

# **LAMPASAS COUNTY**

# **EMPLOYEE HANDBOOK**

**LAMPASAS COUNTY  
EMPLOYEE HANDBOOK**

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## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I have received the web address: <http://www.co.lampasas.tx.us> of the Lampasas County Personnel Policy Handbook, available under the 'Quicklinks' heading. I understand that the Employee Handbook outlines my benefits and obligations as a County employee and 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 Lampasas 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 Lampasas County's policies, practices and benefits. I understand that Lampasas County retains the right to change this handbook at any time, and to modify or cancel any of its employee benefits when the need for change is recognized.

I understand as a County employee, I shall have no expectation of privacy when using county computers, networks, or other county owned equipment. Improper use may result in discipline up to and including termination.

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

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

I understand that I may be subject to 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 LAMPASAS  
COMMISSIONERS COURT ORDER**

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

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

THEREFORE, BE IT RESOLVED that the Lampasas County Commissioners Court hereby approves, and adopts, the LAMPASAS COUNTY EMPLOYEE HANDBOOK.

ADOPTED THIS 12<sup>th</sup> DAY OF AUGUST, 2024

\_\_\_\_\_  
Randall Hoyer  
County Judge

\_\_\_\_\_  
Robert Carroll  
Commissioner Pct. 1

\_\_\_\_\_  
Jamie Smart  
Commissioner Pct. 2

\_\_\_\_\_  
Lewis Bridges  
Commissioner Pct. 3

\_\_\_\_\_  
Mark Rainwater  
Commissioner Pct. 4

Witnessed and Attested By:

\_\_\_\_\_  
Dianne Miller  
County Clerk

## RESOLUTION FOR LAMPASAS COUNTY

I the undersigned have read the Lampasas County Employee Handbook that the Lampasas County Commissioner's Court has adopted. As an ELECTED OFFICIAL of Lampasas County, I endorse and approve the Employee Handbook. I approve the document as it reflects my commitment to Lampasas 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 Lampasas County Employee Handbook, as witnessed by my signature below.

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

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

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

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

# Lampasas County Employee Handbook

Welcome to Lampasas County!

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

Lampasas 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 Lampasas 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 Lampasas County employee. You should use this handbook as a ready reference as you pursue your career with Lampasas County. Please consult with your elected official, appointed official or department head regarding questions you may have concerning this employee handbook.

Welcome aboard!

Sincerely,

*Randy Hoyer*  
County Judge

Bobby Carroll,  
Commissioner Pct. 1

Jamie Smart,  
Commissioner Pct. 2

Lewis Bridges,  
Commissioner Pct. 3

Mark Rainwater,  
Commissioner Pct. 4



# GENERAL POLICIES

## 1. COUNTY EMPLOYMENT

### 1.1. RECRUITMENT AND SELECTION

County Department Heads have full authority to hire employees within their department. Appointed Officials are hired under the applicable statutory authority.

Department Heads may use any of the following recruitment and selection processes to fill vacancies: public recruitment, public posting, internal promotion or transfer, referral from a job training program, referral from a public employment agency, selection from current applicants on file in the Treasurer's Office, and previous employees who left in good standing.

Certain positions require testing which may include drug and alcohol testing, physical examinations, psychological testing, or other tests that may be required by state law. Specific job related performance tests may be administered to determine eligibility for the position. Such tests shall be administered equally to all identified applicants.

Applicants shall be disqualified from County employment if they:

- Do not meet the minimum education or qualifications required for the position
- Knowingly make false statement(s) on the application materials
- Have committed fraud during the selection process
- Are not legally permitted to hold the position
- Have offered or attempted to offer money, service or any other thing of value to secure an advantage in the selection process
- Do not meet the physical requirements of the job description
- Fail the substance abuse screening
- Have not provided proof of citizenship or legal work status in the United States prior to the close of business on the third day of employment.
- Fail to provide valid copies of a current license, identification, certification, or other documents required for the position

### 1.2. EMPLOYMENT AT-WILL

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

Lampasas 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.

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

### **1.3. EMPLOYEE STATUS POLICY**

The status of each county position 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.

#### **REGULAR FULL TIME**

Any employee who has a normal work schedule of 30 or more hours per week. Full time employees are eligible for county health insurance and retirement 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. Lampasas County makes exempt status determination based on the Fair Labor Standards Act.

#### **REGULAR PART TIME**

Any employee who has a normal work schedule of less than thirty (30) hours per week. All regular part time employees are eligible for county retirement benefits regardless of the number of hours worked per week and shall be placed on TCDRS retirement. Part time employees are not eligible for any other benefits of employment, including group health, life, hour accrual, paid holidays or longevity related benefits.

#### **TEMPORARY SEASONAL**

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.

#### **TEMPORARY FULL TIME**

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 full time employees are not eligible for retirement benefits. Temporary full time employees will be eligible under the Affordable Care Act for county health benefits.

#### **TEMPORARY PART TIME**

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.

#### **1.4. EQUAL EMPLOYMENT OPPORTUNITY**

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

#### **1.5. AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT (ADAAA)**

It is the policy of Lampasas 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 subjected to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, appointed official, department head or the county attorney. All elected officials, appointed officials, department heads and employees with responsibilities requiring knowledge of an employee's disability are instructed to treat the employee's disability with confidentiality.

It is Lampasas 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.

#### **1.6. PERSONNEL FILES**

The Lampasas County Treasurer's Office will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, Personal Action Requests and W4's as well as, records concerning performance, discipline and compensation.

Employees shall promptly notify the County Human Resources representative in the Treasurer's Office of any change in name, address, contact information, direct deposit banking information, marital status, number of dependents or any other pertinent information in order to maintain accurate employee records and avoid issues in benefit eligibility or returned mail.

The Public Information Act allows county employees to keep their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether the employee has family members confidential. Employees may keep this information private by requesting in writing not to allow this information to be released to the public no later than 14 days after their first day of employment.

