee, the elected official, or department head to whose department the employee will be transferred to and must be approved by the Commissioners' Court.

An employee will be placed in the pay classification commensurate with their experience and education. An employee may receive the salary for the position and level of the new position for which his/her qualifications justify and that is within the department's annual budget. An employee who makes a lateral transfer will retain the same effective employment date and all accrued vacation and health leave.

<b>DEMOTIONS</b>	<b>5.16</b>
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A demotion is a change in duty assignment of an employee to a lower paid position.

Demotions may be made for the purpose of voluntary assumption of a less responsible position, or as a result of a reclassification of the employee's position, or as a disciplinary measure, because of unsatisfactory performance in a higher position.

Disciplinary demotions **always** involve a decrease in pay.

<b>APPROVING AUTHORITY</b>	<b>5.17</b>
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The Commissioners' Court is the approving authority for all payrolls and payroll transfers granted under the terms of

- (1) these policies,
- (2) the classification and pay plans, and
- (3) the annual budget.

The appropriate elected official or appointed department head approves performance based pay increases, provided that funds have been specifically set aside for that purpose by the Commissioners' Court.

Any performance-based increases granted by department heads must be consistent with

- (1) these policies,
- (2) the classification and pay plans, and
- (3) the annual budget.

The department head must notify the Commissioners' Court of the change(s), which are entered into the court records.

## 6.00 WORK SCHEDULE AND TIME REPORTING

<b>WORK HOURS</b>	<b>6.01</b>
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Normal office working hours for most county employees are Monday through Friday, 8:00 a.m. to 5:00 p.m. with one hour for lunch, for a total of 40 hours per work week.

Morning and afternoon breaks of 20 minutes each may be authorized by the responsible elected official or department head, but, if authorized, this time does not accumulate if not taken, and this time cannot be used to alter an employee's work hours.

Sheriff's Department officers, jailers, and dispatchers may work varying shifts in order to provide services 24 hours each day.

Elected officials and department heads may, within the limits of state and federal law, make adjustments to these schedules.

The Commissioners' Court encourages offices to remain open from 8:00 a.m. to 5:00 p.m. and during the noon hour to serve the public better. Some employees may have their lunch hours staggered so that the county can provide this service.

Employees are expected to report punctually for duty at the beginning of each assigned workday and to work the full work schedule established.

<b>NUMBER OF HOURS WORKED</b>	<b>6.02</b>
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The Commissioners' Court determines the number of hours worked by an employee for the compensation to be received subject to laws governing pay and working hours and to the provisions of the county's budget.

<b>OFFICIAL WORK PERIOD</b>	<b>6.03</b>
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For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the work week for Andrews County shall begin at 12:01 a.m. on Saturday and end seven (7) consecutive days later at 12:00 midnight on Friday.

<b>EMERGENCY CLOSINGS</b>	<b>6.04</b>
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Short-term emergency closings of Andrews County offices/departments may arise due to unexpected inclement weather, prolonged power failure, or other emergency situations. The County Judge will notify the department heads and elected officials who will notify their respective employees.

Many County departments are continuous operating public safety and service departments. Many County personnel will be required to work during emergency closings. Each department head is responsible for designating their own employees and providing alternate information to personnel designated as essential during emergency

closings. Public Safety will be foremost in the development of departmental emergency action plans.

In the event that a situation occurs during non-working hours which would necessitate emergency closings of Andrews County offices/departments, local radio and television stations will be asked, by the County Judge's order, to broadcast an official closing modification statement.

If an official announcement is not made by 7:30 a.m., Andrews County offices/departments will operate under normal working conditions.

<b>COMPENSATION DURING EMERGENCY CLOSINGS</b>	<b>6.05</b>
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When an emergency closing has been officially declared, employees will receive regular pay for the hours they would have normally worked that day.

When an emergency closing is not officially declared, employees who do not report to work will not be paid, unless the employee elects to use vacation leave for the period not worked. Employees who are not entitled to vacation leave will be docked for the working hours they miss.

If an early emergency closing is declared during a workday, all employees who are at work will be compensated for their normal workday, regardless of the number of hours actually worked. Employees who are not at work will not be compensated unless the department head or elected official has approved prior authorization for absence.

<b>OVERTIME WORKED</b>	<b>6.06</b>
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The policy of the county is to allow overtime only in cases of emergencies or when specifically authorized by the Elected official or Department Head. Employees may be required in emergencies to provide services in addition to normal hours or on weekends or holidays. For hours worked during a holiday, employees will earn the rate of time and one-half above their regular hourly wage.

Overtime is defined as hours worked in excess of the allowable number of hours under the Fair Labor Standards Act (FLSA), which is 40 hours per seven-day workweek for non-law enforcement employees and 171 hours per 28-day work period for certified law enforcement officers and certified jailers.

For non-law enforcement employees, overtime begins to accrue after the 40th hour worked during the seven-day workweek.

For law enforcement employees, overtime begins to accrue after the 171st hour worked during the 28-day work period.

All overtime services by employees covered under FLSA must be authorized in advance by the employee's supervisor and approved by the elected or appointed department head.

<b>EXEMPTIONS FROM FLSA (OVERTIME COMPENSATION)</b>	<b>6.07</b>
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Andrews County will follow all requirements set forth in the Fair Labor Standards Act (FLSA). Non-exempt employees covered by the FLSA will be identified and compensated for overtime hours in accordance with this policy. All county supervisors shall ensure that FLSA provisions relating to overtime and hours worked are strictly adhered to, in compliance with federal law.

<b>OVERTIME COMPENSATION (NON-EXEMPT EMPLOYEES)</b>	<b>6.08</b>
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Non-exempt employees are compensated for overtime worked by being given (listed in order of the county's policy preference):

1. Equal time off within the same pay period (two weeks for most employees, 28 days for law enforcement officers and jailers); or
2. Compensatory time off, preferably taken within the next 180 days, at one and one-half times the number of hours worked, up to the maximum number of hours which may be accrued (see section of these policies entitled **USE OF COMPENSATORY TIME 6.09**); or
3. If the employee has reached the maximum accrual limit for compensatory time; if the paid overtime is specifically authorized by the department head or elected officials; and if funds are available for this purpose in the department's budget, then payment at the rate of one and one-half times the employee's regular rate.

Elected officials and/or department heads will be responsible for tracking compensatory time noting the time and date compensatory time was earned.

<b>USE OF COMPENSATORY TIME</b>	<b>6.09</b>
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As a general rule, any compensatory time earned should be used within 180 days of the date the overtime was worked or as determined by the elected official or department head.

The maximum compensatory time accrual allowed for employees whose work involves public safety, emergency response, or seasonal work is 480 hours (320 hours of overtime worked); for all other employees, the maximum is 240 hours (160 overtime hours). The maximum compensatory time allowed may be lowered by the department head or elected official, but cannot exceed the number of hours listed in this manual.

Use of compensatory time will reduce accrued balances in the order that the leave time was accrued (leave accrued first is used first).

Upon termination of county employment, the employee will be paid at the employee's regular, straight-time rate of pay for the total number of hours on the employee's compensatory time record at the time the termination occurs. (Since the compensatory time was recorded at one and one-half times the number of hours worked, the straight time payment for these hours is equivalent to time and one-half pay for hours

actually worked.)

Andrews County reserves the right to buy back any or all unused compensatory time whenever the county has the funds and chooses to do so.

Administration of the Compensatory Time programs for each department or office will be at the discretion of the elected official/department head.

<b>HOLIDAYS WORKED</b>	<b>6.10</b>
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The county's basic policy is that each regular employee receives a specified number of paid holidays per year, as set forth in these policies.

In most instances, if a regular employee is required to work on a scheduled holiday, or is required to work 40 hours in a week in which a holiday occurs, he or she may be given an alternate day off, preferably within the same pay period, or may receive Holiday Pay at the discretion of the elected official or department head.

An employee subject to the overtime provisions of FLSA, who is required to work a full 40-hour week during a week in which he or she takes a paid holiday will receive straight-time pay for the hours worked, since a paid holiday is not considered as time worked for the purpose of determining when an employee has reached his or her maximum allowable hours (40 per week for non-law enforcement personnel; 171 hours per 28-day work period for certified law enforcement officers and certified jailers) and is subject to overtime pay.

<b>TIME REPORTING</b>	<b>6.11</b>
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Employees will keep records of all hours worked and released time taken and, where appropriate, hours credited to particular projects. The forms for this purpose must be in a format that is acceptable by the County Auditor.

Time records must be signed or initialed by the employee and by the appropriate elected official, department head, or his or her appointed designee. It is recommended that these forms be filled out after each day's work in order to maintain an accurate and comprehensive record of the actual time spent on particular projects.

Altering, falsifying, tampering with time records, or recording time on another employee's time record will result in disciplinary action, up to and including termination of employment and referral for prosecution for a criminal offense.

Each elected official or department head is responsible for ensuring that all hours worked and leave time taken are reported on the time sheets sent to the County Auditor for payroll purposes as well as being recorded on the individual department's records.

## 7.00 BENEFITS

<b>HEALTH / DENTAL INSURANCE</b>	<b>7.01</b>
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All full time employees working 40 hours or more a week and part time employees working 30 hours or more a week shall be eligible for the group medical plan and dental plan benefits.

Employees become eligible for this coverage on the 1<sup>st</sup> day of the month following 60 days of employment or as otherwise provided by the County Commissioners (90 days prior to August 1, 2014). Deductions for dependant coverage shall be made through payroll deductions from the employees 1<sup>st</sup> paycheck of each month.

Employees who leave employment with Andrews County or who lose their coverage eligibility may be eligible for an extension of medical coverage for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an employee is unable to come back to work following FMLA leave, if eligible, they will be offered COBRA. Specific details of any group medical coverage may be obtained through the County Auditor's Office.

Subject to the availability of funds, the county will pay health insurance premiums for any employee who retires with twenty (20) years of accredited service with the Texas County and District Retirement System and ten (10) years continuous service with Andrews County at the time of retirement. This service will terminate when the employee is Medicare eligible. In the event the retiree dies, the spouse of the retiree will have the option to maintain insurance coverage at the rate selected by the Commissioner's Court for dependant coverage. Effective October 1, 2016, new hires will still be eligible for retirement as stated above but will only be offered employee only coverage.

<b>RETIREMENT PLAN</b>	<b>7.02</b>
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The County is a member of the Texas County & District Retirement System (TCDRS). Employees are required to become members of TCDRS and are eligible for this benefit immediately upon employment. The county matches the employee's payroll deduction of gross salary toward retirement. An employee is vested after 8 years of service.

<b>SOCIAL SECURITY</b>	<b>7.03</b>
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All employees of the county are covered by social security. The county also contributes to the social security system on behalf of each employee.

