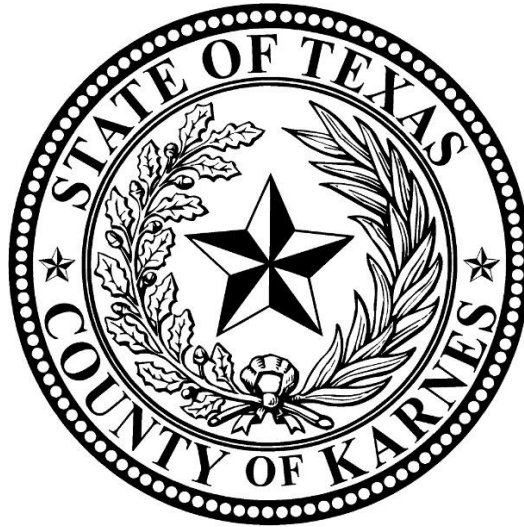


# KARNES COUNTY



## EMPLOYEE HANDBOOK

**County Judge Wade J. Hedtke**

**Commissioner Precinct 1 Shelby J. Dupnik**

**Commissioner Precinct 2 Bernard J. Lyssy**

**Commissioner Precinct 3 James Rosales**

**Commissioner Precinct 4 Wesley Gisler**

**Last Revised and Approved in Commissioner's Court  
October 8, 2024**

**KARNES COUNTY EMPLOYEE**  
**HANDBOOK**

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## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

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

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

I further understand that as a Karnes 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 unless otherwise stated in policy I will be granted compensatory time off in lieu of payment of overtime to the extent provided by law and I may be required to take earned compensatory time off at the County's discretion.

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

---

Printed Name of Employee

---

Signature of Employee

---

Date Signed

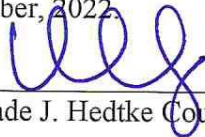
**COUNTY OF KARNES  
COMMISSIONERS COURT ORDER**

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


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


THEREFORE, BE IT RESOLVED that the Karnes County Commissioners Court and hereby approve, and adopt, the KARNES COUNTY EMPLOYEE HANDBOOK.


ADOPTED THIS 8th day of November, 2022

  
\_\_\_\_\_  
Wade J. Hedtke County Judge

  
\_\_\_\_\_  
Shelby Dipnik  
Commissioner Pct. 1

  
\_\_\_\_\_  
Bernard J. Lyssy  
Commissioner Pct. 2

  
\_\_\_\_\_  
James Rosales  
Commissioner Pct. 3

  
\_\_\_\_\_  
Sharon Chesser  
Commissioner Pct. 4

Witnessed and Attested By:

  
\_\_\_\_\_  
Carol Swize, County Clerk



## RESOLUTION FOR KARNES COUNTY

I the undersigned have read the Karnes County Employee Handbook that the Karnes County Commissioner's Court has adopted. As an ELECTED OFFICIAL of Karnes County, I endorse and approve the Employee Handbook. I approve the document as it reflects my commitment to Karnes County employees and it reflects my commitment to conform to appropriate state and federal laws.

I agree to be bound by the terms and conditions of the Karnes County Employee Handbook, as witnessed by my signatures below.

\_\_\_\_\_  
Printed Name of Elected Official

\_\_\_\_\_  
Office of Elected Official

\_\_\_\_\_  
Signature of Elected Official

\_\_\_\_\_  
Date Signed

# Karnes County Employee Handbook

Welcome to Karnes County!

We are excited to have you as an employee of Karnes County. You were hired because the elected official, appointed official or department head believes you can contribute to the success of Karnes County, and share our commitment to serving the public and our constituents with excellence.

Karnes County is committed to providing excellent service to the public 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 Karnes County, and other information you will need. Each elected or appointed official may have detailed policy and procedures for their office.

Your job is essential to fulfilling our mission of serving our county constituents every day and to meet or exceed their expectations. We achieve this through dedicated hard work and commitment from every Karnes County employee. You should use this handbook as a ready reference as you pursue your career with Karnes County. Please consult with your elected official, appointed official, or department head regarding questions you may have concerning this employee handbook.

Welcome aboard!



# SECTION 1: GENERAL POLICIES

## A. COUNTY EMPLOYMENT

### 1A-1 EMPLOYMENT AT-WILL

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

Karnes 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.

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

### 1A-1A PRE-EMPLOYMENT POLICY

An applicant may be subject to background investigation and review of their driving record. Some departments in Karnes County conduct extensive pre-employment background investigations due to the nature of their jobs. The individual shall not begin employment until successful background investigation, driving record and drug test results have been received.

### 1A-2 EMPLOYEE STATUS POLICY

All employees are considered to be “at will” employees and employee status shall not be considered a contract of employment.

Each county position has an employee status that identifies how the position is paid and how benefits are granted by Commissioners Court. The status 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.

**Regular Full Time:** A full time employee shall be any employee in a position who has a normal work schedule of 30+ hours per week. Full time employees are eligible for county health insurance and retirement benefits. Other county policies will dictate eligibility for other benefits. Employees may be non-exempt, hourly employees or exempt employees. Non-exempt employees are eligible for overtime compensation. Exempt employees are not eligible for overtime compensation. Karnes County makes exempt status determination based on the Fair Labor Standards Act.

**Regular 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 regular part-time employees must be placed on TCDRS retirement regardless of the number of hours worked per week. Other county policies will dictate eligibility for other benefits.

**Temporary Seasonal:** A seasonal employee shall be any employee who is hired into a position that lasts six (6) or less months and begins at approximately the same time each year. Examples may include, but are not limited to, lifeguards, summer mowers, and election workers. 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.

**Variable Hour:** A variable hour employee shall be any employee for whom the county cannot determine the average amount of hours that the employee will work each week – hours are variable or indeterminate at the time of the employee’s start date. If the employee works an average of thirty (30) or more hours a week in the measurement period, the employee will be eligible for health insurance through the county under the Affordable Care Act. If an employee’s schedule becomes regular, then the employee shall be reclassified as full or part time depending on the hours worked. Variable hour employees are eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits. Examples of this status may include PRN EMS employees.

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

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

**Temporary Variable Hour:** A temporary variable hour employee shall be any employee for whom the county cannot determine the average amount of hours that the employee will work each week – hours are variable or indeterminate at the time of the employee’s start date. This position will be expected to last for a specific period of time or until a specific program is completed, but no longer than 12 months. If this project goes beyond 12 months, the employee will move into either a Regular Full-Time position or a Regular Part Time position. If the employee works an average of thirty (30) or more hours a week in the measurement period, the employee will be

eligible for health insurance through the county under the Affordable Care Act. If an employee's schedule becomes regular, then the employee shall be reclassified as temporary full time or temporary part time depending on the hours worked. Temporary variable hour employees are not eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits.

### **1A-3 EQUAL EMPLOYMENT OPPORTUNITY**

Karnes County is an equal opportunity employer. The county will not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, including lesbian, gay, bi-sexual or transgender status, 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, Human Resources or the county attorney.

### **1A-4 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT**

It is the policy of Karnes 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 are instructed to treat the employee's disability with confidentiality.

It is Karnes 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.

### **1A-5 PERSONNEL FILES**

To satisfy federal and state regulatory requirements and to meet operational needs, the Office of Human Resources will maintain an official employment record for each employee.

All employment records will be submitted to Karnes County Human Resources for maintenance. Duplicate files or copies maintained outside Karnes County Human Resources are not considered to be official employment records. All department copies should be sent to Karnes County

Human Resources upon the employee's separation from employment with Karnes County.

All employment records, including benefits and medical records, will be maintained securely and access will be restricted based on the content of each record.

All employment records are to be kept for the minimum periods listed in the Records Retention Schedule in accordance with the Texas State Library and Archives Commission Records Retention Schedule pursuant to Government Code, Section 441.158. Notwithstanding such minimum retention periods, all records must be maintained until all required audits are completed and should be retained beyond the listed retention periods where there is a pending open records request or probability of litigation either involving records or requiring their use.

3.4 Employment records kept only in electronic format must be identified in the Retention Schedule and must comply with the administrative rules of the Texas State Library (13 Texas Administrative Code Sections 6.91-6.99).

#### Sec. 4 Access to Employment Record by Current Employee

4.1 An employee or the employee's designated representative may review the employee's employment records to the extent the records are not excepted from disclosure under the Texas Public Information Act. Employment records will be made available within a reasonable time after a request and during standard business hours.

4.2 Requests to review employment records may be made verbally or in writing to the Office of Human Resources.

4.3 The Texas Public Information Act provides that all employment records of an individual employee, except information that constitutes a clearly unwarranted invasion of personal privacy or information deemed confidential by law, are subject to public disclosure without the consent of the individual employee. However, each employee must choose whether to allow public access to the information in the custody of the governmental body that relates to the person's home address, home telephone number, emergency contact information, social security number, or that reveals whether the person has family members.

#### Sec. 5 Third-Party Requests for Records and Disclosure Exceptions

5.1 To effectuate "Compliance with the Texas Public Information Act", all third-party inquiries about and requests for employee records must be directed, in writing, to the County Attorney who acts as the Public Information Officer for Karnes County. Former employees are considered third parties for purposes of this policy.