**1.7. NEPOTISM**

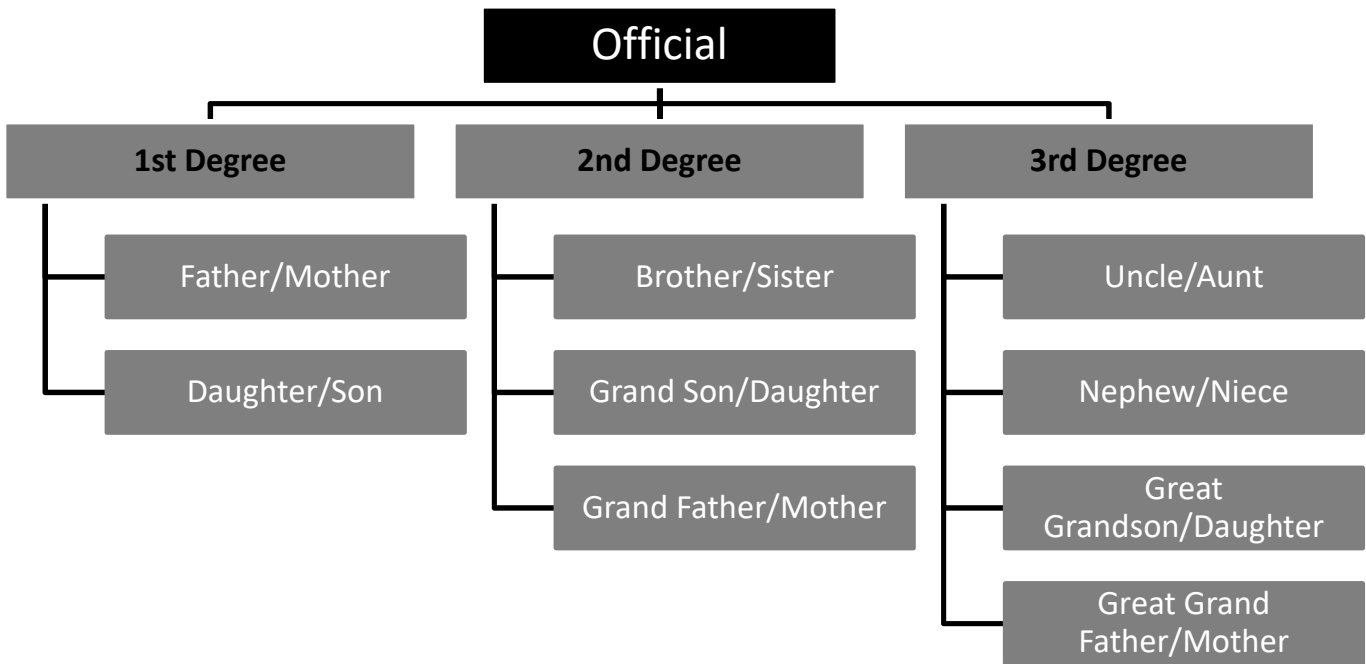
Texas Government Code Chapter 573, a Public Official of Lampasas County is prohibited from hiring a relative related within the third degree of consanguinity (blood, including adopted relatives) or within the second degree of affinity (marriage) to work in a department that they supervise or exercise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

No Lampasas County employee shall hire, employ, supervise, or award a contract to a relative within the second or third degree of affinity.

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

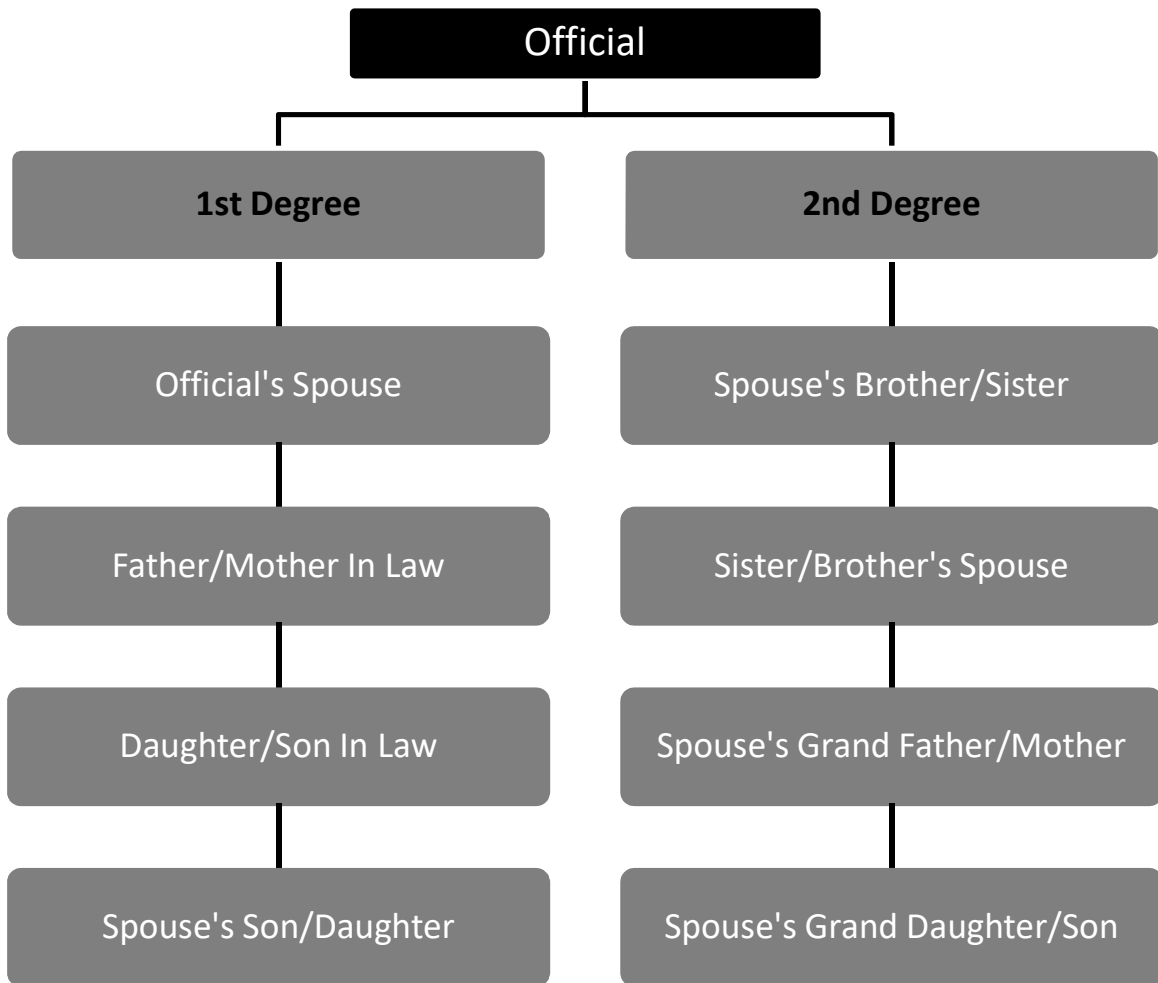
**CONSANGUINITY KINSHIP CHART**

(Relationship by Blood)



# AFFINITY KINSHIP CHART

(Relationship by Marriage)



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

### **2.1. ATTENDANCE**

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

Employees 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.

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

#### **NOTIFICATION**

If an employee is unable to be at work at their normal reporting time, they shall be responsible for notifying their supervisor prior to the scheduled start of their shift or as soon as it is reasonably practicable in the case of an emergency.

#### **EXCUSED AND UNEXCUSED**

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.

#### **ABANDONMENT**

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.

### **2.2. DRESS CODE**

Lampasas 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 for their department. 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. A cheerful and positive attitude is essential to our commitment to customer service.

### **2.3. CONFLICT OF INTEREST**

Employees of Lampasas 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 Lampasas 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.
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.

## **2.4 HARASSMENT**

Lampasas County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, 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.
2. The submission to, or rejection of, the conduct is used as the basis for an employment decision.
3. The conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Lampasas 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 County Judge.

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.

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.

## **2.5 SEXUAL HARASSMENT**

Sexual harassment is strictly prohibited by Lampasas 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 Lampasas County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.

Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where:

1. The submission to such conduct is either an expressed or implied condition of employment.
2. The submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person.
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 County Judge.

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.

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 sexual harassment to the elected official, appointed official, or department head who is responsible for your department or to the County Judge.
4. If a thorough investigation reveals that unlawful sexual harassment has occurred, Lampasas 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.

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.

