

# Washington County Employee Handbook



*Washington County, where service exceeds expectations, community values drive innovation, and respect is earned by cultivating relationships through servant leadership.*

Adopted by Commissioners' Court

April 9, 2024

## **EMPLOYEE HANDBOOK ACKNOWLEDGEMENT**

I have received a copy of the Washington 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 document and understand that it contains general personnel policies of the County. If I need clarification on any of the information in this document, I will contact my immediate supervisor.

I further understand that the Washington 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 Washington County's policies, practices and benefits. I understand that Washington 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 understand as a County employee, I shall have no expectation of privacy when using county computers, networks, or other county owned equipment. Improper use may result in discipline up to an including termination.

I further understand that as a Washington 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 teamwork and cooperation.

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

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

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Printed Name of Employee

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Signature of Employee

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Date Signed

**COUNTY OF WASHINGTON  
COMMISSIONERS COURT ORDER**

WHEREAS the Washington County Commissioners Court desires to provide the employees of Washington County with a uniform format for dealing with various employment related issues; and

WHEREAS the Washington County Commissioners Court wish to adequately communicate to employees the policies and procedures of the County:

THEREFORE, BE IT RESOLVED that the Washington County Commissioners' Court hereby approves, and adopts, the WASHINGTON COUNTY EMPLOYEE HANDBOOK.

ADOPTED THIS 9<sup>th</sup> DAY OF April, 2024.

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

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

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

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

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

Witnessed and Attested By:

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

# Washington County Employee Handbook

Welcome to Washington County!

We are excited to have you as an employee of Washington County. You were hired because we believe you can contribute to the success of Washington County and share our commitment to serving the public with excellence.

Washington County is committed to providing excellent service to the community in all of our county offices. As part of the team, we hope you will discover that the pursuit of excellence is a rewarding aspect of your career here.

This employee handbook contains some key policies, benefits, and expectations of Washington County, and other information you will need. Each Elected Official, Appointed Official, or Department Head may have detailed policies and procedures for their office.

Your job is essential to fulfilling our mission of serving the community every day and to meet or exceed their expectations. We achieve this through dedicated hard work and commitment from every Washington County employee. You should use this handbook as a ready reference as you pursue your career with Washington County. Please consult with your Elected Official, Appointed Official or Department Head regarding questions you may have concerning this employee handbook.

Welcome aboard!

Sincerely,

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County Judge

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Commissioner Pct. 1

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Commissioner Pct. 2

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Commissioner Pct. 3

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Commissioner Pct. 4

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## I. INTRODUCTION

### 1.01 MISSION STATEMENT

Washington County, where service exceeds expectations, community values drive innovation, and respect is earned by cultivating relationships through servant leadership.

### 1.02 VISION

We are dedicated to building something greater than ourselves for future generations.

### 1.03 VALUES

- **Integrity and Trust** – we stand firm in our pursuits, without sacrificing the character of ourselves or others, earning the respect of the community we serve.
- **Communication and Loyalty** – we are committed to open, honest, and trustworthy communication as we build a united team.
- **Courage and Commitment** – we are mindful of our role, focused on the mission, and unafraid to make tough decisions.
- **Personal Accountability and Humility** – we value self-awareness and expect growth through failure as we cultivate servant leaders.
- **Passion and Grace** – we are committed to the challenges we face and accept the opportunity to grow through adversity.
- **Growth and Development** – we strive for excellence and drive for efficiency through continual professional development.

### 1.04 AUTHORITY

The Commissioners' Court is the approving authority for this policy which has been adopted to promote consistent, equitable, and effective practices by Elected Officials, Appointed Officials, Department Heads, and employees. Any revisions, amendments, deletions, or additions shall be approved by the Commissioners' Court. These policies replace and supersede any and all previously adopted versions and shall be effective as of the documented approval date going forward until revised or replaced.

### 1.05 APPLICABILITY

These policies apply equally to all employees of the County unless a class of employees is specifically exempt. Where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary to comply.

Additional policies, procedures, and/or standard operating procedures may be established by the Elected official, Appointed official, or Department head as appropriate for their department. These policies shall be established in agreement with the Washington County Employee Handbook and applicable federal, state, and local guidelines to provide additional, specific guidance for the employees in their department.

#### **1.06 SEVERABILITY**

The provisions of this policy 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.

## II. COUNTY EMPLOYMENT

### 2.01 AT WILL EMPLOYMENT

All employment with Washington County shall be considered “at will” employment. No contract of employment shall exist between any individual and Washington County for any duration, either specified or unspecified. No provision of this employee handbook shall be construed as modifying your employment at will status.

Washington 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.

Washington 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 Washington County shall have the right to leave their employment with the County at any time, with or without notice.

### 2.02 EQUAL EMPLOYMENT OPPORTUNITY

Washington County is an equal opportunity employer. The county will not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, age, genetic information, pregnancy, veteran status, 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.

### 2.03 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT (ADAAA)

It is the policy of Washington County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels they have been subject to such treatment, or has witnessed such treatment, the situation should be reported to your Elected Official, Appointed Official, Department Head or the County Attorney. All Elected Officials, Appointed Officials, Department Heads and employees with responsibilities requiring knowledge of the disability and/or accommodation are instructed to treat the employee’s disability with confidentiality.

It is Washington County’s policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the county. In accordance with the Americans with Disabilities Act, as amended (ADAAA), reasonable accommodations may be provided to qualified individuals with disabilities when such accommodations are necessary to enable them to perform the essential functions of their jobs, or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment, and all employees. If you require accommodation, please contact

your Elected Official, Appointed Official, Department Head or the County Attorney. Reasonable accommodation shall be determined through an interactive process of consultation.

#### **2.04 EMPLOYEE POSITION STATUS POLICY**

Each county position has an employee status that identifies how the position is paid and how benefits are granted by Commissioners' Court. The status (as defined below) of a position cannot be changed without the approval of the Commissioners' Court. This policy defines both health insurance and retirement benefits. Full-time employees will be eligible for health insurance. All other classifications must be included in the county initial and/or standard measurement periods for the Affordable Care Act.

**Full-Time:** A full-time employee shall be any employee in a position who has a normal work schedule of an average (over a period of 12 weeks), minimum 30 hours per 7-day workweek. Full-time employees are eligible for county health insurance and retirement benefits. Other county policies will dictate eligibility for other benefits. Employees may be non-exempt (hourly) employees or exempt employees. Non-exempt employees are eligible for overtime compensation. Exempt employees are not eligible for overtime compensation. Washington County makes exempt status determination based on the Fair Labor Standards Act.

**Part-Time:** A part-time employee shall be any employee in a position who has a normal work schedule of less than thirty (30) hours per week. All part-time employees must participate in the TCDRS retirement program regardless of the number of hours worked per week. Part-time employees are not eligible for other benefits.

**Temporary Seasonal:** A temporary seasonal employee shall be any employee who is hired into a position that lasts six (6) months or less and begins at approximately the same time each year. Temporary seasonal employees can be either part time or full time, and they may qualify for health insurance through the county under the Affordable Care Act depending on the number of hours worked per week, and the length of employment. Temporary seasonal employees are not eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits.

**Volunteers:** Persons who are assigned to the County but who serve voluntarily. As a condition of their assignment, such persons are governed by all terms of these policies not in conflict with their agreement.

#### **2.05 AUTHORIZATION TO HIRE**

Each Elected Official, Appointed Official, or Department Head is authorized to employ for their assigned department within the current year's approved budget.

No prospective employee is authorized to perform any work for the County or draw any salary until the employee has been made an offer of employment by the appropriate Elected Official, Appointed Official, or Department Head and has completed all documents required by the Human Resource Office. Failure to comply with this provision could result in delayed payment of wages.

## **2.06 HIRING PROCESS**

Open positions may be filled through public announcement, promotion, transfer, or current eligible applications.

Each applicant for employment must complete the required application and submit other pertinent information regarding training and experience as requested. The Elected Official, Appointed Official, or Department Head will make appropriate inquiries to verify experience, character, and suitability of applicants. Criminal history checks may be conducted for certain employment positions with prior written authorization from the applicant. If a prospective employee refuses authorization, they will be removed from consideration.

Each Elected Official, Appointed Official, or Department Head is responsible for job descriptions that establish minimum acceptable qualifications for a position, including knowledge, skills, and abilities, and acceptable levels of experience and training for each position. Any changes to the position title, pay range, or assigned department must be approved by the Commissioners' Court.

At the County's expense, all new employees must undergo and pass a drug test and physical to determine if the individual can perform the essential job functions. All employees must also pass a pre-employment background check before they report for their first day of work.

An employee with the Sheriff's Office, 911, EDS, or EMS should refer to that department's guidelines for specific, additional requirements.

Persons under 16 years of age will not be employed. Persons under 18 years of age will not be hired in any hazardous occupation. Other age limitations will be only as required by state or federal law applicable to the County.

## **2.07 PERSONNEL FILES**

The Washington County Human Resources department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, policy acknowledgements, as well as records concerning performance, discipline, and compensation. Any additions to an employee's personnel record must be made through the Human Resources office.

It is important that the personnel records of Washington County be accurate at all times. To avoid issues, compromising your benefit eligibility or having W2's returned, Washington 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 of any other pertinent information.

The Public Information Act allows county employees to keep their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether the employee has family members confidential. Employees 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 their first day of employment.

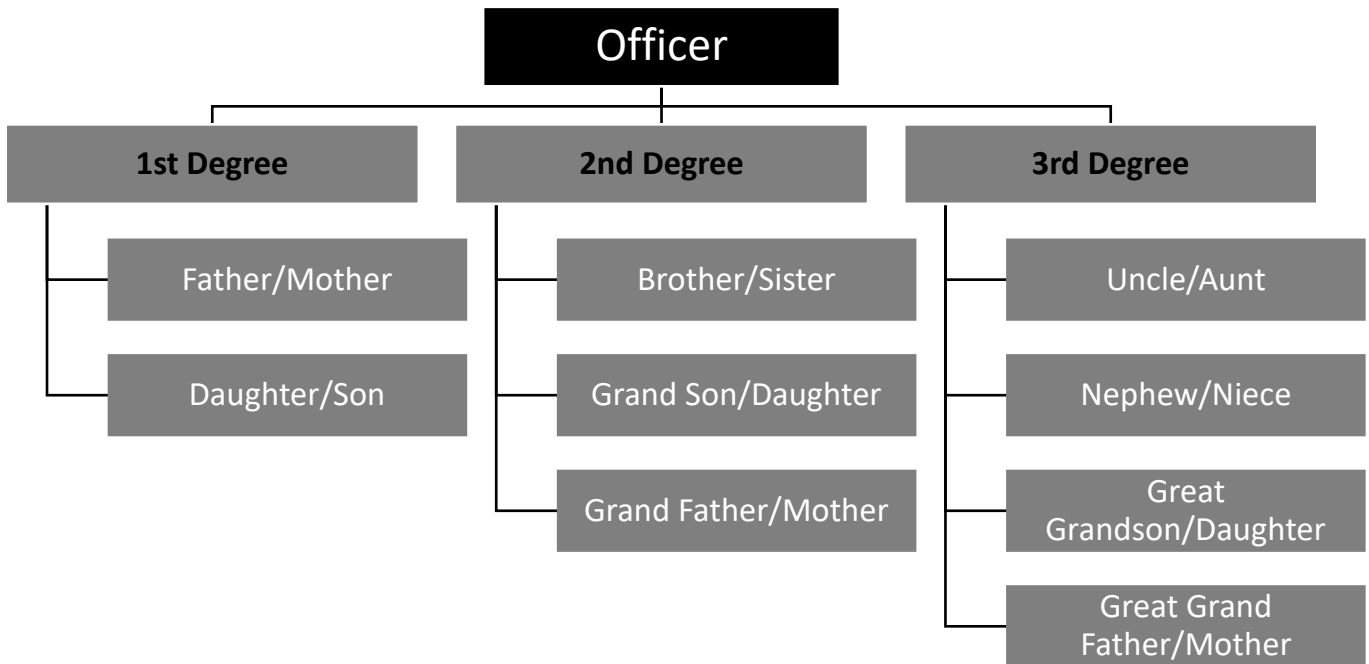
## 2.08 NEPOTISM

Under Texas Government Code Chapter 573, a Public Official of Washington County is prohibited from hiring a relative related within the third degree of consanguinity (blood) or within the second degree of affinity (marriage) to work in a department that they supervise or exercise control over.