5.2 Verbal inquiries or requests for employment records concerning employees are not valid public information requests and must be submitted in writing.

5.3 If it is determined that the employment record of a county employee (including former employees) may contain information excepted from disclosure under the Texas Public

Information Act, a request to withhold the information will be submitted to the Texas Attorney General.

5.4 Written requests for employment records that concern employees of the county should be forwarded immediately to the County Attorney who acts as the Public Information Officer(s) for the Karnes County, so that the requestor may be informed that the request should be submitted directly to the institution.

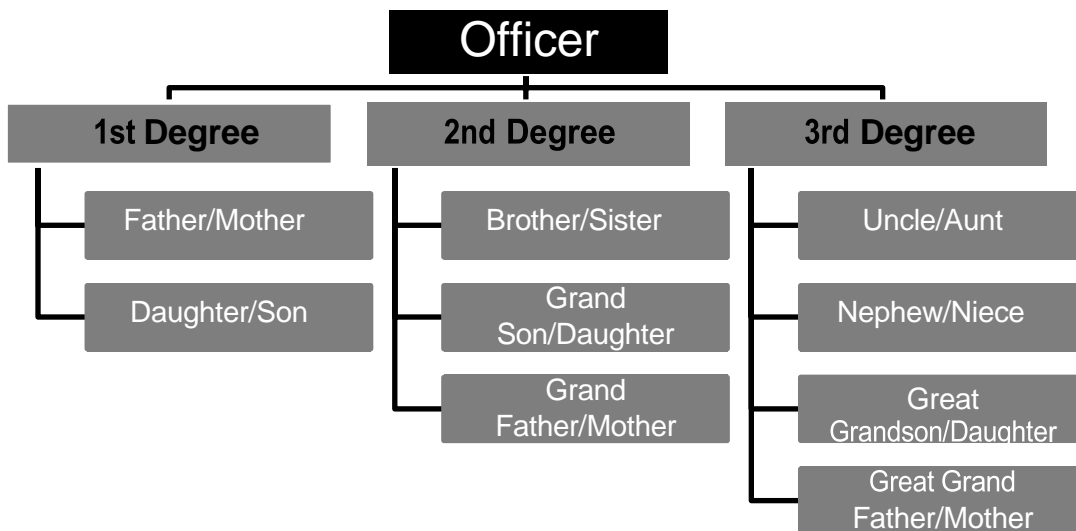
### 1A-6 NEPOTISM

Texas Government Code Chapter 573, a Public Official of Karnes 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.)

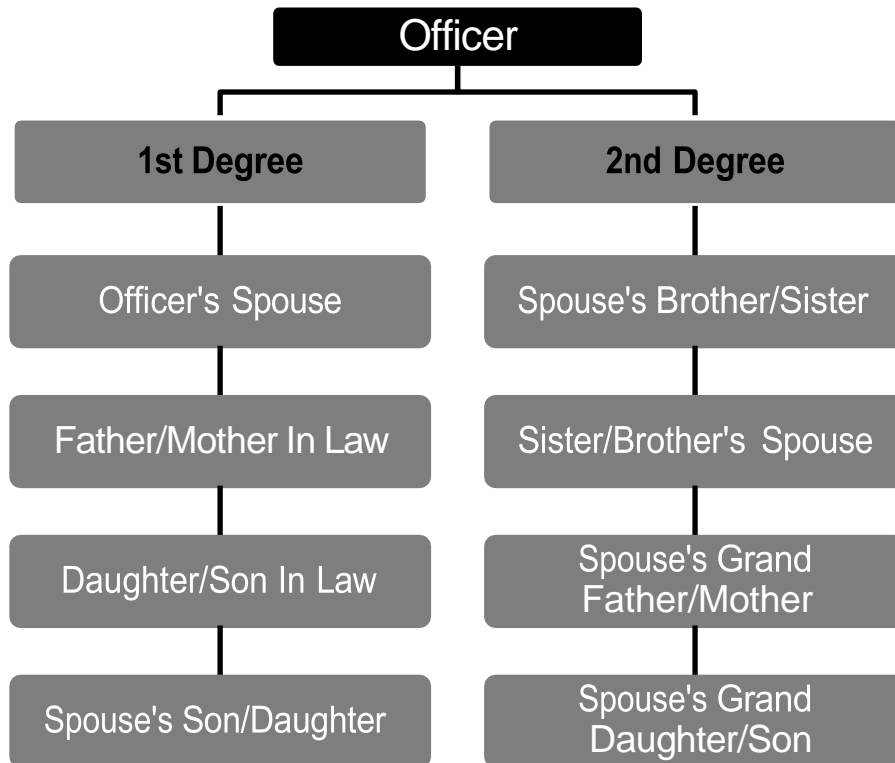
## CONSANGUINITY KINSHIP CHART

(Relationship by Blood)



# AFFINITY KINSHIP CHART

(Relationship by Marriage)



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

### **1B-1 ATTENDANCE**

As a Karnes County employee, you are expected to be punctual and demonstrate consistent attendance.

Each employee shall report to work on each day they are scheduled to work and at the starting time set by their supervisor unless prior approval for absence is given by the supervisor or the employee is unable to report for work because of circumstances beyond the control of the employee. If an employee is unable to be at work at their normal reporting time, they shall be responsible for notifying their supervisor at least 12 hour(s) prior to the scheduled start of their shift or as soon as it is reasonably practicable in the case of an emergency.

Each employee shall remain on the job until the normal quitting time established by the supervisor unless permission to leave early is given by the supervisor.

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

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

### **1B-2 DRESS CODE**

Karnes County expects all employees to be well groomed, clean, and neat at all times. Each official or department head will determine the type of attire that is acceptable. Employees are required to act in a professional manner at all times and extend the highest courtesy to co-workers and to the public being served.

### **1B-3 TOBACCO/SMOKE FREE WORKPLACE**

Karnes County endeavors to provide a healthy environment. Therefore, any form of tobacco or vaping consumed in county buildings and county vehicles is strictly prohibited. Additionally, smoking is only allowed in designated smoking areas. Violations of smoking in non-designated smoking areas may lead to disciplinary action including but not limited to termination.

### **1B-4 CONFLICT OF INTEREST**

Employees of Karnes 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 in regard to their work and responsibility as a Karnes County employee.

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.

## **1B-5 HARASSMENT**

Karnes County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, including lesbian, gay, bi-sexual or transgender status, sexual orientation or 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; or

(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 Karnes County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the county does business.

Employees who feel they have been harassed should immediately report the situation to the elected 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 Director of Human Resources or to the County Attorney.



Every reported complaint will be investigated promptly and thoroughly. While all claims of harassment shall be handled with discretion, there can be no complete assurance of full confidentiality. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

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

Retaliation against an employee who reports harassment or who cooperates in the investigation is prohibited by law as well as this policy. Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected 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 County Judge or to the County Attorney.

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

## **1B-6 SEXUAL HARASSMENT**

Sexual harassment is strictly prohibited by Karnes 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 Karnes 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, but is not limited to, 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 Director of Human Resources or to the County Attorney.

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

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

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

- a) When practical, confront the harasser and ask them to stop the unwanted behavior.
- b) Record the time, place and specifics of each incident, including any witnesses.
- c) Report continuing sexual harassment to the Elected Official, Appointed Official, or Department Head who is responsible for your department or to the Director of Human Resources or the County Attorney.
- d) If a thorough investigation reveals that unlawful sexual harassment has occurred, Karnes 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 County Judge or to the County Attorney.

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

### **1B-7 POLITICAL ACTIVITY**

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

County employees shall not: 1) Use their official authority or influence to interfere with or affect the result of any election or nomination for office; 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, or person for a political reason; or 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.

### **1B-8 OUTSIDE EMPLOYMENT**

Karnes County employees are expected to give their full and undivided attention to their job duties.

They should not use Karnes County facilities or equipment or their association with Karnes 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 Karnes County that interferes with the employee's assigned duties with Karnes County.

### **1B-9 BREAKS**

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

Karnes County will provide reasonable paid breaks for a nursing mother to express breast milk. The nursing mother will be allowed whatever time is needed to express breast milk within the designated lactation space as shown on the attached Exhibit for County buildings.

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

Karnes 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. A reasonable accommodation will be given for the needs of employees who express breast milk. Any employees 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.

### **1B-10 GRIEVANCES**

Any employee having a grievance related to their job should 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 or appointed official with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that official.

The decision of the Director of Human Resources along with the elected or appointed official with

final responsibility for the employee's department shall be final in all grievances.

### **1B-11 DISCIPLINE**

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

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

**All County employees are "at will" employees and nothing in this policy gives an employee any contract of employment, guarantee of any duration of employment, or any other property interest in their job.**

Karnes County retains the right to terminate the employment of any individual at any time for any legal reason, or no reason, with or without notice. The County also retains the right to change any condition, benefit, privilege, or policy of employment at any time, with or without notice.