## **2.6 POLITICAL ACTIVITY**

Employees of Lampasas 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.
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.

## **2.7 OUTSIDE EMPLOYMENT**

Lampasas County employees are expected to give their full and undivided attention to their job duties. They should not use county facilities or equipment or their association with Lampasas

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 Lampasas County that interferes with the employee's assigned duties with the County.

## **2.8 BREAKS**

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.

### **NURSING MOTHERS**

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

Lampasas County supports the practice of expressing breast milk and will provide reasonable breaks for a nursing mother to express breast milk. The nursing mother will be allowed whatever time is needed to express breast milk.

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

Lampasas 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. An employee of the county who needs to express breast milk may not be discriminated against.

## **2.9 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 elected or appointed official with final responsibility for the employee's department shall be final in all grievances.

## **2.10 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.

Lampasas 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.

**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.**

## **2.11 LICENSE AND CERTIFICATIONS**

Lampasas 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.

## **2.12 WEATHER CLOSINGS AND EMERGENCIES**

As a general practice, Lampasas 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 Judge will notify the Emergency Management Coordinator, office holders and department heads to alert county employees and will notify the appropriate media for a public announcement. 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.

Time missed due to office closure for inclement weather will be reported on timesheets as Admin - inclement weather.

An employee who requests time off due to inclement weather and safety concerns while their office is open for business will make that request to their supervisor or department head for review and final approval. If approved, time will be recorded on timesheet using accumulated vacation, personal or compensatory time; or time without pay.

## **2.13 CONFIDENTIALITY**

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

Regarding personnel information on employees of Lampasas 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.

## **2.14 WHISTLEBLOWER**

An employee may, in good faith, report an alleged violation of a Lampasas County Policy or federal or state law to their supervisor, department head, or county judge, unless all of these persons are the alleged perpetrators of the alleged violation. If all of the listed persons are alleged to be involved in the violation, the employee may report the allegation to the county attorney or sheriff. The county will investigate the reported activity.

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

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

An employee who, in good faith, believes they are being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact human resources, the county attorney or the county judge.

## **2.15 TRAVEL REIMBURSEMENT**

Employees shall be reimbursed for job-related travel expenses incurred in the authorized conduct of county business.

Travel reimbursement forms can be requested from the County Auditor's Office. Requests for reimbursement shall include: the event's schedule or agenda, the address or specific location to verify mileage, and receipts for other allowable expenses. Employees shall submit

reimbursement forms to their department head for approval; once approved, forms shall be submitted to the Auditor's office for final approval and reimbursement.

Reimbursement rates are set annually by the Commissioners Court.

## **ELIGIBLE REIMBURSEMENT COSTS**

### **Registration**

Registration for conferences or training events are eligible for reimbursement with itemized receipt. Department heads may request assistance from the Auditor's Office for pre-registering themselves or their employees using the county's tax exempt status and payment information.

### **Lodging**

Actual costs of lodging are reimbursed for the dates of business travel with itemized receipts. Department heads may request assistance from the Auditor's Office for help in securing lodging for themselves or their employees using the county's tax exempt status and payment information.

### **Meals**

Employee will be reimbursed a meal per diem rate of \$45 per half day/travel day and \$60 per full day/non-travel day. Employees requesting a per diem will be paid the flat per diem rate and do not need to submit meal receipts.

Employees requesting reimbursement for the actual cost of meals will not receive the meal per diem and must include itemized receipts including taxes and tips/gratuities with their reimbursement form. The maximum reimbursement for meals with itemized receipts is \$45 per half day/travel day and \$60 per full day/non-travel day, unless otherwise approved by Commissioner's Court.

Meal tips/gratuities up to 15% of the employee's meal are allowable; any amount over 15% will not be reimbursed to the employee. The amount of any tips/gratuities paid over 15% using county funds must be reimbursed to the county.

### **Mileage**

Employee will be reimbursed for mileage at the rate established by the Internal Revenue Service at the time of travel. Requests for mileage reimbursement must include a printed verification of mileage using a mapping service, such as Google Maps or MapQuest, indicating the physical address for the beginning and ending locations. Employees shall use the address of the work location they normally report to for the beginning address.

An employee who drives in the conduct of county business must hold a valid driver's license and maintain personal liability insurance.

**Travel Time**

Employees shall be paid their regular hourly rate for travel time to and from offsite work assignments.

**Airfare**

Employees may be reimbursed for the cost of airfare with itemized receipts.

Employees and their department heads shall consider that the method of travel should be limited to those that are reasonable and necessary with attention paid to the least expense to the county considering all costs of travel.

**Parking, Taxi and Vehicle Rental**

Employee may request reimbursement for parking, taxi, vehicle rental or other incidental costs incurred by submitting itemized receipts.

**INELIGIBLE REIMBURSEMENT COSTS**

Costs for personal entertainment, family member costs, alcoholic beverages, meal tips/gratuities in excess of 15%, and traffic citations or illegal activities are not eligible for reimbursement.

Cash advances for employee travel are not provided.

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

#### **3.1 COUNTY PROPERTY USAGE**

Employees 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.

#### **3.2 COUNTY VEHICLE USAGE**

Employees who are assigned county vehicles shall be responsible for the care, maintenance, proper use and upkeep of these vehicles. Employees may only use the vehicles they are authorized to use and shall not allow unauthorized individuals to operate the vehicles they have been assigned.

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

Employees who operate vehicles must maintain a current active license for the operation of that vehicle and shall present their valid driver's license annually to Human Resources. 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. A copy of all accident and incident reports prepared by the employee shall be sent to the supervisor and the County Judge. (see also, 4.5 Drug & Alcohol - Post Accident testing policy)

### **3.3 CELL PHONE USAGE**

Lampasas 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.

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

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

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

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

### **3.4 COMPUTER AND INTERNET USAGE**

The use of Lampasas County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for 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 Lampasas 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.



Lampasas County owns the rights to all data and files in any computer, network, or other information system used in the county. Lampasas 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. Lampasas 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, or download any illegal or unauthorized downloads. Lampasas 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 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.

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

Lampasas 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 Lampasas 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 Lampasas 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.

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

### **4.1 WORKERS COMPENSATION**

All Lampasas 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 employees who receive salary continuation.

Employees may use accrued 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. Lampasas 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.

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

## **4.2 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, Lampasas 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 Lampasas 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's release stating that the injured employee can perform the job functions without restrictions.
- Light Duty – for any employee who is not able to return to their prior position and perform the regular duties of that job but can return with certain restrictions, Lampasas 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 sick leave.

#### **FOUR (4) WEEK LIMIT**

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

#### **EMPLOYEE REFUSAL OF WORK**

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

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

### **4.3 EMPLOYEE SAFETY**

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

All employees must adhere to the general safety standards established 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.

#### **4.4 WORKPLACE SECURITY AND SAFETY DURING EMERGENCIES**

Lampasas County's first obligation is to protect the public and county employees in the event of a natural disaster, threat or act of violence, terrorism or any other security issue. The County Emergency Management Coordinator and County Judge will be immediately notified of all situations that affect or has the potential to affect county services or property.

A security and safety issue is an act or threat of significant and immediate threat to the employees, the public or to county property. A natural disaster is defined as any event or force of nature that has catastrophic consequences such as flood, fire, lightning, tornado, earthquake, or hurricane related situation.