<b>WORKERS' COMPENSATION</b>	<b>7.04</b>
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All Andrews County employees are covered by worker's compensation coverage while on duty for the County. Worker's compensation coverage pays for medical



bills resulting from a covered injury or illness an employee incurs while carrying out the duties of his/her job. Worker's compensation also pays Temporary Income Benefits (TIBS) for time lost from work in excess of seven calendar days as a result of eligible work related injuries or illnesses.

All employees who are placed on Worker's Compensation leave will fall under the Family Medical Leave Act (FMLA). Andrews County runs FMLA and Worker's Compensation concurrently.

Detailed information about workers' compensation benefits is found in the sections of this manual under the main heading **Health and Safety 10.0**.

<b>UNEMPLOYMENT INSURANCE</b>	<b>7.05</b>
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All employees of the county are covered under the Texas Unemployment Compensation Insurance program, and the county pays for this benefit. This program provides payments for unemployed workers in certain circumstances.

<b>LEAVE TIME</b>	<b>7.06</b>
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Full-time county employees are eligible for holidays, vacation leave, sick leave, and other types of leave time under certain circumstances. Detailed information about leave and other types of released time is found in the sections of this manual under the main headings **Leave Time 8.0** and **Holidays 9.0**.

## 8.00 LEAVE TIME

<b>DEFINITIONS</b>	<b>8.01</b>
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1. **Leave Time.** Leave time is time during normal working hours in which an employee does not engage in the performance of job duties. Leave time may be either paid or unpaid.
2. **Holidays.** Holidays are days designated by the Commissioners' Court when county offices are closed on what otherwise would be regular business days.
3. **Unauthorized Absence.** An unauthorized absence is one in which the employee is absent from regular duty without permission of the supervisor or appropriate elected official or department head. Employees are not paid for unauthorized absences and such absences may result in disciplinary action up to and including termination.

<b>APPROVAL OF LEAVE</b>	<b>8.02</b>
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All leave taken by county employees must be approved by the employee's supervisor and the appropriate elected official or department head.

Elected officials and department heads are responsible for determining that leave has been accrued and is available for use in the amounts requested by an employee.

In addition, they are responsible for ensuring that all vacation and sick leave usage is recorded on the time sheet sent to the County Auditor for payroll purposes.

<b>VACATION LEAVE</b>	<b>8.03</b>
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All full-time county employees are eligible to earn paid vacation leave after the completion of one year of service. County employees are encouraged to take regular vacations at least annually. Vacation time must be used within the calendar year earned. Unused vacation time may not be carried forward.

<b>VACATION LEAVE ACCRUAL</b>	<b>8.04</b>
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After the completion of 12 months of service, full-time employees earn vacation leave according to the following schedule based on length of service:

<b>Length of Service</b>	<b>Vacation Days</b>
1 year – 4 years	10 days vacation
5 years – 9 years	15 days vacation
10 years – beyond	20 days vacation

**Employees who are on a Leave of Absence or Leave Without Pay for any full pay period, do NOT accrue vacation leave during that pay period.**

<b>PAYMENT OF VACATION LEAVE UPON SEPARATION FROM COUNTY EMPLOYMENT</b>	<b>8.05</b>
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When an employee leaves the services of the county, he or she will be paid for accrued unused vacation leave. To qualify for payment of vacation leave an employee must have completed a minimum of twelve months employment with the county. If a person is an active full-time employee on December 31, then they will be eligible for a full year's vacation payment for the following year.

The rate of pay will be determined by the salary rate in effect at the time of termination.

<b>SCHEDULING VACATION LEAVE</b>	<b>8.06</b>
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Appropriate elected officials and department heads should encourage their employees to schedule vacations and request leave well in advance, and vacation schedules must accommodate the county's work schedule.

Provided departmental workloads permit, employees should be allowed to select their desired vacation periods. If there is a conflict in vacation schedules involving two or more employees, employees are granted their preference on a "first come, first served" basis, unless the department head determines otherwise. If two requests are received at approximately the same time and cover the same requested vacation period, the employees will be granted their preference in accordance with seniority.

If the desired leave schedules conflict with county requirements, the county's requirements are given first consideration.

A vacation leave request in excess of 10 working days must be submitted by the employee at least two weeks in advance and must be approved by the department head.

<b>USE OF VACATION LEAVE</b>	<b>8.07</b>
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Employees may not take vacation leave in less than one-hour increments.

Employees must notify their supervisor and get permission in advance of taking leave.

Employees may donate vacation time to another full-time county employee in the event of a catastrophic injury or illness. Donations must be approved by County Commissioners on a case-by-case basis.

<b>SICK LEAVE AND FUNERAL LEAVE</b>	<b>8.08</b>
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An employee with accrued sick leave may use it if the employee is absent from work due to:

1. Personal illness
2. Medical, dental, or optical examinations or treatments;
3. Medical quarantine resulting from exposure to a contagious disease; or
4. Illness or death of a member of the employee's immediate family who requires the employee's personal care and attention.

For this purpose, immediate family is defined as the employee's spouse, child(ren), parent, step-parent, or any relative of the employee who resides in the employee's household and/or is dependent on the employee for care. Exceptions require approval by the department head and/or elected official prior to leave.

After six (6) months of employment, a maximum of three (3) days with pay per calendar year will be allowed for emergency leave for the purpose of attending funerals of immediate family members. This applies only to the employee's family or persons related to the employee's spouse, not more distant than that of aunt or uncle.

<b>ACCRUAL OF SICK LEAVE</b>	<b>8.09</b>
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Sick leave accrues after the employee has worked 6 months as a full-time County employee.

The appropriate number of hours of sick leave are credited to an employee's account after 6 (six) months and at the beginning of each year.

**Employees who are on a Leave of Absence or Leave Without Pay for any full pay period, do NOT accrue sick leave during that pay period.**

<b>USE OF SICK LEAVE</b>	<b>8.10</b>
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A full time employee can use accrued sick leave only after completion of the employee's sixth month of employment.

Employees shall not be allowed to borrow sick leave against future accruals.  
 Employees shall not be paid for unused sick leave at the termination of employment.  
 Upon retirement, employees will be paid ½ of their accrued sick leave.

<b>NOTIFICATION REQUIREMENTS</b>	<b>8.11</b>
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Approval of sick leave for non-emergency medical, dental, or optical appointments must be secured at least one day in advance.

In all other instances of use of sick leave, the employee must notify his or her supervisor or the appropriate elected official or department head, no later than the time the employee is scheduled to begin work on the first day of absence, unless emergency conditions exist, and must request that approval of sick leave be granted.

Some departments may require earlier advance notification.

The employee must also call the supervisor each subsequent day he or she will be out

on sick leave unless other arrangements are made.

Employees must complete a written request for approval of sick leave prior to non-emergency appointments or immediately request for approval of sick leave upon return to work in other instances, as applicable.

Departments must promptly report authorized use of sick leave to the County Auditor's office with the payroll. Failure to provide the required notice may result in the employee's being placed on leave-without-pay status and could result in disciplinary action against the employee.

Employees are expected to return to work as soon as their reasons for leaving have been accomplished.

<b>MEDICAL STATEMENT</b>	<b>8.12</b>
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When an employee is absent due to illness or injury for four or more consecutive work days, an elected official or department head SHALL request an employee to furnish, and the employee must provide upon request, written verification by a physician of medical disability PRIOR to returning to work and submitted to the Auditor's Office for FMLA. . **See section 8.19**

<b>MAXIMUM ACCUMULATION OF SICK LEAVE</b>	<b>8.13</b>
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Sick leave not used by employees during the year in which it accrues accumulates and is available for use in succeeding years up to a maximum allowable accumulation of 60 days (480 hours).

Once an employee has reached the maximum of 60 days, he or she does not accrue additional sick leave unless or until his or her sick leave account falls below the 60 days maximum.

<b>EXHAUSTION OF SICK LEAVE</b>	<b>8.14</b>
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A full-time employee with a serious health condition that results in the employee's inability to work may have time donated by other county employees. After the sick employee has exhausted all vacation and sick time at full salary, county employees may donate their unused vacation and/or comp time to that employee upon approval by Commissioner's Court.

After all available full salary pay has been exhausted, the following schedule of ½ sick pay based upon the number of years of continuous employment with Andrews County will be observed. An Employee with:

- 2 thru 4 years earns 30 days at 1/2 pay
- 5 thru 9 years an additional 15 days at 1/2 pay
- 10 thru 14 years an additional 15 days at 1/2 pay
- 15 thru 19 years an additional 30 days at 1/2 pay
- 20 years or more an additional 30 days at 1/2 pay

Holidays are not considered in determining the number of days at ½ pay. A **Maximum** of **120** days at ½ pay is the total benefit.

<b>ILLNESS WHILE ON VACATION LEAVE</b>	<b>8.15</b>
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When an illness or physical incapacity occurs during the time an employee is on vacation leave, accrued sick leave may be granted to cover the period of illness or incapacity and the charge against vacation leave reduced accordingly. A medical certificate or other acceptable evidence must support application for such substitution.

<b>BUY-BACK UPON TERMINATION</b>	<b>8.16</b>
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**Buy-Back Upon Termination.** Cash benefits will not be paid to an employee for unused sick leave **except** upon retirement or total disability. Then an employee may be paid in cash for one-half of this accumulated sick leave.

Upon the death of a full-time employee, his or her beneficiary may be eligible for cash reimbursement for up to sixty (60) days of the employee's accumulated sick leave.

A county employee that becomes an elected official shall be eligible for buy-back of up to one-half of the employees' accumulated sick time (before the employee became an elected official) upon retirement.

If an elected official that is eligible for buy-back of sick time is also eligible for retirement, then the County Auditor's office shall be notified so the proper funds may be budgeted.

Benefits paid under this provision are subject to the availability of funds and Commissioners' Court approval.

<b>MILITARY LEAVE</b>	<b>8.17</b>
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Andrews County shall provide all applicable benefits (employment and re-employment) to military personnel employed by Andrews County under the Federal Military Leave act and any applicable state provisions upon receipt of appropriate military orders.

All Andrews 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) days off per federal fiscal year with pay to attend authorized training sessions and exercises. The fifteen (15) day 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. 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. 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) day maximum.

An employee going on military leave shall provide his or her supervisor with a set of

orders within two (2) business days after receiving them.

Andrews 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 state and federal laws in effect at the time of their release from duty.

<b>CIVIL LEAVE</b>	<b>8.18</b>
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Employees are granted civil leave with pay for jury duty, for serving as a subpoenaed witness in an official proceeding, and for the purpose of voting.

Employees must notify the appropriate supervisor within two working days prior to taking civil leave. When an employee has completed civil leave, he or she must report to the county for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on civil leave, he or she must notify the appropriate supervisor daily at the beginning of the workday.