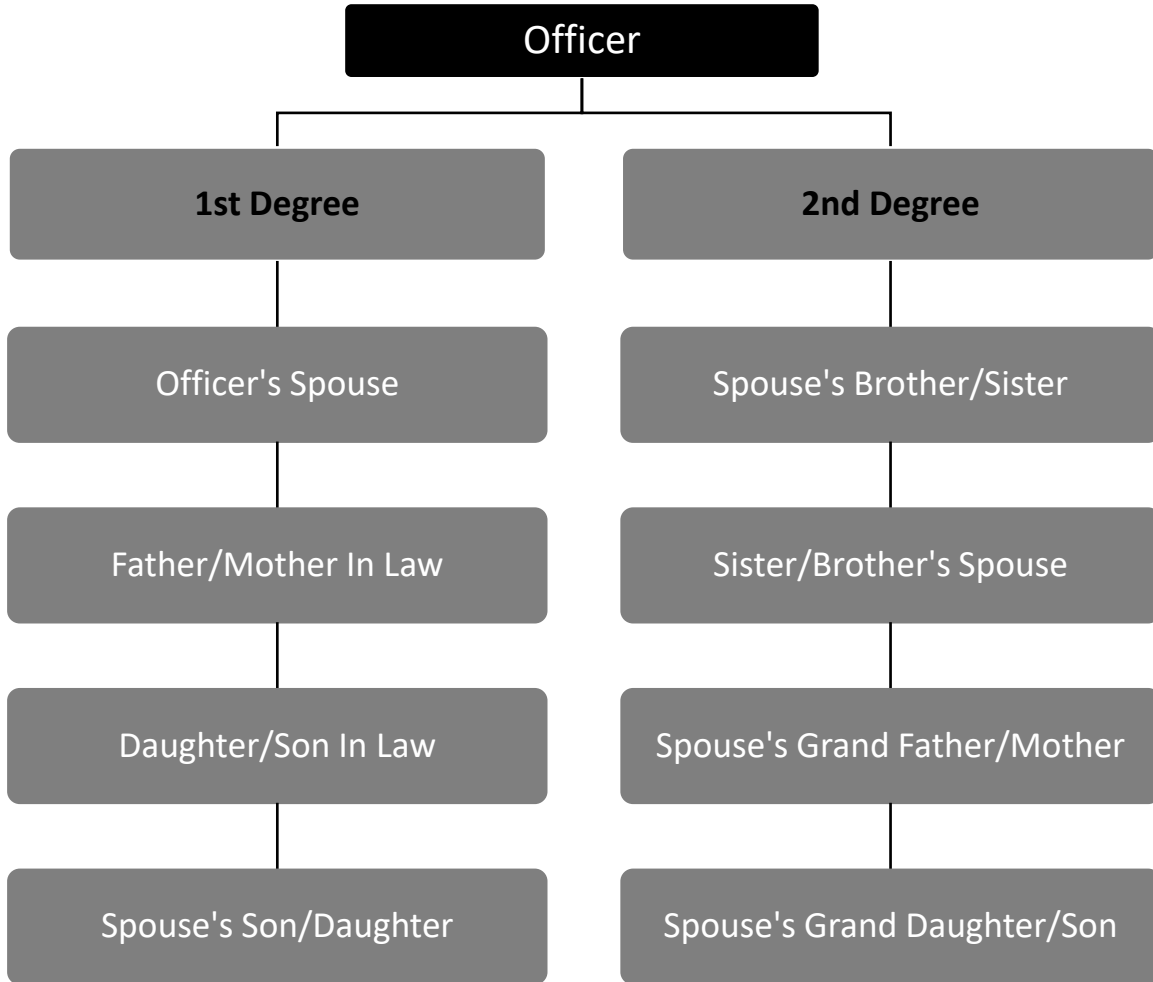
A degree of relationship is determined under Texas Government Code Chapter 573. (See the charts that follow.)

### CONSANGUINITY KINSHIP CHART

(Relationship by Blood)



**AFFINITY KINSHIP CHART**  
**(Relationship by Marriage)**



### **III. WORK RULES AND EMPLOYEE RESPONSIBILITY**

#### **3.01 GENERAL**

Washington County is a public tax-supported organization. Its employees are expected to adhere to the highest standards of public service that emphasize professionalism, courtesy, respect, good moral conduct, and avoidance of even the appearance of illegal or unethical conduct.

#### **3.02 ATTENDANCE**

Employees should report to work as scheduled; know and comply with policies; observe safety rules, and use County time, funds, and property for authorized County business only. If an employee is unable to be at work at their normal reporting time, they shall be responsible for notifying their supervisor as set forth in departmental policy or as soon as it is reasonably possible in the case of an emergency.

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 the 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 workdays, and who fails to notify their supervisor, shall be considered to have resigned their position by abandonment.

#### **3.03 DRESS CODE**

Employees shall dress neatly and appropriately in relation to their job and in keeping with safety requirements. Each official or department head will determine the type of attire that is acceptable. Employees in certain positions may be required to wear a uniform in association with the department in which they work. All employees should maintain a high standard of personal cleanliness and hygiene.

#### **3.04 UNIFORM POLICY**

It is the policy of Washington County to provide uniforms for Washington County employees upon determination by the Elected Official, Appointed Official, or Department Head that there are requirements related to job responsibilities of the employee that make it appropriate.

Departmental policy addresses uniform requirements in specific detail identifying any regulation or professional requirement(s). If an Elected Official, Appointed Official, or Department Head requires that employees wear standard style shirts for job related reasons, the cost of placing logos on employees' shirts will be to the County within budget allocation.



Washington County will comply with IRS regulations in determining if the benefit is taxable to the employee.

### **3.05 TOBACCO/SMOKE FREE WORKPLACE**

Washington County endeavors to provide a healthy environment. Therefore, any form of tobacco or vaping consumed on county property or in county vehicles is strictly prohibited.

### **3.06 HARASSMENT**

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

Harassment is strictly prohibited by Washington County whether committed by an Elected Official, Appointed Official, Department Head, co-worker, or non-employee with whom the County does business.

Employees who feel they have been harassed should immediately report the situation to their supervisor. If, for any reason, the employee feels that reporting the harassment to the supervisor may not be the best course of action, the report should be made to the Human Resources office, and then the County Attorney.

Every reported complaint will be investigated promptly and thoroughly by Human Resources. While all claims of harassment shall be handled with discretion, there can be no complete assurance of full confidentiality. The Elected Official, Appointed Official, or Department Head to which a claim has been reported shall be responsible for seeing that prompt action is taken .

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

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

Remedial action will be taken in accordance with the circumstances when the county determines unlawful harassment or retaliation has occurred, up to and including termination. In the event that a harassment claim is deemed to be an intentional false accusation, the employee will be subject to disciplinary action, up to and including termination.

### **3.07 SEXUAL HARASSMENT**

Sexual harassment is strictly prohibited by Washington County, whether committed by an Elected Official, an Appointed Official, a Department Head, a co-worker or a non-employee the County does business with. It is the policy of Washington County to provide a workplace free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.

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

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

Employees who feel they have been sexually harassed should immediately report the situation to the Elected Official, Appointed Official or Department Head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the Official or Department Head may not be the best course of action, the report should be made to the Human Resources or County Attorney's office.

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, Appointed Official, or Department Head who is responsible for your department or to the Human Resources office.

If a thorough investigation reveals that unlawful sexual harassment has occurred, Washington 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 Official, Appointed Official or Department Head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the Official or Department Head may not be the best course of action, the report should be made to the Human Resources, and then the County Attorney's office.

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.

### **3.08 CONFLICT OF INTEREST**

Employees of Washington 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 their ability to make objective decisions regarding their work and responsibility as a Washington County employee. Elected Officials, Appointed Officials, Department Heads, and employees shall not accept gifts considered illegal pursuant to Texas Penal Code Sections 36.08-36.10.

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

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

- 1) Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
- 2) Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
- 3) Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County;
- 4) Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and their duties for the County; or
- 5) Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

### **3.09 POLITICAL ACTIVITY**

Employees of Washington County shall have the right to support candidates of their choice and to engage in political activity during their personal time.

Employees shall not:

- 1) Campaign on County time;
- 2) Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency, political fund or person for a political purpose;
- 3) Use any equipment, property or material owned by the County for political activity or engage in political activity while on duty for the County.

Employees are not required to contribute to any political fund or to render any political service to any person or party, and no employee shall be terminated, demoted, pay reduced, or otherwise mistreated for refusing to do so.

Employees of the County are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law.

### **3.10 GRIEVANCES**

Any employee having a grievance, defined as an official statement of a complaint over something believed to be wrong or unfair, related to their job are encouraged to discuss the grievance with their immediate supervisor.

If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the Elected Official, Appointed Official, or Department Head with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that Official.

If the employee desires to proceed with a formal grievance they must do so in writing to the Human Resources office. An investigation will occur and determine the necessary actions.

The decision of the Elected Official, Appointed Official, or Department Head with final responsibility for the employee's department shall be final in all grievances.

### **3.11 DISCIPLINE**

The Elected Official, Appointed Official, or Department Head may, at any time, take disciplinary action in response to an employee's unacceptable behavior or performance as it relates to the employee's job or the best interest of the department or County. Disciplinary action may occur in the form of informal counseling, verbal and/or written warnings, suspension, reduction in pay, demotion or termination of employment. The Elected Official, Appointed Official, or Department Head shall have the authority to determine the appropriate method of discipline and administer as such.

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 their job.

The Supervisor is encouraged to consult with Human Resources prior to administration of progressive discipline. Notification to the Human Resource office when implementing a

written warning or reprimand is required. Consultation with the Human Resources office shall occur when initiating a demotion, suspension or termination. In critical or emergency situations the Supervisor should suspend, and notify Human Resources within 48 hours.

Examples of unacceptable behavior or standards are listed below. This list is not exhaustive and is not limited to the following:

- 1) Unsatisfactory work performance;
- 2) Excessive absences or tardiness;
- 3) Insubordination;
- 4) Inattention to duties caused by interruptions such as telephone calls, visitation, or other personal activities;
- 5) Misconduct such as fighting with or making threats toward fellow employees or others;
- 6) Unauthorized release of information such as confidential employee, inmate, or client records;
- 7) Illegal possession or sale of alcohol or drugs;
- 8) Theft;
- 9) Falsification of employee's own or other employee's time records, county records, employment application, or medical history;
- 10) Willful damage to property owned, rented, leased, or used by the County;
- 11) Failure to abide by established safety rules of the County;
- 12) Refusal to submit to drug testing after reasonable suspicion has been determined;
- 13) Failure to obtain and maintain all licenses and certifications required to perform the duties of an employee's position;
- 14) Violation of social media policies.

Departmental supplements may provide further examples and guidance related to acceptable behavior and standards of conduct.

### **3.12 CONFIDENTIALITY**

Washington County is a public entity; however, some county employees acquire confidential (non-public) information because of their position with the county. This information must be protected. Employees who reveal confidential (non-public) information they have received as a result of their position may be subject to discipline up to and including termination.