The following office holders are the decision makers regarding occupancy and use of County property and buildings:

##### **Courthouse, Annex I, Annex II**

The County Judge is responsible to determine whether these buildings and surrounding property should be closed or evacuated as well as the safety measures needed to re-open. The Judge will notify department heads of the safety issue and required response. Each department head will notify their staff.

##### **Sheriff's Department, Road and Bridge Precincts and Justice of the Peace offices 2/3 and 4**

The elected official of each department is responsible to determine whether the building and surrounding property should be closed or evacuated and the safety measures needed to be re-opened. Staff will be notified of the safety issue by the elected official or their designee. The County Judge will be notified of the closure or evacuation.

Certain county employees may be required to provide services during a security issue. These may include Law Enforcement, Road and Bridge and Emergency Management.

Department heads are encouraged to plan in advance for security and safety situations to ensure that the continuity of government services and information is provided for their department. Coordination and cooperation with emergency response officials is required at all levels, whether the security issue is a local, state or national issue.

##### **TIME REPORTING**

Employees who are required to vacate the premises based on a security issue will report the time as Admin Leave. The decision maker will determine the amount of time employees were affected by the security issue.

## **4.5 DRUG AND ALCOHOL- ALL EMPLOYEES**

Lampasas County is a drug and alcohol free workplace. A county employee may not be present at work while their 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 county employees regardless of rank or position and shall include full time, part time and temporary employees. The only exception to this policy is the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

An employee may not unlawfully manufacture, distribute, dispense, possess, sell, purchase, or use a controlled substance or drug paraphernalia on County property or while conducting County business not on County property.

While on duty, employees may not have a detectable amount of alcohol, recreational drug, or non-prescribed intoxicating substance in their body.

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

A supervisor must treat any information related to an employee's authorized use of prescription medications and any other medical information provided by the employee as confidential information.

An employee having problems with drugs or alcohol is encouraged to seek treatment from a qualified professional. Information on benefits provided for treatment of alcohol and drug abuse problems provided by the county's health plan program is available in the employee's health plan booklet or from the Human Resources representative in the Treasurer's 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 may 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 may be terminated.

Lampasas County will drug test employees who are not CDL license holders under the following conditions:

#### **PRE-EMPLOYMENT DRUG TESTING**

Lampasas 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.

#### **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 Lampasas 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 may be terminated.

#### **4.6 DRUG AND ALCOHOL- CDL EMPLOYEES**

Drug or alcohol use may pose a serious threat to driver health and safety. Therefore, it is County policy 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.

Lampasas County strictly prohibits the use, sale, purchase, transfer, having possession of or being under the influence 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. 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. Lampasas County will conduct pre-employment, random, reasonable suspicion and post-accident drug testing in accordance with federal law.

It is the policy of Lampasas 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. Lampasas County will conduct electronic queries 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 to conduct both Limited and Specific inquiries.

A detailed policy and procedure is available from the HR representative in the Treasurer’s office.

#### **4.7 WORKPLACE VIOLENCE**

Lampasas County is committed to providing a workplace free of violence and 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. Employees must refrain from any conduct or comments that might make another employee suspicious or in fear for their safety. All threats will be taken seriously and will be investigated.

No employee may unlawfully possess a firearm or other weapon while on county property, a county vehicle, or performing any duty on behalf of the county. Employees found in violation of this policy may be subject to discipline up to and including immediate termination.

#### **4.8 SOCIAL MEDIA**

For purposes of this policy “social media” includes, but is not limited to, online forums, blogs and social networking sites, such as TikTok, Twitter, Facebook, LinkedIn, YouTube, and Instagram, etc. Lampasas 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 and/or position in the County; is used to harass supervisors, co-workers, customers or vendors;

creates a hostile work environment; or harms the goodwill and reputation of Lampasas County among the community at large. Lampasas 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 Lampasas County make clear that you are a county employee and that the views posted are yours alone and do not represent the views of Lampasas County.
- Do not mention Lampasas County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Lampasas 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 Lampasas County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Lampasas 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 Lampasas County's website or post Lampasas County material on a social media site without written permission from your supervisor.
- All Lampasas 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 Lampasas County must be kept confidential and should not be discussed on social media.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

It is the policy of Lampasas County that supervisors do not engage in social media activities with their employees.



# **SECTION 2:**

# **EMPLOYEE COMPENSATION AND BENEFITS**

## 1. EMPLOYEE PAYROLL

### 1.1 FAIR LABOR STANDARDS ACT SAFE HARBOR

Lampasas County makes every effort to pay its employees correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the Treasurer's attention, Lampasas County will make the necessary corrections at the next payroll. 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 contact the Treasurer's Office at (512)-556-8271.

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

Non-exempt employees, unless authorized by your supervisor, should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so. All time worked is to be recorded on your timesheet. 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 timesheet. 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 your HR representative in the Treasurer's Office.

It is a violation of Lampasas County policy for any employee to falsify a timesheet, or to alter another employee's timesheet. It is also a serious violation of county policy for any employee, supervisor or official to instruct an employee to incorrectly or falsely report hours worked, or to alter another employee's timesheet 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 your HR representative in the Treasurer's Office, by phone: (512) 556-8271, or in person at 409 S. Pecan St. Ste. 209; Lampasas, TX 76550.

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 modified 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;
2. Full day disciplinary suspensions for infractions of our written policies and procedures;
3. Full day for violating safety rules of a major significance;
4. Family and Medical Leave or Military Leave absences;
5. To offset amounts received as payment for jury and witness fees or military pay;
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;
2. Your absence because the facility is closed on a scheduled work day;
3. Your absence because of the County's operating requirements;
4. Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work;
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 any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to the Treasurer's Office, by phone: (512) 556-8271, or in person at 409 S. Pecan St. Ste. 209; Lampasas, TX 76550.

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.

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

Lampasas 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.

## **1.3 COMPENSATION**

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

Lampasas County complies with the Fair Labor Standards Act 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. *(See Policy 1.10 Below)*

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

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

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

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.

#### **1.4 PAYROLL DEDUCTIONS**

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

##### **RETIREMENT**

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

##### **OPTIONAL DEDUCTIONS**

Any optional 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 HR representative in the Treasurer's Office.

#### **1.5 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 Lampasas County shall begin at 12:01 a.m. on each Tuesday and end seven (7) consecutive days later. Law Enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of 28 days and 171 hours as established by the Lampasas County Commissioners Court.

#### **1.6 TIMESHEETS**

Each employee must fill out a timesheet, accurately recording all time worked and leave taken, whether paid or unpaid, and turn it in to their supervisor on the last day of every pay period. Elected officials or department heads are responsible for ensuring that all hours worked and leave taken are accurately reported on their employee's timesheets and submitting them to the payroll office.

All questions or clarifications regarding timesheets will be directed to the affected department head or designee. To ensure timeliness of payroll processing, if an issue that arises during payroll processing is not resolved before payroll is complete then a final resolution will be made on the next regularly scheduled payroll.

Failure to complete a timesheet may result in an employee only receiving minimum wage payment until the proper timesheet has been completed and turned into the payroll department. Timesheets are governmental documents and as such require accurate and truthful information. Falsifying a timesheet is a criminal offense.

