

PERSONNEL POLICY
MANUAL

FOR

PRESIDIO COUNTY
TEXAS

Effective date: 10/1/2009

IMPORTANT NOTICE TO ALL EMPLOYEES

All employees of Presidio County are considered to be "at-will" employees and employee status shall not be considered a contract of employment or for any specified length of time. This means the employment relationship may be ended at the will of the employer, Presidio County or the employee. Also, employment may be terminated with or without cause and with or without notice at any time by the employer or the employee. Nothing in this manual or in any document or statement shall limit the right to terminate employment at-will. No Elected Official or Department head has the authority to enter into an agreement for employment other than at-will employment.

PRESIDIO COUNTY
PERSONNEL POLICY DRAFT

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**COUNTY OF PRESIDIO
COMMISSIONERS COURT ORDER**

WHEREAS the Commissioners Court of Presidio County and the County Judge wish to comply with various laws applicable to public employers in the employment relationship; and

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

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

THEREFORE, BE IT RESOLVED that the Presidio County Commissioners Court and the County Judge hereby approve and adopt the PRESIDIO COUNTY PERSONNEL POLICY MANUAL OF 2010 and rescind all previous personnel policy manuals.

ADOPTED THIS _____ DAY OF _____, 2009

County Judge

Commissioner Pct 1

Commissioner Pct 2

Commissioner Pct 3

Commissioner Pct 4

Witnessed and Attested By:

County Clerk

RESOLUTION FOR PRESIDIO COUNTY

We the undersigned have read the Presidio County Personnel Policy Manual that the Presidio County Commissioner's Court has adopted. As ELECTED OFFICIALS of Presidio County, we endorse and approve the Personnel Manual. We approve the document as it reflects our commitment to Presidio County employees and it reflects our commitment to conform to appropriate state and federal laws.

We agree to be bound by the terms and conditions of the Presidio County Personnel Manual, as witnessed by our signatures below.

County and District Clerk

County Treasurer

County Sheriff

County Attorney

County Tax Assessor/Collector

County Judge

Justice of the Peace

Justice of the Peace

Constable

Constable

**PRESIDIO COUNTY
POLICY ON EMPLOYMENT AT WILL**

**EMPLOYMENT AT
WILL**

1. All employment with Presidio County shall be considered "at will" employment.
2. No contract of employment shall exist between any individual and Presidio County for any duration, either specified or unspecified.
3. Presidio County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time either with or without notice.
4. Presidio County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice.
5. Employees of Presidio County shall have the right to leave their employment with the County at any time, with or without notice.

**PRESIDIO COUNTY
POLICY ON EMPLOYEE STATUS**

FULL TIME

1. A full time employee shall be any employee in a position which has a normal work schedule of at least 40 hours per week; however, the Commissioners' Court may temporarily reduce the number of hours required for full-time employment to not less than 30 hours per week if financial or operational considerations require it.

PART TIME

2. A part time employee shall be any employee in a position which has a normal work schedule of fewer than 31 hours per week.

TEMPORARY

3. A temporary employee shall be any employee who is hired into a position which is expected to last for some specific duration or until a specific project is completed.
4. Temporary employees may be either full time or part time.

**EMPLOYMENT AT
WILL**

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

**PRESIDIO COUNTY
POLICY ON EQUAL EMPLOYMENT OPPORTUNITY**

**EQUAL
OPPORTUNITY**

1. It shall be the policy of Presidio County to be an equal opportunity employer.
2. Race, color, religion, national origin, sex, age, and disability shall not be factors 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 law or where a bona fide occupational qualification (BFOQ) exists.