### **1B-12 LICENSE AND CERTIFICATIONS**

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

### **1B-13 WEATHER CLOSINGS AND EMERGENCIES**

As a general practice, Karnes County does not close its operations unless the health, safety, and security of county employees are seriously brought into question. When this happens, either because of severe weather conditions or other emergencies, the County Judge is responsible for initiating the closing. The county will use the HYPERREACH system for notifications as appropriate, as well as the county employee email system and also Facebook, and county website.

Announcements of an emergency closing will, to the extent possible, specify the starting and ending times of the closing. However, each elected official controls the working hours of their employees, even in an emergency situation.

Many county departments are continuous operating public safety and service departments. Many county personnel will be required to work during emergency closings. Each official or department head is responsible for designating their own employees and providing alternate

information to personnel designated as essential during emergency closings. Public safety will be foremost in the development of departmental emergency action plans.

### **1B-14 CONFIDENTIALITY**

Karnes County is a public entity, however, some county employees acquire confidential (confidential, non-public) information as a result of their position with the county. This information must be protected. Employees who reveal confidential (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 on employees of Karnes 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. The county will adhere to the Public Information Act requirements.

### **1B-15 WHISTLEBLOWER**

An employee may, in good faith, report an alleged violation of a Karnes County Policy or federal or state law to their supervisor, department head, or Human Resources / the County Attorney, 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 Director of Human Resources or 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 disciplinary action 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 the County Attorney.

An employee with a question regarding this policy should contact the County Attorney's Office.

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

### **1C-1 COUNTY PROPERTY USAGE**

All county property shall be appropriately tagged prior to distribution. 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. Any county property issued to the employee shall be returned immediately upon separation of employment.

All county employees will be issued an identification badge. This identification badge is property of the County and shall not be retained upon retirement, separation, or termination. This identification badge shall be issued by the County and shall only be used in the course and scope of the employee's employment. Any misuse will subject the employee to disciplinary action.

### **1C-2 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 proper use of said vehicle at all times. Employees shall follow their department's policy/practice and/or manufacturer's guidelines on the appropriate care, maintenance, 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.

Employees who operate vehicles must maintain a current active license for the operation of that vehicle. If they have any change in 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.

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to their supervisor and to the proper law enforcement or other authority immediately. A copy of all accident and incident reports prepared by the employee shall be sent to the supervisor and the designated TAC Risk Pool Manager, the Karnes County Auditor.

### **1C-3 CELL PHONE USAGE**

Karnes 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 and shall be available for inspection by the employer upon request.

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

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

Employees in possession of a Karnes County owned cellular phone are required to take appropriate precautions to prevent theft and vandalism. Employees in possession of a Karnes County owned cellular phone are required to make the phone available for inspection by the supervisor upon request.

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

#### **1C-4 COMPUTER AND INTERNET USAGE**

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

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

Use of Karnes County computers, networks, and Internet access is a privilege granted by 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.

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

Employees should not bring personal computers to the workplace or connect them to Karnes 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.

## **D. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY**

### **1D-1 WORKERS COMPENSATION**

All Karnes 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 as defined in Chapter 177A of the Texas Local Government Code.

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. Karnes County runs FMLA and Worker's Compensation concurrently.

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

### **1D-2 RETURN TO WORK**

This policy covers employees who are on leave due to a work-related injury or illness. Because employees are our most valuable resource, Karnes County attempts to help employees return to work as soon as possible.

An employee on leave due to a work related injury or illness may return to work only when Karnes County receives a medical release from the treating doctor. 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 previously injured/ill 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, Karnes 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 vacation, holiday, compensatory or paid time off.

**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 Karnes County, the employee may be separated from employment with Karnes County subject to FMLA qualification and his/her position may be filled permanently. A written, bona fide offer of employment must clearly state:

- The position offered and the duties of the position
- Karnes 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 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 Karnes County's policy to designate an employee's leave due to a work-related injury or illness as FMLA, if eligible. Karnes 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.

## **1D-3 EMPLOYEE SAFETY**

Karnes County is committed to providing a safe workplace for our employees.

It is the intent of Karnes County to provide a safe environment for its employees to work. In order for these conditions to be met, the County has developed a number of safety policies it believes will promote a reasonably safe place for each employee to work, however, improvement is always possible and additional recommendations are welcomed and encouraged.

It's the intent of Karnes County for its employees to perform the work assigned in a safe manner, therefore, each employee has a responsibility to the County. The responsibilities include but are not limited to, the requirements to advise the supervisor never to endanger other employees, report all unsafe conditions and injuries to the supervisor, and follow all safety policies established by the County. Supervisors have the responsibility to only assign work to employees who are qualified through training or work experience, train the employee to perform their duties in a safe manner or environment and follow Karnes County Safety policies.

Employees are required to follow all safety policies of Karnes County. Failure to adhere to the County Safety Policies may subject the employee to disciplinary action, up to and including termination. All new employees are required to acknowledge they have read, understand and will follow the County Safety Policies before commencing employment.

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

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

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

#### **1D-4 DRUG AND ALCOHOL- ALL EMPLOYEES**

Karnes County is a drug and alcohol-free workplace. A county employee may not be present at work during a period the employee's ability to perform 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 Karnes County regardless of rank or position and shall include full-time, part-time, seasonal, variable hour and temporary employees. The only exception to this policy is the possession of controlled substances by law enforcement personnel as part of their official law enforcement duties as well as EMS personnel while providing emergency patient care as directed by their Medical Director.

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 illegal drugs while on County property or while on duty for the County.

An employee may not possess or use unauthorized prescription or over-the-counter drugs while on County property or while on duty for the County. An employee may not use prescription or over-the-counter drugs while on County property or while on duty for the County in a manner other than that intended by the manufacturer or prescribed by a physician.

An employee may use prescription and over-the-counter drugs in standard dosage or according to a physician's prescription if the use will not impair the employee's ability to do 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 used 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.

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

**Pre-employment drug testing:**

Karnes 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.

**Suspicion-Based Testing:**

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

**Reasonable Suspicion** – If an employee is having work performance problems or displaying behavior that may be alcohol or drug related, or is otherwise demonstrating conduct that may be in violation of this drug and alcohol policy where immediate action is necessary, the elected official or supervisor will require that employee to submit to 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 or supervisors must take action if they have reason to believe one or more of the above listed conditions is indicated and that the substance abuse is affecting their employee's job performance or behavior. The following steps will be taken:

1. Confront the employee involved and keep 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.
2. If the supervisor believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a drug or alcohol test. If the employee refuses to submit to testing for any reason, the employee may be terminated.
3. Employees will be asked to release any evidence, such as alcohol or drug paraphernalia, relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline, up to and including termination. All confiscated evidence will be receipted for with signatures of either the elected official or supervisor as well as the employee.
4. The elected official or 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.
5. The elected official or supervisor shall, within 24 hours or before the results of the controlled substance test are released, document the particular facts related to the behavior or performance problems and present such documentation to the 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 may be required to be tested. This will be at the discretion of their elected official or supervisor.

#### **Testing Procedures –**

1. The employee will be escorted and driven to the designated facility for specimen collection and/or testing.
2. The employee will be required to follow the drug testing protocol of the medical facility providing the testing.
3. If the employee desires another test to be given, 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 Karnes County.
4. The employee will be placed on paid administrative leave until the results of the test are known. The elected official or supervisor will make arrangements to ensure that the employee is safely returned to 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.

## **1D-5 DRUG AND ALCOHOL- CDL EMPLOYEES WHO USE THEIR CDL FOR WORK PURPOSES**

CDL Drivers are an extremely valuable resource for Karnes County's business, and are to be held to a higher standard. Their health and safety is a serious County concern. Drug or alcohol use may pose a serious threat to driver health and safety. It is, therefore, the policy of the County to prohibit CDL employees from being under the influence of or using illegal drugs or alcohol during working hours.

The Federal Highway Administration ("FHWA") has issued regulations, which require the County to implement a controlled substance testing program. The County will comply with these. All CDL drivers are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with the County.

Specifically, it is the policy of Karnes County that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) or alcohol by any CDL driver while on County premises, engaged in County business, while operating County equipment, or while under the authority of the County is strictly prohibited. Mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement. Karnes County will conduct pre-employment, random, reasonable suspicion and post-accident drug testing in accordance with federal law.

It is the policy of Karnes County to comply with the U.S. Department of Transportation, FMCSA Clearinghouse, a secure online database that provides employers with real-time information about CDL driver drug and alcohol program violations. Karnes County will conduct both electronic queries and traditional manual queries with previous employers as required by FMCSA's drug and alcohol use testing program, for checking CDL driver violation histories. Drivers may view their own records. Employees will be required to provide a consent form from the CDL holder to conduct both Limited and Specific inquiries.

## **1D-6 WORKPLACE VIOLENCE**

Karnes County is committed to providing a workplace free of violence. Karnes 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 suspicious or in fear for their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surroundings at all times and report any suspicious behavior from the public, former employees or current employees to their immediate supervisor or the sheriff's department.

## **1D-7 SOCIAL MEDIA**

For purposes of this policy "social media" includes, but is not limited to, online forums, blogs and social networking sites, such as X (formally known as Twitter), Facebook, LinkedIn, YouTube,

Snapchat, TikTok, Instagram, etc.