<b>FAMILY AND MEDICAL LEAVE (FMLA) ELIGIBLE EMPLOYEES</b>	<b>8.19</b>
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The Federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2009 requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week leave entitlement (Family and Medical Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

Employees are eligible for FMLA leave if they: 1) Have worked for the county for at least 12 months in the last 7 years; 2) Have worked at least 1,250 hours for the county during the 12 calendar months immediately preceding the request for leave; and 3) Are employed at a work site that has 50 or more employees within a 75-mile radius.

Employees with any questions about their eligibility for FMLA leave should contact the Auditor's Office for more information.

For FMLA, employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons: 1) to care for the employee's son or daughter during the first 12 months following birth; 2) to care for a child during the first 12 months following placement with the employee for adoption or foster care; 3) to care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition; 4) for incapacity due to the employee's pregnancy, prenatal medical or child birth; or 5) because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

If you are married and both work for Andrews County then each of you together may take a combined total of 12 weeks' leave during any 12-month period for reasons unless it is your own serious health condition.

Under the MFL, there are two types of leave available: 1) a qualifying exigency leave; and 2) leave to care for a covered service member.

Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, in the Armed Forces (Regular, Reserves or National Guard) is on active duty or called to active duty status in a foreign country. Qualifying exigencies may include: 1) short-notice deployment (up to 7 days of leave); 2) attending certain military events; 3) arranging for alternative childcare; 4) addressing certain financial and legal arrangements; 5) periods of rest and recuperation for the covered military member (up to 5 days of leave); 6) attending certain counseling sessions 7) Attending post-deployment activities (available for up to 90 days after the termination of the covered military member's active duty status); 8) other activities arising out of the covered military member's active duty or call to active duty in a foreign country and agreed upon by the county and the employee.

There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces (Regular, Reserve or National Guard) who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. This also includes a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations.

Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

Andrews County requires substitution of paid leave for all FMLA or MFL events. Employees must follow the vacation and sick policy guidelines. Employees also must use all of the earned compensatory time for FMLA or MFL events prior to using accrued vacation or sick. The balance of Family medical leave is unpaid leave. FMLA and MFL run concurrently with all substituted paid leave, including worker's compensation leave.

During an approved family medical leave, the county will maintain the employee's health benefits as if the employee continued to be actively employed. If paid leave is substituted for unpaid family medical leave, the county will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the



employee must pay his or her portion of the premium through direct pay at the Auditor's Office. An employee's healthcare coverage will cease if the employee's premium payment is more than 30 days late. If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse the county for the cost of the premiums paid by the county for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

During FMLA leave, the employer will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

If the need to use FMLA leave is foreseeable, the employee **must** give the county at least 30 days' **prior** notice of the need to take leave. When 30 days' notice is not possible, the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

Whenever possible, requests for FMLA leave should be submitted to the Auditor's Office.

When submitting a request for leave, the employee must provide sufficient information for the county to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave. **Any eligible employee absence from work longer than 3 days will automatically be placed on FMLA. See Section 8.12**

Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or continuing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees also must inform the county if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also will be required to provide a certification and periodic recertification supporting the need for leave.

When an employee requests leave, Andrews County will inform the employee whether they are eligible under the FMLA or MFL. If the employee is eligible, the employee will be given a written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible under, the county will provide the employee with a written notice indicating the reason for ineligibility. If leave will be designated as FMLA or MFL protected, the county will inform the employee in writing and provide information on the amount of leave that will be counted against the employee's 12 or 26 week entitlement.

If the employee is requesting leave because of the employee's own or a covered

relation's serious health condition, the employee and the relevant healthcare provider must supply appropriate medical certification. Employees may obtain Medical Certification forms from the Auditor's Office. When the employee requests leave, the county will notify the employee of the requirement for medical certification and when it is due (no more than 15 days after the employee requests leave).

If the employee provides at least 30 days' notice of medical leave, they should also provide the medical certification before leave begins. Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The county, at its expense, may require an examination by a second healthcare provider designated by the county, if it reasonably doubts the medical certification initially provided. If the second healthcare provider's opinion conflicts with the original medical certification, the county, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

The county may require subsequent medical recertification. Failure to provide requested certification within 15 days, except in extraordinary circumstances, may result in the delay of further leave until it is provided.

If an employee takes leave because of the employee's own serious health condition or to care for a covered relation, the employee must contact the county each week regarding the status of the condition and his or her intention to return to work. In addition, the employee must give notice as soon as practicable (within 2 business days, if feasible) if the dates of the leave change, are extended, or were unknown initially.

Leave because of a serious health condition, or either type of family military leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced-schedule leave (reducing the usual number of hours worked per workweek or workday) if medically necessary. If leave is unpaid, the county will reduce the employee's salary based on the amount of time actually worked. In addition, while an employee is on an intermittent or reduced-schedule leave, the county may temporarily transfer the employee to an available alternative position that better accommodates the recurring leave and which has equivalent pay and benefits.

<b>ADMINISTRATIVE LEAVE</b>	<b>8.20</b>
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The Commissioners' Court may authorize administrative leave, with or without pay, when warranted by unforeseen circumstances not otherwise provided for in these policies.

<b>LEAVE OF ABSENCE / LEAVE WITHOUT PAY</b>	<b>8.21</b>
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Leave of absence without pay is an approved absence from duty in a non-pay status for not more than six (6) months, unless an extension is approved by the Commissioners' Court.

Extensions of leave, including using this type of leave to add to the 12 week limit on family and medical leave, may be authorized by the Commissioners' Court in no more than one month intervals, and a careful review must be conducted prior to authorizing any extension. The reason(s) for granting the extension must be documented in writing in the employee's medical file if the leave without pay is for medical reasons, or in the employee's personnel file if the leave without pay is for non-medical reasons.

Granting a leave of absence without **pay is at the discretion of the elected or appointed department head**. Such leave is not authorized unless there is a reasonable expectation that the employee will return to employment with the county at the end of the approved period. Approval of the leave must be documented with a copy of the documentation placed in the employee's personnel or medical file, as set out above.

Employees on leave of absence without pay receive no compensation and accrue no benefits. However, previously accrued leave balances, benefits, and seniority are retained during leaves of absence unless otherwise prohibited by the terms or provisions of the benefit programs or by these policies.

Medical insurance may be continued, if the employee pays the premiums (including the county's portion) in full in a timely manner. The county's insurance company may limit the length of time the medical benefits may be continued.

<b>REVOCAION OF LEAVE WITHOUT PAY</b>	<b>8.22</b>
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A leave of absence without pay may be revoked upon receipt of evidence submitted that the cause for granting the leave was misrepresented or has ceased to exist.

<b>AUTHORIZED REASONS FOR LEAVE WITHOUT PAY</b>	<b>8.23</b>
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A leave of absence without pay may be appropriate for the following reasons:

1. Military service (see also the section on this type of leave);
2. Recovery from extended illness or temporary disability, including using leave without pay in lieu of or to add to the allowable 12-week period of family leave. Pregnancy is treated in the same manner as any other extended illness or temporary disability (see also the section on **Family and Medical Leave**);
3. Educational purposes when successful completion will benefit the county AND the leave has been approved by Commissioners' Court;
4. Public service assignments;
5. Seeking public office;
6. Personnel exchange programs which emphasize intergovernmental relations; or

7. any other reason approved by the Commissioners' Court which, in the judgment of the Commissioners' Court merits a leave of absence without pay.

Should any employee be granted a leave of absence without pay and begin drawing a salary equal to or greater than his/her county salary, the employee may continue county health and dental insurance coverage, but will be required to pay the full premiums at the C.O.B.R.A. insurance rates.

If the employee should become covered under any other medical insurance plan, the county coverage will cease and the employee will no longer be covered under the county medical insurance plan.

However, if the employee's family is not covered by the other insurance carrier, the employees family may remain covered under the county insurance at the C.O.B.R.A. insurance rates.

Granting of a leave of absence is a privilege to employees and NO employee is entitled to leave without the approval of their department head or elected official.

<b>REPORTING REQUIREMENTS</b>	<b>8.24</b>
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An employee on extended leave must contact the appropriate county supervisor at least once each week to report on his or her status unless another schedule is agreed to in writing.

Failure to provide required status reports or to contact the office on the schedule required by the county may result in the county revoking the leave and taking disciplinary action up to and including dismissal.

<b>RETURN TO WORK AFTER LEAVE WITHOUT PAY</b>	<b>8.25</b>
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Upon returning to work after an authorized leave of absence without pay, an employee receives an adjusted employment date and adjusted anniversary date, which reflect the period of time that the employee used for leave of absence.

This adjusted date will be used for the purpose of calculating vacation leave accrual and any other benefits that may be based on longevity.

At the expiration of an authorized leave of absence without pay, every effort will be made to reinstate the employee in the same, or a comparable position. However, if no vacancy exists and a reasonable effort to place the employee in another position has been unsuccessful, the employee will be separated and paid accrued benefits. (See also sections on **Family and Medical Leave** and on **Military Leave** for specific provisions relating to leaves of absence for those purposes.)

<b>INJURY LEAVE</b>	<b>8.26</b>
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For information on occupational disability or injury leave for bona fide, on-the-job, work-related injuries, please see the sections in this manual under the main heading **Health and Safety**.

<b>USING LEAVE IN COMBINATION</b>	<b>8.27</b>
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An employee who is requesting extended leave to add to the family and medical leave beyond the 12-week limit, must exhaust all of his or her accrued sick and vacation leave in order to be eligible for leave without pay.

Use of appropriate leave balances may be required as a condition of other leaves of absence without pay. A request for this type of leave without pay must be approved in advance by the Commissioners' Court.

If an employee is sick or temporarily disabled for non-work-related reasons, and he or she exhausts accrued sick leave, the county will automatically begin applying any accrued vacation leave credits unless notified differently by the employee.

Sick leave cannot be used for vacation purposes when vacation leave is exhausted.

With the approval of the appropriate elected official or department head, other types of leave may be used in combination or coupled with holidays if it is determined to be in the best interests of both the county and the employee.

<b>ABANDONMENT OF POSITION</b>	<b>8.28</b>
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Unauthorized absences of three days or more, depending on situation, from work may be considered by the elected official or department head as a resignation.

Unless the county official determines otherwise, the resignation is not in good standing and the employee is not eligible for re-employment.