**REASONABLE
ACCOMMODATION**

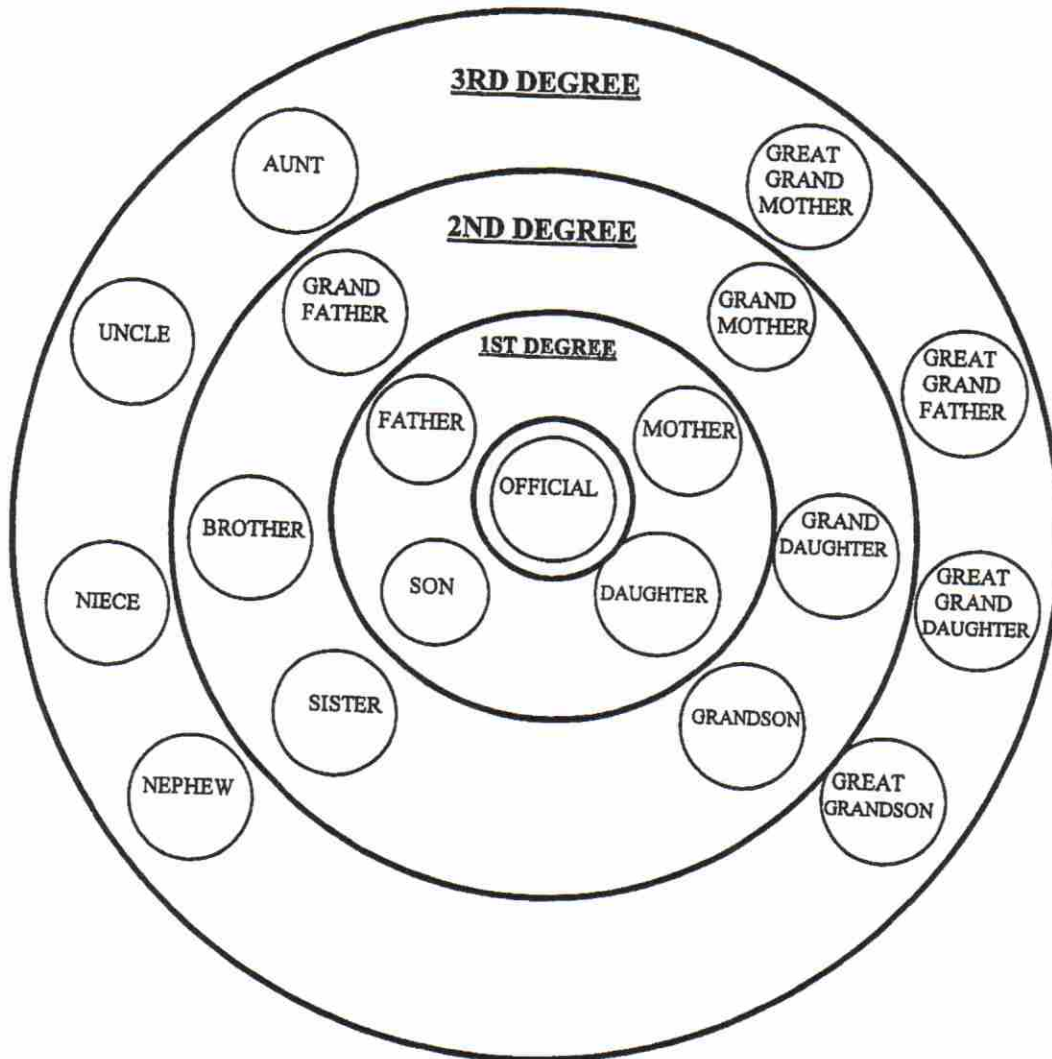
3. The County shall make reasonable accommodation for otherwise qualified disabled individuals to afford them the same opportunities for employment and all other benefits and privileges of employment afforded to non-disabled individuals.
4. Reasonable accommodation shall be determined through consultation with the disabled individual and, where deemed necessary, through consultation with outside resources.