Regarding the personnel information of employees of Washington County: much of the information in an employee's personnel file, including salary and job evaluations is subject to disclosure under the Public Information Act, however, highly personal matters are typically not subject to disclosure. Washington County will adhere to the Public Information Act requirements.

### **3.13 WHISTLEBLOWER**

An employee may, in good faith, report an alleged violation of a Washington County Policy or federal or state law to their supervisor, elected official, appointed official, department head, or the Human Resources office, unless all of these persons are the alleged perpetrators of the

alleged violation of policy or law. If all of the listed persons are alleged to be involved in the violation, the employee may report the allegation to the County Attorney. The county will investigate the reported activity.

An Official, Supervisor, Department Director, or any other employee is prohibited from taking adverse employment action against an employee who, in good faith, reports an alleged violation of County policy or federal or state law to a designated person, pursuant to this policy.

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

An employee who, in good faith, believes they are being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact Human Resources.

An employee with a question regarding this policy should contact Human Resources.

### **3.14 OUTSIDE EMPLOYMENT**

Washington County employees are expected to give their full and undivided attention to their job duties. They should not use Washington County facilities or equipment or their association with Washington 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 of their employment with Washington County that interferes with the employee's assigned duties with Washington County.

### **3.15 BREAKS**

The Fair Labor Standards Act and the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act require reasonable breaks for nursing mothers to express breast milk. The Texas Right to Express Breast Milk in the Workplace Act also imposes duties on public employers and, under other state law, is applicable for the duration of a nursing mother's need to express breast milk. Washington County supports the practice of expressing breast milk.

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

The County will provide the nursing mother with a private location, other than a bathroom. The location will be shielded from view, free from intrusion, and appropriate for expressing breast milk. The specific location will be determined on a case-by-case basis.

Washington County does not allow any retaliation against a nursing mother for asking for this break. Nursing mothers are entitled to this break for the duration of the time they are expressing breast milk. Reasonable accommodation will be provided for the needs of employees who express breast milk. An employee of the county who needs to express breast milk may not be discriminated against.

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

### **3.16 WEAPONS AND CONCEALED/OPEN CARRY (of Handguns)**

Weapons and other dangerous or hazardous devices or substances are prohibited from county premises without proper authorization. A license to carry is required for employees to bring a handgun onto county property.

It is the policy of the county that open carry by employees is prohibited. Concealed carry is permitted in accordance with Texas Penal Code, Title 10, Chapter 46 and the Texas Government Code, Chapter 411.

### **3.17 DECLARED EMERGENCY CLOSINGS**

As a general practice, Washington County does not close its operations unless the health, safety, and security of county employees are seriously brought into question. When this happens, Washington County will provide paid leave for essential and non-essential employees. Nothing in this policy shall be construed as changing the exempt/nonexempt status of any person employed by the County.

When the County Judge (or in their absence, the senior available County Commissioner) along with the Emergency Management Coordinator agree that an emergency situation exists or is imminent, a determination will be made in the handling of the County operations.

Upon determination, the authorized County official making the decision shall make every attempt to notify elected officials, appointed officials, department heads, and the local media on the County's operating status.

Each elected official, appointed official, and department head should determine and implement actions necessary to protect employees, customers, visitors, equipment, vital records, and other assets.

If an emergency closing is ordered, full-time employees will be paid their regular wages, as the day(s) will be recorded as an official closed day(s). This time is not considered time worked and will not be used to determine eligibility for overtime. Part-time employees will not be compensated for time lost due to an emergency closing.

**Essential Employee:** Certain positions are essential in emergency situations. Should an employee in one of these essential positions be scheduled for personal leave, they must return to work as directed by the Elected Official, Appointed Official, or Department Head. Failure to return to duty as instructed could result in disciplinary action, including possible loss of compensation.

During an emergency closing only, all non-exempt and exempt (who will be temporarily reclassified as non-exempt) essential employees required to work will be compensated at one and one-half (1½) times their regular hourly rate of pay for the duration of the emergency closure for all documented time during which work is performed.

All other employees should report to their designated work areas as soon as possible following the order for resumption of normal operations.

In some instances, it may be determined that only certain buildings/offices should be officially closed due to an emergency. In this situation, only the affected employees will be compensated in accordance with this policy. All unaffected employees' compensation will be the same as during regular working conditions.

### **3.18 INCLEMENT WEATHER PROTOCOL**

The County Judge (or in their absence, the senior available County Commissioner) may authorize a delay in beginning or early closure of the County workday in instances of dangerous inclement weather. This action will excuse non-essential employees from work. Essential staff (public safety to include but not limited to Sheriff Office, Road and Bridge, Emergency Medical Services and Communications) are required to report as scheduled unless the Elected Official, Appointed Official, or Department Head authorizes a change in schedule. Essential employees who report for duty in inclement weather will be paid at their regular rate and overtime will apply in accordance with FLSA guidelines. In these occurrences, no time will be awarded to employees. All non-essential employees may utilize paid leave available or leave without pay during this period. Elected Officials, Appointed Officials, or Department Heads are authorized to adjust work schedules to maintain public safety.

### **3.19 EMERGENCY PERSONNEL ASSIGNMENTS**

Some employees may be designated as emergency personnel outside of their position with the County in addition to their regular duties. In the event that these employees are called to serve in an emergency situation, employees who are classified as exempt in their position with the County may be temporarily re-classified as non-exempt. This reclassification shall be limited to the time dedicated to the specific event as reported by the employee. Such events include, but are not limited to, Special Team deployments, State requested responses, local disaster declarations, and local incidents that require work outside of the employee's regular job duties. Reclassification of exempt employees to non-exempt employees shall be at the discretion of the County Judge, or in their absence, the Senior Commissioner.



## **IV. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY**

### **4.01 GENERAL**

The County attempts to provide each employee with adequate tools, equipment, and vehicles for the County job being performed, and expects each employee to observe safe work practices and safe and courteous operation of vehicles and equipment in compliance with all Municipal, County, and State regulations.

### **4.02 USE OF COUNTY PROPERTY**

Each county employee shall be responsible for the care, maintenance, proper use, and upkeep of any County equipment assigned to them. County employees shall only use equipment, tools, and other County property that they are authorized to use. Personal use of county equipment, supplies, tools, and any other county property is not permitted and may result in discipline up to and including termination. Improper use may subject employees to criminal prosecution.

Use of a take-home County vehicle may be a taxable benefit to the employee. If it is determined that IRS regulations require the reporting of a taxable benefit, the Elected Official, Appointed Official, or Department Head is responsible for notifying Human Resources.

### **4.03 COUNTY VEHICLE USAGE**

Some employees may be required to use county vehicles as a part of their job. Employees who are assigned county vehicles shall be responsible for the care, maintenance, proper use, and upkeep of these vehicles. Employees may only use the vehicles they are authorized to use. Employees may not allow other individuals to operate the vehicles they have been assigned.

If personal use of a county vehicle is permitted the employee will be required to keep a log of all personal miles driven, including to and from work. These personal miles will be subject to payroll taxes at the current IRS rate in accordance with IRS rules and regulations.

Employees who operate vehicles must maintain a current active license for the operation of that vehicle. If they have any change in the status of their license, they must immediately notify their supervisor. An employee whose job involves operation of a vehicle requiring a license for its legal operation shall be subject to possible job change, demotion, or termination if that license is suspended or revoked.

The County will require driving records at the time of hire for all drivers that will be assigned to operate County-owned or leased vehicles and equipment on County business. Driver's licenses will be checked for County employees who operate County owned vehicles, leased vehicles, or personal vehicles on County business. These checks will be performed at time of hire and periodically throughout employment by Human Resources and the designated Risk Management officer.

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to the proper law enforcement or other authority and their supervisor. The employee will also be required to submit to a post-accident drug test. The appropriate Elected Official, Appointed Official, or Department Head shall submit to the County Treasurer and Human Resources a copy of all accident reports involving County equipment or vehicles as soon as the investigation is completed, preferably within 24 hours, but no longer than 7 calendar days.

#### **4.04 SEAT BELTS**

Elected Officials and employees operating or traveling in County vehicles or a personal vehicle on County business shall always comply with Texas law concerning the use of safety belts/restraints. The operator of the vehicle should ensure that passengers comply as well. The use of seat belts is mandatory. County departments assigned vehicles and equipment subject to restraint devices will maintain policy that addresses specific needs and requirements for each location and duty situation.

#### **4.05 CELL PHONE USAGE**

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

Washington County strongly discourages the use of a cell phone while operating any vehicle.

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

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

County issued communication devices shall not be used for personal or political gain; illegal, fraudulent or malicious activity; political activity; entertainment (including games, radio, and video); or activity on behalf of organizations or individuals.

Washington County employees will not be provided more than one device or service without specific approval of Commissioners Court.

Replacement of damaged, stolen, or lost equipment due to employee negligence is the responsibility of the employee.

Activities conducted on County owned cell phones are subject to the Texas Public Information Act.

#### **4.06 COMPUTER AND INTERNET USAGE**

The use of Washington County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for Washington County business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable if 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 Washington County computers, networks, and Internet access is a privilege granted by Elected Officials, Appointed Officials, or Department Heads and may be revoked at any time for inappropriate conduct carried out on such systems. County employees shall have no expectation of privacy when using County computers, networks, or other County owned equipment. Improper use may result in discipline up to and including termination.

Washington County owns the rights to all data and files in any computer, network, or other information system used in the county. Washington County also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems, all social media platforms, 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. Washington 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 the Elected Official, Appointed Official, or Department Head. No employee shall break any copyright laws or download any illegal or unauthorized downloads. Washington 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 are discouraged from bringing personal computers to the workplace or connecting them to Washington 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.

##### **A. USER ACCOUNT MANAGEMENT POLICY**

The purpose of this policy is to establish standards for the administration of user accounts that access Washington County Information Technology (WCIT) resources. Technology resources need to be protected from unauthorized access, loss, corruption, or destruction. These protective measures will ensure the confidentiality, integrity, and availability of

these resources. Proper management of accounts provides a means of assuring accountability and protecting Washington County resources. The standards established in this policy include issuing accounts, granting access to approved resources, account maintenance and deactivation processes.

This policy applies to those parties responsible for the issuance, management, and removal of user accounts within the WCIT Department.

- The creation of a user account issues a unique, non-transferable electronic identity known as the “username”. Usernames will remain in effect throughout the individual’s official affiliation with Washington County.
- Usernames will not be reused.
- When an individual changes roles or ends their affiliation, WCIT will deactivate the user account.
- Upon user activation, account holders are authorized to access the resources dictated by their role membership.
- WCIT requires users to change passwords on a regular basis.
- Requests for exceptions to this policy must be submitted in writing to the Director of Information Technology. Requests shall be justified, documented, and communicated as part of the risk assessment process.

## **B. USER ACCOUNT PASSWORD POLICY**

All user accounts will be protected by passwords that are both strong and confidential. Users will protect the security of those passwords by managing passwords according to the account holder’s responsibilities specified in this policy. WCIT will ensure account passwords are secured using industry best practices.

This policy applies to users who have an account that accesses resources on the Washington County network.

Users are responsible for what is accessed, downloaded, or created under their credentials regardless of intent. An unauthorized person can cause loss of information confidentiality, integrity and availability that may result in liability, loss of trust, or embarrassment to Washington County.

Account holder’s responsibilities:

- Must create a strong password and protect it.
- Password must have a minimum length of six (6) alphanumeric characters.
- Password must contain a mix of upper case, lower case and numeric characters or special characters (!@#%^&\*+=?/~’;:,;<>|\).
- Passwords must not be easy to guess
- Passwords must not be easily accessible to others (e.g. posted on monitors, under keyboards).