## **1.7 PAY PERIODS**

The pay period for Lampasas County shall be a two week pay period with the pay period dates established by the Commissioners' Court. If a payday falls on a holiday, paychecks shall be issued on the last workday immediately preceding the holiday.

## **1.8 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 may be subject to call back in case of emergency or special need.

## **1.9 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.

## **1.10 LAW ENFORCEMENT PAY AND OVERTIME**

Lampasas County Commissioners Court has adopted the 207(k) exemption under the Fair Labor Standards Act for law enforcement employees, which includes deputies and jailers. These employees have a work period of 28 days and overtime will be due after 171 hours actually worked.

Law enforcement employees' salary covers all hours up to 171 hours with a minimum of 160 hours reported for the work period. Actual hours worked between 161 hours and 171 hours will be paid at the employee's straight hourly rate. Overtime rates will be due after 171 hours are actually worked within the 28 day work period.

Paid leave shall not be counted in determining if overtime has been worked, only actual hours physically worked. In other words, overtime will not accrue in any work period during which an employee reports sick, vacation, or compensatory time until the number of actual hours worked reported during the work period exceeds 171.

Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

### **1.11 OVERTIME CALCULATIONS AND RULES**

With the exception of law enforcement as stated in 1.10 above; Overtime shall include all time actually worked for the county in excess of 40 hours in any workweek. No paid leave, i.e. holiday, personal, vacation, administrative leave or emergency leave, will be counted in determining overtime hours. Employees must physically work in excess of 40 hours in a workweek when determining overtime. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

#### **OVERTIME COMPENSATION**

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.

#### **COMPENSATORY TIME MAXIMUM**

The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 24 hours. 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.

#### **USE OF COMPESATORY TIME**

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. Lampasas County shall have the right to require employees to use earned compensatory time at the convenience of the county.

#### **PAYMENT FOR COMPESATORY TIME**

Payment for compensatory time, which may be approved by the Department head only if adequate funds are available in the department's budget, is discouraged due to the contingent financial liability this creates for the County. Compensatory time should be scheduled as soon as possible after overtime hours are worked and shall be used by the end of each fiscal year (September30).

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

Lampasas 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. Lampasas 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.

**RECORDKEEPING**

Each employee shall be responsible for recording any compensatory time used within a pay period on the time sheet for that pay period. Department heads are responsible for ensuring that all hours worked are accurately reported on their employee’s timesheets and submitting them to the payroll office.

**1.12 LONGEVITY PAY**

Lampasas County recognizes the loyalty of its long term employees with a monetary incentive paid after an employee’s fifth year of service.

**ELIGIBILITY**

Employee must have a minimum of five consecutive years of full time employment with the County, time does not include hours worked in a temporary or part time status. Length of service is calculated from the first December 1<sup>st</sup> of an employee’s tenure. Any termination in employment, whether voluntary or involuntary, will result in employee losing their longevity status. If a former employee is re-hired by the County their longevity date will reset to the new hire date.

Appointed and elected officials are not eligible for longevity pay.

**PAYMENT**

Longevity pay is included with the first regular paycheck of December. Recipients must be an employee of the County on December 1 to receive a longevity payment of \$120 per year of service with a maximum of \$2,400 for 20 plus years of service. Longevity pay does not increase an employee’s base salary.

<b>YEARS OF SERVICE</b> (as of December 1 anniversary date)	<b>LONGEVITY PAYMENT</b> (\$120 per year of service)
5 years	\$600
6 years	\$720
7 years	\$840
8 years	\$960
9 years	\$1,080
10 years	\$1,200
11 years	\$1,320

<b>YEARS OF SERVICE</b> (as of December 1 anniversary date)	<b>LONGEVITY PAYMENT</b> (\$120 per year of service)
12 years	\$1,440
13 years	\$1,560
14 years	\$1,680
15 years	\$1,800
16 years	\$1,920
17 years	\$2,040
18 years	\$2,160
19 years	\$2,280
20 years or more	\$2,400

### **1.13 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 employee who is 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 and documented in the employee’s personnel file.

### **1.14 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 and documented in the employee’s personnel file.

### **1.15 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 and documented in the employee’s personnel file.



## **1.16 SEPARATIONS**

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

### **TYPES**

All separations from Lampasas County shall be designated as one of the following types:

#### **Resignation**

A resignation shall be classified when an employee voluntarily leaves their employment with Lampasas 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.

#### **Retirement**

A retirement shall be when an employee meets one of the following eligibility requirements to collect benefits under the County's retirement program and voluntarily elects to leave employment with the County to do so.

1. Employee is 60 years of age with 8 years of service.
2. Employee's age plus years of service equals 75.
3. Any age with 20 years of service.

An employee who is retiring should notify their supervisor and HR of that intent at least 30 days prior to the actual retirement date to help prevent delays in starting the payment of retirement benefits.

#### **Dismissal**

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

#### **Reduction in force**

An employee shall be separated from employment because of a reduction in force when 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.

#### **Death**

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.

### **NOTIFICATION**

As soon as a department head becomes aware of a separation from employment, or the intent to separate employment, by an employee the supervisor shall be responsible for immediately notifying the HR Representative in the Treasurer's Office.

## **1.17 RETIREE REHIRES**

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

1. The retiree has been retired for at least one calendar month,
2. No prior arrangement or agreement was made between Lampasas 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 1 full calendar month. A bona fide separation means there is no prior agreement or understanding between Lampasas 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.

## **2. EMPLOYEE BENEFITS**

### **2.1 INSURANCE ELIGIBILITY**

All Lampasas County employees designated as full time, who work thirty (30) or more hours per week, shall be eligible for the group medical plan benefits.

Regular part time, temporary seasonal and temporary short term part time employees who work an average of less than thirty (30) hours a week are not eligible for health insurance.

Retired employees and/or their spouses may retain group employee insurance at county rates on a self-paid basis until eligible for Medicare coverage.

## **2.2 MEDICAL INSURANCE PREMIUMS**

Health insurance premiums for eligible employees shall be paid entirely by the County.

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

Details of coverage under the group medical insurance plan, dental plan and vision plan are available in the County Treasurer's office and may be obtained during the normal working hours for that office.

### **COBRA**

Employees who leave the employment of Lampasas 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 Treasurer's Office and may be obtained during the normal working hours for that office. All eligible employees and qualified dependents will be provided with COBRA information following their termination

### **RETIRED EMPLOYEES**

Retired employees and/or their spouses that choose to retain the County's group employee insurance is required to pay for premiums due to the county no later than the 15<sup>th</sup> of the month prior to which the premiums are due. The county may cancel unpaid coverage by providing advance written notice, not less than 15 days before the coverage will be cancelled for non-payment.

## **2.3 SUPPLEMENTAL PLANS – DENTAL, VISION, LIFE**

Lampasas County provides a limited amount of life insurance on eligible employees as part of the group medical plan coverage.

Full time County employees and their qualified dependents are eligible to enroll in optional group dental and vision plans and supplemental term life insurance plans. All supplemental insurance premiums are the responsibility of the employee. Information regarding these supplemental insurances may be obtained in the Treasurer's Office.