**PRESIDIO COUNTY
POLICY ON NEPOTISM**

**HIRING OF
RELATIVES**

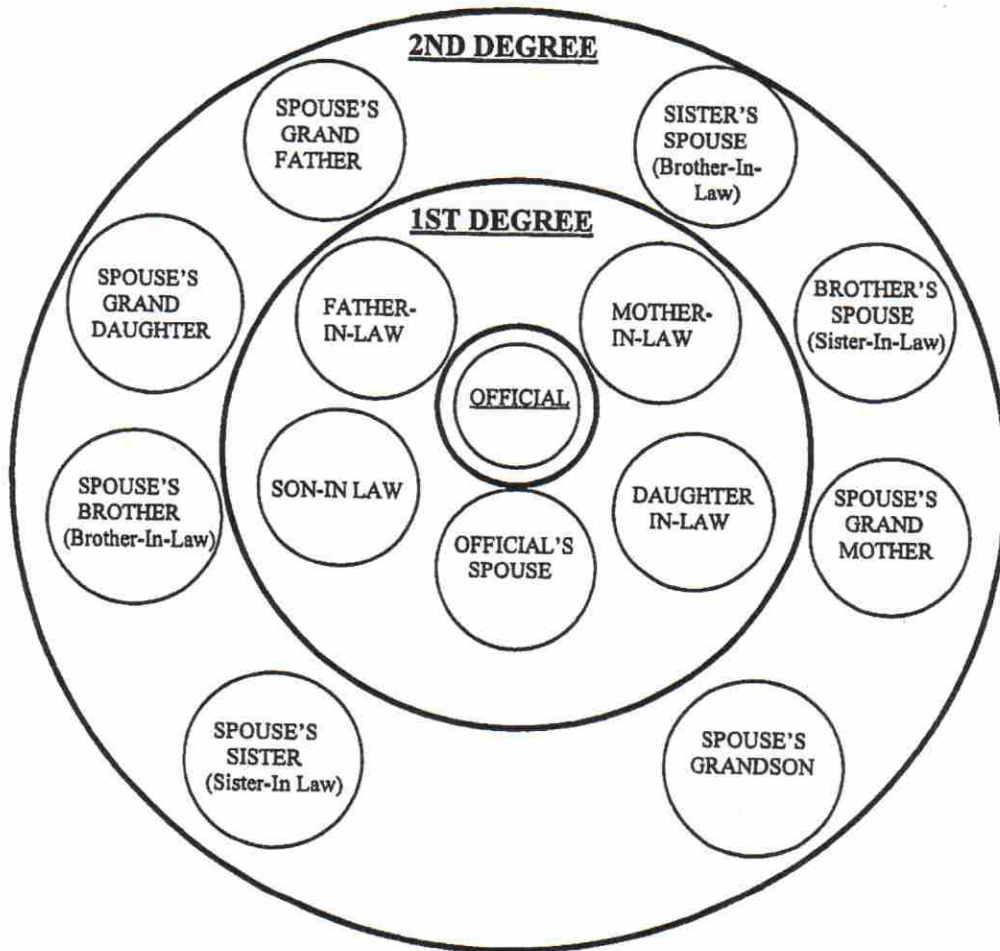
1. In accordance with the Texas Nepotism Statutes, an elected or appointed official of Presidio County shall not hire a relative related in the third degree of consanguinity (blood) or the second degree of affinity (marriage) to work in a department which he or she supervises.
2. The civil law method, as approved by the Texas Legislature in 1991 to be effective in August of that year, shall be used for determining degree of relationship. (See the charts that follow.)

**PRESIDIO COUNTY
POLICY ON NEPOTISM**



**Consanguinity Kinship Chart
(Blood)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**



**Affinity Kinship Chart
(Marriage)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**

**PRESIDIO COUNTY
POLICY ON YEARS OF SERVICE**

Years of service do not transfer between other governmental agencies and Presidio County.

2.0
EMPLOYEE BENEFITS

2.01
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**PRESIDIO COUNTY
POLICY ON VACATION**

ELIGIBILITY

1. All full-time employees shall be eligible for vacation benefits.
2. Part-time employees shall not be eligible for vacation benefits.
3. Vacation time eligibility shall be determined by anniversary of date of employment, not calendar year.

ACCRUAL RATE

4. Employees who have worked for fewer than ten (10) years in a position eligible to receive vacation shall earn vacation at the rate of .833 working days per month, which is equivalent to 10 working days per year.
5. Employees who have worked for ten (10) or more years in a position eligible to receive vacation shall accrue vacation at the rate of 1.25 working days per month, which is equivalent to 15 working days per year.
6. For purposes of this policy, a working day shall be defined as seven (7) hours.
7. Vacation shall not be accrued while an employee is on leave without pay.

**INITIAL ACCRUAL
AND WAITING
PERIOD**

8. Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of one year in such a position before being eligible to take any vacation.

**MAXIMUM
ACCRUAL**

9. The maximum amount of unused vacation an employee shall be allowed to have at one time is the amount the employee would normally earn in one year at his or her current accrual rate plus five additional workdays. (This would be 15 working days for employees with less than ten years work in a position eligible to accrue vacation and 20

working days for employees with 10 or more years in such a position.)

