COUNTY OF PECOS

PERSONNEL POLICY MANUAL

EFFECTIVE OCTOBER 1, 1997

(Revised1/01/2010)

PECOS COUNTY
PERSONNEL POLICY

CONTENTS	

PECOS COUNTY
PERSONNEL POLICY

CONTENTS *(Continued)*	
5. GRIEVANCES	
Grievances	5.01
Termination Appeals	5.02
6. DISCIPLINE	
Discipline	6.01
7. DRUGS AND ALCOHOL	
Drugs and Alcohol	7.01
8. SEPARATIONS	
Separations	8.01
Required Actions Upon Separation	8.02
Employee Liabilities to County	8.03
9. TRANSFERS	
Transfers	9.01

PECOS COUNTY
PERSONNEL POLICY

1.0 COUNTY EMPLOYMENT

1.01 Employment At Will

All employees with Pecos County shall be considered "at will" employment.

No contract of employment shall exist between any individual and Pecos County for any duration either specified or unspecified.

Pecos 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.

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

1.02 Employee Status

FULL TIME
A full time employee shall be an employee in a position which has a normal work schedule of at least 30 hours per week.

PART TIME
A part time employee shall be an employee in a position which has a normal work schedule of less than 30 hours per week.

TEMPORARY
A temporary employee shall be any employee who is hired into a position which is expected to last for some specific duration or until a specific project is completed.

A temporary employee may be either full time or part time.

REGULAR
A regular employee shall be any employee hired into a position which is not considered to be temporary.

Regular employees may be either full time or part time.

PECOS COUNTY
PERSONNEL POLICY

1.0 COUNTY EMPLOYMENT
(Continued)

1.03 Equal Employment Opportunity

It shall be the policy of Pecos County to be an equal opportunity employer.

Race, color, religion, national origin, sex, age and disability shall not be factors in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by law or where a bona fide occupational qualification (BFOQ) exists.

The County shall make reasonable accommodation for otherwise qualified disabled individuals to afford them the same opportunities for employment and all other benefits and privileges of employment afforded to non-disabled individuals.

Reasonable accommodation shall be determined through consultation with the disabled individual and, where deemed necessary, through consultation with outside resources.

PECOS COUNTY
PERSONNEL POLICY

1.0 COUNTY EMPLOYMENT
(Continued)

1.04 Application for employment

Application Procedure
Before an individual can be considered to be an applicant for employment with Pecos County, he/she shall be required to complete an application for employment.

Applications can be picked up at the County office in which the position is open during normal working hours for that office, or on the Pecos County Website at *www.co.pecos.tx.us*.

Selection
Each elected or appointed official, or his/her designee, shall be responsible for selecting the applicant who he/she feels best meets the qualifications for an open position in his/her department

Disqualification
An applicant shall be disqualified from consideration for employment if he/she:

a. Does not meet the minimum qualifications necessary to perform the duties of the position for which he/she is applying;
b. Has made a false statement on the application form or any other document related to or which has a bearing on the selection process;
c. Has committed or attempted to commit a fraudulent act at any state of the application process; or\
d. Is not legally permitted to hold the position.

All employment paperwork must be completed prior to employment (i.e. I-9, W-4, etc).

Each prospective employee is required to pass a physical exam prior to employment. Cost of the physical exam will be the responsibility of Pecos County. Physicals will be conducted at the Family Care Center or the hospital clinic in Pecos County.