## **2.4 OTHER BENEFITS**

### **PHONE STIPEND**

Certain designated employees are eligible for a cell phone stipend based on the responsibilities of the position, on call status, or need for immediate response to emergencies. Eligibility is determined by each official or department head but shall include elected and appointed

department heads, road and bridge employees, maintenance tech, and emergency management employees. The Commissioner's Court sets the stipend rate with updates as needed.

### **CAR ALLOWANCE**

Certain designated employees are eligible for a car allowance based on the responsibilities of the position, on call status, or need for immediate response to emergencies. Eligibility and stipend rate are determined by the Commissioner's Court with updates as needed.

### **UNIFORM ALLOWANCE**

Road and Bridge employees are eligible for a uniform allowance. The Commissioner's Court sets the rate with updates as needed.

## **2.5 VACATION**

### **ELIGIBILITY**

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

### **ACCRUAL**

Vacation accrual begins on the date of hire for a position eligible to accrue vacation, and is accrued in monthly increments as it is earned. Employees must work a minimum of six months before they are eligible to take vacation leave.

Employees earn vacation leave as follows:

First year of service: 5 days per year (3.33 hours per month)

Second through tenth year of service: 10 days per year (6.66 hours per month)

Over ten years of service: 15 days per year (10 hours per month)

Vacation shall not be accrued while an employee is on leave without pay.

### **CARRYOVER**

The maximum amount of unused vacation an employee shall be allowed to carry over to the next calendar year (January 1) is the amount the employee would earn in one year at their current accrual rate. Any accrued vacation in excess of the employee's maximum shall be used by January 31 or it will be forfeited.

Accrual over the maximum is allowed if all of the following conditions are met:

- An employee is unable to take vacation because of the needs of the County.
- The employee's supervisor prepares a written request for accrual above the maximum explaining why the employee was unable to take vacation.
- The accrued time over the maximum carryover is used within 60 days of February 1.
- The request is approved by the Commissioner's Court.

## **SCHEDULING**

Scheduling of vacations shall be at the discretion of the individual official or department head.

Employees are only 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.

If a holiday falls during an employee's vacation, then the employee will not be charged for the vacation.

If an employee has worked for at least six months 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, and no more than, the amount they are able to accrue in one year.

Each employee shall be responsible for accurately recording all vacation time used on their time sheet. Department heads are responsible for ensuring that all hours worked and vacation hours used are accurately reported on their employee's timesheets and submitting them to the payroll office.

## **2.6 PERSONAL LEAVE**

### **ELIGIBILITY**

All full time regular employees shall be eligible for personal leave benefits. Part time and temporary employees shall not be eligible for personal leave benefits.

### **ACCRUAL**

Personal leave accrual begins on the date of hire for a position eligible to accrue personal leave, and is accrued in monthly increments as it is earned. Employees must work a minimum of six months before they are eligible to take personal leave.

Employees earn personal leave as follows:

8 days per year (.67 days, or 5.33 hours, per month)

Personal leave shall not be accrued while an employee is on leave without pay.

### **USE OF PERSONAL LEAVE**

Personal leave may be used for any purpose as needed by the employee at the discretion of the department head.

Employees may not use personal leave during the last two weeks of their employment without providing a physician's statement of illness or injury.

## **NOTIFICATION**

Where personal leave is to be used for a scheduled event, i.e. medical appointments, an employee shall be required to notify their supervisor of the intent to use leave as soon as the employee knows of the appointment.

Where use of personal leave is not known in advance, i.e. illness, an employee shall notify their supervisor of the intent to use leave 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 their supervisor as soon as is reasonably practicable. If the employee feels that the situation will cause an absence of more than one day of work, the employee should notify their supervisor of the anticipated length of absence.

If an employee uses three (3) or more consecutive days of personal leave due to illness, 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. If an employee uses three (3) or more consecutive days of personal leave due to illness the employee will be placed on FMLA, if event and employee is eligible. Employees who have a pattern of abusing personal leave may be required to provide a physician's statement for those absences as required by their supervisor.

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

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

Each employee shall be responsible for accurately recording all personal time used on their time sheet. Department heads are responsible for ensuring that all hours worked and personal hours used are accurately reported on their employee's timesheets and submitting them to the payroll office.

## **2.7 HOLIDAY**

### **ELIGIBILITY**

All full time regular employees shall be eligible for holiday benefits. Part time and temporary employees shall not be eligible for holiday benefits. Eligible employees shall be paid at their hourly rate for an eight hour workday.

County holidays shall be determined by the Lampasas County Commissioners' Court at its first meeting of each October. When an approved holiday falls on a Saturday, it will be observed on the preceding Friday. When an approved holiday falls on a Sunday, it will be observed on the following Monday.

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

### **HOLIDAY ON A NON-WORKDAY**

If a designated holiday falls on an eligible employee's day off, the employee shall be allowed to take another day off with pay, preferably during the same payroll period, but no later than 30 days after the scheduled holiday. An employee shall not be allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

### **EMERGENCIES**

An eligible employee scheduled to work or called in to work on a holiday because of an emergency, or other special need of the County, shall be given paid time off during the next 30 days equivalent to the amount of time worked on the holiday.

### **ON CALL/LAW ENFORCEMENT**

Employees assigned shifts in an "around the clock" or "on call" basis may be directed by the department head to report for work on a holiday. When a law enforcement employee's scheduled shift falls on an approved holiday they will be paid time and one half for hours worked on that holiday.

### **SPECIAL OBSERVANCES**

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

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

## **2.8 CIVIC DUTY LEAVE**

### **JURY DUTY**

All employees of Lampasas 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.

### **OFFICIAL COURT ATTENDANCE**

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.

### **PRIVATE LITIGATION**

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, personal leave, compensatory time or leave without pay.

## **VOTING**

All employees are encouraged to vote and are provided a reasonable amount of time off with pay to exercise this right and responsibility.

## **2.9 EMERGENCY/BEREAVEMENT LEAVE**

In the event of a life threatening illness or death in the immediate family all employees who have worked for Lampasas County six months or more shall be allowed up to three days of leave with pay; up to two occurrences per fiscal year. For purposes of this policy, immediate family shall include the employee's spouse, child, foster child, parent, grandparent, grandchild, or sibling of the employee or the employee's spouse (in-laws).

If leave is needed beyond the limits set in this policy, it may be charged to available vacation, personal leave, compensatory time or to leave without pay.

Any use of this leave must be approved in advance by the department head and will depend on work related circumstances. The terms and reasons for this leave will be documented and filed in the employee's personnel file.

## **2.10 MILITARY LEAVE**

All Lampasas 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 annual 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 Lampasas 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, Lampasas 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.



Lampasas 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.

## **2.11 PAID QUARANTINE LEAVE**

Lampasas County shall provide paid quarantine leave for fire fighters, peace officers, detention officers, and emergency medical technicians employed by Lampasas 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.

## **2.12 RETIREMENT**

All regular employees (full time and part time) shall be eligible for the retirement benefit offered through the Texas County and District Retirement System (TCDRS). 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. Lampasas 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 Treasurer's Office during the normal working hours for that office.

## **2.13 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.

## **2.14 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 Lampasas 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 representative in the County Treasurer's Office for more information.