- SCHEDULING** 10. Scheduling of vacations shall be at the discretion of the individual department heads.
- MINIMUM USAGE** 11. The minimum amount of vacation that may be taken at one time shall be ½ day.
- BORROWING** 12. 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.
- PAY IN LIEU OF VACATION** 13. Employees shall not be allowed to receive pay for vacation in lieu of taking time off.
- HOLIDAY DURING VACATION** 14. If a holiday falls during an employee's vacation, the holiday shall be charged in accordance with the POLICY ON HOLIDAYS and shall not be charged against the employee's vacation balance.
- PAY AT TERMINATION** 15. If an employee has worked for at least one year in a position which accrues vacation at the time the employee resigns, is discharged, or is terminated for any other reason, the employee shall receive pay for all unused vacation up to the maximum allowed under this policy.
16. An employee who has not worked for a minimum of one year in a position which accrues vacation shall not be eligible for any vacation pay upon termination of employment.
- RECORD KEEPING** 17. Each employee shall be responsible for accurately recording all vacation time used on his or her time sheet.
- MAXIMUM USAGE** 18. No employee may take during one calendar year, more vacation than the employee has accumulated at their anniversary date for that year.

**PRESIDIO COUNTY
POLICY ON SICK LEAVE**

- ELIGIBILITY** 1. All full time regular employees shall be eligible for the paid sick leave benefit.
- ACCRUAL RATE** 2. Eligible employees shall accrue sick leave at a rate of one day per month. Part time employees do not accrue sick leave.
3. For purposes of this policy, a workday is defined as the seven (7) hours.
4. Accrual of sick leave shall start at the time an individual begins work for the County in a position eligible for the sick leave benefit.
- MAXIMUM ACCRUAL** 5. The maximum amount of unused sick leave an employee shall be allowed to have at any time is 60 days.
- USE OF SICK LEAVE** 6. Sick leave may be used for the following purposes:
- a. Illness or injury of the employee;
 - b. Appointments with physicians, optometrists, dentists, and other qualified medical professionals; and
 - c. To attend to the illness or injury of a member of the employee's immediate family.
7. For purposes of this policy, immediate family shall be defined as spouse, child, parent, or other relative living in the employee's home who is dependent on the employee for care.
8. Sick leave may not be used as vacation or any other reason not addressed in this policy.
- NOTIFICATION** 9. Where sick leave is to be used for medical appointments, an employee shall be required to notify his/her supervisor of the intent to use sick leave as soon as the employee knows of the appointment.

POLICY ON SICK LEAVE

NOTIFICATION (cont.) 10. Where use of sick leave is not known in advance, an employee shall notify his/her supervisor of the intent to use sick leave within 15 minutes of the employee's normal time to begin work, when practicable.

11. Where it is not practicable to notify the supervisor within 15 minutes of the normal starting time, the employee should notify his/her supervisor as soon as is reasonably practicable.

DOCUMENTATION 12. If an employee uses three (3) or more consecutive days of sick leave, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness.

13. Documentation requirements under Section 12 of this policy shall also apply in situations where the absence is for the care of a member of the immediate family.

MINIMUM USE 14. The minimum amount of sick leave that an employee may use at any time shall be ½ day.

BORROWING 15. Employees shall not be allowed to borrow sick leave against future accruals.

PAY AT TERMINATION 16. Employees shall not be paid for unused sick leave at the termination of employment.

**PRESIDIO COUNTY
POLICY ON HOLIDAYS**

ELIGIBILITY

1. All full time regular employees shall be eligible for the paid holiday benefit.
2. Part time employees are not eligible for the holiday benefit.

HOLIDAYS

3. The County holidays for the following calendar year shall be determined by the Presidio County Commissioners' Court at its first meeting of each year.
4. Additional days may be granted at the discretion of the Commissioners Court prior to each holiday.

**HOLIDAY DURING
VACATION**

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

**HOLIDAY ON DAY
OFF**

6. If a designated holiday falls on an eligible employee's day off, the employee shall be allowed to take another day off with pay.

EMERGENCIES

7. An eligible employee called in to work on a holiday because of an emergency, or other special need of the County, shall be given compensatory time off.