## 9.00 HOLIDAYS

<b>GENERAL POLICY</b>	<b>9.01</b>
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It is County Policy to maintain regular business hours the day before a holiday. Paid holidays are established each year by the Commissioners' Court. The following are normally observed as paid holidays for regular county employees:

- 1 New Year's Day
- 2 Martin Luther King, Jr. Day
- 3 President's Day
- 4 Good Friday
- 5 Memorial Day
- 6 Independence Day
- 7 Labor Day
- 8 Veteran's Day
- 9 Thanksgiving Day and the Friday following Thanksgiving
- 10 Designated Christmas holidays

### CHRISTMAS HOLIDAY SCHEDULE

When Christmas falls on:	Days off are:
Sunday	Friday and Monday
Monday	Monday and Tuesday
Tuesday	Monday and Tuesday
Wednesday	Tuesday and Wednesday
Thursday	Wednesday and Thursday
Friday	Thursday and Friday
Saturday	Friday and Monday

In addition, the Commissioners' Court may declare holidays for special events. A list of holidays approved by the Commissioners' Court for the current year specifying days of the week and dates, may be obtained from your department head or the County Auditor's office.

Temporary employees and part-time employees who work fewer than 40 hours per week are not paid for holidays not worked.

An employee who is absent without approved leave on the workday immediately preceding or following a holiday will not be paid for the holiday.

Whenever an approved legal holiday falls on the weekend, it will be observed in the following manner:

<b>When a holiday falls on :</b>	<b>Holiday is observed on:</b>
Saturday	Friday (preceding the holiday)
Sunday	Monday (following the holiday)

<b>HOLIDAY DURING VACATION</b>	<b>9.02</b>
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If an official holiday falls within a regular employee's vacation, the employee will be granted the holiday and not charged for a day of vacation.

## 10.00 HEALTH AND SAFETY

<b>SAFETY POLICY</b>	<b>10.01</b>
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Andrews County is committed to providing a safe workplace for our employees.

Each County employee must adhere to the general safety standards established for all employees as well as comply with their departmental safety requirements. Safety procedures may differ at each county department. Your supervisor will provide you with specific information pertaining to your position.

Failure to follow the safety standards set by the County or your supervisor subjects an employee to disciplinary action, up to and including termination.

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

<b>EMPLOYEE RESPONSIBILITIES AND REPORTS</b>	<b>10.02</b>
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Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as that of others.

An employee must report every on-the-job accident, no matter how minor, to his or her supervisor immediately, and the supervisor reports the incident to the County Auditor, who in turn notifies the Workers' Compensation Commission, at least within 24 hours of when the accident occurred. The elected official or department head in charge is responsible for filing a written accident report immediately with the **County Auditor**.

The following rules are designed to promote the safety and well-being of county employees and are to be observed by employees at all times:

1. No employee may engage in horseplay, wrestling, or practical joking while on duty or operating county equipment;
2. Employees should maintain awareness of potential dangerous situations that may cause injury to themselves, fellow employees, or the public;
3. Employees must report immediately to their supervisors any conditions that in their judgment threatens the health or safety of employees or the public;
4. An employee who is unable to perform his or her duties safely due to illness must promptly notify his or her supervisor; and
5. Employees must immediately seek proper first aid treatment for all on-the-job injuries, including minor injuries, and must immediately report all injuries to their



supervisor unless emergency circumstances exist.

Failure to report an on-the-job injury, no matter how minor, is grounds for disciplinary action.

<b>EMPLOYEE SUGGESTIONS</b>	<b>10.03</b>
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Employees are encouraged to make suggestions to their supervisors for improvements that would make the county workplace safer.

<b>WORKERS COMPENSATION</b>	<b>10.04</b>
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All Andrews County employees are covered by workers' compensation coverage while on duty for the County. Workers' compensation coverage pays for medical bills resulting from a covered injury or illness an employee incurs while carrying out the duties of his/her job. Workers' compensation also pays Temporary Income Benefits (TIBS) for time lost from work in excess of seven calendar days as the result of eligible work related injuries or illnesses. The first 7 days will be paid by the County.

All employees who are placed on Worker's Compensation leave will fall under the Family Medical Leave Act. Andrews County runs FMLA and Worker's Compensation concurrently.

Any employee who suffers a job related illness or injury is required to notify his/her supervisor as soon as possible. Failure to promptly report job related injuries or illnesses may affect an employee's eligibility for benefits or delay benefit payments.

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

Injuries caused by willful intent and attempt to injure self or to unlawfully injure another, intoxication, horseplay by the injured employee, an act of God except in certain limited circumstances (i.e., assigned to official duty during a tornado, lightning storm, etc.), or act of a third party for personal reasons are excluded specifically from coverage by injury leave with pay.

<b>ON-THE-JOB INJURIES - COMPENSATION</b>	<b>10.05</b>
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If a full-time employee sustains a bona fide on-the-job, work-related injury which renders him or her unfit for performing the duties of the job, that employee **may not** elect to supplement his or her workers' compensation payments with sick and/or vacation leave payments from the county.

**An employee receiving workers' compensation payments does not accrue vacation or sick leave and is not entitled to receive holiday pay.**

<b>ON-THE-JOB INJURIES - TOTAL DISABILITY/RETIREMENT</b>	<b>10.06</b>
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A determination of total disability may be rendered at any time during the course of the occupational disability or injury leave. Upon such a determination, the County Auditor's office in consultation with the Commissioners' Court, will make the necessary arrangements for the employee's retirement under the "disability retirement" clause of the coverage provided by the county's retirement plan if the employee qualifies.

When the injured employee has reached maximum recovery, the county will consider the employee for employment in a capacity for which the employee is qualified if a position is available.

<b>ON-THE-JOB INJURIES - REASONS FOR TERMINATION OF EMPLOYMENT DURING INJURY LEAVE</b>	<b>10.07</b>
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An employee may be terminated while on leave for an on-the-job injury for any of the following:

1. Refusal to return to duty on the workday on which the employee has been released by the treating physician;
2. Failure to accept a "light duty" assignment;
3. Failing to follow prescribed treatment including medical appointments; and

Participating in activities that are injurious to recovery or do not aid in the healing process according to the county's medical and legal advisor.

<b>ON-THE-JOB INJURIES - FINAL RELEASE OR SETTLEMENT</b>	<b>10.08</b>
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At the time of final release or settlement of a workers' compensation claim, the employee must furnish the county with a certificate from the employee's physician stating that the employee is able to return to work.

The certificate must also specify any limitation(s) on the employee's physical condition and the estimated duration of the limitation(s). The county will then evaluate the employee's physical condition and determine whether he or she can perform the duties of the job previously held.

**If** the following conditions exist, the employee may be separated and paid accrued benefits:

- a) the employee cannot perform his or her previous duties, or
- b) no vacancy exists, and
- c) no other suitable position is available, and
- d) a reasonable effort has been made to place the employee in a suitable position.

If the employee is separated from county employment at this point, the County Auditor's office will send him or her certified, return receipt requested, letter:

- a) explaining the circumstances, outlining the reasonable effort made to place the employee in a suitable position; and
- b) informing the employee that he or she has been separated from county employment and that he or she will be mailed a final paycheck, if applicable, for any accrued and payable leave benefits.

<b>DRUG AND ALCOHOL – ALL EMPLOYEES</b>	<b>10.09</b>
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Andrews 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 are 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.

This policy applies to all employees of Andrews County regardless of rank or position and shall include full time, part time and temporary employees.

The only exception to this policy is the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

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.

An employee is prohibited from wearing a county uniform or any piece of clothing that represents Andrews County and/or driving a county vehicle while obtaining alcohol.

An employee may not be under the influence of alcohol or illegal drugs while on County property or while on duty for the County.

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.

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.

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.

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 use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify company doctor).

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.

An employee having problems with drugs or alcohol is encouraged to seek treatment from a qualified professional. Information on benefits provided for treatment of alcohol and drug abuse problems provided by the County's health plan program is available in the employee's health plan booklet or from the Auditor's Office.

Any employee who violates this policy shall be subject to disciplinary measures up to and including termination.

<b>DRUG AND ALCOHOL – CDL EMPLOYEES</b>	<b>10.10</b>
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CDL Drivers are an extremely valuable resource for Andrews 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 prohibit CDL employees from being under the influence of or using illegal drugs or alcohol during working hours.

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. All CDL 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 Andrews County that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) or alcohol by any CDL driver while on County premises, engaged in County business, while operating County equipment, or while under the authority of the County is strictly prohibited. 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. Andrews County will conduct pre-employment, reasonable suspicion and post-accident drug testing in accordance with federal law.

<b>PRE-EMPLOYMENT TESTING</b>	<b>10.11</b>
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In addition to performing pre-employment tests after extending an offer of employment, the county must and will request the results of DOT drug tests from previous employers for all new employees in safety-sensitive positions.

<b>POST-ACCIDENT TESTING</b>	<b>10.12</b>
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Drug and alcohol testing must and will be performed if an accident results in the loss of human life or if the driver was given a citation for a moving violation as a result of an accident.

Drug testing must and will be performed within 32 hours of an accident and alcohol testing should be performed within two hours of an accident or as soon as reasonably possible thereafter.

<b>REASONABLE SUSPICION TESTING</b>	<b>10.13</b>
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If a supervisor believes a reasonable suspicion exists that an employee under his or her supervision is abusing alcohol or drugs, the supervisor must obtain the concurrence of the department head or elected official, or in their absence, of one other supervisor before sending an employee to be tested.

<b>RETURN TO DUTY TESTING</b>	<b>10.14</b>
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Test results of return-to-duty testing for alcohol or drug use must be negative.

If a covered employee fails a drug or alcohol test, the county is required to and will ensure that the employee is evaluated by a **SAP (Substance Abuse Professional)** *unless* the employee is immediately terminated, in which case the county will inform the employee where he/she can get help.

**11.0 USE OF AND ACCOUNTABILITY FOR COUNTY EQUIPMENT AND PROPERTY**

<b>GENERAL POLICY</b>	<b>11.01</b>
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The county attempts to provide each employee with adequate tools, equipment, and vehicles for the job being performed. We expect each employee to observe safe work practices and safe and courteous operation of vehicles and equipment in compliance with all applicable regulations.

<b>USE OF TOOLS, EQUIPMENT, PROPERTY, AND VEHICLES</b>	<b>11.02</b>
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County property, materials, supplies, tools, equipment, and vehicles are purchased with taxpayer funds and are intended for the maintenance and operations of the county. Employees who are assigned tools, equipment, vehicles, or any other county property by their departments are responsible for them and for their proper use and maintenance. Repairs to vehicles must be done in accordance with county purchasing policies.

Except as noted below, no personal or political use of any county property, materials, supplies, tools, equipment, or vehicles is permitted. Upon termination of employment, employees must return any county property in their possession. Failure to return all county property in the employee's possession may result in legal action by the county against the employee.

Employees who are assigned a vehicle that does not classify as a qualified non personal use vehicle as defined by the IRS may use the county-owned vehicle for commuting purposes only. However, these employees will be assessed the tax on the benefit amount as prescribed by the IRS. Taxes for this amount will be deducted from the employees pay check on a quarterly basis. The employee will be responsible for reporting to the County Auditor any work day he or she does not use the vehicle for commuting purposes. The County will be responsible for identifying county-owned vehicles that do not classify as a qualified non personal use vehicle as defined by the IRS and for notifying the employee of the benefit amount they will be taxed on.