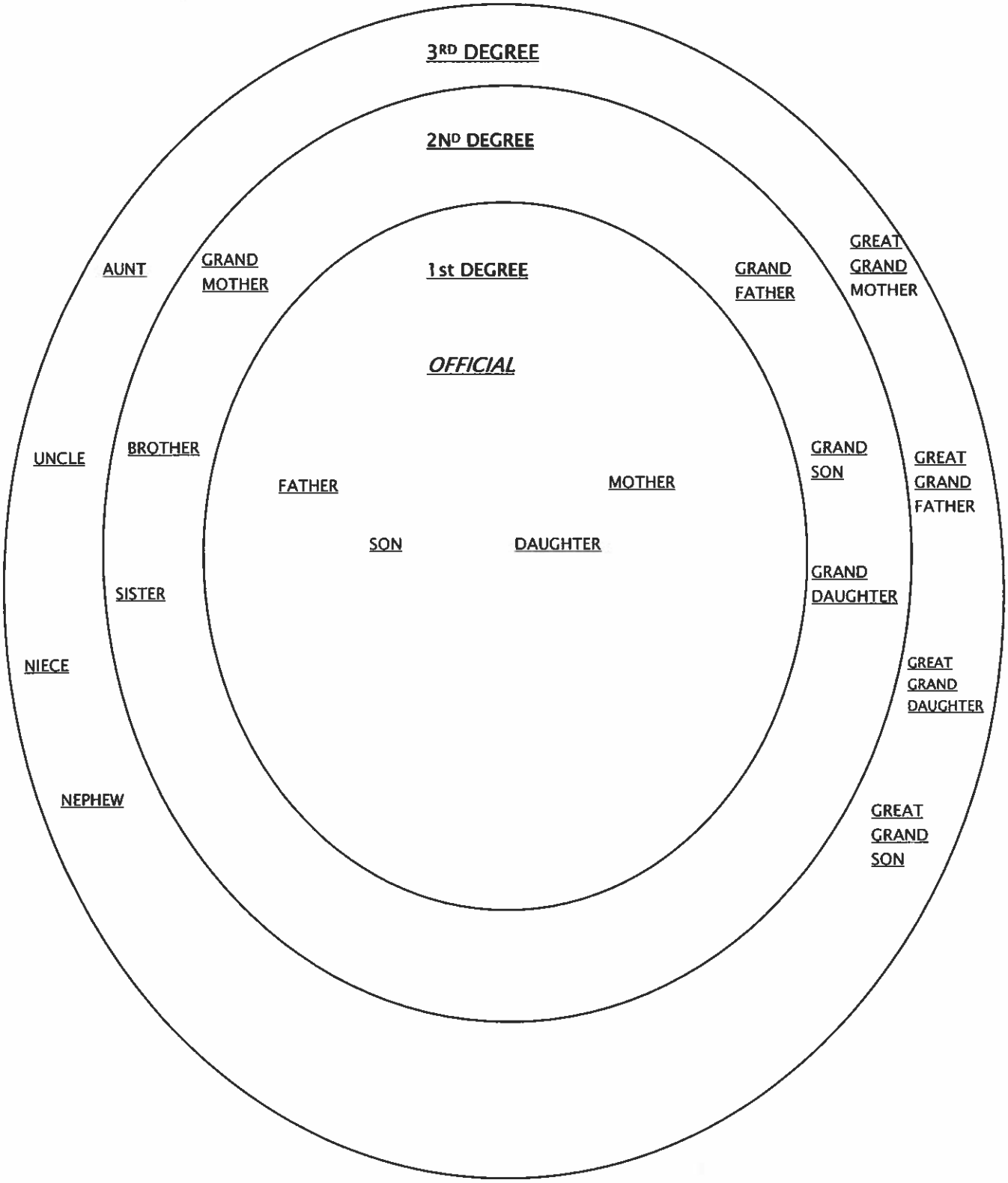
1.05 Nepotism

In accordance with the Texas Nepotism Statutes, an elected or appointed official of Pecos County shall not hire a relative related in the third degree of consanguinity (blood) or the second degree affinity (marriage) to work in a department which he/she supervises.

The civil law method, as approved by the Texas Legislature in 1991 to be effective in August of that year, shall be used for determining degree of relationship. (See charts that follow).

TEXAS NEPOTISM CHART
CIVIL LAW METHOD

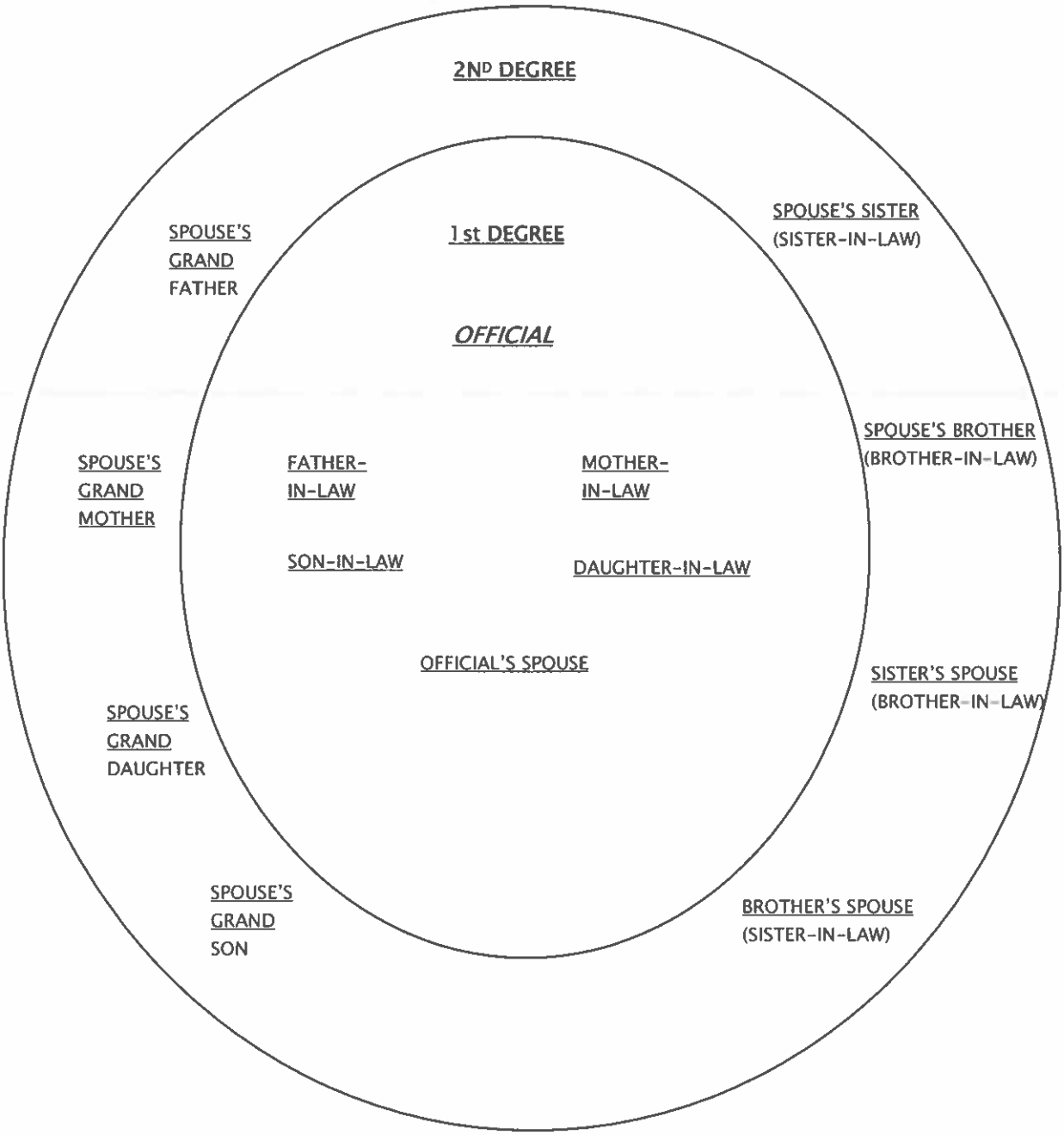
Consanguinity Kinship Chart
(Blood)



TEXAS NEPOTISM CHART
CIVIL LAW METHOD

Affinity Kinship Chart
(Marriage)

1.05



PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS

2.01 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.