**SPECIAL
OBSERVANCES**

8. Special consideration shall be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for the County.

**SPECIAL
OBSERVANCES**

9. Determination of granted leave under Section 8 of this policy shall be made by the supervisor of the department in which the employee works, based on the needs of the department.
10. Vacation, compensatory time, or leave without pay may be used for leave granted under Section 7 of this policy.

**PRESIDIO COUNTY
POLICY ON PERSONAL LEAVE**

PERSONAL LEAVE

1. All personal leave must be approved by the Department head. The employee must notify his supervisor personally, with as much advance time as possible to allow for rescheduling of the work load. The Department Head must also be informed as to the possible length of absence and the expected date of return.
2. Personal leave other than for vacation or sick leave will not exceed 4 days per year.

**PRESIDIO COUNTY
POLICY ON JURY DUTY LEAVE**

JURY DUTY

1. Employees of Presidio 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.
2. 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.
3. Any fees paid for jury service may be kept by the employee.

**OFFICIAL COURT
ATTENDANCE**

4. 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 his/her court attendance may require.

**PRIVATE
LITIGATION**

5. If an employee is absent from work to appear in private litigation in which he/she is a principal party, the time shall be charged to vacation, other eligible paid leave, or leave without pay.

POLICY ON MILITARY LEAVE

GUARD AND RESERVE

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

ORDERS

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

ACTIVE MILITARY

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

**PRESIDIO COUNTY
POLICY ON MEDICAL INSURANCE**

ELIGIBILITY

1. All full time employees of Presidio County shall be eligible for the group medical insurance benefit.
2. Premium for the coverage for eligible employees shall be paid by the County.

**DEPENDENT
COVERAGE**

3. Eligible employees may cover their qualified dependents by paying the full premium for the dependents.
4. Deductions for dependent coverage shall be made through payroll deduction from the employee's paycheck each pay period.

**EXTENSION OF
COVERAGE**

5. Employees who leave the employment of Presidio County may be eligible for an extension of the medical coverage for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA).
6. Information on extension of benefits under COBRA is available in the County Treasurer's Office and may be obtained during the normal working hours for that office.

LIFE INSURANCE

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

INFORMATION

8. Details of coverage under the group medical insurance plan are available in the County Treasurer's Office and may be obtained during the normal working hours for that office.
9. 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 within 14 days of their termination.

**PRESIDIO COUNTY
POLICY ON WORKERS' COMPENSATION**

ELIGIBILITY

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

BENEFITS

2. Workers' compensation insurance pays for medical bills resulting from injury or illness an employee incurs while carrying out the duties of his/her job.
3. Workers' compensation also pays a Temporary Income Benefit (TIBS) for time lost from work in excess of seven calendar days as the result of eligible work related injuries or illnesses.
4. Employees may use paid leave for all time off less than 7 days.

**ACCIDENT
REPORTING**

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

**CONTRIBUTORY
FACTORS**

7. 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.

**PRESIDIO COUNTY
POLICY ON RETIREMENT**

- ELIGIBILITY**
1. All regular employees shall be eligible for the retirement benefit through the Texas County and District Retirement System. Temporary and part-time employees will not be eligible for retirement benefits.
- CONTRIBUTIONS**
2. Eligible employees shall make contributions to the retirement program through a system of payroll deduction.
 3. Presidio County shall make a contribution to each eligible employee's retirement account equal to the contribution of the employee.
- INFORMATION**
4. Information on the retirement program may be obtained at the County Treasurer's Office during the normal working hours for that office.
- REHIRING
RETIREES**
5. Retired employees shall be eligible to apply for open positions with Presidio County as long as the following conditions are met:
 - a. The retiree has been retired for at least one calendar month.
 - b. No prior arrangement or agreement was made between Presidio County and the retiree for re-employment.
 6. Any retiree who is rehired consistent with this policy will establish a new membership TCDRS and will be considered a new member for the purposes of beneficiary determination and benefit selections.
- HEALTH AND
DENTAL FOR
RETIREES**
7. Any employee/elected County official with 8 years of service and has retired, been terminated without cause, or voluntarily terminated employment shall be offered the option of remaining on the County's group Health & Dental plan by paying their own premiums by the specified time each month.