- Computing devices must not be left unattended without locking or logging off of the device.
- WC username and password should be different from those used for external services not under the management of the Department of Information Technology.
- Users should never share their password with anyone, including family, supervisors, co-workers and WCIT personnel.
- Users will be required to change passwords at least once per 90 days.
- If you know or suspect that your account has been compromised, change your password immediately and contact WCIT for further guidance and assistance.
- If WCIT suspects your account has been compromised, your account will be deactivated, and you will be contacted immediately.

### C. ACCEPTABLE USE POLICY

The computing resources at Washington County support the activities of the County and the use of these resources are designed to conduct official Washington County business. Users of these services and facilities have access to valuable County resources, to sensitive data, and to internal and external networks. Consequently, it is important to behave in a responsible, ethical, and legal manner. In general, acceptable use means respecting the rights of other computer users, the integrity of the physical facilities and all pertinent license and contractual agreements. If an individual is found to be in violation of the Acceptable Use Policy, the County may take disciplinary action. Individuals are also subject to federal, state and local laws governing interactions that occur on Washington County information technology resources.

This section establishes specific requirements for the use of all computing and network resources owned or administered by Washington County.

The Washington County Acceptable Use policy applies equally to all individuals utilizing Washington County information technology resources (e.g., elected officials, department heads, employees, consultants, contractors, volunteers, vendors, temps, public, etc.).

Information technology resources include all County owned, licensed, or managed hardware and software, and use of the County network via a physical or wireless connection, regardless of the ownership of the computer or device connected to the network.

The following message is displayed on every computer prior to login:

***This computer system is for authorized use only. Users have no explicit or implicit expectation of privacy. Any or all uses of this system and all data on this system may be intercepted, monitored, recorded, copied, audited, inspected, and disclosed to authorized sites and law enforcement personnel, as well as authorized officials of other agencies. By using this system, the user consents to such disclosure at the discretion of authorized site personnel. Unauthorized or improper use of this system may result in administrative disciplinary action and/or civil and criminal penalties. By continuing to use this system, you indicate your awareness of and consent to these terms and***

***conditions of use. STOP IMMEDIATELY!!! If you do not agree to the conditions stated in this warning.***

#### **D. ELECTRONIC COMMUNICATION POLICY**

Electronic communication is the transfer of text, html, images, or data through a computer, cell phone, tablet, or any other communication device. This includes E- mail, instant messaging, texting, web pages, blogs, and forums.

Washington County electronic communication services support the activities of the County and serve as a means of official communication by Elected Officials, Appointed Officials, Department Heads, employees and residents of Washington County. The purpose of this policy is to ensure that these critical services remain available and reliable and are used for purposes appropriate to the County's mission.

This policy is established to provide acceptable practices regarding the use of electronic communication and to educate individuals using electronic communication with respect to their responsibilities associated with such use.

This policy applies to all Washington County Elected Officials, Appointed Officials, Department Heads, and employees who are entitled to electronic communications for the purpose of sending, receiving, or storing of electronic messages.

Information technology resources are strategic assets of Washington County that must be managed as valuable County-owned resources.

Washington County provides electronic communication services to Elected Officials, Appointed Officials, Department Heads, employees, and other affiliated classes of individuals, including residents, contractors, etc. Use of Washington County electronic communication services must be consistent with Washington County's mission and comply with local, state and federal laws and County policies. Communications via Washington County electronic systems are the property of Washington County, and the court maintains the right to access when necessary. All user activity on Washington County information technology resource assets is subject to logging, review, and open records. All electronic communication activities must comply with the Acceptable Use Policy (4.06-C).

#### **E. BRING YOUR OWN DEVICE POLICY (BYOD)**

This policy provides standards and rules of behavior for the use of personally owned smart phones and/or tablets by Washington County employees (herein referred to as users) to access Washington County network resources. Access to and continued use of network services is granted on the condition that each user reads, respects, and follows this policy concerning the use of these devices and services. The Washington County Information Technology (WCIT) Department permits County employees to use personally owned smart phones and tablets for business purposes.

Current Devices Approved for BYOD use include Android Smart Phones & Tablets, and iPhones & iPads.

Expectation of Privacy: Washington County will respect the privacy of your personal device and will only request access to the device by technicians to implement security controls, as outlined below, or to respond to legitimate discovery requests arising out of administrative, civil, or criminal proceedings (applicable only if user downloads government email/attachments/documents to their personal device).

Document Transfer involves connecting the personal device to the user's work PC via USB connections for file-sharing (document transfer) or backup purposes. It also includes backing up data/documents to external sources, such as cloud storage services.

VPN BYOD access is available only in extenuating circumstances and requires approval of the IT Director.

### **Overall Requirements for all BYODs Accessing Washington County Network Services:**

- User will not download or transfer sensitive business data to their personal devices. Sensitive business data is defined as documents or data whose loss, misuse, or unauthorized access can adversely affect the privacy or welfare of an individual (personally identifiable information), the outcome of a charge/complaint/case, proprietary information, or agency financial operation. This excludes government e-mail that is protected through the various security controls listed below;
- User will password protect the device;
- User agrees to maintain the original device operating system and keep the device current with security patches and updates, as released by the manufacturer. The user will not "Jail Break" the device (installing software that allows the user to bypass standard built-in security features and controls);
- User agrees that the device will not be shared with other individuals or family members, due to the business use of the device (potential access to government e-mail, etc);
- User agrees to delete any sensitive business files that may be inadvertently downloaded and stored on the device through the process of viewing e-mail attachments. WCIT will provide instructions for identifying and removing these unintended file downloads.

### **Accessing Washington County (e-Mail/Calendar) Services on BYOD**

- Use Office 365 or Outlook Web Access
- Notifications:
  - If the device is lost or stolen, the user will notify the WCIT or [helpdesk@washingtoncountytexas.gov](mailto:helpdesk@washingtoncountytexas.gov) within one hour, or as soon as practical after you notice the device is missing.
  - Users must comply with all Washington County password policies, including use of strong passwords, password expiration (90 days), and password history (6).

### **Document Transfer**

- USB Connection to Work PC:
  - User will maintain anti-virus (AV) protection on the device. The A/V software must be approved by WCIT.
  - User will not download/transfer business data that is considered sensitive or confidential to the personal device, including documents that contain personally identifiable information.
- Backing-Up / Storing documents on non-Washington County Servers:
  - User will not download/transfer sensitive Washington County business data/documents to any non-Washington County device.

### **Use of Virtual Private Network (VPN) to access Network Services**

- Users must have a need to access internal Washington County resources, such as document management systems, network drives, etc., as required by her/his position and duties
- Users may only use Washington County approved and configured VPN client software to access Washington County's VPN;
- Users must comply with all Washington County Password Policies on their device.

## **4.07 CYBERSECURITY AWARENESS TRAINING POLICY**

All County employees, Elected Officials, Appointed Officials, and Department Heads that are assigned a county email or login to the County network are required to take an annual Cybersecurity awareness training. Failure to comply will result in restriction of access to electronic devices may result in adverse personnel action up to termination of employment (exclusive of Elected Officials).

Employees must report immediately the loss of any device, including but not limited to, a mobile telephone, laptop or tablet that contains sensitive, confidential, or private information. Suspicious links or inadvertent use of a link or opening an attachment/document that results in a questionable system response or activity must be immediately reported to WCIT.

Elected Official or employee failure to comply with this requirement which results in a system(s) being compromised by a virus, malware or any other means resulting in destruction or creating system inefficiencies, will be held responsible for costs associated in system recovery.



## V. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY

### 5.01 WORKERS COMPENSATION INSURANCE

All Washington 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 their 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, with the exception of Law Enforcement and EMS employees who receive salary continuation.

Employees may use paid leave for all workers' compensation time off less than 8 days.

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

Any employee who suffers a job-related illness or injury is required to notify their immediate 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.

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

Washington County will make every effort to bring the injured employee back to work as soon as reasonably possible. Washington County has a return-to-work policy in place and if a position is found that will meet all the restrictions, the employee will be given a bona fide offer of employment. If the employee refuses to return to work, and family medical leave has been exhausted, workers' compensation benefits may be affected, and the employee may be terminated.

### 5.02 RETURN-TO-WORK

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

An employee on leave due to a work-related disability may return to work only when Washington County receives the attending physician's written medical release authorizing such return. It is a violation of County policy for any employee receiving worker's compensation

benefits of any kind to be employed with a third party on a full-time or part-time basis. Violation of this policy may result in termination.

**Return-to-Work Options:**

- Return to prior position at full duty with doctor release stating that the injured employee can perform the job functions without restrictions.
- Light Duty – for any employee who is not able to return to their prior position and perform the regular duties of that job but can return with certain restrictions, Washington County will try to accommodate light duty when possible but **cannot guarantee** the availability of light duty.

Employees on light duty are not guaranteed the rate of pay they received for the position they held at the time of injury or illness. The pay rate for light duty is based on the knowledge, skills and abilities required for that job, as well as general market conditions. Employees in a light duty position are not permitted to supplement their workers' compensation benefits by using their holiday or paid leave.

**Four (4) week limit** – Light duty assignments are **temporary** arrangements intended to complement and facilitate the healing process. Light duty may be initially offered for a period of four (4) weeks and then will be reviewed and evaluated by the supervisor based, in part, on the recommendation of the physician (unless FMLA time is still available).

**Employee refusal of work** – In the event an employee refuses to return to regular or light duty work in response to a written, bona fide offer of employment by Washington County, the employee may be separated from employment with Washington County subject to FMLA qualification and their position may be filled permanently. A written, bona fide offer of employment must clearly state:

- The position offered and the duties of the position;
- Washington County's agreement to meet the conditions set out by the treating doctor;
- The job's wage, working hours, and location.

**Medical Information** - All employees' medical information is held in strict confidence in accordance with the Americans with Disabilities Act Amendments Act (ADAAA). Medical inquiries are limited to those permitted under the Texas Workers' Compensation Statute and applicable federal law.

**Coordination with FMLA** - Nothing in this policy should be construed as denying employees their rights under the Family Medical Leave Act (FMLA) or any other federal or state law. It is Washington County's policy to designate an employee's leave due to a work-related injury or illness as FMLA, if eligible. Washington County counts the period of any employee's light duty assignment toward the employee's FMLA entitlement.

Until employees have exhausted their twelve (12) week FMLA entitlement, they have the right to be reinstated to their original job or an equivalent job provided they are able to perform the essential functions of the job.

### **5.03 EMPLOYEE SAFETY**

Washington 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 in each county department. The Supervisor will provide the employee with specific information pertaining to your position.

Failure to follow the safety standards set by the County or 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.

### **5.04 DRUG AND ALCOHOL – ALL EMPLOYEES**

Washington County is a drug and alcohol-free workplace. A County employee may not be in possession of drugs or alcohol while on duty or be present at work during a period in which the employee's ability to perform their duties is impaired by drugs or alcohol. The County believes that a drug and alcohol-free workplace will help ensure a healthy, safe, and secure work environment.

This policy applies to all employees of Washington 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 and EMS personnel (as part of their 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 may not be under the influence of alcohol or legal/illegal drugs that impair functions of normal job duties while on County property or while on duty for the County.

An employee may not possess or use unauthorized prescription 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 their 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 their job duties.

If the use of a medication could compromise an employee's ability to do their job or the safety of the employee, fellow employees or the public, the employee must report the condition to their supervisor at the start of the workday or use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty).

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 Human Resources Office.

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

An employee who voluntarily asks for time off to get treatment and recover from a drug or alcohol abuse problem will be given protections as required by law. Upon returning to work from a bona fide inpatient treatment facility, the employee will be subjected to a volunteer drug testing program as often as monthly until there is evidence the employee no longer uses. Failure to comply with the requirements of the post rehabilitative program, including refusing the volunteer testing program, will result in termination. The post rehabilitative program will last for as long as two years. If at any time the employee tests positive or refuses the volunteer drug test during this post rehabilitative program the employee will be terminated.