Elected or appointed officials shall not be eligible for vacation benefits.

ACCRUAL RATE
Employees who have worked for less than five(5) years in a position eligible to receive vacation shall earn vacation at the rate of 6.67 working hours per month, which is equivalent to 80 hours per year.

Employees who have worked for five (5) or more years, but less than ten (10) years in a position eligible to receive vacation shall accrue vacation at the rate of 8 working hours per month, which is equivalent to 96 working hours per year.

Employees who have worked for ten (10) or more years in a position eligible to receive vacation shall accrue vacation at the rate of 10 working hours per month, which is equivalent to 120 working hours per year.

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

INITIAL ACCRUAL AND WAITING PERIOD
Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work a minimum of one full year in such a position before being eligible to take any vacation.

MAXIMUM ACCRUAL
The maximum amount of unused vacation an employee shall be allowed to carry over on January 1st of each year is the amount the employee would normally earn in one (1) year at his or her current accrual rate plus five (5) additional workdays. (This would be 15 working days for employees with five (5) or more years but less than ten (10) years in such a position, and 20 working days for employees with ten (10) or more years in such a position.)

In October, hour balance reports will be sent out to each department head to review with each employee. If total vacation hours through December 31st are above maximum accrual, the hours will be deducted.

2.01 VACATION *(continued)*

Accrual over the maximum may be allowed if an employee is unable to take vacation because of the needs of the county and:

a. The employer's supervisor prepares a request for accrual above the maximum explaining why the employee was unable to take vacation; and
b. The request is approved by the Commissioner's Court.

SCHEDULING
Scheduling of vacations shall be at the discretion of the individual department heads.

MINIMUM USAGE
The minimum amount of vacation that may be taken at one time shall be one hour.

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

PAY IN LIEU OF VACATION
Employees shall not be allowed to receive pay for vacation in lieu of taking time off.

HOLIDAY DURING VACATION
If a holiday falls during an employee's vacation, the holiday shall be charged in accordance with the POLICY ON HOLIDAYS and shall not be charged against the employee's vacation balance.

PAY AT TERMINATION
If an employee has worked for at least one year in a position which accrues vacation at the time the employee resigns, the employee shall receive pay for all unused vacation up to the maximum allowed under this policy. If the employee is discharged, terminated, or fails to work out his two week notice, vacation time will not be paid.

An employee who has not worked for minimum of one year in a position which accrues vacation shall not be eligible for any vacation pay upon termination of employment.

RECORD KEEPING
Each employee shall be responsible for accurately recording all vacation time used on his or her time sheet.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.02 SICK LEAVE

ELIGIBILITY
All full-time regular employees shall be eligible for sick leave benefits.
Elected or appointed officials are not eligible for sick leave benefits.

ACCRUAL RATE
Eligible employees shall accrue sick leave at a rate of one work day per month.

For purposes of this policy, a workday is defined as the normal number of hours an employee would be expected to work on a day he/she is scheduled to work.

Accrual of sick leave shall start at the time an individual begins work for the County in a position eligible for the sick leave benefit.

MAXIMUM ACCRUAL
There is no maximum amount of accrual.

USE OF SICK LEAVE
Sick leave may be used for the following purposes:

a. Illness or injury of the employee;
b. Appointments with physicians, optometrists, dentists, and other qualified medical professionals; and
c. To attend to the illness or injury of a member of the employee's immediate family.

For purposes of this policy, immediate family shall be defined as spouse, child, parent, or other relative living in the employee's home who is dependent on the employee for care.

Sick leave may not be used as vacation or any other reason not addressed in this policy.

NOTIFICATION
Where sick leave is to be used for medical appointments, an employee shall be required to notify his/her supervisor of the intent to use sick leave as soon as the employee knows of the appointment.

Where use of sick leave is not known in advance, an employee shall notify his/her supervisor of the intent to use sick leave within 15 minutes of the employee's normal time to begin work, when practicable. Where it is not practicable to notify the supervisor within 15 minutes of the normal starting time, the employee should notify his/her supervisor as soon as is reasonably practicable.

2.02 SICK LEAVE (Continued)

If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify his/her supervisor of the anticipated length of absence.

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

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

Documentation of illness or injury shall be required for any sick leave used during the two (2) weeks prior to the resignation of employment with the County.

MINIMUM USE
The minimum use of sick leave that an employee may use at any time shall be one hour.

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

PAY AT TERMINATION
Employees shall not be paid for unused sick leave at the termination of employment if the employee has worked for less than ten (10) years. If an employee has worked ten (10) years or more but less than twenty (20) years, the employee will be paid for one-half of the employee's accrued sick leave. If any employee has worked for twenty (20) or more years, the employee will be paid for all accrued sick leave. If an employee is discharged, terminated, or fails to work out his two week notice, sick leave will not be paid.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.03 HOLIDAYS

ELIGIBILITY
All full time regular employees shall be eligible for the paid holiday benefit.

HOLIDAYS
The County holidays for the following calendar year shall be determined by the Pecos County Commissioner's Court at its first meeting of each December.

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

EMERGENCIES
An eligible employee 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.

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

Determination of granted leave under Section 7 of this policy shall be made by the supervisor of the department in which the employee works, based on the needs of the department.

Vacation, compensatory time, or leave without pay may be used for leave granted under Section 7 of this policy.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.04 JURY DUTY

JURY DUTY
Employees of Pecos 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 duty 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 services may be kept by the employee.