8. Any employee/elected County official who has completed 20 years of service or has met the rule of 75 (age plus years of service equal 75) and has retired will have their health and dental insurance paid by the County. Anyone employed prior to December 31, 1990 will qualify for these benefits if they complete 12 years of service.
9. All payments must be received by the County Treasurer no later than the 15th of each month prior to the month of coverage.
10. No statements will be sent out
11. Notification will be made if adjustments are made to premiums.

**PRESIDIO COUNTY
POLICY ON SOCIAL SECURITY/MEDICARE**

**SOCIAL SECURITY/
MEDICARE**

1. All County employees shall participate in the Federal Social Security/Medicare program which provides certain retirement, disability, and other benefits.

CONTRIBUTIONS

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

3.0
WORK RULES AND EMPLOYEE RESPONSIBILITIES

3.01
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PRESIDIO COUNTY
POLICY ON COUNTY PROPERTY

- RESPONSIBILITY**
1. Each County employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other County equipment assigned to him/her.
 2. County employees shall only use equipment, vehicles, tools, and other County property that they are authorized to use.
- PERSONAL USE**
3. Personal use of County vehicles, equipment, supplies, tools, cell phones, copiers, and any other County property shall not be permitted.
- LICENSES**
4. A County employee who operates any County equipment or vehicle which requires a license shall be required to have a current active license for that vehicle or equipment any time he/she operates it.
 5. Any employee who operates a vehicle or equipment which requires a license for legal operation shall notify his or her supervisor of any change in the status of that license.
 6. An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation shall be subject to possible job change or termination if that license is suspended or revoked.
 7. An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle insurance carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination.
- ACCIDENTS**
8. Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to his/her supervisor, the County Treasurer and to the proper law enforcement or other authority immediately.

ACCIDENTS (cont.)

9. A copy of all accident and incident reports prepared by the employee and the County Treasurer shall be sent to the supervisor and the County Judge.

**PRESIDIO COUNTY
POLICY ON CONFLICT OF INTEREST**

**CONFLICT OF
INTEREST**

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

PROHIBITED

3. Activities which constitute a conflict of interest shall include but not be limited to:
 - a. 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;
 - b. 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;
 - c. Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County;
 - d. Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and his or her duties for the County;
 - e. 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.

**PRESIDIO COUNTY
POLICY ON POLITICAL ACTIVITY**

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

**PRESIDIO COUNTY
POLICY ON SEXUAL HARASSMENT**

POLICY

1. Sexual harassment is strictly prohibited by Presidio County, whether committed by an elected official, department head, or co-worker. Presidio County does not tolerate harassment in the workplace of its employees by non-employees. It shall be the policy of Presidio County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.
2. Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment.

DEFINITION

3. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where:
 - a. Submission to such conduct is either an expressed or implied condition of employment;
 - b. Submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
 - c. 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.

CLAIMS

4. All claims of sexual harassment shall be taken seriously and investigated promptly, thoroughly and as is consistent with the investigation; confidentially.
5. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.
6. No retaliation or other adverse action shall be taken against an employee who, in good faith, files a claim of sexual harassment or those employees who cooperate in the investigation of a complaint.

REPORTING

7. Employees who feel they have been sexually harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work.
8. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge, another member of the Commissioners' Court, or to the County Treasurer.
9. 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.
10. 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.

- 1) When practical, confront the harasser and ask them to stop the unwanted behavior.
- 2) Record the time, place and specifics of each incident, including any witnesses.
- 3) Report continuing harassment to the Elected Official or Appointed Official who is responsible for your department or to the County Judge, another member of Commissioner's Court, or County Auditor.
- 4) If a thorough investigation reveals that unlawful harassment has occurred, Presidio County will take effective remedial action in accordance with the circumstances up to and including termination.

OTHER RIGHTS

11. 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.

**4.0
PAYROLL**

4.01

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**PRESIDIO COUNTY
POLICY ON PAY PERIODS AND TIME SHEETS**

PAY PERIOD

1. The pay period for Presidio County shall be a bi-weekly pay period.
2. The pay period for salaried employees and elected officials shall be monthly.
3. If a payday falls on a holiday or a weekend, paychecks shall be issued on the last workday immediately preceding the holiday or weekend. Payday for salaried employees shall be the 25th of each month, or, in the event that date falls on a weekend or holiday, checks shall be issued on the last workday immediately preceding that holiday or weekend.