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

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

- If your posts on social media mention Karnes County, make clear that you are an employee of Karnes County and that the views posted are yours alone and do not represent the views of Karnes County.
- Do not mention Karnes County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Karnes County, respond respectfully with factual information, not inflammatory comments.
- Remember, you are responsible for what you write or present on social media. You can be sued by other employees, supervisors, customers or vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees can be subject to disciplinary action, up to and including termination for what they post on social media platforms, even if the employee did not use a county computer or if the post did not occur during work hours or on county property.
- Employees may not use Karnes County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Karnes County monitors its computers to ensure compliance with this restriction.
- You must comply with copyright laws, and cite or reference sources accurately.
- Do not link to Karnes County's website or post Karnes County material on a social media site without written permission from your supervisor.
- All Karnes County policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment and code of conduct.
- Any confidential information that you obtained through your position at Karnes County must be kept confidential and should not be discussed through in social media forum.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

If a department of Karnes County maintains its own official social media page, it is strongly recommended that an alternate such as the IT department be assigned as a legacy representative.

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

Karnes 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 Karnes 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 Karnes 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.



# SECTION 2: EMPLOYEE COMPENSATION AND BENEFITS

## A. EMPLOYEE PAYROLL

### 2A-1 FAIR LABOR STANDARDS ACT SAFE HARBOR

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

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

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

It is a violation of Karnes County policy for any employee to falsify a timecard, or to alter another employee's timecard. It is also a serious violation of County policy for any employee, supervisor or official to instruct another employee to incorrectly or falsely report hours worked, or to alter another employee's timecard to under- or over-report hours worked. If anyone instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to Human Resources and/or the County Treasurer.

If you are classified as an exempt salaried employee, you will receive a salary which is intended

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

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

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

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

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to Human Resources and/or the County Treasurer. If you are unsure of who to contact or if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the County Attorney at 101 N. Panna Maria, Karnes City, Tx 78118, (830)780-3736. Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including termination.

## **2A-2 INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS**

Karnes County will comply with the IRS with regard to 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.

## **2A-3 COMPENSATION**

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

Karnes County complies with the Fair Labor Standards Acts as outlined in the Fair Labor Standards Safe Harbor policy.

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

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

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

For part-time regular employees, the monthly salary compensates the employee for all hours worked in each workweek of that month up to the amount designated by the County for the position.

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

In the event of a major disaster where the County Judge has issued a disaster declaration and it has been extended by the Commissioners' Court, in order for the County to be reimbursed by FEMA, all salaried employees will be calculated in the same manner as hourly employees for the duration of the disaster incident and the disaster declaration is rescinded or allowed to expire.

## **2A-4 PAYROLL DEDUCTIONS**

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

Employees eligible for membership in the Texas County and District Retirement System 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 Treasurer's Office / Human Resources.

## **2A-5 WORK WEEKS AND WORK PERIODS**

For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Karnes County shall begin at 12:01 a.m. on each Sunday and end seven (7) consecutive days later (168 hours). Law Enforcement employees who fall under

the FLSA 207(k) exemption shall have a work period of 14 days and 85.5 hours as established by the Karnes County Commissioners Court.

## **2A-6 TIMESHEETS**

Each employee must fill out a time sheet to be turned in to their supervisor on the last day of each pay period. Karnes County, as of the date of this handbook, uses a digital time clock, TimeClock. 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 and as such require accurate and truthful information. Falsifying a time sheet, a governmental record is a criminal offense. Employees shall only use appropriate available leave to account for their regular weekly work schedule.

## **2A-7 PAY PERIODS**

The pay period for Karnes County shall be bi-weekly 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. Paychecks are direct deposited only. There will be no changes in the middle of a payroll period.

## **2A-8 WORK SCHEDULES**

The normal hours of work for most positions in the County shall be from 8:00 a.m. until 5:00 p.m., Monday through Friday. Each official or department head shall determine the exact working schedules for their employees. In order to meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule, or they may be subject to call back in case of emergency or special need.

## **2A-9 HOURS WORKED**

Hours worked shall include all time actually spent in the service of the County as defined in the Fair Labor Standards Act (FLSA) and its regulations. The workday for the County shall begin at 12:01 a.m. each day and end 24 consecutive hours later.

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

## **2A-10 LAW ENFORCEMENT PAY AND OVERTIME**

The annual salary of Sheriff's Office Deputies is intended to compensate the deputies for Twenty-six, 14-day work periods during the year. The salary is based on and is intended to cover all hours physically worked up to 85.5 hours in each 14-day work period; and full salary will be paid if the deputy physically works at least 80 hours in the 14-day work period.

In the event that the deputy has not worked the minimum 80 hours in the 14-day work period, the deputy may use vacation, sick leave, holiday, or compensatory time hours, as appropriate, to reach the 80-hour work period.

In the event that the deputy has worked the minimum 80 hours in the 14-day work period and also takes days or hours off using compensatory, vacation, sick leave or holiday time, the employee will not be charged those compensatory, vacation, sick time, or holiday time hours. These hours will be credited back into their own accrual banks.

If the deputy has not worked the minimum 80 hours in the 14-day work period, only the minimum amount of hour will be deducted from the employee's appropriate leave banks to reach the 80 hour minimum in the 14-day work period.

In the event that a deputy, jailer or dispatcher works on a county-designated holiday, the employee will be allowed to take the holiday at a later date at a rate of hour for hour worked on the holiday.

## **2A-11 OVERTIME CALCULATIONS AND RULES**

Overtime shall include all time actually worked for the county in excess of 40 hours in any workweek, with the exception of law enforcement (See policy on "Law Enforcement Pay and Overtime").

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.

Overtime compensation shall be paid in the form of compensatory time off in accordance with the provisions of the FLSA. Covered employees shall receive paid compensatory time off at a rate of one and one-half (1 ½) times the amount of overtime worked.

This does not apply to Emergency Medical Service personnel who receive monetary compensation (cash payment) for overtime hours worked.

The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 240 hours for regular, full-time employees and 480 hours for law enforcement. When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at a rate of one and one-half (1 ½) the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum.

Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works. Compensatory time may be used for any purpose desired by the employee with supervisor approval. Karnes County shall have the right to require employees to use earned compensatory time at the convenience of the county.

If an employee terminates employment, for any reason, prior to using all earned FLSA compensatory time, they shall be paid for all unused compensatory time in accordance with the requirements of the FLSA.

Karnes County shall retain the right to "buy back" all or part of an employee's unused compensatory time by paying the employee for that time at the employee's current regular rate. Karnes County shall retain the right to pay all or part of the overtime worked in any workweek by paying for that overtime at one and one-half (1 ½) the employee's regular rate of pay.

Each employee shall be responsible for recording any compensatory time used within a pay period on the time sheet for that pay period.

## **2A-12 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 re-assign 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. There will be no changes in the middle of a payroll period.

## **2A-13 TRANSFERS**

Transfers are the lateral movement of an employee from one position to another with the same responsibility or complexity of job duties with no change in salary.

Elected officials, appointed officials or department heads may transfer an employee in their department to a vacant position. All transfers must be handled in accordance with the budget adopted by Commissioners' Court.

## **2A-14 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. There will be no changes in the middle of a payroll period.

## **2A-15 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 Karnes 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 Karnes 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. Karnes 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 legally designated beneficiary or estate shall receive all earned pay and payable benefits.

## **2A-16 RETIREE REHIRES**

Retired employees shall be eligible to apply for open positions with Karnes County as long as the following provisions are met: 1) The retiree has been retired for at least 30 days, 2) No prior arrangement or agreement was made between Karnes County and the retiree for re-employment, and 3) strict adherence to normal leaving employment procedures were followed at the time of the employee's retirement.

The retiree must have a bona fide separation of employment and have been retired for a minimum of 30 days. A bona fide separation means there is no prior agreement or understanding between Karnes County and the retiree that the retiree would be rehired after retirement. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Newly elected officials who have recently retired from the county cannot draw their retirement because they have an arrangement to return to work for the county. Employees also cannot retire with an agreement to go work in a different department or different position. Changing employee

status does not matter when determining if someone is still working for the county. Also, an employee cannot retire from the county with an arrangement to begin work as an independent contractor either.

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

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

## **B. EMPLOYEE BENEFITS**

### **2B-1 HEALTH PLAN**

All full-time regular employees of Karnes County shall be eligible for the group medical plan at no cost to the employee. Variable hour employees who work an average of thirty (30) or more hours a week in the measurement period will be eligible for health insurance after the measurement period. Regular part time, temporary seasonal, temporary short term part time, and variable hour employees who work an average of less than thirty (30) hours a week in the measurement period will not be eligible for health insurance. (County will need to adjust the employee status based on their own definitions. Any employee working 30 or more hours a week will be eligible for health benefits.)

Health premiums for the coverage for eligible employees shall be paid by the County. Insurance and elections are effective the first of the month after 60 days of employment.