OFFICIAL COURT ATTENDANCE
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 as his/her court attendance may require.

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

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.05 MILITARY LEAVE

GUARD AND RESERVE
County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) days off per year with pay to attend authorized training sessions and exercises.

The fifteen (15) day paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next calendar year.

Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule.

An employee may use annual leave, earned compensatory time, or leave without pay if he/she must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen day maximum.

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

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

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.06 BUSINESS LEAVE

A maximum of three (3) days will be allowed per year for business leave.

Should more than three days be needed for the purpose, the additional time will be charged to:

*Vacation Time
*Time-Off Without Pay

The County Official and/or Department Head will determine office policy as to verification of business leave time taken.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.07 MEDICAL COVERAGE AND BENEFITS

ELIGIBILITY
All full time regular employees of Pecos County shall be eligible for the group medical insurance benefit.

Premium for the coverage for eligible employees only shall be paid by the County.

DEPENDENT COVERAGE
Eligible employees may cover their qualified dependents by paying the full premium for the dependents at the rate determined by the Pecos County Commissioner's Court.

Deductions for dependent coverage shall be made through payroll deduction from the employee's paycheck each month's pay period.

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

RETIREMENT
Full time regular employees who retire from the service of Pecos County, and who at the time of their retirement, either:

(1) has had continuous service as a full-time regular employee of Pecos County for twelve (12) years or more, have attained the age of 60 or qualify under "rule of 75" according to the Texas Retirement District System, and has been paid entirely by funds from Pecos County during the twelve (12) years or more; or

(2) has total creditable service with the Texas County and District Retirement System, and continuous service as an elected/appointed official of Pecos County of twelve (12) years or more, and whose full salary has been paid entirely by funds from Pecos County for the twelve (12) years or more as an elected/appointed official, will have the same dollar amount contributed towards their group medical premiums by the County that the County contributes toward such premiums for its regular salaried employees. Premiums for spouses and dependents shall be paid by the retiree.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.08 WORKERS' COMPENSATION

Workers' compensation insurance is provided for the employees of Pecos County for occupational illness and on the job accidents. The insurance covers medical expense (100%), death and disability on any employee who qualifies.

EMPLOYEE MUST FILE WORKERS' COMPENSATION CLAIM FORMS IMMEDIATELY with the department head or official and forward to the Auditor's office. These forms are available upon request. ANY EMPLOYEE FAILING TO REPORT AN INJURY WITHIN 24 HOURS IS SUBJECT TO DISCIPLINARY ACTION.

If an employee is injured and is entitled for Workers' Compensation the following guidelines will be enforced:

1. Accumulated time may be used by an employee to continue salary for the first seven (7) days. If the employee does not have time available, salary will be discontinued.
2. If an employee is on Workers' Compensation for less than 28 days, the first seven (7) days of charged leave will not be reimbursed.
3. If an employee is on Workers' Compensation for longer than 28 days, Workers' Compensation will reimburse the employee for the first seven (7) days of charged leave.
4. All Workers Compensation checks will be made payable to the employee.

If an employee received a full release from a doctor before the end of a 180-day period, the employee may resume the same position of work.

-or-

If an employee remains on Workers' Compensation longer than the 180-day period, beginning last day worked, the salaried position will be considered open and County benefits will be terminated.

-or-

If an employee receives full release from the doctor after the 180-day period, the claimant may reapply for any open position.

Exceptions – Sheriffs, Deputy Sheriffs, Constables, Deputy Constables, and other county and precinct law enforcement officials as stated in Article 3, Paragraph 52E of the State Constitution.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.09 RETIREMENT

ELIGIBILTY
Any employee that is on a specific schedule not deemed temporary shall be required to participate in the Texas County and District Retirement System (TCDRS).

CONTRIBUTIONS
Retirement deductions are withheld from employees' pay checks at the rate 7% of gross pay. The Annually Determined Contribution Rate (ADCR) is determined by Pecos County for each calendar year prior to the beginning of the year.

Pecos County shall make a contribution to each eligible employee retirement account in an amount determined by Pecos County.

An employee's membership in TCDRS is vested after a creditable service of eight (8) years or more. If a person ceases to be an employee of the County before becoming eligible for retirement, they may withdraw their retirement contributions only, plus any interest earned on such contributions.

INFORMATION
Texas County and Retirement System handbooks are available in the Treasurer's Office during normal working hours for that office.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.10 SOCIAL SECURITY

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

CONTRIBUTIONS
Contributions to this program shall be made by deductions from each employee's pay check in accordance with the requirements of this program.

The County shall contribute an amount equal to the employee's contribution in accordance with the requirements of this program.

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.11 FAMILY AND MEDICAL LEAVE

The Federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2008 requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week entitlement (Family and Medical Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

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

Employees with any questions about their eligibility for FMLA leave should contact Pecos County Treasurer's office for more information.

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

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

Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include; 1) short-notice deployment (up to 7 days of leave); 2) attending certain military events; 3) arranging for alternative childcare; 4) addressing certain financial and legal arrangements; 5) periods of rest and recuperation for the covered military member (up to 5 days of leave); 6) attending certain counseling sessions; 7) attending post-deployment activities (available for up to

2.11 FAMILY AND MEDICAL LEAVE (cont.)

MILITARY FAMILY LEAVE ACT (cont.)
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 call or to active duty and agreed upon by Pecos County and the employee.

There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has been rendered medically unfit to perform his/her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his/her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in the temporary disability retired list.

An employee does not need to use this leave entitlement in one block. Leave can be 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. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both Pecos County and employee agree to such intermittent leave.