Washington County will drug test employees who ARE NOT CDL license holders under the following conditions:

**Pre-employment drug testing** – Washington County has a pre-employment drug testing requirement that must be passed post offer before an employee starts their first day of work. All offers of employment are conditional upon passing a drug and alcohol test. The employee will sign a consent waiver.

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

- Abnormally dilated or constricted pupils;
- Glazed stare – redness of eyes (sclera);
- Flushed face;
- Change of speech (faster, slower, slurred);
- Constant sniffing;

- Increased absences;
- Redness under nose;
- Sudden weight loss;
- Needle marks;
- Change in personality (i.e. paranoia);
- Increased appetite for sweets;
- Forgetfulness, performance faltering, poor concentration;
- Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for money;
- Constant fatigue or hyperactivity;
- Smell of alcohol;
- Difficulty walking;
- Excessive, unexplained absences;
- Dulled mental processes;
- Slow reaction rate.

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

- 1) Contact Human Resources to obtain necessary forms required and advice of best practices for the current situation.
- 2) Confront the employee involved and keep them under direct observation until the situation is resolved. Inform the employee of the problem with their job performance and specific violations of the County Policy.
- 3) If the supervisor believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a drug or alcohol test. If the employee refuses to submit to testing for any reason, the employee may be terminated.
- 4) Employees will be asked to release any evidence, such as alcohol or drug paraphernalia, relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline, up to and including termination. All confiscated evidence will be receipted for with signatures of the supervisor as well as the employee.
- 5) The supervisor will remove the employee from the County workstation and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence. Under no circumstances will the employee be allowed to drive a vehicle until a confirmed negative test result is received.
- 6) The supervisor shall, within 24 hours or before the results of the controlled substance test are released, document the particular facts related to the behavior or performance problems and present such documentation to the Human Resources office for filing.

**Post-Accident Testing** – All employees directly involved in an on-the-job accident or incident resulting in property damage and/or medical treatment will be required to be tested.

## Testing Procedures –

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

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

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

**\*\*Washington County maintains a separate Drug and Alcohol policy for employees who are required to hold a valid Commercial Driver's License (CDL). This policy will be provided to those employees upon hire. A copy can be obtained from the Human Resources office. \*\***

## 5.05 WORKPLACE VIOLENCE

Washington County is committed to providing a workplace free of violence. Washington County will not tolerate or condone violence of any kind in the workplace. The County will also not tolerate or condone any threats of violence, direct or indirect, this includes jokes. All threats will be taken seriously and will be investigated. Employees must refrain from any conduct or comments that might make another employee fear for their safety.

Employees should report all suspicious conduct or comments to their immediate supervisor. When interacting with the public, employees should always be aware of their surroundings and report any suspicious behavior to their immediate supervisor or the sheriff's department. In the event of a true emergency, call 911.

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees who engage in violent acts on the County's premises will be reported to the proper authorities and fully prosecuted.

## **5.06 SOCIAL MEDIA POLICY**

For purposes of this policy “social media” includes, but is not limited to, online forums, blogs and social networking sites.

Washington 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; or creates a hostile work environment. Washington 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 an employee’s posts on social media mention Washington County, they should make clear that they are an employee of Washington County and that the views posted are theirs alone and do not represent the views of Washington County.
- Do not mention Washington County supervisors, employees, customers, or vendors without their consent.
- Do not engage in online altercations. If you see a misrepresentation about Washington County, and wish to respond, please do so respectfully with factual information, not inflammatory comments.
- Employees are responsible for what they write and can be subject to legal action as a result of social media posts. Such posts will not be covered by the County liability insurance policy.
- Employees may not use Washington County computer equipment for non-work-related activities without written permission. Social media activities should not interfere with duties at work. Washington County monitors its computers to ensure compliance with this restriction.
- Employees must comply with copyright laws and cite or reference sources accurately.
- Do not link to Washington County’s website or post Washington County material on a social media site without written permission from a supervisor.
- All Washington 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 obtained through a position at Washington County must be kept confidential and should not be discussed in social media forum.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

## **5.07 SOCIAL MEDIA APPLICATIONS AND SERVICES PROHIBITED ON COUNTY DEVICES**

Washington County prohibits the installation or use of the social media service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited; or a social media application or service specified by proclamation of the governor on any device owned or leased by Washington County and requires the removal of covered applications from those devices.

The installation and use of a covered application may be acceptable to the extent necessary for providing law enforcement; or developing or implementing information security measures. In order for the installation to be approved Washington County must require the use of measures to mitigate risks posed to this state during the use of the covered application, and the documentation of those measures.



## VI. COMPENSATION

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

Washington County makes every effort to pay its employees correctly. Occasionally, however, inadvertent mistakes can happen. Please review pay stubs when received to ensure they are correct. An employee must bring any discrepancy (such as overpayment, underpayment, and any incorrect deduction) immediately to the attention of the Human Resources office.

Employees classified as non-exempt shall maintain an accurate record of all hours worked and leave time taken. It is the responsibility of each employee to verify that their time record is correct before authorizing. The completed and authorized time record shall be submitted to the Elected Official, Appointed Official, or Department Head, whose authorization will certify the accuracy of the time record.

The Commissioners' Court discourages overtime; however, overtime may be granted by the Elected Official, Appointed Official, or Department Head based on the needs of the office. Employees should not work hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless authorized to do so. Time worked is to be recorded on a time record. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work an employee may perform but fail to report on their time record. If anyone directs an employee to work without documenting the time worked, the employee must immediately report this to the Human Resources Department. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination.

It is a violation of Washington County policy for any employee to falsify their own or alter another employee's time record. An employee, supervisor, or official shall not instruct another employee to incorrectly or falsely report hours worked, or to alter another employee's time record to under - or over - report hours worked. If anyone instructs an employee to (1) incorrectly or falsely under- or over-report hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, the employee should report it immediately to the Elected Official, Appointed Official, Department Head, and/or Human Resources office.

Employees classified as exempt shall maintain an accurate record of leave time taken. Employees will receive a salary that is intended to compensate them for all hours worked for the County. This salary will be established at the time of hire or when an employee becomes classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a pre-determined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

For exempt employees, your salary may also be reduced for certain types of deductions such as your portion of health, dental or life premiums; state, federal or local taxes, social security,

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

Elected Officials do not keep a time record.

If an employee has questions about deductions from their pay or their pay does not accurately reflect hours worked, they should contact the Human Resources office immediately.

The County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action up to and including termination.

#### **6.02 INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS**

Washington County will comply with the IRS regarding fringe benefits such as county uniforms, county vehicle usage and day-trip meals. Employees may be responsible for paying payroll taxes on such fringe benefits.

#### **6.03 PAYROLL DEDUCTIONS**

Deductions shall be made from each employee's paycheck for federal withholding, social security, Medicare, and other deductions required by law.

Employees eligible for membership in the Texas County and District Retirement System (TCDRS) shall have their contributions to that system deducted from each paycheck. Any optional deductions authorized by the Commissioners' Court and approved by the employee shall also be made from the employee's paycheck.

No optional deductions shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the Human Resources Office.

#### **6.04 WORKWEEK**

For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Washington County shall begin at 12:00 a.m. on each Sunday and end seven (7) consecutive days later (168 hours).

#### **6.05 WORK SCHEDULES**

Weekly scheduled business hours and work shift lengths and assignments shall be determined by the Elected Official, Appointed Official, or Department Head as necessary and appropriate

to best serve the needs of the department and the citizens of Washington County. Variations in schedules and shifts shall not affect the determination of overtime for the workweek.

#### **6.06 HOURS WORKED**

Hours worked shall include all time actually worked in the service of the County as defined in the Fair Labor Standards Act (FLSA) and its regulations. The workday for the County shall begin at 12:00 a.m. each day and end 24 consecutive hours later.

#### **6.07 PAY PERIODS**

The pay period for Washington County shall be a bi-weekly pay period with the pay period dates established by the Commissioners' Court. If a payday falls on a holiday or a weekend, paychecks shall be issued on the last workday immediately preceding the holiday or weekend.

#### **6.08 TIMESHEETS**

Whenever possible, employees must utilize the county's assigned electronic timekeeping system. Shift employees who receive incentive pay are permitted to use paper timesheets. Each employee must complete a time sheet to be turned in to their supervisor on the last day of each pay period. Failure to complete a timesheet may result in an employee only receiving minimum wage payment until the proper time sheet has been completed and turned into the payroll department. All corrections will be made on the next regularly scheduled payroll. The time sheet prepared by the employee shall show an accurate record of all time worked and leave taken, whether paid or unpaid, for the pay period. Time sheets are governmental documents (records) and as such require accurate and truthful information. Falsifying a time sheet is a criminal offense. Employees shall only use appropriate available leave to account for their regular weekly work schedule.

#### **6.09 TIME REPORTING**

For record keeping purposes, the County will use the 7-minute time clock rule to round employees' time to the nearest quarter-hour increment in accordance with the Fair Labor Standards Act (FLSA). Employee punches made within the first 7 minutes of the quarter-hour shall be rounded down, and punches made in minutes 8-14 of the quarter-hour shall be rounded up.

#### **6.10 OVERTIME CALCULATIONS AND RULES**

Overtime shall include all time actually worked for the County in excess of 40 hours in any workweek as established by the Fair Labor Standards Act (FLSA). In accordance with FLSA, non-exempt employees will be paid at the rate of one and one-half (1 ½) times their established base hourly rate of pay for actual hours worked, over 40, in the defined workweek.

Paid leave shall not be counted in determining if overtime has been worked in any workweek. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

The Commissioners Court discourages overtime; however, overtime may be granted by the Elected Official, Appointed Official, or Department Head based on the needs of the office.

## **6.11 INCENTIVE PAY**

Washington County provides incentive pay to those who qualify based on their position and department.

**Overtime Differential Pay (ODP):** When the department is suffering from significant staffing shortages the Elected Official, Appointed Official, or Department Head may authorize an overtime shift differential pay assignment. This is an approved, per hour, rate increase for time worked.

These overtime shifts:

- Must be in addition to the employees normal scheduled shift work and normal scheduled overtime hours;
- Must be at minimum one entire shift;
- Shift "swapping" is not a qualifying shift for overtime differential pay (ODP);
- Will only be utilized for personnel filling overtime for minimum staffing levels.

**Temporary Assignment Pay (TAP):** In order to maintain operational effectiveness the Elected Official, Appointed Official, or Department Head will reward an employee who is willing to fill in. This is designed for vacant department positions on a temporary basis. TAP calculations will include an approved, per hour, rate increase for any employee service in a position that is outside of their current assigned position in the county.

**Shift Differential Pay (SD):** In consideration for those departments that require staffing 24/7, 365 days per year, employees working the overnight shift, will receive this incentive pay. Employees assigned to the night shift shall receive an approved, per hour, rate increase. This additional incentive shall apply to time worked between the hours of 6:00 p.m. and 7:00 a.m.

**On Call Pay:** Employees that are committed to being available to work outside of their regular work schedule will be paid an approved amount per hour for this specific time period. Time worked while on call will be calculated at the employee's regular rate of pay. Overtime compensation is applicable only when the total hours worked exceed 40 hours in the workweek.

## **6.12 DIRECT DEPOSIT AND PAY STUB**

Washington County authorizes direct deposit as the method of payroll disbursement. Payroll earnings/wages will be deposited directly into the employee's (includes Elected Officials) designated account. The associated pay stub will be delivered to the employee's indicated email account and available on the employee's self-service payroll login.

### **6.13 PAY RATE ASSIGNMENT**

Upon hire or change of position, the appropriate pay rate for Washington County employees shall be determined by the Elected Official, Appointed Official, or Department Head in collaboration with the Human Resources office. The pay rate must be within the designated pay grade not to exceed 6% over minimum of the range and within current year budgeted amount. If it is determined that an employee's qualifications necessitate pay in excess of 6% over minimum of the range, formal approval must be obtained by a majority vote of the Commissioners' Court.