Any time a county-owned vehicle is taken outside Andrews County the employee must be on Andrews County business and have the permission of the elected official or department head. Each elected official and department head will have the right to further restrict the use of vehicles assigned to his office or department.

If an employee is in doubt about a circumstance, he or she must check with the appropriate elected official or department head before proceeding. Violations of this policy may result in discharge and possible prosecution.

<b>VALID DRIVER'S LICENSE</b>	<b>11.03</b>
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All operators of county vehicles are required to have a valid State of Texas driver's license necessary for legal operation of that vehicle and to keep the department head or elected official informed of any changes in status of their license. **The County Auditor** will periodically check the driving records of all employees who operate county vehicles or are required to use their personal vehicle to conduct county business. Failure to maintain a safe driving record may result in disciplinary action. An employee may be required to participate in a defensive driving course if the employee is cited with a moving violation.

<b>VEHICLE INSURANCE</b>	<b>11.04</b>
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The county maintains up-to-date insurance coverage on all vehicles owned by the county. Elected or appointed officials or employees who drive a personal vehicle on county business are required to maintain up-to-date insurance coverage. Failure to do so is grounds for disciplinary action up to and including discharge.

<b>ACCIDENT REPORTING</b>	<b>11.05</b>
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Any employee operating county equipment or vehicles must report all vehicular accidents and property damage or liability claims to his or her supervising elected official, department head, or County Auditor and to the appropriate law enforcement authorities immediately. In the case of injury to the employee, reports should be made as soon as the employee is able.

Each vehicular accident, no matter how minor, must be reported to appropriate law enforcement authorities so that an official accident report can be filed. The department head or elected official in charge of the department must notify the County Auditor of the accident on the day of the accident if it occurred on a business day, and on the first business day following the accident if it occurred after hours or on a non-workday.

Employees involved in accidents are required to submit to a drug and alcohol test immediately following the accident. Refusal to submit to the drug and alcohol test is grounds for disciplinary action up to and including discharge. The department head or elected official is responsible for assuring compliance with this requirement.

A copy of any accident report involving county equipment or vehicles must be forwarded to the Commissioners' Court as soon as the law enforcement investigation is completed. A copy of the accident report must also be filed in the personnel file of the employee involved in the accident.

<b>SALE OF SURPLUS PROPERTY</b>	<b>11.06</b>
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No county employee is allowed to purchase or receive as a gift, county office supplies, equipment, or machinery for personal use other than through surplus property sales via public auction or sealed bid.

<b>UNAUTHORIZED PURCHASES USING COUNTY FUNDS</b>	<b>11.07</b>
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County funds may not be used to purchase the following items, including but not limited to:

1. Goods or services from a county employee or member of their immediate family
2. Personal expenses except those incidental to travel and reimbursed by the county
3. Expenses for birthdays, going away parties other than those honoring retirees, gifts, flowers, bosses day, Secretaries day, or any other occasion that is not considered necessary to carry on business
4. Alcoholic beverages
5. Expenditures for entertainment
6. Separate, sequential, and component purchases or transactions made with intent to circumvent State Law or County Policy



## 12.00 DISCIPLINE

<b>GENERAL</b>	<b>12.01</b>
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Each supervisor shall have the authority to administer discipline to employees in their department for poor performance, violation of policies, disruptive behavior, or any other behavior or activity which the supervisor feels is not acceptable as it relates to the employee's job or the best interest of the department or County.

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

**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.**

Andrews 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.

Employees of the county serve "at will" and within the requirements of state and federal law regarding employment and **can be dismissed at any time, with or without notice for any reason or no reason.** Some of the actions that may result in **discipline include, but are not limited to,** the following:

1. Insubordination;
2. Absence Without Leave or Excessive Absence including absence without permission, failure to notify a supervisor of sick leave, repeated tardiness, or early departure;
3. Endangering the Safety of the Employee and/or Other Persons through negligent or willful acts;
4. Use of Alcohol or Illegal Drugs while on duty or in a county vehicle;
5. Alcohol or Drug Abuse which may affect the performance or safety of the employee or other persons;
6. Involvement with Alcohol or Drugs in the workplace in violation of the county's Drug-Free Workplace Policy;
7. Unauthorized Use or Theft of Public Funds or Property;

8. Conviction of a felony, or class A or B misdemeanor;
9. Conviction of Official Misconduct, oppression, or perjury;
10. Falsification of Documents or Records;
11. Unauthorized Use of Official Information or unauthorized disclosure of confidential information;
12. Unauthorized or Abusive Use of Official Authority;
13. Violation of the Sexual Harassment Policy;
14. Incompetence or Neglect of Duty;
15. Disruptive Behavior which impairs the performance of others; or
16. Other Violation of any of the Requirements of these Personnel Policies or any departmental policies not in conflict with these policies.

Andrews County reserves the right to evaluate each discipline problem individually, and take action as necessary.

<b>PROGRESSIVE DISCIPLINE</b>	<b>12.02</b>
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**An elected official or appointed department head may take disciplinary action, including dismissal, against an employee at any time.** The severity of the discipline depends upon the nature of the infraction. The individual department head and/or elected official may, but is not required to use a progressive discipline system.

The progressive discipline includes, but is not limited to, the following:

1. Oral Warnings with records of each warning maintained by the appropriate elected official or department head;
2. Conference with elected official or appointed department head, employee, and supervisor, with a written summary of the conference to be prepared by the supervisor, with one copy to the employee and one copy to the employee's personnel file;
3. Written Reprimands which the employee's supervisor must in all cases cause to be transmitted through the elected official or department head to the employee's personnel file;
4. Reduction in Pay without demotion;

5. Suspension from duty, with or without pay, for up to 30 days and renewable after informal review of the circumstances;
6. Demotion; and/or
7. Separation by involuntary dismissal.

Actions other than oral or written warnings require the advance approval of the appropriate elected official or department head, normally in consultation with the County Attorney, unless an emergency situation exists.

For additional information regarding procedures to be followed if the discipline results in separation by involuntary dismissal, see the following sections of this manual relating to **Separations**.

## 13.00 SEPARATIONS

<b>TYPES OF SEPARATIONS</b>	<b>13.01</b>
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All separations of employees are designated as one of the following types:

1. Resignation;
2. Retirement;
3. Reduction in Force;
4. Dismissal;
5. Disability; or
6. Death.

<b>RESIGNATION</b>	<b>13.02</b>
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An employee who intends to resign is requested to notify his or her supervisor in writing at least 10 working days prior to the last day of work. The supervisor is responsible for notifying the appropriate elected official or department head immediately.

<b>RETIREMENT</b>	<b>13.03</b>
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Employees are required to give 30 day written notice in case of retirement except that a longer period of advance notice may be required to start retirement payments promptly.

TCDRS requires at least a full calendar month break in service with no pre-arranged return. Andrews County requires at least a **90** day break in service with no pre-arranged return.

At retirement, the employee will sign a rehire form stating that they understand and adhere to the policy stated in this section.

Retired employees shall be eligible to apply for open positions with Andrews County as long as the following provisions are met:

1. The retiree has been retired for at least 90 calendar day,
2. No prior arrangement or agreement was made between Andrews County and

the retiree for re-employment,

3. Strict adherence to normal leaving employment procedures were followed at the time of the employee's retirement.

See the Texas County and District Retirement System's brochure for additional information on retirement.

<b>REDUCTION IN FORCE</b>	<b>13.04</b>
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An employee may be separated when his or her position is abolished or when there is either a lack of funds or a lack of work.

When reductions in force are necessary, decisions on individual separations will be made after considering:

1. the relative necessity of each position to the organization,
2. the performance record of each employee,
3. qualifications of the employee for remaining positions with the county, and
4. the employee's length of service with the county.

<b>DISMISSAL</b>	<b>13.05</b>
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Andrews County operates under the legal doctrine of "employment-at-will" and, within requirements of state and federal law regarding employment, **can dismiss an employee at any time, with or without notice, for any reason or no reason.**

The county will attempt to ensure that employee dismissals are not made in an arbitrary and capricious manner; however, these personnel policies **do not constitute or imply a contract, agreement, promise, or guarantee of employment or of continued employment.**

The County has the right to change these policies at any time, without prior notice to employees.

<b>DISABILITY</b>	<b>13.06</b>
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In cases of long-term disability where an employee is unable to return to work for a period of time which would cause an undue hardship to the county to hold the position open and if no position is available which the employee could perform with a reasonable accommodation by the county, the employee will be separated from employment with

the county.

(See sections of this manual under the main heading of **Health and Safety 10.07** for details on occupational disability resulting from bona fide, on-the-job, work-related injuries.)

<b>DEATH</b>	<b>13.07</b>
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If a county employee dies, his or her estate receives all pay due and any earned and payable benefits as of the date of death.

<b>EXIT INTERVIEWS AND RECORDS</b>	<b>13.08</b>
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Reason(s) for a separation are stated in writing, signed by the appropriate elected official or department head, and except in unusual or emergency circumstances, initialed by the employee on the county's exit interview form. The elected official or department head of an employee who is separated will discuss with the employee the reason(s) for the separation in an exit interview whenever possible. The elected official or department head also must sign the exit interview form. The exit interview record is important and may be instrumental in determining the county's liability or lack of liability for unemployment insurance costs. At the time of separation, the elected official/department head will notify the County Auditor.

<b>CONTINUATION OF GROUP INSURANCE</b>	<b>13.09</b>
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The Federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA) allows certain individuals the option of continuing their group health and dental insurance at the individuals' full expense, under specified conditions, beyond the date on which it would otherwise terminate. Insurance information from the county's group insurance carrier is given to each employee at the time of employment and explains these options under the county's carrier at the time the employee is hired. Later revisions in group insurance coverage are explained in subsequent insurance information distributed to each employee at the time the coverage revision is effective.

Each covered employee is responsible for notifying the County Auditor's office of any change in family status, separation, divorce, or a child becoming eligible or ineligible for dependent's coverage. If the change would cause the employee or a covered dependent to become ineligible for county-supplemented group insurance, the county will provide an "Insurance Coverage Continuation Form" to be completed by the appropriate person(s). In order to qualify for continued coverage, specific time periods must be met and full premiums must be paid in a timely manner by the employee or the applicable spouse or child.

(If the affected person's payment for continuation of group health insurance is not received by the 1st of the month, the county will notify the insurance carrier that the payment was not received. If this occurs, the county will neither pay the person's

premium nor enter into payment arrangements for this coverage.