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

During an approved Family Medical Leave, the County will maintain the employee's health benefits as if the employee continued to be actively employed. If paid leave is substituted for unpaid Family Medical Leave, the County will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay his /her portion of the premium through the Pecos County Treasurer's office. An employee's healthcare coverage will cease if the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse the County for the cost of the premiums paid by the County for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

2.11 FAMILY AND MEDICAL LEAVE (cont.)

BENEFITS ON LEAVE (cont.)
During FMLA leave, the County will maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

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

Whenever possible, requests for FMLA leave should be submitted to the employee's immediate supervisor. When submitting a request for leave, the employee must provide sufficient information for the County to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave.

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

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

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

2.11 FAMILY AND MEDICAL LEAVE (cont.)

MEDICAL CERTIFICATION

If the employee is requesting leave because of the employee's own or a covered relation's serious health condition, the employee and the relevant healthcare provider must supply appropriate medical certification. Employees may obtain Medical Certification forms from the Pecos County Treasurer's office. When the employee requests leave, the County will notify the employee of the requirement for medical certification and when it is due (no more than 15 days after the employee requests leave).

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

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

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

OTHER ISSUES

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

PECOS COUNTY
PERSONNEL POLICY

2.0 EMPLOYEE BENEFITS
(Continued)

2.12 NEUTRAL ABSENCE POLICY

ELIGIBILITY
All Pecos County employees are covered by this policy, subject to any applicable legal restrictions.

PURPOSE
The purpose of this policy is to allow the County to replace employees who are unable to come to work so that the County is able to continue the work of the County without undue hardship to individual departments, the County and the Citizens we serve.

REASONS
This policy will be applied for all leave reasons including, but not limited to, Personal Leave of Absence, Work related injury, Employee's own illness, FMLA Leave, Employee's absence due to family illness, or any other reason that keeps the employee from returning to work for six consecutive months.

INSURANCE
Employees on unpaid leave scheduled to extend beyond the calendar month in which leave begins will be eligible to continue coverage in the County's group insurance plan at their own expense through their rights under COBRA. Employees on leave under the FMLA will have their insurance continued by the county under the conditions set forth in the FMLA.

TERMINATION
If an employee is unable to return to work after six months from the last full day the employee was at work, or compensated for (whichever occurs later), the employee will be terminated.

This would only occur after the employee has exhausted all paid leave (sick, vacation) accumulated and all comp time that the employee may have accumulated.

2.13 COVID LEAVE

ELIGIBILITY

All full-time regular employees shall be eligible for COVID Leave.
Elected or appointed officials are not eligible for COVID Leave benefits.

USE OF COVID LEAVE

To be eligible to use County Covid Leave, employees must test at a professional health care facility, such as a doctor's office, clinic, or hospital, and provide the County with documentation from a health care provider to support test results and/or the need to quarantine due to Covid. The documentation must also include the expected duration of the leave.

To be eligible to use County Covid Leave to care for a family member residing in the same household, the employee must provide documentation from a health care provider, to include professional test results of the family member and the duration of the assistance required.

To be eligible to use county Covid Leave for quarantine purposes (or caring for a family member) the employee must provide documentation from a health care provider that a member of the household of the employee or a person with whom the employee has had close contact has a positive Covid test result. The number of days of leave may not exceed the number of days of quarantine recommended by the CDC.

PECOS COUNTY
PERSONNEL POLICY

3.0 WORK RULES AND EMPLOYEE RESPONSIBILITIES

3.01 ATTENDANCE AND TIMELINESS

ATTENDANCE
Each employee shall report to work on each day he/she is scheduled to work unless prior approval for absence is given by the employee's supervisor or the employee is unable to report to work because of circumstances beyond control of the employee.

TARDINESS
Each employee shall be at his/her place of work at the starting time set by his/her supervisor unless prior approval is given by the supervisor or the employee is unable to be at work on time for reasons beyond the control of the employee.

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

NOTIFICATION
If an employee is unable to be at work at his/her normal reporting time, the employee shall be responsible for notifying his/her supervisor as soon as is reasonably practicable of the circumstances causing the tardiness or absence.

EXCUSED AND UNEXCUSED
Each supervisor shall be responsible for determining is an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances cause the absence or tardiness.

Frequent unexcused absences or tardiness shall make an employee subject to disciplinary measures, up to and including termination of employment.

ABANDONMENT OF POSITION
An employee who does not report for work for three consecutive scheduled work days, and who fails to notify his/her supervisor, shall be considered to have resigned his/her position by abandonment.

PECOS COUNTY
PERSONNEL POLICY

3. 0 WORK RULES AND EMPLOYEE RESPONSIBILITIES
(Continued)

3.02 COUNTY PROPERTY

RESPONSIBILITY
Each County employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other County equipment assigned to him/her.

County employees shall only use equipment, vehicles, tools, and other County property that they are authorized to use.

PERSONAL & RESTRICED USE VEHICLES
Personal use of Pecos County vehicles is a taxable benefit. The taxable benefit must be reported on form W-2 and must have "FICA" taxes withheld. All personal use other than commuting to and from work is prohibited.

The taxable use of the commuting (a personal use) is valued at $3.00 for each working day.

Commuting only:

1. The vehicle must be used for Pecos County business.
2. The employee is prohibited from using (or allowing others to use) the vehicle for personal purposes, except for commuting, and *de minimis* personal use such as a stop for a personal errand on the way between a business delivery and the employee's home.
3. The employee is prohibited from using the vehicle to transport passengers other than Pecos County employees or specific use passengers (i.e., as Juveniles in detention).

QUALIFIED NONPERSONAL USE VEHICLES
There is no taxable income recognized for "qualified nonpersonal use vehicles" as follows:

1. Clearly marked Sheriff Department vehicles.
2. Ambulances and fire vehicles.

Restrictions for the above vehicles are as follows:

1. The employee must be required to commute in the vehicle because he/she are on call at all times that the vehicle is in his/her possession.
2. All personal use, other than commuting, is prohibited
3. The employee is prohibited from using the vehicle to transport passengers other than Pecos County employees or the specific use passengers (i.e., jail prisoners).