The Commissioners' Court will determine the amount of annual increase awarded to employees during the annual budget process. Increases are awarded when funds are available and not guaranteed until a final budget has been approved.

Merit pay may be authorized by the Court during the annual budget cycle. Each department will receive a designated amount of funding based on a percentage of their annual salary budget. Merit pay is to be awarded based on performance, over a predetermined period and an established criterion. The Elected Official, Appointed Official, or Department Head is responsible for evaluating the employee, determining the award amount, and initiating the personnel action to begin the approval process. The evaluation process result must be submitted in whole or summary that provides adequate information to justify the award. The amount available for merit pay allocation is determined during the annual budget process and assigned to each department. The Elected Official, Appointed Official, or Department Head is responsible for designating merit increases based on documented performance evaluations and within their allocated departmental budget. Merit pay allocations are awarded when funds are available and are not guaranteed until a final budget has been approved.

### **6.14 PERFORMANCE EVALUATIONS**

A performance evaluation serves to assess the performance, attendance, and work behavior of personnel by comparing it with established standards, documenting the results and providing feedback to the employee indicating where improvements are needed and why. They are utilized to document and/or determine when employees need additional training, should be awarded merit pay increases, could be promoted, demoted, transferred, or terminated. Evaluations must occur on a regular basis of at least once per year and are required for merit pay assignment.

### **6.15 EMPLOYEE STATUS CHANGES**

Any changes to an employee's status must be reported to Human Resources for processing using the most current Employee Change of Status Form. The effective date for any changes, excluding new hires and terminations, must be at the beginning of a payroll period.

### **6.16 JOB DESCRIPTION**

All positions in the County must have a written description containing specific information about work expectations and requirements for the county employee. This document must

include all required knowledge, skills, abilities (KSA), duties, essential functions, physical, mental, special requirements, organizational relationships, and requirements for County positions listed in the salary schedule. Upon hire, or any change in position, the employee will be provided with an approved description for their assigned position. An acknowledgement is required and will be retained in the employee's personnel file.

### **6.17 PROMOTIONS**

Promotions are the movement of an employee from one position to another with an increased responsibility or complexity of job duties, and to a higher salary.

Elected Officials, Appointed Officials or Department Heads may promote an employee in their department to a vacant position. All promotions must be handled in accordance with the budget adopted by Commissioners' Court.

### **6.18 TRANSFERS**

Transfers are the lateral movement of an employee from one position to another with the same responsibility or complexity of job duties. Transfers may occur within a department or from one department to another within the County. The salary of an employee who transfers from one County office to another will be determined on an individual basis.

### **6.19 DEMOTIONS**

Demotions are the movement of an employee from one position to another with a decreased responsibility or complexity of job duties or to a lower salary. Elected Officials, Appointed Officials or Department Heads may choose to demote or reassign any employees who are unable to meet performance requirements, for disciplinary reasons or for any other reason as deemed necessary by the official. Upon demotion, an employee's salary may be adjusted downward.

### **6.20 SEPARATIONS**

A separation shall be defined as any situation in which the employer-employee relationship between the County and a County employee ends. All separations from Washington County shall be designated as one of the following types:

1) resignation; 2) retirement; 3) dismissal; 4) reduction in force; or 5) death.

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

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

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

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

A separation by death shall occur when an individual dies while currently employed by the County. If an employee dies while still employed by the County, their final earnings will be deposited on the next scheduled pay date to the accounts on file.

## **6.21 PAY UPON TERMINATION**

Upon separation from employment, the employee’s final paycheck will include any hours worked during the current pay period and accrued paid leave balance (per section 8.02), along with mandatory and employee authorized deductions.

The employee will receive their final paycheck on the next scheduled payday immediately following the employee’s last workday.

The Texas Payday Law does not apply to political subdivision of Texas (Counties), therefore final wages will be issued on the regularly scheduled payday.

## **6.22 PRIOR SERVICE WITH COUNTY (REHIRE)**

Former employees who are rehired within six months of termination date shall have their PTO accrual earnings rate reinstated.

Rehire of a retiree, or the rehire of a former employee, who has withdrawn their retirement account is prohibited unless two conditions are met.

- A **Bona-fide termination** must have occurred. There must be a true separation in service with no prearranged agreement that they will be rehired.
- **One full calendar month of separation** must occur. The employee or retiree must be separated from employment for one full calendar month. (Example: An employee retires on April 15; the earliest they could be rehired is June 1.)

According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to Elected Officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Failure to comply with this policy is commonly referred to as an in-service distribution. These distributions are not permitted under federal and state law and will invalidate the employee’s retirement or withdrawal. If not corrected by the return of benefit payments or the withdrawn amount (by either the employee or the County) will place the County’s retirement program (TCDRS) in jeopardy of losing its qualified status. Loss of the qualified status could subject the County and employees to significant fees, penalties and additional taxes levied by the IRS. (The tax deferred status of the program could be revoked.)

## VII. BENEFITS

### 7.01 MEDICAL AND LIFE INSURANCE

All Elected Officials, Appointed Officials, and full-time employees of Washington County shall be eligible for the group medical plan benefit. Regular part time and temporary seasonal employees who work an average of less than thirty (30) hours per week in the measurement period will not be eligible for health insurance. Employees and eligible dependents are eligible for coverage after a thirty (30) day waiting period. Employees wishing to enroll dependents must do so within 30 days of employment, within 30 days of a qualifying event, or during the annual open enrollment period.

Washington County pays a portion of the employee's and their qualifying dependents' cost of coverage. The employee's monthly cost of coverage for each tier of coverage along with details of coverage are available in the Human Resources office and may be obtained during the normal working hours for that office.

Deductions for the cost of elected coverage will be made through payroll deductions from the employee's paycheck each pay period. Premium payments are paid one month in advance, so employees may have higher deductions for the first payment(s) and/or reimbursements for overpayments when coverage changes result in lower premium amounts.

Employees who leave the employment of Washington County or who lose their coverage eligibility, may be eligible for an extension of the medical plan for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an employee is unable to return to work following FMLA leave, if eligible, they will be offered COBRA. Information on extension of benefits under COBRA is available in the County Human Resources office and may be obtained during the normal working hours for that office. COBRA notifications will be provided to all employees within 30 days of their hire date. All eligible employees and qualified dependents will be provided with COBRA information following their termination.

Washington County also provides group life insurance coverage in the amount of \$20,000 for all full-time employees. This benefit is at no cost to the employee.

Texas Cooperative Extension Office employees who are employed through the Texas A&M University System are not eligible for medical insurance under the County's group plan but are eligible for life insurance.

**Retiree:** Washington County requires spouse and dependent(s) be covered under the group medical plan at least eight years prior to the retirement of a covered employee to carry dependent medical coverage during retirement (for employees hired after 05/01/2024). Health insurance eligibility for the retiree and any dependent(s) extends to Medicare eligibility. The retiree can retain life insurance at a reduced level. Vision and Dental insurance are available and may continue only if enrolled at time of retirement.



## **7.02 OTHER INSURANCE PLANS – DENTAL, VISION, LIFE, SUPPLEMENTAL**

Washington County, through Court-approved companies/representatives, offers supplemental insurance, deferred compensation, and legal services. These are all voluntary and paid for by the employee through payroll deductions. Information regarding these supplemental coverages and services may be obtained from the Human Resources office.

## **7.03 SOCIAL SECURITY/MEDICARE**

All County employees shall participate in the Federal Social Security/Medicare program which provides certain retirement, disability, and other benefits. Required deductions for these programs will be taken from each paycheck.

## **7.04 RETIREMENT**

All full-time and part-time employees shall be eligible for the retirement benefit offered through the Texas County and District Retirement System. Temporary seasonal employees will not be eligible for retirement benefits. Eligible employees shall make contributions to the retirement program through a system of payroll deduction. Washington County shall contribute to each eligible employee's retirement account according to requirements of TCDRS. Information on the retirement program may be obtained at the County Human Resources office during the normal working hours for that office.

## **7.05 LONGEVITY**

Each full-time (40 hours per week) employee and all elected/appointed officials are entitled to longevity pay. The purpose is to reward employees for continuous service. Payment is calculated at \$2.00 per week beginning after 2 years of employment. Longevity pay is for past service, which also allows Elected Officials and Appointed County Auditor whose term ends December 31st to be paid for prior years' service. Longevity pay is a benefit and payable only if funds are available in the budget.

## **7.06 EDUCATIONAL AND PROFESSIONAL DEVELOPMENT**

The County encourages its employees to pursue educational and professional development opportunities. With approval of the Elected Official, Appointed Official, or Department Head, and available funds in the department's budget, the County may reimburse the employee of the cost of such training. Proof of satisfactory completion of a job-related course or seminar will be required by the Elected Official, Appointed Official, or Department Head, County Treasurer, and/or County Auditor.

## VIII. LEAVE TIME

### 8.01 HOLIDAYS

The Commissioners' Court approves designated days when Washington County offices are closed to observe holidays each year. All full-time, Washington County employees shall be eligible for the holiday benefit at the rate of 8 hours per designated holiday.

Part-time and temporary seasonal employees shall not be eligible for the holiday benefit.

Full-time employees in the Sheriff's Office, EMS, and 911 Communications departments shall be eligible for additional holiday benefits as follows:

- Those who are scheduled to work and do work on a holiday (observed and/or actual) shall be paid at double their regular hourly rate for all hours worked. Any shift worked under 8 hours will receive accrued holiday time up to the 8-hour holiday.
- Those who are not scheduled to work and do not work on a holiday (observed and/or actual) shall accrue eight (8) hours of paid time off.
- Those who are scheduled to work and do not work on a holiday (observed and/or actual) shall receive eight (8) hours of holiday pay.

Part-time and temporary seasonal employees in the Sheriff's Office, EMS, and Communications department shall be paid at double their regular hourly rate for all hours worked on a holiday (observed and/or actual) but shall not accrue paid time off for a holiday.

All other Washington County employees will be paid for hours actually worked on the holiday at their regular rate of pay and shall receive their full holiday benefit according to their employment status. Overtime compensation will be paid according to FLSA guidelines for all hours actually worked in excess of 40 hours.

### 8.02 PAID TIME OFF (PTO)

All full-time employees of Washington County shall be eligible for the Paid time off (PTO) benefit. PTO begins to accrue on the first day of the month following one month of employment per the schedule below. Accrued PTO is available for use by the employee after 90 consecutive days of employment. PTO accrual is based on current, continuous County service. Past service shall only be creditable if the employee is rehired within 6 months of termination. Accrual rates increase on the first day of the month following the anniversary of the employee's date of hire per the schedule below.

PTO should be scheduled in increments of no less than 0.25 hour for non-exempt employees, or one-half day (4 hours) for exempt employees. All time off must be approved by the Elected Official, Appointed Official, or Department Head.

When PTO is used for medical appointments, including events covered under FMLA, an employee shall be required to notify their supervisor of the intent to use PTO for medical

purposes. If an employee has an unscheduled absence of 3 days or more, the Human Resources department will reach out to the employee to determine if FMLA designation is necessary.

If a holiday falls during an employee’s scheduled time off, the employee will receive the holiday benefit for that time and will not be charged for PTO.

If an employee has worked for at least two years in a position which accrues PTO at the time the employee separates voluntarily (resigns with notice) or separates by death, the employee shall receive pay of 50% of the unused time not to exceed the maximum listed in the appropriate table below. If an employee’s resignation is accepted early due to policy violation, the employee will forfeit the payout of all accrued time. The employee’s position at time of separation determines the applicable table. If an employee’s separation is involuntarily, there shall be no payout of accrued time off. Employees may not schedule time off before a planned separation to utilize excess PTO.