<b>PAY AT SEPARATION</b>	<b>13.10</b>
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Employees who are separated from employment by termination will receive their last paycheck within 6 days. Employees who resign their position with the county will normally be paid on the next regularly scheduled payday. Any unused leave accrued during the previous 12 months of service with the exception of sick leave, for employees who aren't separating because of retirement, will be included in the employee's final paycheck.

## 14.00 GRIEVANCES

<b>POLICY</b>	<b>14.01</b>
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It is the policy of the county, insofar as possible, to prevent the occurrence of grievances and to deal promptly with those which occur. No adverse action will be taken against an employee for reason of his or her exercise of the grievance right.

A grievance may be filed by an employee on one or more of the following grounds: improper application of rules, regulations, and procedures (but not the rules, regulations, and procedures themselves), unfair treatment, illegal discrimination based on race, religion, color, sex (including sexual harassment), age, disability, or national origin, improper application of fringe benefits, or improper working conditions.

Any employee having a grievance related to his/her job should discuss the grievance with his/her immediate supervisor.

If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected or appointed official with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that official.

The decision of the elected or appointed official with final responsibility for the employee's department shall be final in all grievances.

<b>FINAL AUTHORITY</b>	<b>14.02</b>
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Grievances can be appealed through the employee's supervisor to the appropriate elected official, whose decision is final. If the department head is appointed by the Commissioners' Court, the matter may be appealed to the Commissioners' Court whose decision is final.

If the grievance alleges either discrimination on the basis of race, age, gender, religion, color, disability, national origin, or sexual harassment, and the matter is not resolved to the employee's satisfaction at the department head level (whether the department head is elected or appointed), the employee is required to notify the Commissioners' Court, providing them with copies of all documentation of the grievance from initial filing through final action by the elected official or department head.

<b>PROCEDURE</b>	<b>14.03</b>
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The following procedures are applicable to regular employees. For procedures to be followed in the event of a grievance by an elected county official, see Chapter 149, Sec. 152.014, Local Government Code.



<b>PROCEDURE - INFORMAL GRIEVANCES</b>	<b>14.04</b>
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The first step in the grievance process is for the employee to attempt to resolve the grievance by informal conference with his or her supervisor. If this informal conference does not result in a resolution of the problem(s) that is satisfactory to the employee, he or she must file a formal written grievance.

<b>PROCEDURE - FORMAL GRIEVANCES</b>	<b>14.05</b>
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Formal grievances must be in writing, signed by the employee, and presented to the employee's supervisor within 10 working days after the alleged grievance occurred. A statement of the specific remedial action requested by the employee must be included in the written grievance.

After being presented with a written and signed grievance, the supervisor will (1) meet with the employee and such other persons as may be necessary to gather the facts; (2) notify the elected official or department head; (3) attempt to resolve the grievance with the employee and, if requested by the employee, with the employee's representative; and (4) communicate the decision to the employee in writing within 10 working days after receipt of the grievance, sending a copy of the proposed resolution to the elected official or department head.

If an employee whose supervisor is someone other than the elected official or department head either receives no written resolution from the supervisor within 10 working days from the date the grievance was filed, or if the employee is not satisfied with the proposed resolution, he or she must file a written appeal with the elected official(s) or department head within 10 working days. The elected official(s) or department head will review the facts, the file and investigate the charges either personally, through a committee, or by a designated person. The person(s) conducting the investigation will meet with the parties involved. The elected official(s) or department head will respond in writing to the employee within 10 working days of the date the appeal was received in the elected official's or department head's office.

If the department head is appointed by the Commissioners' Court, and the employee either receives no written resolution from the department head within 10 working days from the date the grievance was appealed to the appointed department head, or if the employee is not satisfied with the appointed department head's proposed resolution of the matter, the employee must file a written appeal with the Commissioners' Court within 10 working days. The Commissioners' Court will then review the facts and the file and conduct an investigation if deemed appropriate before rendering a decision in the matter. The Commissioners' Court decision is final.

<b>GRIEVANCES / DOCUMENTATION</b>	<b>14.06</b>
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Copies of all documentation relating to the grievance will be forwarded to the County Auditor's office immediately upon conclusion of each step in the grievance process and will be placed in the employee's personnel file.

<b>GRIEVANCES RELATING TO SEXUAL HARASSMENT OR DISCRIMINATION</b>	<b>14.07</b>
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Any employee may file a grievance related to alleged sexual harassment or discrimination on the basis of race, religion, color, sex, national origin, age, or disability. The employee has the option to submit the initial written grievance directly to the elected official, department head, or County Auditor as appropriate. In such an instance, to allow adequate time for investigation by the appropriate authority, the total cumulative time period that would have been allowed at the other steps in the grievance process is available to the appropriate authority before his or her written resolution of the grievance is required to be received by the employee.

If a grievance alleging either discrimination on one of the prohibited grounds or sexual harassment is not resolved to the employee's satisfaction at the department head level (whether the department head is elected or appointed), the employee is required to notify the Commissioners' Court, providing them with copies of all documentation of the grievance from initial filing through final action by the elected official or department head.

<b>REQUIREMENT FOR APPEAL IF DISSATISFIED</b>	<b>14.08</b>
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If the employee is dissatisfied with any proposed resolution during the grievance process, he or she must appeal to the next step within the established time period. Failure to appeal presumes that the employee is satisfied with the latest resolution as provided by §14.05.

## 15.00 JOB (CLASS) DESCRIPTIONS AND PERFORMANCE EVALUATIONS

<b>JOB DESCRIPTIONS</b>	<b>15.01</b>
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The Commissioners' Court adopts and periodically may revise an official job description for each position in the county.

<b>DISTRIBUTION</b>	<b>15.02</b>
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The job description for each employee's position will be

1. given to the employee,
2. reviewed by the employee, and
3. placed in the employee's personnel file along with a signed certification statement that the employee has reviewed it.

In addition, each employee is given a copy of the job description to keep.

<b>REQUESTS FOR CLARIFICATION</b>	<b>15.03</b>
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In the absence of any request for clarification, each employee is considered to understand the responsibilities assigned to the position that he or she occupies.

<b>EMPLOYEE PERFORMANCE EVALUATIONS</b>	<b>15.04</b>
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Supervisory personnel may conduct a written performance evaluation and an evaluation interview of each regular county employee.

Performance evaluation records are maintained in each employee's personnel file.

## 16.00 PERSONNEL FILES

<b>GENERAL</b>	<b>16.01</b>
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Personnel records, except medical records, are maintained by the County Auditor or his or her department head or elected official.

Medical records are filed in a confidential file maintained by the County Auditor.

Information in an employee's personnel file is public information and must be disclosed upon request unless specific items are exempt from disclosure by law.

No information from any record placed in an employee's file will be communicated to any person or organization, except by the County Auditor or an employee authorized to do so by the County Auditor.

Each employee may choose whether the county discloses the employee's home address and telephone number to the public on request.

If a new employee does not request confidentiality within the first 14 days of employment, the home address and telephone number on file are considered public information. However, employees may change their election for disclosure or confidentiality at any time.

A form for designating this information as confidential or public is available from the County Auditor's office.

An employee or his or her representative designated in writing may examine the employee's personnel file upon request during normal working hours at the county offices. An employee may not remove anything from his or her personnel file.

Employees must inform the County Auditor of any changes in or corrections to information recorded in their individual personnel files such as home address, telephone number, person to be notified in case of emergency, or other pertinent information.

<b>PERSONNEL ACTION FORM</b>	<b>16.02</b>
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The Personnel Action Form is the official document for recording and transmitting to the personnel file each personnel action. The form is approved by the Commissioners' Court as a matter of record and remitted to the Auditor's office. This form is used to promote uniformity in matters affecting:

1. Employment Category;
2. Position Title and Classification;

3. Pay Group and Step; and
4. Other Actions Affecting the Employee's Status.

The Personnel Action Form is completed on the employee's first day of work and becomes a permanent part of the employees personnel file. It is updated any time there is any change in his or her status that relates to employment or benefits.

<b>CONTENTS OF PERSONNEL FILES</b>	<b>16.03</b>
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Elected officials and department heads must provide in writing to the Auditor appropriate payroll and employee information as a condition of hiring or promoting a person into a budgeted position. An employee's official personnel file must contain at least the following:

1. An employment record form summarizing the employee's history with the county;
2. Insurance forms
3. W-4 form;
4. A copy of the employee's application for employment;
5. A copy of the court order for appointees;
6. Signed copies of the employee's acknowledgments of having received a copy of the Personnel Policies Manual and any other policy-related materials;
7. Employee's job description(s) and acknowledgment of having received a copy of the job description;
8. I-9 Forms will be kept in a separate file.

9. Election to Disclose or Keep Confidential Home Address and Home Telephone Number Form;
10. Change in Status Forms;
11. Retirement application,
12. Records of any citations for excellence, awards for good performance, or job related training/education;
13. Records of disciplinary action(s);
14. Performance evaluations;
15. Copies of any grievances and related materials;
16. Any other pertinent information having a bearing on the employee's status; and
17. Any written statements from the employee explaining, rebutting, or clarifying other items in the file.

An employee's personnel file does not contain information regarding an employee's medical record(s), nor does it contain any information relating to drug testing.

These medical files are confidential and are not released to anyone unless a "need to know" has been clearly established.

Only the County Auditor has routine access to employee medical records.

<b>LEAVE RECORDS</b>	<b>16.04</b>
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The County Auditor or his/her designee keeps official records of vacation leave and sick leave accrual and of leave usage for each employee.

Leave records are updated at the end of each pay period.

Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled.

## 17.00 COUNTY TRAVEL AND EXPENSE REIMBURSEMENT

<b>DEFINITIONS</b>	<b>17.01</b>
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### **Travel**

Travel expenses incurred by an Andrews County elected official or employee associated with the transporting of prisoners or probationers, criminal investigations, warrant service or other official county business.

### **Out of State Travel**

All out of state travel (excluding law enforcement transporting of prisoners or probationers, criminal investigations, warrant service or other law enforcement related official county business) must be pre-approved by Commissioner's Court. However, Andrews County elected officials may travel to any state neighboring the State of Texas for the purpose of conducting County business as necessary.

### **Education & Training**

Expenses incurred by an Andrews County elected official or employee for educational seminars, conferences or meetings applicable to his/her required job duties and responsibilities.

### **Allowable Travel Expense**

Only those expenses defined within the adopted travel policy as reimbursable to traveling county employees.

### **Actual Expense**

The actual cost of any allowable travel expense supported by original receipts or documentation.

### **Authorized Signature**

The signature of an elected official, department head, or an employee, authorized to approve claims on behalf of a county official, whose authorization is on file with the County Auditor.

### **Official County Business**

Business in which an elected official or employee's participation is recognized by the Commissioners Court as being official business of the county.

### **Traveling County Employee**

The elected official or employee traveling on official county business who incurs allowable travel expenses reimbursable by the county.