### **QUALIFYING EVENTS**

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

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

6. to care for a covered service member (Regular, Reserve or National Guard) with a serious injury or illness if the employee is the spouse, child, parent or next of kin (nearest blood relative) of the service member; or
7. to care for a covered veteran who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of 5 years preceding the date on which the veteran began that medical treatment, recuperation or therapy.

### **SERIOUS HEALTH CONDITION**

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

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

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

### **QUALIFYING EXIGENCY LEAVE**

An eligible employee may be entitled to use up to 12 weeks of their FMLA leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, child of any age or parent in the Armed Forces (Regular, Reserves or National Guard) is on active duty or called to active duty status in a foreign country.

Qualifying exigencies may include:

1. short-notice deployment (up to seven days of leave);
2. attending certain military events and related activities;
3. arranging for alternative childcare;
4. addressing certain financial and legal arrangements;
5. periods of rest and recuperation for the covered military member (up to fifteen days of leave);

6. attending certain counseling sessions;
7. attending post-deployment activities (available for up to 90 days after the termination of the covered military member's active duty status);
8. other activities arising out of the covered military member's active duty or call to active duty in a foreign country and agreed upon by the county and the employee;
9. attending family support or assistance programs and informational briefings;
10. acting as the covered military member's representative before a governmental agency;
11. addressing issues that arise from the death of a covered military member while on active duty status in a foreign country; and
12. other activities arising out of the covered military member's active duty or call to active duty in a foreign country and agreed upon by the county and employee.

### **LENGTH OF LEAVE**

An employee may use up to 12 weeks leave per 12-month period under this policy. Lampasas County sets the 12-month period used under this policy as a "rolling" 12-month period measured backward from the date an employee uses FMLA leave.

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**

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

### **SUBSTITUTION OF PAID LEAVE**

Lampasas County requires substitution of paid leave for all FMLA or MFL events. An employee must follow the compensatory, vacation and personal 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 no later than 30 days after the date of the pay period in which the premium comes due. The county may cancel unpaid coverage by providing the employee 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 offered COBRA if they are unable to return to work.

## **INTERMITTENT LEAVE AND REDUCED SCHEDULE**

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

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

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

## **CERTIFICATION REQUIREMENTS**

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

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

The employee must respond to the county's request for certification within 15 days of receipt of the request or provide a reasonable explanation for the delay in writing before the 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 an employee requests intermittent leave or a reduced work schedule, the certification submitted must also include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. The county may request re-certification for intermittent or reduced schedule leave every six months in connection with an eligible absence.

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

If there is a conflict between the certification submitted by the employee and the second certification obtained by the county, the county may require a third certification, at the expense of

the county, from a health care provider agreed upon by both the employee and the county. The third opinion is final and binding on the county and the employee.

### **REQUESTING LEAVE**

Unless FMLA leave is unforeseeable, an employee is required to submit a written request for leave under this policy to 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 personal or vacation leave.

### **REPAYMENT OF BENEFITS**

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

### **OTHER BENEFITS**

While on leave without pay under this policy, an employee does not earn vacation or personal 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.

Employees shall not work 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.

## **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.

## **RESPONSABILITIES**

Lampasas County will post the current FMLA poster as provided by the department of labor. If an employee asks for FMLA leave for any reason, Lampasas 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.

## **2.15 SICK LEAVE POOL**

### **AUTHORITY**

This policy is established by the Lampasas County Commissioners Court pursuant to Texas Local Government Code, Chapter 157, Subchapter E, Sections 157.071 through 157.075.

### **PURPOSE**

The Sick Leave Pool program provides a source of additional paid leave to an employee for their own catastrophic illness or injury that causes an employee to exhaust all earned leave time and go into an unpaid status. This leave may not be used to care for an employee's family member.

### **ADMINISTRATION OF THE POOL**

At the direction of the Lampasas County Commissioner's Court the HR Representative in the Treasurer's Office shall serve as the Pool Administrator. The Pool Administrator shall be responsible for developing mechanisms to transfer accrued personal leave into and out of the pool; developing rules and procedures for the operation of the pool; and developing forms for contributing leave to, or requesting leave from, the pool.



## **POOL ADMINISTRATOR RESPONSIBILITY**

The Pool Administrator shall be responsible for:

- Developing necessary forms for enrollment and withdrawal of hours from the Sick Leave Pool. Forms must be approved by Commissioners Court.
- Maintaining adequate records of Sick Leave Pool balances, deposits and withdrawals.
- Reviewing and processing all requests for Sick Leave Pool hours and determining eligibility based on the requirements of this policy.
- Protecting the employee's confidentiality with regard to any information submitted in the process of requesting or receiving hours from the Sick Pool.
- Requesting additional information from an employee, when necessary, in order to determine if a request is eligible for Sick Leave Pool leave.
- Processing all requests for leave within ten (10) business days from the time a completed request is received.
- Notifying the employee, pay roll, and the employee's department head if the request for Sick Leave Pool leave has been approved or denied.

## **ELIGIBILITY**

All regular full time status employees who are eligible to earn vacation, personal or compensatory time and who meet the following basic eligibility requirements may participate in the Sick Leave Pool.

### **Basic Eligibility Requirements:**

- Employee must be continuously employed by the County for at least twelve (12) months.
- Employee must be actively enrolled in the program for the current fiscal year, October 1<sup>st</sup> through September 30<sup>th</sup>, with a minimum donation of 15.99 hours of personal leave to the Pool.
- Employee may only use pool leave for their own catastrophic illness or injury.
- Employee must exhaust all paid leave time prior to becoming eligible to use time from the Sick Leave Pool.
- Employee must provide a Medical Certification of Illness/Injury from the healthcare practitioner who is treating the employee for the catastrophic injury/illness.
- Employee must not be receiving Workers Compensation benefits.
- Employee must not be claiming a catastrophic illness or injury that occurred during the course of employment with any other employer.
- Employee must apply, using the designated forms, to the Pool Administrator.

## **ENROLLMENT AND CONTRIBUTIONS TO THE POOL**

To enroll in the Sick Leave Pool employees are required to contribute a minimum of 15.99 hours of personal leave to the Pool; and may contribute a maximum of forty hours of personal leave to

the Pool each fiscal year. Contributions to the pool must not cause an employee's personal leave balance to drop below zero (0) hours at the time of contribution.

Enrollment forms will be distributed to all eligible employees annually during Open Enrollment. Completed enrollment forms must be submitted to the HR representative in the Treasurer's Office no later than the last working day in September. Failure to meet this deadline will forfeit the right to join the Sick Leave Pool for the upcoming fiscal year beginning October 1<sup>st</sup>.

Any contributions made to the Sick Leave Pool are strictly voluntary. Once made, contributions may not be revoked. Contributions may only be made to the general Pool and may not be designated for the benefit of a specific employee.

Enrollment and contribution to the Sick Leave Pool is not a guarantee that an employee will receive hours from the Pool should the employee file a request.

Upon termination of county employment participants of the Sick Leave Pool may contribute up to eighty (80) hours of personal leave to the Pool.

#### **QUALIFYING ILLNESS OR INJURY**

The Pool Administrator must review each request and apply the criteria established by this policy to determine if the illness or injury presented is a qualified catastrophic illness or injury.

This policy defines catastrophic illness or injury as follows: A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all earned leave time and thus lose compensation from the County.