**FULL-TIME EMPLOYEES**

Years of Service	Monthly Accrual Hours	Annual Total Hours	Maximum Payout at Separation in Hours
0-2	11.25	135	0
3-5	17.00	204	80
6-9	20.00	240	120
10-14	21.25	255	160
15-19	24.75	297	200
20+	24.75	297	240

**911 Communications, Sheriff’s Office, and Jail SHIFT EMPLOYEES**

Years of Service	Monthly Accrual Hours	Annual Total Hours	Maximum Payout at Separation in Hours
0-2	12.50	150	0
3-5	20.00	240	100
6-9	23.50	282	140
10-14	26.00	312	200
15+	30.00	360	240

## EMS SHIFT EMPLOYEES

Years of Service	Monthly Accrual Hours	Annual Total Hours	Maximum Payout at Separation in Hours
0-1	17.00	204	0
2-4	23.00	276	120
5+	29.00	348	160

Part-time and temporary seasonal employees do not earn paid time off.

Accrued paid time off may be paid to an employee when called to active military duty if the employee requests. Otherwise, the paid time off is held for the employee until they return to work from military leave. This benefit is in addition to the leave in section 8.05.

**Employees hired on or after 05/01/2024** shall be permitted to earn to the maximum amounts listed below:

- Full-time employees: 480 hours
- Sheriff's Office, Jail, and 911 Communications: 504 hours
- EMS: 664 hours

When an employee (hired on or after 05/01/2024) reaches the maximum accrual, they shall not be allowed to accrue additional paid time off until the employee takes time off to reduce the balance below the maximum allowed under this policy.

**Employees hired before 05/01/2024** shall be permitted to earn to the maximum amounts listed below. Beginning December 31, 2025, and continuing forward at the end of each calendar year, if employee's PTO balance is over the maximum, it will be reduced to the maximum amount listed above. The maximum amount of unused paid time off these employees shall be allowed to have at one time is as follows:

- Full-time employees: 720 hours
- Sheriff's Office, Jail, and 911 Communications: 744 hours
- EMS: 824 hours

**Leave Without Pay** - An employee cannot request leave without pay in lieu of paid time off. All accrued paid time off must be exhausted before leave without pay will be approved.

### 8.03 BEREAVEMENT

Three days bereavement leave will be given to an employee due to a death in the employee's immediate family. For this purpose:

- Three days is defined as hours equivalent to three (3) calendar days of time off for the affected employee's regular work shift.
- Family is defined as one of the following relatives related to the employee either by blood or current marriage: parent, spouse, child, brother, sister, grandparent, grandchild, aunt, or uncle. This includes any other relative of the employee who resides in the employee's household.

#### **8.04 JURY DUTY**

All employees of Washington County who are called for jury duty shall receive their regular pay for the period they are called for jury duty, which includes both the jury selection process and, if selected, the time they actually serve on the jury.

Pay for serving on a jury shall only include the time the employee would have normally been scheduled to work and will not include extra pay if jury service involves time outside the employee's normal work schedule. Any fees paid for jury service may be kept by the employee.

All employees who are subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the County shall be entitled to leave with pay for such period as their court attendance may require. If an employee is absent from work to appear in private litigation in which they are a principal party, the time shall be charged to eligible paid leave, or leave without pay.

When an employee has completed service, they must present the note from the court validating their service to their supervisor. Departmental policies may provide further, specific guidance.

#### **8.05 MILITARY LEAVE**

All Washington 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 for active duty or to attend active or inactive 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 paid time off or leave without pay if they must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen-day maximum.

Any Washington County employee who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team called to state active duty by the governor or another appropriate authority in response to a disaster is entitled up to 7 days of paid disaster leave per fiscal year. This leave is in addition to the paid leave provided for authorized training or duty otherwise authorized or ordered. During disaster leave under these provisions, the person may not be subjected to loss of time, efficiency rating, or PTO.

An employee going on military leave shall provide their supervisor with a set of orders within a reasonable amount of time after receiving and at least one week before required leave.

Upon request of the employee, Washington County will provide a statement that contains the number of workdays used for military leave in the fiscal year as well as a statement of the number of workdays left for use during the fiscal year.

Washington County employees who leave their positions because 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.

## **8.06 PAID QUARANTINE LEAVE**

Washington County shall provide paid quarantine leave for peace officers, detention officers, and emergency medical technicians employed by Washington County and ordered by a supervisor or the health authority to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. This includes peace officers, detention officers and emergency medical technicians, as defined by this policy, who are employed by, appointed to, or elected to their position.

"Peace officer" means an individual described by Article 2.12, Code of Criminal Procedure, who is elected for, employed by, or appointed by the county.

"Detention officer" means an individual appointed or employed by a county as a county jailer or other individual responsible for the care and custody of individuals incarcerated in a county jail.

"Emergency medical technician" means an individual who is certified as an emergency medical technician under Chapter 773, Health and Safety Code; and employed by the county.

"Health authority" has the meaning assigned by Section 121.021, Health and Safety Code. A health authority is a physician appointed under the provisions of Chapter 121 to administer state and local laws relating to public health within the appointing body's jurisdiction. A health authority must be a competent physician with a reputable professional standing who is legally qualified to practice medicine in the state and a resident of the state. They must take an official oath and file with the department.

For counties that do not establish a local health department or public health district, they may appoint a physician as health authority to administer state and local laws relating to public health in the county's jurisdiction.

Eligible employees who are on qualifying paid quarantine leave shall receive all employment benefits and compensation, including leave accrual, retirement, and health benefits for the duration of the leave; and, if applicable, shall be reimbursed for reasonable costs related to the quarantine, including lodging, medical, and transportation. An employee on qualifying paid quarantine leave will not have their leave balances reduced. Questions about reimbursements should be addressed to the Human Resources Office.

Off duty exposures will not be covered under this policy.

### **8.07 FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE (FMLA/MFL)**

The federal Family and Medical Leave Act of 1993 (FMLA) requires an employer to provide eligible employees with unpaid leave under certain circumstances. There are two types of leave available:

- 1) the basic 12-week FMLA entitlement; and
- 2) the Military Family Leave (MFL) entitlement described in this policy.

#### **ELIGIBILITY:**

To be eligible for benefits under this policy, an employee must:

- 1) have worked for Washington County at least 12 months (it is not required that these 12 months be consecutive; however, a continuous break in service of 7 years or more will not be counted toward the 12 months); and
- 2) have worked at least 1250 hours during the previous 12 months; and
- 3) are employed at a work site that has 50 or more employees within a 75-mile radius.

Any employees with questions about their eligibility for FMLA leave should contact Human Resources for more information.

#### **QUALIFYING EVENTS:**

Family medical leave under this policy may be taken for the following reasons:

- 1) the birth of a child and to care for that child;
- 2) the placement of a child in the employee's home for adoption or foster care;
- 3) to care for a spouse, child (under the age of 18 or if over 18 incapable of self-care due to a disability), or parent with a serious health condition;
- 4) the serious health condition of the employee that make the employee unable to perform the essential functions of their job;
- 5) a qualifying exigency arising out of the fact that an employee's spouse, child or parent is a covered military member of the Armed Forces (Regular, Reserve or National Guard), deployed to a foreign country or has been notified of an impending call or order to active duty in a foreign country;
- 6) to care for a covered service member (Regular, Reserve or National Guard) with a serious injury or illness if the employee is the spouse, child, parent or next of kin (nearest blood relative) of the service member; or
- 7) to care for a covered 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 began that medical treatment, recuperation or therapy.

## **SERIOUS HEALTH CONDITION:**

Serious health condition is defined as a health condition that requires overnight inpatient care at a hospital, hospice, or residential care medical facility or continuing treatment by a health care provider.

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

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

## **QUALIFYING EXIGENCY LEAVE:**

An eligible employee 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, child of any age or parent 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 seven days of leave);
- 2) attending certain military events and related activities;
- 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 fifteen 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;
- 9) attending family support or assistance programs and informational briefings;



- 10) acting as the covered military member's representative before a governmental agency;
- 11) addressing issues that arise from the death of a covered military member while on active-duty status in a foreign country; and
- 12) 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 employee.

**LENGTH OF LEAVE:**

An employee may use up to 12 weeks leave per 12-month period under this policy. Washington County sets the 12-month period used under this policy as the 12-month period measured forward from the date any employee's first FMLA leave begins.

A married couple who both work for the county is entitled to a maximum combined leave of 12 weeks in any 12-month period for bonding after the birth or placement of a child, or care for a parent with a serious health condition. The combined limit for a married couple employed by the county is 26 weeks in a single 12-month period if leave is to care for a covered service member or veteran with a serious injury or illness.

**MILITARY CAREGIVER LEAVE:**

An eligible employee may 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 either a current member or veteran of the Armed Forces (Regular, Reserve or National Guard).

An eligible employee may take up to 26 weeks of leave to care for a covered service member of the Armed Forces (Regular, Reserve, or National Guard) who has been rendered medically unfit to perform their duties due to a serious injury or illness incurred in the line of duty while on active duty 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.

An eligible employee may take up to 26 weeks of leave to care for a veteran (Regular, Reserve, or National Guard) 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 five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The MFL entitlement is applied on a per-injury basis and an eligible employee may be entitled to take more than one period of 26 weeks of leave if the leave is to care for different covered service members or covered veteran with a subsequent serious illness or injury, except that no more than 26 weeks may be taken within any single 12-month period.

An eligible employee may begin taking military caregiver leave up to five years after their family member was discharged or released from the military. The eligible employee's first date of leave must be within the five-year period; however, the employee may continue to take such leave throughout the single 12-month period that is applicable to military caregiver leave, even if the leave extends beyond the five-year period.

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 county's operations.

**WORK RELATED INJURY:**

Washington County will always designate qualifying work-related injuries with lost time as FMLA qualifying.

**SUBSTITUTION OF PAID LEAVE:**

Washington County requires substitution of paid leave for all FMLA or MFL events. An employee must follow the paid time off (PTO) policy guidelines. The balance of FMLA is unpaid leave. FMLA and MFL run concurrently with all substituted paid leave, including Workers' Compensation leave.

The maximum amount of paid and unpaid leave that may be used under this policy in a 12-month period is 12 weeks, except for qualifying leave to care for a covered military member with a serious injury or illness which is a maximum of 26-weeks in a 12-month period.

**CONTINUED EMPLOYEE BENEFITS:**

While an employee is on leave under this policy, the county will continue to pay the employee's medical plan premium at the same rate as if the employee had been actively at work. The employee is required to pay all deductions for which the employee would normally pay, or the coverage will be discontinued. An employee's obligation to pay for coverage will be made through regular payroll deduction while the employee is on paid leave status. While on unpaid leave, the employee must coordinate with the Human Resources Office to pay for premiums due to the county. Payment is due no later than 30 days after the date of the pay period in which the premium comes due. The county may cancel unpaid coverage by providing the employee with advance written notice, not less than 15 days before the coverage will be cancelled for non-payment.

At the end of the 12-week leave period or the 26-week leave period in a single 12-month period to care for an injured covered military member, Washington County may choose to continue to pay for the employee's health insurance premiums for a reasonable amount of time after.

**INTERMITTENT LEAVE AND REDUCED SCHEDULE:**

An employee may take intermittent leave under this policy if it is necessary for the care and treatment of a serious health condition of the employee, the employee's eligible family member or the care of a covered military member or veteran.

An employee may work a reduced schedule under this policy if it is necessary for the care and treatment of a serious health condition of the employee, the employee's eligible family member, or the care of a covered military member or veteran.

All work time missed as the result of intermittent leave or a reduced work schedule under this policy will be deducted from the employee's 12-week or 26-week leave eligibility in a single 12-month period.