TIME SHEETS

4. Each employee shall be required to fill out a time sheet to be turned in to his/her supervisor on the last day of each pay period.
5. 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.
6. Time sheets are governmental documents and as such require accurate and truthful information and are subject to Texas Penal Code 37.10. Falsifying a time sheet, a governmental record is a Class "A" Misdemeanor.

PAY ADVANCES

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

**PRESIDIO COUNTY
POLICY ON COMPENSATION**

APPLICATION

1. This policy shall apply to all County employees except for law enforcement employees.
2. Compensation for law enforcement employees shall be handled in accordance with the policies established in the Sheriff's Department. The FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement or fire protection, including security personnel in correctional institutions, if that agency employs fewer than 5 employees during the workweek (29 U.S.C. §213(b)(20); 29 C.F.R. §553.200).

**SALARY/HOURLY
EMPLOYEES**

3. All non-exempt County employees shall be paid an hourly salary. Some employees may have the classification of hourly employees paid on a salary basis. Exempt employees shall receive a monthly salary for all hours worked.
4. For full time non-exempt employees, the monthly salary compensates the employee for all hours worked up to 40 in any workweek.
5. For part time regular employees, the monthly salary compensates the employee for all hours worked in a workweek up to the amount designated by the County for the position.

TEMPORARY

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

**PRESIDIO COUNTY
POLICY ON PAYROLL DEDUCTIONS**

**REQUIRED
DEDUCTIONS**

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

RETIREMENT

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

**OPTIONAL
DEDUCTIONS**

3. Any optional deduction authorized by the Commissioners' Court and approved by the employee shall also be made from the employee's paycheck.
4. No optional deduction shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the County Treasurer's Office.
5. Optional payroll deductions include AFLAC, deferred compensation, and accounts receivable to the County. Information may be obtained on the programs from the Treasurer's office.

**PRESIDIO COUNTY
POLICY ON WORK SCHEDULE AND WORKWEEK**

- WORK SCHEDULE**
1. The normal hours of work for most positions in the County shall be from 8:00 a.m. until 5:00 p.m. In the event that the Commissioners' Court temporarily establishes the workweek as 30 hours to meet financial or operational objectives, the workweek shall be 8:30 a.m. until 5:00 p.m., Monday through Thursday. At the discretion of department heads, normal work hours for a 30 hour workweek may be established as being from 8:00 a.m. until 4:30 p.m. Lunch breaks shall be one hour of unpaid time.
- EXCEPTIONS**
2. 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.
 3. The need for schedules that vary from the normal schedule shall be determined by each department head.
- WORKDAY**
4. The workday for the County shall begin at 12:01 a.m. each day and end 24 consecutive hours later.
- WORKWEEK**
5. For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Presidio County shall begin at 12:01 a.m. on each Sunday and end seven (7) consecutive work days later (168 hours).

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

HOURS WORKED

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

**OVERTIME
APPLICATION**

2. Overtime, as defined by this policy, shall apply to all employees eligible for overtime compensation under the FLSA, except for law enforcement employees.
3. Overtime for law enforcement employees shall be handled in accordance with the policies established in the Sheriff's Department. The FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement or fire protection, including security personnel in correctional institutions, if that agency employs fewer than 5 employees during the workweek (29 U.S.C. §213(b)(20); 29 C.F.R. §553.200).

**OVERTIME
DEFINITION**

4. Overtime shall include all time actually worked for the County in excess of 40 hours in any workweek.
5. Paid leave, holidays, and vacation shall not be counted in determining if overtime has been worked in any workweek.
6. Except in emergency situations, an employee shall be required to have authorization from his/her supervisor before working overtime.

**PRESIDIO COUNTY
POLICY ON OVERTIME COMPENSATION**

**POLICY
APPLICATION**

1. This policy shall apply to all County employees eligible for overtime compensation under the Fair Labor Standards Act (FLSA) except for law enforcement employees.
2. Overtime for law enforcement employees shall be handled in accordance with the policy for overtime compensation established by the Sheriff's Department. The FLSA provides a complete overtime exemption for any employee of a public agency who in any given week engages in law enforcement or fire protection, including security personnel in correctional institutions, if that agency employs fewer than 5 employees during the workweek (29 U.S.C. §213(b)(20); 29 C.F.R. §553.200).