### **Traveling Expense Report**

The expense form required to report all allowable travel incurred in connection with official county business to be submitted to the County Auditor for reimbursement of travel expenses.

<b>RESPONSIBILITIES OF DEPARTMENT HEADS</b>	<b>17.02</b>
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1. Maximum Economy and Efficiency - Elected officials and department heads should plan the out-of-county travel for themselves and their employees to achieve the most efficient trip providing maximum economic benefits while allowing for the safety of the traveling employee. The purpose of the travel should be the same as that travel approved in the departmental budgets in any particular fiscal year. Only travel expenditures related to official county business are allowable for reimbursement.
  
2. Accuracy and Validity - It is the responsibility of the elected official or department head to insure that all travel expense reports are properly completed and signed by the traveling county employee and to attest to the accuracy and validity of the reported travel expenditures.
  
3. Reimbursement from Other Agencies/Associations - It is the responsibility of the elected official or department head to insure that claims for reimbursement due from other agencies or associations are submitted directly to the reimbursing entity. Any requests for reimbursement will be made payable to Andrews County, and the revenues will be receipted to the appropriate line from which the original expense was paid.

<b>RESPONSIBILITIES OF TRAVELING EMPLOYEE</b>	<b>17.03</b>
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1. Original Receipts and Invoices - It is the responsibility of the person traveling on official county business to keep original invoices and receipts for all transportation and lodging costs.
  
2. Completion/Submission of Travel Expense Reports - It is the responsibility of the traveling employee to complete all information requested on the Travel Expense Report and to submit this report to the County Auditor's Office with all required receipts and substantiation.
  
3. Conference Program Agendas - It is the responsibility of the traveling employee to obtain copies of conference program agendas as supporting documentation and submit these with the Travel Expense Report.
  
4. Agency/Association Reimbursement - It is the responsibility of the traveling employee to cooperate with the elected official or department head to insure that claims or reimbursements due from other agencies are obtained as applicable.
  
5. Submission of Travel Expense Report - It is the responsibility of the traveling employee to reflect all expenditures related to the official county business including transportation, lodging, meals and registration fees on the Travel Expense Report. Expenditures directly billed to Andrews County or reimbursements from other agencies or associations should be netted from the total travel expenses to determine the net due to (from) the employee, or the reimbursement check from the other agency shall be signed over to Andrews.



<b>COMMISSIONER'S COURT AUTHORITY</b>	<b>17.04</b>
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Section 152.011 of the Texas Local Government Code gives Commissioners' Court the authority to set travel expenses and other allowances for all elected officials and employees. The County Commissioners' Court allows reimbursement of travel expenses for elected officials and employees who travel on official county business when funds have been allocated in departmental budgets for that purpose.

<b>REQUIRED RECEIPTS AND DOCUMENTATION</b>	<b>17.05</b>
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The traveling county employee must submit a Travel Expense Report and supporting **itemized** receipts, invoices and documentation for the following in order to be reimbursed:

1. Airline fares
2. Parking garage charges
3. Taxi, bus or shuttle fares
4. Automobile rentals
5. Automobile related charges for county vehicles
6. Lodging statements
7. Registration and conference fees
8. Tips up to 15%, included in per diem

If requests for reimbursement on Travel Expense Reports are not supported by documentation, the County Auditor will not honor the request for reimbursement.

<b>TAXI, BUS, OR SHUTTLE FARES</b>	<b>17.06</b>
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The county will only reimburse the traveling employee for taxi, bus or shuttle fares relating to official county business. The general purpose of each should be denoted on the receipt and the receipts must be submitted with the Travel Expense Report.

<b>AUTO RENTAL</b>	<b>17.07</b>
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Rental automobiles are reimbursable only for the actual cost of renting a vehicle, including motor fuel. The county will only reimburse for a mid-size or economy car, any other size should be approved in advance by the elected official or department head and the excess charges documented. The traveling employee should decline the liability insurance and accept the collision damage insurance offered by the rental car agency when renting a car for use in Andrews County business. Car rental agreements along with copies of receipts for fuel and other auto expenses must be submitted to the County Auditor on the Travel Expense Report.

<b>PERSONAL AUTOMOBILES</b>	<b>17.08</b>
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The county will reimburse the traveling county employee on a per mile basis when using a personal automobile on official county business. The mileage allowable must

represent the most direct safe route from the county to the destination where the county business takes place plus a reasonable reimbursement for business mileage traveled while at the destination. No other automobile expense will be paid to the traveling county employee other than the fixed rate per mile.

The fixed rate per mile shall be equal to the current rate set by the State of Texas.

<b>COUNTY OWNED VEHICLES</b>	<b>17.09</b>
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The county will only pay actual expenses, such as gas, oil or other such maintenance items. Receipts are required for all these items.

<b>GENERAL RULE FOR REIMBURSEMENT - LODGING</b>	<b>17.10</b>
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The county will reimburse the traveling county employee for the actual cost of lodging for that employee only at a commercial lodging facility while traveling on official county business. The lodging statement must be submitted with the Travel Expense Report.

<b>ITEMS ALLOWABLE FOR REIMBURSEMENT</b>	<b>17.11</b>
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Those items that are allowable for reimbursement on the lodging statement are:

1. Daily room charges
2. Necessary hotel taxes
3. Business communication expenses
4. Meal charges within the maximum allowances

<b>ITEMS NOT ALLOWABLE FOR REIMBURSEMENT</b>	<b>17.12</b>
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Those items that are not allowable for reimbursement on the lodging statement are including, but not limited to:

1. Cleaning or laundry services
2. Alcoholic beverages
3. Hotel club charges
4. Recreational facility charges
5. Movies and personal phone calls

<b>TIME LIMITATIONS FOR LODGING REIMBURSEMENT</b>	<b>17.13</b>
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Depending on the mode of travel and the meeting schedule for conferences, the county will reimburse the traveling county employee for a maximum of one-days lodging immediately preceding the start of the conference or seminar, lodging during the conference or seminar, and a maximum of one days lodging following the end of the conference or seminar.

<b>MAXIMUM ALLOWABLE LODGING DAILY RATE</b>	<b>17.14</b>
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Hotel lodging will be reimbursed at the seminar rate. A Travel Expense Report and a copy of the conference materials denoting the host hotels must also be submitted. Hotel reimbursement will be for the County employee only.

<b>MAXIMUM DAILY RATE OF REIMBURSEMENT FOR MEALS</b>	<b>17.15</b>
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The county will reimburse the traveling county employee per diem for meals on overnight travel only not to exceed (including tips):

Breakfast	\$12.00
Lunch	\$17.00
Dinner	\$20.00

The elected official or department head may choose to reimbursement employees for actual expenses, instead of allowing per diem. If this is the case, the employee will be required to provide receipts for the expenses. Receipts for meals must be detailed, listing what was purchased. Summary receipts will not be paid. When actual receipts are used, any amount over the daily per diem rate will be taxable to the employee.

The Employee must be traveling away from the general tax home area substantially longer than an ordinary day's work, consisting of 6 to 8 hours.

The county will reimburse meal cost only for the traveling county employee (except for meals associated with the transporting of prisoners). If the traveling employee elects to purchase meals for other individuals, that decision will be at the expense of the county employee and will not be reimbursed by the County.

<b>MEALS PROVIDED WITH CONFERENCE REGISTRATION FEES</b>	<b>17.16</b>
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The county will not reimburse the traveling county employee for meals that are included in the conference registration fees. If the county employee chooses to eat a meal other than the one provided for in the conference registration, that meal will be at the personal expense of the employee unless the employee has an allergy that prevents the employee from eating the meal provided for by the conference.

<b>ALCOHOLIC BEVERAGES</b>	<b>17.17</b>
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The county will not reimburse the traveling county employee for any type of alcoholic beverage, whether with a meal or not.

<b>TRAVEL EXPENSE REPORT SUBMISSION DEADLINE</b>	<b>17.18</b>
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Upon returning to the County, the traveling county employee should complete a Travel Expense Report and submit this report with all supporting documentation to the County Auditor **within three (3) business days of completion of travel or return to work.**

## 18.00 ANDREWS COUNTY CREDIT CARD USAGE

<b>GENERAL</b>	<b>18.01</b>
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The Credit Card Program allows county employees to make purchases required in the normal course of authorized business. The intent of this program is to enhance the capabilities of field personnel to perform operational tasks without an administrative delay of obtaining a purchase order. It is important for all participants to understand the importance of using the program as intended.

Credit cards should not be used to replace planning. The county promotes progressive productive work methods and supports “planning ahead” to achieve the best possible results. Therefore, a purchase should not be made with a credit card unless it is the most productive purchasing method.

<b>ISSUANCE</b>	<b>18.02</b>
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Cards are issued in the name of the county and the individual cardholder. The cardholder is the only person entitled to use the card issued in their name and is responsible for all charges made against the card.

<b>RESPONSIBILITIES OF THE CARDHOLDER</b>	<b>18.03</b>
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Spending limits that have been provide to each cardholder set the maximum dollar for each single purchase (Single Transaction Limit), daily number of transactions, and the total dollar amount for all purchases made with a credit card within a given billing cycle (30 day limit).

The credit card is to be used for county purchases only. Personal charges should not be made to the card. A **first offense** will result in suspension of the card for a period to be determined by the elected official/department head. The **second offense** will result in cancellation of the cardholder’s card. Personal expenses incidental to business travel are allowed provided such expenses are clearly identified on a **detailed itemized** purchase order/voucher and a written explanation is attached, along with evidence of reimbursement, which will enable the County Auditor to reconcile the monthly credit card statement. The written explanation must be approved and signed by the holder’s elected official/department head. Any unreimbursed personal charges on the card will be considered misappropriation of county funds and the case will be referred to the Andrews County Sheriff for investigation.

Any time a purchase is made using the credit card, whether it is done over the counter, over the Internet, or by telephone, a **detailed itemized receipt** shall be obtained by the cardholder as proof of purchase. The document will later be used by the County Auditor to reconcile purchases shown on the cardholder’s monthly statement. Summary receipts that do not itemize what was purchased, including receipts for meals, are not allowed under any circumstances. Expenditures that are not itemized must be

reimbursed by the cardholder.

The County is tax-exempt and the cardholder should ensure that credit card purchases do not include sales tax. The county's tax exemption form can be obtained from the County Auditor.

In order to help comply with IRS 1099 reporting requirements, the credit card should not be used to pay non-corporate entities for personal or professional services.

Should the cardholder lose or have their credit card stolen, it is the responsibility of the cardholder to immediately notify the elected official/department head, and the County Auditor within one (1) business day after discovery of the loss or theft of the card. The cardholder will be required to make a written report to the County Auditor on the Credit Card Lost/Stolen Report form within five (5) business days that will include the complete information on the loss, the date the loss was discovered, the location where the loss occurred, if known, the purchases that the cardholder had made prior to the loss, and any other information that may be considered as needed.