### **CERTIFICATION REQUIREMENTS:**

The county has the right to ask for certification of the serious health condition of the employee or the employee's eligible family member when the employee requests or is using leave under this policy.

The county may send a request for medical certification to an employee who has been out of work for three or more days to determine the employee's FMLA eligibility. The employee is requested to have their physician complete and return the medical certification, or provide appropriate documentation, within 15 days of the employee's receipt of the form to be eligible for FMLA. An employee's failure to return the medical certification may result in denial of FMLA by the county.

The employee must respond to the county's request for certification within 15 days of receipt of the request or provide a reasonable explanation for the delay in writing before the 15th day after receipt of the request. If an employee does not provide certification or otherwise respond, the county may deny leave under this policy.

If an employee requests intermittent leave or a reduced work schedule, the certification submitted must also include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. The county may request re-certification for intermittent or reduced schedule leave every six months in connection with an eligible absence.

The county may ask for a second opinion from a health care provider of the county's choice, at the expense of the county, if the county has reason to question the certification, unless the leave is necessary to care for a seriously injured or ill covered service member supported by an invitational travel order (ITO) or invitational travel authorization (ITA) to join an injured or ill service member at their bedside.

If there is a conflict between the certification submitted by the employee and the second certification obtained by the county, the county may require a third certification, at the expense of the county, from a health care provider agreed upon by both the employee and the county. The third opinion is final and binding on the county and the employee.

### **REQUESTING LEAVE:**

Unless FMLA leave is unforeseeable, an employee is required to submit a written request for leave under this policy to the Human Resources office.

Where reasonably practicable, an employee should give the Human Resources office a minimum of 30-days' notice before beginning leave under this policy. Where it is not reasonably practicable to give 30-days' notice, the employee is required to give as much notice as possible.

**REINSTATEMENT:**

An employee returning from leave under this policy, and who has not exceeded the 12-week maximum leave period allowed, will be returned to the same job or a job equivalent to the job the employee held before going on FMLA leave. An employee who has not exceeded the 26-week maximum leave period in a single 12-month period, allowed to care for a seriously ill or injured covered military member, will be returned to the same job or a job equivalent to the job the employee held before going on leave.

If an employee is placed in a different position, it will be one with equivalent status, pay, benefits, and other employment terms and which entails substantially equivalent skill, effort, responsibility, and authority.

The county has no obligation to reinstate an employee who takes more than the 12 weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave allowed, including an employee with available sick or vacation leave.

**REPAYMENT OF BENEFITS:**

Unless an employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or another situation beyond the control of the employee, an employee who does not return to work after using the maximum leave allowed under this policy will be required to reimburse the county for all medical premiums and other benefits paid by the county while the employee was on leave without pay related to their FMLA leave.

**OTHER BENEFITS:**

While on leave without pay under this policy, an employee does not earn paid time off, is not eligible for holiday pay, and does not earn other benefits afforded to employees actively at work.

An employee who is out on approved FMLA leave may not take trips outside of the country unless the travel is related to the employee's own serious health condition, the serious health condition of the child, spouse, or parent of the employee or to attend qualifying military events. An employee may ask their immediate supervisor for written permission to take other trips outside of the country which may be granted at the supervisor's sole discretion.

Employees are forbidden from working another job while on approved FMLA leave from the county.

**REGULATION:**

Any area or issue regarding family and medical leave that is not addressed in this policy is subject to the basic requirements of the FMLA and the regulations issued to implement it.

**RETURN-TO-WORK:**

An employee is required to provide a fitness-for-duty certification before the employee returns to work.

**ENFORCEMENT:**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer for unlawful discrimination under the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any federal or state law that provides greater family of medical leave rights.

**8.08 PREGNANT WORKERS FAIRNESS ACT**

Washington County will provide reasonable accommodations to qualified employees for known limitations related to the pregnancy, childbirth, or related medical conditions of the qualified employee. A qualified employee is one who can perform the essential functions of their job with or without reasonable accommodation, or an employee whose inability to perform the essential functions of their job is temporary and can be reasonably accommodated. If an employee requires an accommodation to perform the essential functions of their job for known limitations related to pregnancy, childbirth, or related medical conditions, please notify Human Resources and provide any supporting documentation. Once the county is aware of the need for an accommodation, the county will engage in an interactive process with the employee to identify possible accommodations.

The county may require an employee to take an unpaid leave of absence, if the county determines that all other reasonable accommodations create an undue hardship for the county.

The county will not deny employment opportunities to a qualified employee based on the county's need to grant reasonable accommodations to the employee under this policy or take any adverse action in the terms, conditions, or privileges of employment against a qualified employee who requests or utilizes reasonable accommodations granted under this policy.

If an employee believes that they have been treated in a manner not in accordance with these policies, please notify Human Resources. Employees are encouraged to utilize this procedure without fear of retaliation.

## IX. TRAVEL POLICY

### 9.01 GENERAL

Employees are to be fully reimbursed for necessary and reasonable job-related expenses incurred in the authorized conduct of County business. All requests for reimbursement are subject to required documentation, applicable policies and procedures, and budgetary limitations. Employees must receive prior approval from the supervising official before initiating travel that involves reimbursable expenses.

This policy as adopted by Commissioners' Court is meant to provide guidance to appropriate travel methods and reimbursable expenses while traveling on official County business.

### 9.02 RESPONSIBILITY OF COUNTY OFFICIALS AND EMPLOYEES

County Officials are expected to plan any out-of-county travel for themselves and their employees to achieve maximum economy and efficiency. All county reimbursed travel must be for **official County business only**. It is the responsibility of the Official to see that all required documentation is properly completed and signed before being sent to the County Auditor.

It is the responsibility of the Official to see that all reimbursement forms to any other reimbursing agency, other than the county, are promptly submitted. When reimbursements are received, they should be submitted to the County Treasurer and copies of the reimbursements sent to the County Auditor. Expenses not permitted under the terms of grants, contracts, or agreements with other agencies will not be charged as costs to those grants, contracts, or agreements.

It is the responsibility of the employee to retain all invoices and vouchers while traveling on official county business. The employee will be reimbursed for necessary and reasonable actual expenses incurred while traveling, provided the employee submits proper documentation supporting the expenditures to the County Auditor on the appropriate county form. These costs generally include the following: airline tickets (excluding first class accommodations), parking fees, lodging, ground transportation (rideshare, taxi, etc.), automobile rentals, conference registration and fees, automobile expenses, tolls, and other necessary and reasonable expenses.

**Employees must provide an itemized receipt for any charges submitted for reimbursement or made with a Washington County credit card. In the event a receipt is lost, reimbursement will not be made.**

A Washington County credit card may be used for most expenses related to travel for official County business. Each employee using a Washington County credit card understands that any charges not in accordance with this policy and not approved by the Commissioners Court, shall be the sole responsibility of the individual. Acknowledgement of this policy shall authorize the Human Resources Office through the Auditor's Office to deduct the amount of any unapproved

transactions from the employee's subsequent pay. Misuse of the County credit card will result in disciplinary action.

### **9.03 MEALS**

Washington County will follow the U.S. General Services Administration (GSA) established per diem reimbursement rates to reimburse their employees for meal expenses incurred while on official travel. Rates will be determined by GSA guidelines according to the destination and length of travel.

**Overnight Travel:** Per diem for overnight travel will be dispensed from the Treasurer's Office along with other related travel expenses. An event agenda must be submitted with the travel expense form. The Auditor will adjust the daily per diem amount according to GSA guidelines for meals provided at the event. Employees may request per diem funds in advance of travel by submitting a travel expense form to the Auditor no later than two weeks before the date of travel with an event agenda attached. A check for the advance funds will be available at the Treasurer's office no sooner than the day before travel (or the Friday before if traveling on a weekend or Monday).

**One Day Travel:** Per diem for travel that is out-of-county and does not require an overnight stay will be reimbursed through payroll.

**The County Credit card may not be used to purchase meals. The employee must use personal funds to pay for all meal costs or submit a request for advance payment of funds for overnight travel. Per diem for one day travel will be added to the employee's next payroll check.**

Any employee who misuses the per diem allocations will be subject to disciplinary action, up to and including termination.

### **9.04 LODGING**

The County will reimburse the traveling county employee for the actual cost of lodging while traveling on official county business. Washington County employees are encouraged to book lodging at the hotel hosting the conference, seminar, or training session. If this is not possible the traveling employee should always attempt to obtain lodging where a "conference or government rate" is offered.

Items that **will be** reimbursed on the hotel statement are:

- Daily room charges;
- Necessary hotel taxes;
- Hotel parking fees;
- Internet charges for business use.

Those items that **will NOT** be reimbursed on the hotel statements are:

- Alcoholic beverage charges;

- Personal expense items such as cleaning or laundry;
- Recreation facilities use charges;
- Movies and personal phone calls;
- Cancellation fees for unreasonable failure to cancel reservations;
- Meal charges and snacks (Paid through per diem).

If the employee's spouse or dependents are traveling with the employee, the County will only pay the cost of a single room rate. Any additional charge for the extra person will be the employee's personal expense. If traveling with a companion(s) the employee must use personal funds for lodging.

Depending on travel arrangements, the county will reimburse the traveling county employee for a maximum of one (1) day lodging prior to the start of a conference or seminar and lodging through and including the last day of the conference or seminar. Any additional lodging will be at the expense of the county employee unless proof is presented that the additional lodging is a result of extended county business.

#### **9.05 APPROVED TYPES OF TRANSPORTATION**

**Commercial Airlines:** Airline tickets may be paid for in advance if the county employee submits the Travel Expense Form when the cost of the airline travel is determined. The county will reimburse at the lowest available airline fare for the most direct airline route. It is the responsibility of the County Official to locate the most economical air travel.

**Taxi, Rideshare, Bus and Rail Fares:** The traveling county employee will obtain receipts for fares and will be reimbursed by the county for those fares related to county business.

**Auto Rental:** The Commissioners Court will allow the rental of a **full size or smaller vehicle only** (as defined by the car rental company). 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 Form for reimbursement or validation of charges if the County credit card is used.

**Personal Automobiles:** The County will pay the traveling county employee the current IRS rate for each mile of use of their personal automobile while traveling on official county business. The mileage payment will be based on the most direct route from the employee's office location in the County to the destination where county business takes place plus a reasonable reimbursement for business mileage traveled while at destination. No other automobile expense will be paid to the traveling county employee other than the fixed price per mile as approved by the IRS rate. Mileage may be determined using an online mapping service.

**County Owned Autos:** The County will reimburse actual expenses, such as gas, oil or other such maintenance items. Itemized receipts are required for all these items.



## **LOCAL TRANSPORTATION EXPENSE REIMBURSEMENT**

Several departments in the County require their employees to travel within the county on official county business. When a county employee uses a personal automobile for this purpose, the employee may be reimbursed for use of their personal auto at the current IRS rate per mile. Reimbursement for local travel is made from odometer readings on the personal auto and a description of the purpose of the official county business. The county employee requesting reimbursement for local travel expenses must complete the Mileage Reimbursement form and submit the form to the County Auditor for reimbursement.

### **9.06 TRAVEL EXPENSE FORMS**

The travel form must be used when the Elected Official, Appointed Official, Department Head or employee requests reimbursement of travel expenses upon return of official county business or educational travel. In order for reimbursement to be approved, the traveling official or employee must submit receipts, invoices and documentation (Credit card charge slips alone will not serve as adequate documentation) for the following:

- Parking garage charges
- Lodging statements
- Taxi fares
- Conference registration and fees
- Automobile expense charges for county vehicles

**Local Transportation Expense Reimbursement Form:** This form is to be submitted to the County Auditor to claim reimbursement for use of personal auto for official LOCAL county business travel. Reimbursement will be at the current IRS rate.