**OVERTIME
COMPENSATION**

3. Overtime compensation shall be paid in the form of compensatory time off in accordance with the provisions of the FLSA.
4. Covered employees shall receive compensatory time off, with pay, at a rate of one and one-half (1 1/2) times the amount of overtime worked.

**MAXIMUM
COMPENSATORY
TIME**

5. The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 70 hours.
6. 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 1/2) the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum.

**USE OF
COMPENSATORY
TIME**

7. 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.

**USE OF
COMPENSATORY
TIME**
(continued)

8. Compensatory time may be used for any purpose desired by the employee.
9. The County shall have the right to require employees to use earned compensatory time at the convenience of the County.

TERMINATION

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

RECORDKEEPING

11. Each employee shall be responsible for recording any compensatory time used within a pay period on the time sheet for that pay period.
12. The County Treasurer shall be responsible for keeping records of all compensatory time earned and used by each eligible County employee in his/her department and shall update the balance due to each employee at the end of each pay period.

OTHER ISSUES

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

5.0
**PRESIDIO COUNTY
POLICY ON GRIEVANCES**

5.1
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PROCEDURE

1. Any employee having a grievance related to his/her job should discuss the grievance with the elected official.
2. **The decision of the elected or appointed official is final in all grievances.**

6.0
PRESIDIO COUNTY
POLICY ON DRUGS AND ALCOHOL

6.01
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- PURPOSE**
1. The purpose of this policy shall be to establish a drug and alcohol-free workplace to help ensure a safe and productive work setting for all employees.
- APPLICABILITY**
2. This policy shall apply to all employees of Presidio County regardless of rank or position and shall include temporary and part-time employees.
 3. The only exception to this policy shall be the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.
- POLICY**
4. The following shall be a violation of this policy:
 - A. The manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance or drug paraphernalia on County property.
 - B. Being under the influence of alcohol or illegal drugs while on County property or while on duty for the County.
 - C. The unauthorized possession or use of prescription or over-the-counter drugs while on County property or while on duty for the County.
 - D. The use of 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.
- DEFINITIONS**
5. **A controlled substance** shall include any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act (21 U.S.C. S 812), as amended.

- DEFINITIONS (cont.)**
6. **County property** shall include all County owned, rented, or leased real property such as buildings, land, parking lots etc. and property used by employees such as vehicles, lockers, desks, closets, storage areas, etc.
 7. **Drugs** shall include any chemical substance that produces physical, mental, emotional, or behavioral change in the user.
 8. **Drug paraphernalia** shall include equipment, a product, or material that is used or intended for use in concealing an illegal drug or for use in injecting, ingesting, inhaling, or otherwise inducing into the human body an illegal drug or controlled substance.
 9. **Illegal drug** shall include any drug or derivative thereof which the use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, used for any other than a legitimate medical reason, and inhalants used illegally. Included is marijuana or cannabis in all forms.
 10. **Under the influence** shall be defined as a state of having a blood alcohol concentration of 0.08 or more where "alcohol concentration" has the meaning assigned to it in Article 67011-1, Revised Statutes; or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage or a controlled substance.

**POLICY
VIOLATIONS**

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

**PRESCRIPTION
DRUGS**

12. Employees taking prescription medications shall be required to notify their supervisor of any possible effects the medication might have regarding their job performance and physical/mental capacity.

**PRESCRIPTION
DRUGS (Continued)**

13. Any information concerning prescription medications being used by an employee, and any other medical information of which the supervisor becomes aware, shall be treated as confidential information.
14. Prescription medications used at work are to be kept in their original container.

TREATMENT

15. Employees having problems with drugs or alcohol are encouraged to seek treatment from qualified professionals.
16. Information on benefits provided for treatment of alcohol and drug problems through the County's medical insurance program is available in the employee's insurance coverage booklet or from the County Treasurer's Office.

**RESERVATION
OF RIGHTS**

17. Although adherence to this policy is considered a condition of continued employment, nothing in this policy shall alter an employee's status and shall not be deemed a contract or promise of employment.