Providing that these restrictions are met, the Sheriff's Department personnel have no income from the personal commuting use.

3.02 COUNTY PROPERTY (cont.)

LICENSES

A County employee who operates any County equipment or vehicle which requires a license shall be required to have a current active license for that vehicle or equipment any time he/she operates it.

Any employee who operates a vehicle or equipment which requires a license for legal operation shall notify his/her supervisor of any change in the status of that license.

An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation shall be subject to possible job change or termination if that license is suspended or revoked.

An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle insurance carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination

ACCIDENTS

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to his/her supervisor and to the proper law enforcement or other authority immediately.

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

PECOS COUNTY
PERSONNEL POLICY

3. 0 WORK RULES AND EMPLOYEE RESPONSIBILITIES
(Continued)

3.03 CONFLICT OF INTEREST

CONFLICT OF INTEREST
Employees of Pecos County shall not engage in any employment, relationship, or activity which could be viewed as a conflict of interest because of the potential or appearance of affecting the employee's job efficiency, or which would reduce his/her ability to make objective decisions in regard to his/her work and responsibility as a County Employee.

Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination.

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

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

PECOS COUNTY
PERSONNEL POLICY

3. 0 WORK RULES AND EMPLOYEE RESPONSIBILITIES
(Continued)

3.04 POLITICAL ACTIVITIY

POLITICAL ACTIVITY
Employees of Pecos 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:

a. Use their official authority to influence or interfere with or affect the result of any election or nomination for office;
b. Directly or indirectly coerce, attempt to coerce, command or advise another person to pay, lend or contribute anything of value to party, committee, organization, agency or person for a political reason; or
c. Use any equipment, property or material owned by the County for political activity or engage in political activity.

PECOS COUNTY
PERSONNEL POLICY

3. 0 WORK RULES AND EMPLOYEE RESPONSIBILITIES
(Continued)

3.05 SAFETY

SAFETY STANDARDS
Each County employee shall be required to adhere to the general safety standards established for all employees and to all additional safety standards for their job or the department in which he/she works.

VIOLATIONS
Failure to follow the safety standards set by the County shall make an employee subject to disciplinary action, up to and including termination.

An employee causing an accident resulting in major injury or death because of failure to follow safety standards shall be terminated.

REPORTING
Employees seeing unsafe working conditions shall either take steps to correct those conditions or report the unsafe conditions to the department head.

3.05.1 SEAT BELT POLICY *(Approved 10/24/11)*

This policy is intended to protect county employees operating or riding in motor vehicles including construction equipment from the hazards of motor vehicle accidents.

This policy is mandatory for all county employees operating motor vehicles and visitors riding on county-owned vehicles

This includes all county employees operating county-owned vehicles, passengers in county-owned vehicles, and all employees operating personal vehicles while engaged in county business, and employees riding as a passenger in a vehicle while on county business.

All county-owned vehicles will be equipped with seat belts. This includes the vehicle cab or operator's compartment, passenger seating area and jump seats.

Operators of tractors or other off-road vehicles equipped with "Roll-Over Protection Structures" (ROPS) will use seat belts.

Vehicle passengers will be permitted to ride only in areas of the vehicle designed for that purpose.

3.05.1 SEAT BELT POLICY *(Approved 10/24/11)- Cont.*

Seat belts shall be used by all employees riding in a vehicle while the vehicle is in motion.

There are no vehicle exemptions to this policy.

Violation of this policy will result in disciplinary action by the department head.

Employees who have a medical condition which may preclude wearing a seat belt may carry a physician's note indicating a waiver for medical reasons.

PECOS COUNTY
PERSONNEL POLICY

3. 0 WORK RULES AND EMPLOYEE RESPONSIBILITIES
(Continued)

3.06 SEXUAL HARRASSMENT

POLICY
It shall be the policy of Pecos 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.

DEFINITION
Sexual harassment shall include, but not be limited to, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

a. Submission to such conduct is either an expressed or implied condition of employment;
b. Submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
c. The conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

CLAIMS
All claims of sexual harassment shall be taken seriously and investigated.

While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.

No retaliation or other adverse action shall be taken against an employee who, in good faith, files a claim of sexual harassment.

REPORTING
Employees who feel they have been sexually harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work.

If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge, another member of the Commissioner's Court, or to the County Attorney.

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.

3.06 SEXUAL HARRASSMENT (cont)

OTHER RIGHTS

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.

PECOS COUNTY
PERSONNEL POLICY

4.0 PAYROLL

4.01 PAY PERIODS AND TIME SHEETS

PAY PERIOD
The pay period for Pecos County shall be a semi-monthly pay period with checks being issued on the fifteenth (15th) and last day of each month.

If a payday falls on a holiday or weekend, paychecks shall be issued on the last workday immediately preceding the holiday or weekend.

TIME SHEETS

Effective November 27, 2017

DELETE! Each employee shall be required to fill out a time sheet to be turned in to his/her supervisor on the last day of each pay period.

ADD: Each employee shall be required to fill out a time sheet to be tuned in to his/her supervisor. Time Sheets will be turned in to the Treasurer's office within five working days of each two weeks completed.

The time sheet prepared by the employee shall show an accurate record of all time worked and leave taken, whether paid or unpaid, for the pay period.

PAY ADVANCES
Advance in pay shall not be made to any employee for any reason.

PART-TIME PAY PERIODS AND TIME SHEETS
Each part-time employee shall be required to fill out a time sheet to be turned in to his/her supervisor. Time sheets will be turned in to the Treasurer's office by the 5th and the 20th of each month.