Eligible employees may cover their qualified dependents by paying the full premium for the dependents. Deductions for dependent coverage shall be made through payroll deduction from the employee's paycheck each pay period. Dependent coverage will be terminated after the failure of the employee to pay bills as appropriate. If the employee does not choose any other supplemental coverage, their ability to do so is thereby denied until the following enrollment period. In addition, any coverage not accepted is considered waived.

Details of coverage under the group medical insurance plan are available in the County Human Resources Office and may be obtained during ~~the~~ normal working hours for that office.

Employees who leave the employment of Karnes 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.

Effective October 1, 2023, budget and Court approval dependent, Karnes County will pay 100% of a retiree's health insurance premium for a maximum of five years or until the age of 65; whichever comes first, if they meet the following criteria:

- Must retire from Karnes County through TCDRS
- Must have been employment with Karnes County for eight consecutive years

For current/past retirees, as long as the retiree has maintained healthcare coverage through Karnes County, without a lapse in coverage, the County will cover their health insurance premium if they meet the aforementioned eligibility requirements.

## **2B-2 OTHER PLANS – DENTAL, VISION, LIFE, SUPPLEMENTAL, ETC.**

Karnes County may provide a limited amount of non-transferrable life insurance on eligible employees as part of the group medical plan coverage. Dependent on the county budget, qualified employees receive life insurance at no cost to the employee. Karnes County offers supplemental insurance coverages at a cost paid by the employee. Information regarding these supplemental insurances may be obtained from the Human Resources department.

## **2B-3 VACATION**

The following employee classifications shall be eligible for the vacation benefit: full-time, part-time, non-exempt employees. These following employee classifications shall not be eligible for the vacation benefit: variable, temporary, seasonal, and full-time exempt.

**Full-time** employees, except for EMS, will accrue at one of the following three rates determined by the number of years of current consecutive Karnes County service: (1) during the first year of service, **.83** hours are accrued each week; (2) during the second through ninth year of service, **1.67** hours are accrued each week; (3) during and after the tenth year of service, **2.5** hours are accrued each week.

The maximum amount of unused vacation a full-time employee shall be allowed to have at one time depends on the number of years of service: (1) less than 10 years can have **120** hours; (2) 10 years or more can have **160** hours.

**Part-time** employees will accrue vacation based at the number of hours budgeted per week at one of the following three rates determined by the number of years of current consecutive Karnes County service: (1) during the first year of service, one week of vacation earned over 52 weeks; (2) during the second through ninth year of service, two weeks of vacation earned over 52 weeks; (3) during and after the tenth year of service, three weeks of vacation earned over 52 weeks.

The maximum amount of unused vacation a part-time employee shall be allowed to have at one time depends on the number of years of services: (1) first year of service an employee can have the number of hours budgeted per week plus **5** days; (2) during the second to the ninth year of service is **15** days; (3) 10 or more years of service is **20** days.

**EMS** employees accrue vacation time at one of the following three rates determined by the number of years of current consecutive Karnes County service: (1) during the first year of service, **.92** hours per week; (2) during the second through ninth years of service, **1.84** hours per week; (3) 10 or more years of service, **2.76** hours per week.

The maximum amount of unused vacation an EMS employee shall be allowed to have at one time is as follows: (1) less than 10 years of service is **144** hours; (2) 10 or more years of service is **192** hours.

When an employee reaches the maximum accrual, they shall not be allowed to accrue additional vacation time until the employee takes vacation hours to reduce the balance below the maximum allowed under the policy.

Vacation shall not be accrued while an employee is on leave without pay. The accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation. An employee must work for a minimum of **90** days before being eligible to take any vacation.

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

Employees shall only be able to use vacation which has already been accrued and shall not be allowed to borrow vacation against possible future accruals. Employees shall not be allowed to receive pay for vacation in lieu of taking time off.

There is no minimum amount of vacation that must be taken at any time.

If a holiday falls during an employee's vacation, then the employee will not be charged for the vacation. Unless in cases of EMS and Sheriff's Department working those holidays.

Each employee shall be responsible for accurately reporting and approving all vacation time used on their time sheet.

## **2B-4 PAID TIME OFF (PTO)**

The following employee classifications shall be eligible for the Paid-time off leave benefit: full-time non-exempt and part-time employees. The following employee classifications shall not be eligible for the paid time off leave benefit: variable, seasonal, temporary, full-time exempt.

Paid time off for full-time employees accrues at a rate of **2** hours per week. Part-time employees accrue at a rate of **1** hour per week.

Paid time off begins accruing at the time an individual begins working for the County in a position that is eligible for the benefit. Paid time off shall not be accrued while an employee is on leave without pay. PTO can not be used until 90 days have been completed.

The maximum amount of unused paid time off an employee shall be allowed to have at any time is: Full-time employee is **240** hours; Part-time employee is **120** hours.

Paid time off may be used for the following purposes: (1) illness or injury of the employee; (2) appointments with physicians, optometrists, dentists, and other qualified professionals; or (3) to attend to the illness or injury of a member of the employee's immediate family; (4) personal time off if needed and no other time is available. For purposes of this policy, immediate family shall be defined as spouse, child, parent, foster child or other relative living in the employee's home who is dependent on the employee for care.

Where paid-time off is to be used for medical appointments, an employee shall be required to notify their supervisor of the intent to use paid-time off as soon as the employee knows of the appointment. Where use of paid-time off is not known in advance, an employee shall notify their supervisor of the intent to use paid-time off within 15 minutes of the employee's normal time to begin work, when practicable. Where it is not practicable to notify the supervisor within 15 minutes of the normal starting time, the employee should notify the supervisor as soon as reasonably practicable. If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify their supervisor of the anticipated length of absence. The employee will be placed on FMLA, if event and employee is eligible. If an employee uses three (3) or more consecutive days of paid time off, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness, for either the employee's own illness or the illness of an immediate family member. Employees who have a pattern of abusing paid time off may be required to provide a physician's statement for those absences as required by their supervisor.

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

No Paid Time Off will be paid after 2-week notice is given of resignation, unless accompanied by a doctor note.

## **2B-5 HOLIDAYS**

The County holidays shall be determined annually by the Karnes County Commissioners' Court.

The following employee classifications shall be eligible for the paid Holiday benefit: full-time non-exempt, part-time, and variable hour employee. The following employee classifications shall not be eligible for the paid Holiday benefit: full-time exempt, seasonal.

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

allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

### **Work on a Holiday**

Elected officials and department heads may find it necessary to deny employees off during holidays at the scheduled time (i.e., around-the-clock operations), and may direct some or all employees of the department to report to work on any Holiday. Departments include (but not limited to): Sherriff's Department, EMS and Elections.

When a regular full-time or part-time non-exempt employee or variable hour employee is required to work on a County paid holiday, they will be compensated in one of the following ways: (1) granted same number of hours off on a specified alternate workday that must be used within one year from the end of the work cycle in which the time was accrued or it will expire; (2) paid at regular straight-time rate for the holiday (or portion thereof) worked and credited with an equal number of compensatory hours; (3) if approved by the Commissioners Court, paid, in lieu of time off, at twice the regular straight time rate for the holiday (or portion thereof) worked.

This policy applies regardless of whether the employee worked the maximum number of hours allowable under FLSA (40 hours per week) during the period the holiday work occurred.

Special consideration shall be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for Karnes County. Each Supervisor is responsible for granting this leave based on the needs of their individual departments. Vacation, compensatory time, paid time off, or leave without pay may be used for special leave granted.

### **HOLIDAY ON A DAY OFF**

If a legal holiday on the current year's list of approved holidays falls on an employee's regular day off, and the employee does not work or is not scheduled to work that day, they will not be paid. For most employees, recognized holidays falling on a Saturday or Sunday, the holiday will be observed on the preceding/following Friday or Monday. Consideration will be given for major US holidays falling on weekends for Law Enforcement, Jail, Dispatch and EMS personnel that are required to work. Commissioners Court maintains ultimate discretion and designates/approves all county holidays.

### **HOLIDAYS DURING LEAVE OF ABSENCE**

1. On a recognized holiday falling during an eligible employee's approved paid absence (i.e., vacation, PTO, paid FMLA), holiday pay is provided instead of the paid time off benefit that would otherwise have been applied.
2. Employees on an unpaid status will not be paid for the holiday.
3. Employees using a sick day (paid or unpaid) on the workday immediately

preceding/following a holiday will not be paid for the holiday unless a physician statement is provided to the supervisor upon return to work.

4. Employees who do not call in or show up for work on the workday immediately preceding/following a holiday will not be paid for the holiday. **NO EXCEPTIONS.**
5. During a pre-approved leave time (vacation, PTO) may be used before/after a holiday.

Holidays do not accrue and if they are not taken, they will not be paid at termination.

## **2B-5A LONGEVITY PAY**

Budget dependent, Karnes County will annually award longevity pay to Karnes County employees for each year of their loyal service to Karnes County. Service time must be consecutive employment with Karnes County. There must not be a lapse in service within the County; it must be continuous service to Karnes County. Karnes County Commissioners Court approved compensation per year of service to Karnes County be extended to full-time employees. Part-time employees will receive compensation per year of service to Karnes County. An employee must be employed for one full year with Karnes County before receiving longevity pay. A lump sum will be paid to eligible employees in a stand-alone payment the first non-payroll week in December.