<b>RESPONSIBILITIES OF THE COUNTY AUDITOR, ELECTED OFFICIAL, AND DEPARTMENT HEAD</b>	<b>18.04</b>
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The Auditor is responsible for keeping a current list of cardholders, card numbers, card limits and card history. He/she is also responsible for the integrity of processing statements for payment and may request a full audit of any cardholder's account. The Auditor is responsible for all accounting functions of the program including receipt and issuance of payment on statements and balancing the county's financial system.

Misuse and Abuse - Improper use of the card may be considered misappropriation of county funds that may result in disciplinary action, up to and including termination and will be resolved after investigation is determined and finalized by the elected official/Department. By signing the Credit Card Agreement, the cardholder is aware and understands any and all violations.

Expenditure and Purchase Review - The cardholder's supervisor shall be responsible for manually reviewing all cardholder transactions.

Inappropriate Purchase - Neither the bank nor the merchant bears any responsibility for inappropriate purchases. If a purchase was made by the cardholder, the merchant will be paid and the department budget charged unless the county returns the merchandise and the merchant agrees to take it back and issue a credit. The cardholder's supervisor, elected official/department head or Auditor may make the employee personally responsible for payment of inappropriate purchases.

Lost Or Stolen Cards - Lost or stolen cards should be immediately reported to the credit card company and to the Auditor. If not reported immediately, the county may be liable for the fraudulent charges and, if liable, the cardholder's budget will be charged.

Cardholder Performance - The elected official/department head is responsible for determining if the Credit Card Program adequately meets the needs of the department and whether the department should continue using the card. He/she should review the performance of each cardholder in his/her department and address any deficiencies in an individual cardholder's performance in the Credit Card Program in the applicable employee evaluation.

Request For Credit Card - The elected official/department head is responsible for requesting an employee's participation in the Credit Card Program by submitting an approved Request for Credit Card form along with a completed and signed Credit Card Cardholder Agreement to the Commissioner's Court for acceptance. Any changes to cardholder's transaction limits must be requested in writing from the cardholder's elected official/department head to the Auditor. The Auditor will return the approved Request for Credit Card along with the changes to the elected official/department head.

Card Cancellation or End of Employment - Whenever the employment of a cardholder is ended, or the individual is transferred to other duties, the elected official/department head of the cardholder is responsible for ensuring that the card is returned to the County Auditor.

<b>PROCESSING STATEMENTS FOR PAYMENT</b>	<b>18.05</b>
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Statements are addressed to the county and the individual cardholder, and mailed to the attention of the Andrews County Auditor, 201 North Main, Room 109, Andrews, TX, 79714. It is the Auditor's responsibility to reconcile the statements and determine any discrepancies. Any discrepancies will be directed to the elected official/department head.

The cardholder must **submit detailed itemized receipts** to the elected official/department head along with a purchase order/voucher made payable to the credit card company. The elected official/department head will indicate on the purchase order/voucher the budget line item number to which each transaction is to be charged, and then submit the purchase order/voucher for payment following currently accepted procedures. Cardholders and their supervisor are responsible for ensuring that there are no ineligible expenses.

When the credit card is used to purchase travel related items, the original receipt must be attached to the purchase order/voucher. A copy of the approved travel authorization and/or Travel Reimbursement Form must be included with all credit card receipts and be attached to provide a complete audit trail.

All purchase orders/vouchers and accompanying documentation must be submitted to the Auditor's Office **within 3 business days of purchase or return from travel**.

If the receipt has been misplaced, or the receipt is insufficiently detailed, the amount of the expenditure will be charged to the cardholder through payroll deduction unless there is a reasonable explanation. The cardholder will then be required to submit the

appropriate **detailed and itemized receipt** to the Auditor in order to reimburse the cardholder.

In the event there are disputed charges the cardholder shall complete the Cardholder Statement of Disputed Items form and present it to the elected official/department head, who will then forward it to the Auditor.

In the event an item is returned, the cardholder shall make a copy of the credit for the elected official/department head and give the original to the Auditor for reconciling back to the budget line from which the original invoice was paid.

<b>UNAUTHORIZED PURCHASES</b>	<b>18.06</b>
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The credit card may not be used to purchase the following items, including but not limited to:

1. Goods or services from a county employee or member of their immediate family
2. Personal expenses except those incidental to travel and reimbursed by the county
3. Expenses for birthdays, going away parties other than those honoring retirees, gifts, flowers, bosses day, Secretaries day, or any other occasion that is not considered necessary to carry on business
4. Alcoholic beverages
5. Maintenance of equipment, where an agreement must be signed by vendor
6. Purchases under contracts, unless an emergency exists and purchase is approved by the elected official/department head
7. Cash advances or refunds
8. Expenditures for entertainment
9. Transaction amounts greater than cardholder's limit
10. Separate, sequential, and component purchases or transactions made with intent to circumvent State Law or County Policy

## 19.00 INTERNET USAGE

<b>POLICY GUIDELINES</b>	<b>19.01</b>
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Andrews County employees access the Internet from county-owned computers. This access is intended for business-related purposes (such as communicating with customers, suppliers, colleagues, to research relevant topics and to obtain useful business information). Additionally, an employee's use of the Internet should not cause incremental expense to the County, nor should county time be wasted. County time should be spent conducting county business. Employees should not play games, send mass mailings or run private businesses. At the discretion of the department head or elected official, employees may use the Internet and email during personal breaks and lunches and after hours as long as the usage does not violate another policy of the Andrews County Internet Usage Policy. The public may access the Internet from county-owned computers at a number of public locations. The county provides Internet access as a service to our citizens.

Existing laws and county policies apply to conduct when accessing the Internet on county-owned computers, especially those that deal with intellectual property protection, privacy, misuse of county resources, sexual harassment, data security, and confidentiality.

<b>CONTENT</b>	<b>19.02</b>
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World Wide Web access from a county-owned computer is filtered by a third-party service in the following categories: Adult content, nudity, sex, gambling, illegal/questionable, racism/hate, tasteless, and violence. If an employee wants to report a particular web page that they feel should fall into one of these categories, they can call the County Library. If an employee is being blocked from a site that they need access to in order to do their job, the department head can send a request to the department's computer representative.

<b>USAGE</b>	<b>19.03</b>
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The use of Andrews County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for Andrews County business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in any expense to the County.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be used to solicit or sell products or services that are unrelated to the County's business;



distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

Use of Andrews County computers, networks, and Internet access is a privilege granted by department heads and may be revoked at any time for inappropriate conduct carried out on such systems. Improper use may result in discipline up to and including termination.

Andrews County owns the rights to all data and files in any computer, network, or other information system used in the county. Andrews County also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems, facebook, twitter, etc.) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using county equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by county officials at all times. Andrews County has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate county official. No employee shall break any copy right laws, download any illegal or unauthorized downloads. Andrews County monitors its entire informational systems and employees may be subject to discipline up to and including termination for any misuse of county informational systems.

Employees should not bring personal computers to the workplace or connect them to Andrews County electronic systems, unless expressly permitted to do so by their supervisor and or IT department. Violation of this policy may result in disciplinary action, up to and including termination of employment.

County-owned computers may not be used to download or distribute pirated software or data. Any software or files downloaded via the Internet may be used only in ways that are consistent with their licenses or copyrights.

County-owned computers may not be used to deliberately propagate any virus, worm, Trojan horse, trap-door, or back-door program code or knowingly disable or overload any computer system, network, or to circumvent any system intended to protect the privacy or security of another user.

County-owned computers may not be used to knowingly violate the laws and regulation of the United States or any other nation, or the laws and regulations of any state, city, province, or local jurisdiction in any material way.

County employees shall identify themselves honestly, accurately, and completely when corresponding or participating in interactive activities, and shall not send unsolicited mass electronic mail.

County employees should not automatically assume that any county data or databases are subject to the Texas Public Records Act. There are numerous exclusions to this law

and such data or databases may not be uploaded or otherwise transferred to non-county entities without appropriate approvals.

County employees should not have any expectation of privacy as to his or her Internet usage. It is possible to monitor Internet usage patterns and the county may inspect any and all files stored on county resources to the extent necessary to ensure compliance.

For county employees, an infraction of these policies constitute misuse of county assets and is considered a violation of the Andrews County Employee Code of Conduct and may result in disciplinary actions.

For individuals using county-owned computers at public locations, infractions of these policies may result in restricted use, which is to be determined by the director of the public facility.

<b>SOCIAL MEDIA</b>	<b>19.04</b>
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For purposes of this policy “social media” includes, but is not limited to, online forums, blogs and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Andrews County recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee’s work; is used to harass supervisors, co-workers, customers or vendors; creates a hostile work environment; or harms the goodwill and reputation of Andrews County among the community at large. Andrews County encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

Where no policy or guideline exists, employees are expected to use their best judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.

- If your posts on social media mention Andrews County make clear that you are an employee of Andrews County and that the views posted are yours alone and do not represent the views of Andrews County.
- Do not mention Andrews County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Andrews County, respond respectfully with factual information, not inflammatory comments.
- Remember, you are responsible for what you write or present on social media. You can be sued by other employees, supervisors, customers or vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees can be subject to disciplinary action, up to and including termination for what they post on social media platforms, even if the employee did not use a

county computer or if the post did not occur during work hours or on County property.

- Employees may not use Andrews County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Andrews County monitors its computers to ensure compliance with this restriction.
- You must comply with copyright laws, and cite or reference sources accurately.
- Do not link to Andrews County's website or post Andrews County material on a social media site without written permission from your supervisor.
- All Andrews County policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment and code of conduct.
- Any confidential information that you obtained through your position at Andrews County must be kept confidential and should not be discussed through in social media forum.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

## ACKNOWLEDGMENT

I have received my copy of the Andrews County Personnel Manual that outlines my privileges and obligations as an employee and includes a summary of my benefits. I acknowledge that the provisions of these policies are part of the terms and conditions of my employment and that I agree to abide by them. I accept responsibility 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 supervisor (or county personnel representative).

Since this information is subject to change, it is understood that any changes will be communicated to me by my supervisor or through official notices or bulletin boards.

I further understand that as a county employee, I have a personal responsibility to provide quality service to the public, to achieve the highest degree of safety possible for my fellow workers and myself, to continually make suggestions for improvement 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.

This personnel manual is not a contract, and does not constitute a promise or guarantee of employment. I understand that Andrews County is an at-will employer.

Each employee is responsible for maintaining their copy of the personnel manual and will be charged a \$25.00 fee if it is not returned upon separation of employment with Andrews County.

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Signature of Employee

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Printed Name of Employee

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Date Signed