Part-time employees who work from the 1st through the 15th of the month will receive a paycheck on the last day of the month. Part-time employees who work from the 16th to the end of the month will receive a paycheck on the 15th of the following month.

PECOS COUNTY
PERSONNEL POLICY

4.0 PAYROLL
(Continued)

4.02 COMPENSATION

APPLICATION
This policy shall apply to all County employees except law enforcement employees.

Compensation for law enforcement employees shall be handled in accordance with the policies established in the Sheriff's Department with the approval of the Commissioner's Court.

SALARIED EMPLOYEES
All County employees, except temporary employees, shall be paid on a monthly salary basis.

For full-time regular employees, the monthly salary compensates the employee for all hours worked up to 40 in any workweek.

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

Salaried employees shall be paid for half their monthly salary on each payday.

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

PECOS COUNTY
PERSONNEL POLICY

4.0 PAYROLL
(Continued)

4.03 PAYROLL DEDUCTIONS

REQUIRED 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 Commissioner's Court and approved by the employee shall also be made from the employee's paycheck.

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

PECOS COUNTY
PERSONNEL POLICY

4.0 PAYROLL
(Continued)

4.04 WORK SCHEDULE AND WORKWEEK

WORK SCHEDULE
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.

EXCEPTIONS
In order to meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule, or they may be subject to call back in case of emergency or special need.

The need for schedules that vary from the normal schedule shall be determined by each department head.

WORKDAY
The workday for County shall begin at 12:01 a.m. each day and end 24 consecutive hours later.

WORKWEEK
For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Pecos County shall begin at 12:01 a.m. on each Saturday and end seven (7) consecutive days later (168 hours), with the exception of Adult/Juvenile Probation which begins at 5:01 p.m. on each Friday and ends seven (7) consecutive days later.

PECOS COUNTY
PERSONNEL POLICY

4.0 PAYROLL
(Continued)

4.05 HOURS WORKED AND OVERTIME

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.

OVERTIME APPLICATION
Overtime, as defined by this policy, shall apply to all employees eligible for overtime compensation under the FLSA, except for law enforcement employees.

Overtime for law enforcement employees is defined in the policy addressing law enforcement overtime in the Sheriff's Department.

OVERTIME DEFINITION
Overtime shall include all time actually worked for the County in excess of 40 hours in any workweek.

Paid leave shall not be counted in determining if overtime has been worked in any workweek.

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

PECOS COUNTY
PERSONNEL POLICY

4.0 PAYROLL
(Continued)

4.06 OVERTIME COMPENSATION

POLICY APPLICATION
This policy shall apply to all County employees eligible for overtime compensation under the Fair Labor Standards Act (FLSA) except for law enforcement employees.

Overtime for law enforcement employees shall be handled in accordance with the policy for overtime compensation established by the Sheriff's Department.

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 compensatory time off, with pay, at a rate of one and one-half (1 ½) times the amount of overtime worked.

MAXIMUM COMPENSATORY TIME
The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 240 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 on-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 COMPENSATORY 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.

The County shall retain the right to control the accumulation of compensatory time by requiring an employee to use earned compensatory time at the discretion of the County.

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

BUY BACK OF COMPENSATORY TIME

The 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.

PECOS COUNTY
PERSONNEL POLICY

4.0 PAYROLL
(Continued)

4.06 OVERTIME COMPENSATION *(CONTINUED)*

CASH PAYMENT FOR OVERTIME

The 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.

The department head shall be responsible for keeping records of all compensatory time earned and used by each eligible County employee in his/her department and shall update the balance due to each employee at the end of each pay period.

The department head shall provide each eligible employee in his/her department with a statement of the employee's compensatory time earnings, use and balance at the end of each pay period.

OTHER ISSUES

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

PECOS COUNTY
PERSONNEL POLICY

5.0 GRIEVANCES

5.01 GRIEVANCES

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

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

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

5.02 TERMINATION APPEALS

PROCEDURE
Any employee who has been terminated may appeal the termination decision to the County Commissioner's Court within thirty (30) days of the termination. The Office of the County Treasurer shall provide the terminated employee a copy of the "Notice of Appeal" required for said appeal, upon request.

As a prerequisite to the appeal, the terminated employee who was terminated shall:

(a) Complete the "Notice of Appeal" at least seven days prior to the hearing before the Commissioner's Court;
(b) Turn in the completed "Notice of Appeal" to the Office of the County Treasurer at least seven days prior to the hearing before the Commissioner's Court;
(c) Advise the Commissioner's Court in writing of any and all complaints he or she has regarding their employment and termination, including but not limited to any and all alleged violations of law at least seven days prior to the hearing before the Commissioner's Court.

The decision of the Commissioner's Court shall be final in all employee appeals.

PECOS COUNTY
PERSONNEL POLICY

6.0 DISCIPLINE

6.01 DISCIPLINE

DISCIPLINE
Each supervisor shall have the authority to administer discipline to employees in his/her 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 County.

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

AT WILL EMPLOYMENT
All County employee's are "at will", which means that the employment relationship is terminable at any time, with or without notice, at the will of the employee or the County, without the need to indicate a cause or reason. The County also retains the right to change any condition, benefit, privilege, or policy of employment at any time, with or without notice.

PECOS COUNTY
PERSONNEL POLICY

7.0 DRUGS AND ALCOHOL

7.01 DRUGS AND ALCOHOL

POLICY STATEMENT

PECOS COUNTY has a vital interest in maintaining safe, healthful and efficient working conditions for all its employees. Substance abuse may pose serious safety and health risks, not only to the user but to co-workers and the public. It is, therefore, the policy of PECOS COUNTY to prevent substance use or abuse from having an adverse effect on our employees. PECOS COUNTY believes that employees have a right to work in an alcohol and drug free environment and to work with employees free from the effects of alcohol and drugs.