## **2B-5B STEP PROGRAM**

### **ELIGIBILITY**

Employees meeting the definition (as defined in the Employee Handbook) of Regular Full-time (non-elected) employees and Regular Part-Time employees are eligible to participate in the STEP program. All other classifications (Seasonal, Temporary, Variable Hour, etc ) are not eligible to participate in the STEP program.

### **YEARS OF SERVICE CREDIT**

Similar to the longevity program, for the purposes of the STEP program, years of service to Karnes County must be consecutive **and** without a break in service (i.e. resignation, retirement, etc). If a break in service occurs, the years of service will reset upon re-hire to Karnes County. All consecutive years of service (whether full-time or part-time) will be credited to the eligible employee in the STEP program.

### **STARTING WAGE AND CHANGE OF WAGE**

1. A new employee will be hired at the entry level/minimum salary of the position being filled. However, elected officials or department heads may hire an employee in a supervisory position over the minimum starting wage with Commissioners' Court approval provided the department budget does **not** require a budget increase to accommodate it (must be verified by the County Auditor and documented) and there is ample justification to warrant such action. If such action is approved, the new employee will remain in the associated STEP until years of service are completed which will allow them to advance into the next STEP.

2. All employees eligible to participate in the STEP program will advance into the next STEP upon achieving the required years of service to advance them into the next STEP. STEP changes will take effect at the first payroll of the month during the employee's anniversary month corresponding to their date of hire.

3. All pay increases/decreases for promotions, demotions, and transfers that occur during the middle of a pay period will be effective on the first day of the following pay period.

### **TRANSFERS/PROMOTIONS**

Transfers or promotions may be made within the same department or between departments at the elected official or department head's discretion. An employee who makes a transfer or promotion will retain their years of service credit with Karnes County (unless a break in service occurs). Using the starting pay rate for the position of which they were transferred or promoted into, the employee will be assigned the appropriate STEP for that position's pay rate based upon their years total of completed service. Should a budgetary amendment be necessary to accomplish the above stated transfer or promotion, the elected official or department head shall receive commissioners court approval prior to completing the transfer/promotion.

### **WAGE FREEZE AND ADJUSTMENTS**

1. Karnes County is an at-will employer and is able to set and change the conditions of employment, including pay, hours, duties, benefits, etc., as deemed necessary and appropriate with the approval of Commissioners' Court.

2. As with other pay incentives/benefits, the STEP Program is subject to change, pause or cease as deemed necessary and appropriate with the approval of Commissioners' Court. Furthermore, it is dependent upon the successful passage of the fiscal year budget.

### **OTHER**

Any matter not addressed in the STEP Program Policy shall first be brought to the Salary Committee for consideration and subsequent approval by Commissioners' Court. Performance and efficiency audits may be utilized to determine future compensation and employee needs.

### **2B-6 ADMINISTRATIVE LEAVE**

Paid administrative leave may be used for the following incidents:

1. County Judge may deem it necessary to close non-essential offices or have late opening due to inclement weather. Additional closing may be deemed necessary at the discretion of the department head. Administrative leave will be granted upon proper documentation on why the closing was necessary.
2. Building repair or maintenance that may not be suitable or safe for the employees or to the public who have access to the building.

3. Closing early of non-essential County offices on non-designated holidays by the County Judge.
4. At the discretion of a department head or elected/appointed official.

## **2B-7 TERMINATION PAY**

The County will pay for all hours worked for which payment has not been received.

1. **UNUSED VACATION PAY:** Upon termination, regular employees who have worked one (1) or more years will be paid for unused vacation time that has been earned through the last day of work up to the max. The rate of pay will be determined by the pay rate in effect at the time. Any employee who fails to give at least 10 business day notice will not be paid vacation time, subject to the discretion of the elected official or department head.
2. **UNUSED PAID TIME OFF:** Unused paid time off benefits will not be paid at the time of termination.
3. **UNUSED COMPENSATORY TIME:** Upon termination, employees will be paid for unused compensatory time that has been earned through the last day of work.
4. **PAY OUTS:** Any vacation, compensatory time or Sheriff Department Holiday pay will be paid out the following payday if an employee resigns or terminates during a payroll week.

## **2B-8 JURY DUTY**

All employees of Karnes 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 vacation, other eligible paid leave, or leave without pay.

## **2B-9 BEREAVEMENT LEAVE**

1. An employee wishing to take time off due to the death of an immediate family, should notify his/her supervisor immediately. Based upon circumstances, the elected official or department head may grant up to five days of paid bereavement leave per death to regular full-time employees.
2. Bereavement pay is calculated based on the base pay at the time of absence and will not include any special forms of compensation. Any employee may, with the supervisor's

approval, use any available paid leave for additional time off as necessary. Karnes County defines “immediate family” as the employee’s spouse, parent, child, sibling, grandparents or grandchildren; the employee’s spouse’s parent, child or sibling; the employee’s child’s spouse.

3. Employees may be allowed time off with pay, up to maximum of four hours, to attend the funeral of a relative who is not a member of the immediate family OR at the discretion of the department head/official.
4. If leave is needed beyond the limits set in this policy, it may be charged to available personal time off, vacation or compensatory time or to leave without pay.
5. Employees may be granted up to 4 additional administrative leave hours to attend the funeral of a co-worker or the co-worker’s family member at the discretion of the supervisor.

## **2B-10 MILITARY LEAVE**

All Karnes 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 vacation leave, earned compensatory time, or leave without pay if they must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen-day maximum.

Any Karnes 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, personal time, sick leave, or vacation time.

An employee going on military leave shall provide their supervisor with a set of orders within two (2) business days after receiving them.

Upon request of the employee, Karnes 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.

Karnes 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.

## **2B-11 PAID QUARANTINE LEAVE**



Karnes County shall provide paid quarantine leave for fire fighters, peace officers, detention officers, and emergency medical technicians employed by Karnes 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 fire fighters, peace officers, detention officers and emergency medical technicians, as defined by this policy, who are employed by, appointed to, or elected to their position.

"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.

"Fire fighter" means a paid employee of a municipal fire department or emergency services district who holds a position that requires substantial knowledge of firefighting; has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and performs a function listed in Section 143.003(4)(A).

"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.

"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.

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.

Off duty exposures will not be covered under this policy.

## **2B-12 RETIREMENT**

All regular employees (full time, part time, and variable hour) shall be eligible for the retirement benefit offered through the Texas County and District Retirement System. Temporary seasonal and temporary short-term part-time employees will not be eligible for retirement benefits. Eligible employees shall make contributions to the retirement program through a system of payroll

deduction. Karnes County shall make a contribution 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.

Effective October 1, 2023, budget and Court approval dependent, Karnes County will pay 100% of a retiree's health insurance premium for a maximum of five years or until the age of 65; whichever comes first, if they meet the following criteria:

- Must retire from Karnes County through TCDRS
- Must have been employment with Karnes County for eight consecutive years

For current/past retirees, as long as the retiree has maintained healthcare coverage through Karnes County, without a lapse in coverage, the County will cover their health insurance premium if they meet the aforementioned eligibility requirements.

## **2B-13 SOCIAL SECURITY/MEDICARE**

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

## **2B-14 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 Karnes 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 any questions about their eligibility for FMLA leave should contact the Human Resources department for more information.

Department heads and elected/appointed officials are required to report to the HR Department, employees who should be placed on FMLA.

### **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 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 (rolling year) under this policy. Karnes County sets the 12-month period used under this policy as a rolling year. A rolling year is defined as twelve *months starting on the effective date and ending 365 days later.*

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 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:**

Karnes County will always designate qualifying work-related injuries with lost time as FMLA qualifying. A Workers Compensation claim shall run concurrently with a FMLA claim.

**SUBSTITUTION OF PAID LEAVE:**

Karnes County requires substitution of paid leave for all FMLA or MFL events. Paid leave will be exhausted in the following order: (1) paid time off; (2) vacation time; and (3) comp time. An employee must follow the compensatory, vacation and sick leave 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 for dependent coverage and for any other coverage 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 is required to pay for premiums due to the county within 72-hours from the 1<sup>st</sup> business day of the month. The county may cancel unpaid coverage by providing the employee 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, an eligible employee will be:

**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 15<sup>th</sup> 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 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 their immediate supervisor.

Where reasonably practicable, an employee should give their immediate supervisor 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.

**OTHER BENEFITS:**

While on leave without pay under this policy, an employee does not earn vacation or sick leave, is not eligible for holiday pay, and does not earn other benefits afforded to employees actively at work, except as stated in this policy, unless other employees who go on leave without pay are

allowed to do so.

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.

Karnes County will meet all requirements under the FMLA. Karnes County employees, to be eligible for FMLA, must meet all of the requirements of eligibility, including the requirement that the employer employ 50 employees at the worksite or within 75 miles.

Karnes County will follow the regulation as a county with less than 50 employees by providing the following, as required under the regulation:

**COUNTING:**

To count employees in the county we will include all full-time employees, all part-time employees currently getting paid and all temporary employees currently getting paid. This will not include a count of elected officials, CSCD employees, A&M County Agents or any employees paid by the state. The county will not count people on the payroll register that are NOT getting paid. When the county payroll hits 50 eligible employees, Karnes County will comply fully with the entire regulation and will notify employees of the change to the FMLA policy for over 50 employees.