There are certain conditions that Lampasas County does not consider to be severe enough to designate as 'catastrophic'. While these conditions may be temporarily incapacitating, if they occur *with only minor complications or with no major complications*, they are determined to be non-catastrophic. Conditions of a chronic nature, which may require long-term medical treatment or a lifestyle change as part of the treatment, are not in and of themselves considered catastrophic. Such conditions are not usually covered unless accompanied by a catastrophic condition or complication that leads to a catastrophic condition.

Examples of such conditions not considered catastrophic include, but are not limited to: a broken limb, cold/allergy/pneumonia, hysterectomy with minor or no complications, pregnancy (including pre-planned caesarian sections) with minor or no complications, elective and or cosmetic procedures that are unrelated to a serious diagnosis and certain types of surgeries with minor or no complications (appendectomy, tonsillectomy, etc.). Such conditions typically require two (2) or less days of hospitalization and typically require three (3) weeks of recovery.

Examples of conditions that generally are considered severe enough to designate as catastrophic include, but are not limited to: a stroke with residual paralysis or weakness, incapacitating heart attack, some cancers, major surgery (to be considered on a case-by case basis), pregnancy with major complications, hepatitis, broken hip, severe brain or internal injuries, coma, organ transplant, loss of limb or severe burns. Such conditions typically require three (3) days or more of hospitalization and typically require at least four (4) weeks of recovery time.

### **REQUESTING SICK LEAVE POOL HOURS**

Required forms are available from the Pool Administrator in the County Treasurer's Office. To request hours from the Sick Leave Pool an employee, or their designated representative, shall:

- Complete the employee portion of the Sick Pool Request form and submit the form to the pool administrator.
- Submit Medical Certification of Illness/Injury form. Form must be completed by the employee's treating physician. If a current medical certification has been submitted for purposes of Family Medical Leave (FMLA) which covers the same period of requested Pool leave, the pool administrator may elect to use that certification as meeting the criteria of required documentation.
- Provide any additional information or documentation requested by the pool administrator in order to make a determination on the request.
- Provide a written release from a treating physician documenting the employee's ability to return to duty.

### **APPROVAL AND DISBURSEMENTS**

The Pool Administrator will review each request and apply the criteria established by this policy before approving any request for hours from the Sick Leave Pool. If an employee is critically ill and unable to file an application for sick leave from the Pool, their department head may submit the application for the employee or the employee's family may contact the pool administrator to apply.

### **SICK LEAVE POOL HOURS**

Employees who meet the eligibility requirements may be eligible to receive hours not to exceed the lesser of one-third (1/3) of the balance of the Sick Leave Pool or 240 hours at the time of the request. This is the maximum amount permitted per employee, per fiscal year. Once an employee is determined to be eligible, the pool administrator shall determine the amount of time the eligible employee will be granted and shall approve the transfer of time from the Pool to the employee.

The maximum Sick Leave Pool hours that may be awarded per payroll period is eighty (80) hours.

### **MEMBERSHIP YEAR**

The Sick Leave Pool operates on the County's fiscal year from October 1<sup>st</sup> through September 30<sup>th</sup>. An employee may request to use the Pool for one or more catastrophic illnesses or injuries in the course of one fiscal year; however, once the maximum amount of hours is reached in a

given fiscal year no further requests may be considered. An employee who has been granted and used the maximum allowed amount of Sick Leave Pool time is not eligible for additional Sick Leave Pool time until one year has elapsed from the last Sick Leave Pool day used.

Approved Sick Leave Pool time shall be used in the same manner as accrued leave. Eligible employees who utilize hours from the Pool are not required to pay back Pool leave. Holiday leave will be used in place of Pool leave if a Holiday occurs during such time off.

### **INTERMITTENT USE**

An employee who needs to use awarded leave from the sick leave pool intermittently is required to utilize all currently accrued leave before re-accessing the remainder of the leave from the sick leave pool. The County may require the employee to produce evidence of the cause or circumstances necessitating intermittent use of the leave awarded from the sick leave pool.

All personal leave accrued during the working intervals between intermittent sick leave pool uses, must be exhausted before using the remainder of the leave awarded for the catastrophic illness/injury.

### **UNUSED SICK LEAVE POOL HOURS**

Once an employee returns to work after a catastrophic illness or injury, any unused Pool leave will be returned to the Sick Leave Pool. In no case will disbursed Pool hours be eligible for monetary payout if the employee did not use the leave time. Further, the estate of a deceased employee who received Pool leave is not entitled to payment for unused leave acquired from the Sick Leave Pool.

Requests for hours from the Sick Leave Pool are considered on a first come, first serve basis, determined by the date or time when all necessary information has been provided. The administrator determines eligibility and the amount of leave given. All decisions by the administrator are final.

### **REVIEW OF DENIAL**

If the pool administrator makes the determination that a Sick Leave Pool request does not meet the criteria for approval and may be denied, the administrator may seek counsel from the County Attorney to review the decision prior to notifying the employee of a final determination.

All decisions by the administrator are final. Denial of Pool leave cannot be grieved and is specifically excluded from the County's grievance process.

### **NOTIFICATION**

Upon a Sick Leave Pool request approval the pool administrator will notify the employee, payroll, and the employee's department head.

Upon a Sick Leave Pool request denial the pool administrator will notify the employee, and the employee's department head.

## **COORDINATION WITH OTHER BENEFITS**

All leave used from the Pool will count towards the employee's available FMLA entitlement.

An employee is no longer permitted to receive or use Sick Pool Leave when they become eligible to receive Worker's Compensation benefits, long-term disability benefits, Social Security disability benefits, or any other supplemental benefits.

## **OTHER**

Lampasas County may discontinue or terminate the Sick Leave Pool program without cause or legal liability at any time. The County reserves the right to change the program policies, guidelines, procedures, terms and conditions at any time.

Any employee found violating the provisions of the program, committing fraud or misrepresentation in their request of Sick Leave Pool use, or attempting to use the program for a reason other than its intended purpose is subject to disciplinary action, including reimbursing the County for improperly used leave and termination of employment.

An employee receiving Sick Pool Leave may not perform any outside work or engage in any extra duty employment while using Pool hours.

## **2.16 PERSONAL LEAVE OF ABSENCE**

Employees who have worked for Lampasas County six months or more may request a personal leave of absence to a maximum of 30 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. Employment with the County shall be terminated for those on leave when the employee is unable or otherwise does not return to active duty at the end of the approved leave period.

While on approved leave of absence employees shall be required to use accrued personal, vacation, and compensatory time before taking leave without pay.

## **2.17 ADMINISTRATIVE LEAVE**

An employee may be placed on administrative leave, with pay, as deemed appropriate by the elected official or department head and/or with the direction of the County Attorney.

Administrative leave with pay will be assigned when the employee is the subject of, or witness in, an investigation and it is determined to be in the best interest of the parties and Lampasas County that the employee be removed from the workplace.

At the end of the end of administrative leave, if the employee is found to require disciplinary action, Lampasas County reserves the right to designate the employees own accrued leave in lieu of the administrative leave with pay.

Administrative leave, without pay, may be assigned as deemed appropriate by the elected official or department head as a disciplinary measure. Such leave shall be documented on the employee's timesheet and in the employees personnel file in the County Treasurer's office.