**RESPONSIBILITIES:**

Karnes County will post the current FMLA poster as provided by the department of labor.

If an employee asks for FMLA leave for any reason, Karnes County will respond in writing and will use the FMLA forms (WH-381) Notice of Eligibility and Rights and Responsibility and form (WH-382) Designation Notice to notify the employee of their eligibility rights.

## **2B-15 LEAVE OF ABSENCE - OTHER**

Employees may request a personal leave of absence to a maximum of 5 days. Personal leaves of absence may include reasons such as extended vacations, continuing education, extended bereavement, or other personal matters. Personal leaves of absence are granted solely at the discretion of the elected official, appointed official or department head.

Employees on personal leaves of absence are converted to an inactive status and do not accrue any benefits. Employees may continue the county health plan, but they are responsible for the entire premium, which includes both their portion and the county portion. The employee must pay for the premium on the first of each month, lack of payment will result in medical plan termination and the employee will become eligible for COBRA. Return to work on a personal leave of absence is not guaranteed and is subject to current business conditions and an appropriate job opening.

END OF POLICY

### *Acknowledgment:*

*It is acknowledged that each elected official may have a policy in addition to the policy requirements adopted by the Karnes County Commissioners Court. All employees should confirm the policy of their respective elected official and ensure compliance of both policies.*



## **Exhibit for County Buildings**

### *LACTATION SPACE*

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*The following areas may be designated lactation space for employees:*

*Karnes County Courthouse : Break Room, 3<sup>rd</sup> Floor*

*Karnes County Annex : Multi-purpose Jury Room or Break room Karnes*

*County Annex II (Tax Office) : Second Floor Office Space Karnes County*

*Sheriff's Office : Jury Room*

*Karnes County Justice of the Peace Offices : As designated by the Official Karnes*

*County Road & Bridge : As designated by the Engineer*

*Karnes County EMS : As designated by the Administrator*



## KARNES COUNTY

### TRAVEL AND REIMBURSEMENT POLICY

**ORDER ESTABLISHING A TRAVEL AND REIMBURSEMENT  
POLICY FOR KARNES COUNTY, TEXAS ON NOVEMBER 8, 2022.**

**Wade J. Hedtke**  
County Judge

**Shelby Dupnik**  
Commissioner, Precinct 1

**Benny Lyssy**  
Commissioner, Precinct 2

**James Rosales**  
Commissioner, Precinct 3

**Sharon Chesser**  
Commissioner, Precinct 4

**Tom Dupnick, EA, CIO**  
County Auditor

# **Karnes County Travel and Reimbursement**

## **1.01 PURPOSE**

The purpose of this policy is to establish and standardize authority for use of county resources to pay for travel related expenses for Karnes County. It explains Karnes County's Travel policy relevant to the authorization of travel and the reimbursement of expenses incurred incidental to travel

## **1.02 GENERAL POLICY STATEMENT**

All reasonable and necessary travel by County employees for which a department budget has been established, for which a county official or department head has approved, and for which the department has funds remaining in the budget, and for which the travel is required in order for the employee to conduct County business is authorized in accordance with this policy. All County reimbursed travel must be for official County business only. This is meant to be a fiscally conservative policy, protecting the taxpayer dollars. The purpose of this travel policy is to ensure that the traveling county employee is reimbursed for actual travel related expenses. It is not intended that the employee "profit" from travel.

## **1.03 RESPONSIBILITY OF DEPARTMENT HEADS AND EMPLOYEES**

County department heads are expected to plan the 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. Travel must be approved by the department head.

It is the responsibility of the county official or department head to see that all applicable travel expense forms are properly completed and signed before being sent to the County Auditor. Incomplete forms will be returned to the department head, thus delaying payment.

It is the responsibility of the person traveling on official county business to submit all receipts related to the reimbursable lodging, dues, registration, and other expenses to the County Auditor along with the Travel Expense Form.

In the event an official or employee of the county receives an overpayment for travel expenses, that overpayment will be reimbursed within two weeks to the county.

## **1.04 TYPES OF TRAVEL**

### **Standard Non-Overnight Travel**

Standard non-overnight travel is defined as travel outside of Karnes County to attend conferences, training, meetings, or law enforcement travel and other county related business without an overnight stay. In order to be eligible for meal reimbursement, the traveling county employee must be gone for at least six hours.

### **Over-Night Travel**

Overnight travel is defined as travel in which the traveling county employee seeks lodging outside the county (see Lodging section) to attend conferences, training, meetings, or for law enforcement and other county related travel requiring an overnight stay. Overnight travel is eligible for Per Diem.

## **Out-of-State Travel**

Out of state travel is defined as any training, conference or meeting that is submitted for travel expenses that is outside of the boundaries of the state of Texas. The Commissioners' Court must approve all out of state travel during a regularly scheduled meeting. It is the department head's responsibility to make sure this item is on the agenda prior to travel. Do not submit payment requests to the County Auditor's office prior to Commissioners' Court approval.

### **1.05 REIMBURSABLE EXPENSES-RECEIPTS REQUIRED**

Commissioners' Court requires detailed receipts (not credit card summary copy or statement) for reimbursement of expenses for official county business when funds have been allocated in departmental budgets for that purpose.

Actual expenses incurred while traveling will be reimbursed, provided the employee retains the invoices, receipts, and all other documentation supporting the actual expenditure and this documentation is submitted to the County Auditor on the Travel Expense Form. (More information on meals and incidental expenditures are covered under next section.)

The traveling county employee must submit receipts, invoices and documentation, for the following in order to be reimbursed:

- Airline Tickets
- Automobile Expense Charges for County Vehicles
- Automobile Rentals
- Conference Registration and Fees
- Lodging Statements
- Parking Garage Charges
- Taxi/Shuttle Fares

If request for reimbursement on the Travel Expense Form is not supported by adequate documentation, the County Auditor will not honor the request for reimbursement, and such documentation will be returned to the department head.

### **Advance Payment of Reimbursable Expenses:**

The County will process payment, or reimburse the employee, for expenses incurred in advance as long as the proper documentation is submitted.

### **1.06 REIMBURSABLE EXPENSES-MEAL & INCIDENTALS**

The traveling county employee is eligible for reimbursement for meals and incidental expenses which include the cost of the meal and tips for persons who provide services, such as food servers and luggage handlers. Meal receipts are not required to be turned in to the Auditors Office, however, the employee should retain all meal receipts for the department heads review.

### **Overnight Travel**

The county employee will be granted a reimbursement for meal and incidental expenses as follows for overnight travel:

- First day and last day of travel-\$44.00 per day
- Full days away from duty station-\$59.00 per day
- Out of state travel, full days away from duty station, federal per diem rate

At the employee or the department heads option, the employee may receive less than the Per Diem if requested. Example: meals paid or provided at conference.

The Per Diem may be paid in advance or subsequently at the discretion of the department head. Advance Per Diem should be turned in four weeks prior to the travel period. Requests for advance Per Diem must have all required conference/meeting information attached. If the advance Per Diem is not consistent with actual travel the employee shall make reimbursement within two weeks. It is the responsibility of the department head to monitor this situation.

## **Non-Overnight Travel**

In order to be eligible for meal reimbursement, the traveling county employee must be gone for at least six hours. The beginning and end of training/conference/ meeting, plus standard travel time will determine the six-hour requirement. Only reasonable lengths of travel time will be considered in relation to the beginning and ending of training, conference or meeting.

A \$30 meal allowance will be paid. Travel in excess of 10 hours and more than 100 miles from the traveling employee's duty station will qualify for a \$44 meal allowance. Travel in excess of 14 hours will qualify for a \$59 meal allowance. In accordance with IRS regulations, this allowance is taxable to the employee and will be paid through the payroll department and is subject to federal income tax, FICA/Medicare, and retirement.

At the employee or department head's option, the employee may receive less than the full allowance, if requested. Example: meals paid or provided at conference.

Requests for the meal allowance must be turned in to the Auditor's office with all required documentation. Once approved, the Auditor's office will forward this information to the payroll department for payment. The reimbursement will only be paid once per month on "non-overtime" payrolls. Under no circumstances will the allowance be paid in advance.

## **1.07 REIMBURSABLE EXPENSES- NO RECEIPT REQUIRED**

Documentary evidence is not required for transportation expense for which a receipt is not available. Transportation expenses without a receipt are limited to a maximum of \$7.00 per day and include the following:

- Meter Parking
- Unattended parking lots with "slot" pay
- City bus/trolley/subway (coin drop no receipt available)
- Toll roads

Receipts are required for taxis, shuttles, bus rides, parking garages, parking lots, and all other transportation expenses.

## **1.08 LODGING**

The county will reimburse the traveling county employee for the actual cost of lodging for overnight stays. The county employee should obtain a lodging statement showing a zero balance, which will be submitted with the Travel Expense Form, when the employee returns to the county.

The county will reimburse for single occupancy only, unless two or more county employees share the room. Where two or more conference attendees, from separate counties, occupy the same room, the county will only pay a divided portion. Items which will be reimbursed on the hotel statement are:

- Business telephone calls
- Daily room charges and taxes
- Hotel parking

Items which will not be reimbursed on the hotel statement are:

- Alcoholic beverage charges
- Hotel club charges
- Meal charges and snacks
- Movies, video games or other entertainment
- Personal phone calls
- Personal expense items such as cleaning or laundry
- Recreation Facilities use charge

### **Advance Payment of Lodging**

The county will process the hotel check in advance with proper documentation. If the hotel is paid in advance, a paid receipt/statement must be turned in subsequent to the travel. For budget savings, County employees traveling together may, at their discretion, share lodging accommodations, however, there is no requirement that employees do so.

## **1.09 TRANSPORTATION EXPENSE REIMBURSEMENT**

Several departments in the county require their employees to use their personal vehicle for official county business. When a county employee uses a personal vehicle for this purpose, the employee may be reimbursed for the use of personal vehicle on official business at the standard rate per mile adopted by the State of Texas. This rate can be found at [www.window.state.tx.us/comptrol/texastra.html](http://www.window.state.tx.us/comptrol/texastra.html)

The County will not reimburse for personal mileage or for travel between an employee's residence and their normal duty station. If an employee is required to travel to a temporary duty station, the County will pay for travel between their normal duty station and their temporary duty station if the employee is required to report to their normal duty station first.

For in-county travel, the employee should turn in mileage reimbursement request forms on a regular basis. The request form must be signed by the Department head. Incomplete forms will be returned to the employee.

Before an employee may be reimbursed for transportation there must first be a departmental budget allocation for Mileage/Travel. This allocation will be made during budget hearings or through a budget amendment made by the Commissioners' Court.

When there is a departmental budget allocation, the county employee requesting reimbursement for local transportation expense must complete a form for this purpose and submit it to the County Auditor for

reimbursement with the signature and approval of the department head. The Automobile Mileage Reimbursement Form should be used if the employee is requesting reimbursement for mileage only. Mileage reimbursement related to training should be claimed on the Travel Expense Claim form. An employee may use the State of Texas' standard rate.

## **1.10 APPROVED TYPES OF TRANSPORTATION**

1. **Commercial Airlines**-Commercial airlines are normally the most economical mode of transportation for out-of-state travel. Traveling county employees are encouraged to take advantage of reduced rates for advanced reservations. Airline tickets may be paid for in advance directly to the airline or travel agency if the county employee will submit a

Check Request 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.

2. **Taxi and Bus Fares**- The traveling county employee will obtain receipts for taxi or bus fares and will be reimbursed by the county for those fares relating to county business. Receipts will be submitted to the County Auditor along with a Travel Expense Form upon return to the county.

3. **Auto Rental**- When it is necessary, or when it is more economical to rent a car than to utilize public transportation, the traveling county employee on official county business is entitled to reimbursement for the actual cost of renting the vehicle, including motor fuel and collision damage waiver insurance. The county will reimburse for a mid-size or small size car only. Car rental agreements, along with copies of receipts for fuel and other auto expenses must be submitted to the County Auditor on a Travel Expense Form for reimbursement to the traveling county employee. The department head must approve this in advance.

4. **Personal Automobiles**- The County will pay the traveling county employee the rate per mile as adopted by the State of Texas, while traveling in state, on out of county official county business. The Commissioners' Court will pay no other automobile expense to the traveling county employee other than the fixed rate per mile as set. All mileage is calculated from the employee's duty station.

5. **County Owned Vehicle**- The traveling county employee may be reimbursed for emergency out of pocket expenses, such as gas, oil or other such maintenance items incurred while out of the county. Receipts are required for all of these items. Any expenses incurred while within the county must follow normal purchasing guidelines.

## **1.11 TRAVEL EXPENSE FORMS**

There are a number of travel forms. Each form is available in the County Auditor's Office.

The department head must approve all requests before the request will be processed.

Incomplete forms shall be returned to the department head.

1. Travel Expense Forms- Must be completed for all requests for reimbursement for official county business travel.

2. Vehicle Mileage Reimbursement Form- Must be completed for all requests for reimbursement for mileage only, not related to training, conferences or meetings.

3. Check Request Form- Must be completed if you prefer the County Auditor to make payment directly to the vendor for the cost of hotel, registration, airline, etc. This is the preferred method of payment to the vendors but must be presented to the County Auditor 3-4 weeks before the conference/seminar in order to allow sufficient time to meet the payment deadline. The registration and agenda for the seminar/conference must accompany the request for payment.

## 1.12 BUDGET/END OF YEAR

Travel expenses are charged to the budget year in which they occurred. All travel expenses through September 30th must be submitted to the Auditor's Office by October 28th of each year. Expenses not submitted by year-end cut off will not be paid.

## 1.13 GENERAL DEFINITIONS

1. **Accountable Plan**- A plan under which an employee is reimbursed for expenses.

The following three conditions must be satisfied:

- There must be a County business purpose for the expense;
- The employee must clearly show and properly support the time, dates, place and a County Business purpose;

2. The employee must return any excess reimbursement or allowances within a reasonable time.

3. **Adequate Records**- Employees should provide documentary evidence that will support each element of an expense. Generally, employees must have documentary evidence such as receipts or bills to support the expenses. Documentary evidence is not required for per diem reimbursement or transportation expenses for which a receipt is not available (ex. Meter parking).

4. **Auditor**- The County Auditor and his/her designated staff.

5. **County**- With a capital "C" refers specifically to Karnes County

6. **Detailed Receipt**- Shows date, vendor/company name, specific items purchased (description of purchase) and total.

7. **Direct Billing**- A pre-arranged billing, established for a County employee with a lodging facility at which they plan to stay, when away from their place of employment, overnight on County business.

8. **Duty Station**- The primary place of employment, i.e., courthouse, road and bridge, tax office, etc.

9. **Educational Travel**- Out of County travel that is undertaken by County employees for approved education seminars, conferences and meetings.

10. **Incidental Expenses**- Include, but are not limited to, fees and tips for persons who provide services, such as food servers and luggage handlers.

11. **In County Travel**- Travel that takes place within the confines of the legal boundaries of Karnes County, and where the primary end destination of the travel is within these same boundaries.

12. **Law Enforcement Travel**- Travel expenses incurred by County law enforcement personnel or Juvenile Probation Personnel for the explicit purpose of transporting prisoners and/or probationers, collection of evidence, and other travel directly attributable to official County business.

13. **Mileage**- The distance from point of origin to destination., The County will be following the Mileage Guide on the Texas Comptroller's website when applicable, as well as justified documented mileage, when not on the Texas Comptroller's website or chosen by the employee (must be substantiated with "to and from" shown).

14. **Mileage Rate**- The rate of reimbursement established by the Commissioners' Court for use of a personal automobile while on County business.



15. **Not Detailed Receipt**- Does not show detail. For example: receipt that shows hotel and amount but does not break down by daily rate and taxes. I.e., credit card receipt and/or credit card statement.
16. **Official County Business**-A function in which County employee(s) are participating, and which is recognized by the Commissioners' Court as being official business of Karnes County.
17. **Out of County Travel**- Any travel that has a primary end destination outside the legal boundaries of Karnes County.
18. **Parking Fees and Tolls**- In addition to using the standard mileage rate, you can claim any business-related parking fees and tolls. (Parking fees that you pay to park your car at your place of work are non-deductible commuting expenses.)
19. **Travel Expenses**-Transportation (airline fares, personal auto, public transportation, parking, and taxi), meals, lodging, and incidental expenses associated with traveling on official County business.
20. **Travel Expense Forms**- All forms so designated by the Auditor's office to be used to report actual travel expenses for official county business. These forms are to be submitted to the Auditor's office for reimbursement of travel expenses.
21. **Traveling County Employee**- An elected official, a department head, or a person employed in the direct service of an elected official or department head who is traveling on official County business.
22. **Adjacent Counties**- Atascosa, Bee, Bexar, Gonzales, and Wilson.

**KARNES COUNTY REQUEST FOR PAYMENT**

DEPARTMENT: \_\_\_\_\_

MAKE CHECK PAYABLE TO: ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

AMOUNT: \_\_\_\_\_

REASON FOR PAYMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G/L ACCOUNT NO.: \_\_\_\_\_

APPROVED: \_\_\_\_\_

# KARNES COUNTY REQUEST FOR MILEAGE REIMBURSEMENT

EMPLOYEE			DEPT	
DATE	DESTINATION/PURPOSE	BEGINNING ODOMETER	ENDING ODOMETER	TOTAL MILEAGE

TOTAL MILEAGE \_\_\_\_\_

CURRENT RATE CAN BE FOUND AT: <https://fmx.cpa.state.tx.us/fm/travel/travelrates.php> \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

ACCOUNT NUMBER TO BE CHARGED: \_\_\_\_\_

I HEREBY CERTIFY THAT THE ABOVE STATEMENT OF MILEAGE FOR REIMBURSEMENT WAS FOR A COUNTY PURPOSE AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_