Specifically, it is the policy of PECOS COUNTY that the use, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on company premises, engaged in company business, while operating company equipment, or while under the authority of PECOS COUNTY is strictly prohibited.

PECOS COUNTY recognizes that the reputation and safe operation of PECOS COUNTY is dependent upon the physical and well being of its employees. Accordingly, PECOS COUNTY has adopted the following policy to insure a safe and drug free work environment. All employees are advised that remaining drug free and medically qualified to work are conditions of continued employment with PECOS COUNTY.

PECOS COUNTY reserves the right to amend this policy at any time. Such amendments to this policy shall be made in writing and copies of such amendments shall be distributed to all employees.

The Drug and Alcohol Program Monitor for PECOS COUNTY is designated to administer and answer questions pertaining to this policy.

PECOS COUNTY
PERSONNEL POLICY

7.0 DRUGS AND ALCOHOL
(Continued)

7.01 DRUGS AND ALCOHOL

POLICY
It is the policy of Pecos County to try to maintain a work place that is free from the effects of alcohol and drugs so that employees may work in a safe and healthy environment; therefore:

a. Employees are prohibited from the use, sale, dispensing, distribution, possession, or manufacture of illegal drugs, narcotics, inhalants, alcoholic beverages, drug paraphernalia, or other controlled substances on County premises or work sites. Employees are prohibited from being under the influence of illegal drugs, narcotics, inhalants, alcoholic beverages, or other controlled substances during work hours;
b. Employees violating this policy will be subject to disciplinary action up to and including dismissal from employment;
c. Treatment for drug, alcohol, or substance abuse may be available according to the provisions of the employee's health plan.

Pecos County may utilize drug, alcohol, or substance abuse testing in appropriate circumstances as determined by the County including pre-employment testing, random testing for compliance with Department of Transportation rules and regulations or as required by other rules and regulations, reasonable suspicion testing and post accident testing.

PECOS COUNTY
PERSONNEL POLICY

8.0 SEPARATIONS

8.01 SEPARATIONS

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

TYPES OF SEPARATION
All separations from Pecos County shall be designated as one of the following types:

a. Resignation
b. Retirement
c. Dismissal
d. Reduction in force (layoff)
e. Death
f. Other

RESIGNATION
A resignation shall be classified as any situation in which an employee voluntarily leaves his/her employment with Pecos 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 his/her supervisor.

RETIREMENT
A retirement shall be any situation in which an employee meets the requirements to collect benefits under the County's retirement program and voluntarily elects to leave employment with the County to do so.

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

DISMISSAL
A dismissal shall be any involuntary separation of employment that does not fall into one of the other categories of separation.

Pecos County is an "at will" employer and a supervisor may dismiss an employee 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 his/her 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.

8.01 SEPARATIONS (cont.)

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, his/her designated beneficiary or estate shall receive all earned pay and payable benefits.

OTHER
Any separation that does not fall into one of the categories outlined previously in this policy shall be designated as an "other" separation.

When a separation is designated as "other", the supervisor shall provide details of the nature of separation for the personnel records.

NOTIFICATION
As soon as a supervisor becomes aware of separation from employment, or the intent to separate employment, by an employee, the supervisor shall be responsible for immediately notifying the County Treasurer.

8.02 REQUIRED ACTIONS UPON SEPARATION

All employees upon separation shall:

(a) Turn in his or her keys to County buildings and equipment;
(b) Provide his or her password to any County computer and/or programs utilized during the time of employment; and
(c) Complete an Exit Interview Sheet which shall be provided by the County Treasurer within 10 days of separation.

Employees who fail to perform the above actions will not be eligible for re-hire by the County unless authorized by official action of the Commissioner's Court.

Employees that fail to comply with this section will not receive compensation for accrued sick or vacation time.

8.03 EMPLOYEE LIABILITIES TO COUNTY

Employees who fail to comply with 8.02(a) shall be responsible for the costs associated with changing locks on property and buildings.

Employees who fail to comply with 8.02(b) shall be responsible for the costs of resolving computer and software password issues including but not limited to hiring a computer professional to resolve the password issue(s) and/or the cost of replacing the computer and/or software.

PECOS COUNTY
PERSONNEL POLICY

9.0 TRANSFERS

9.01 TRANSFERS

DEFINITION
A transfer shall be defined as a situation in which an employee transfers from either Pecos County to Pecos County Memorial Hospital or Pecos County Memorial Hospital to Pecos County.

TIMELINE
An employee may transfer vacation and/or sick leave time **ONLY** from one entity to another as long as the last day worked with current employer until the first day worked with the next employer is no longer than 30 days.

COMP TIME
Any comp time due at the time of transfer will be the responsibility of the current employer and payable upon departure.

OTHER HOURS
Any other hours such as Holiday or Business leave will not be transferred.

TERMINATION
If an employee is discharged, terminated or fails to work out his/her two week notice, any and all hours accumulated or earned will not be paid or transferred.

Addendum to Agenda:

1} **Court to consider and/or act upon OPEB (Other Post-Employment Benefits) and Sick Leave:** Motion by Commissioner Cantu, seconded by Commissioner Dominguez to approve revised Medical Coverage and Sick Leave, to include anyone hired on with the County after January 2, 2017 will not have Health Insurance Retirement Benefits. Employees shall not be paid for unused sick leave at the termination of employment if the employee has worked for less than 10 years. If an employee has worked ten (10) years or more but less than (20) twenty years, the employee will be paid for one-half of the employee's accrued sick leave. If any employee has worked for twenty (20) or more years, the employee will be paid for all accrued sick leave.

Employees hired after **January 2, 2017**, shall be paid one-half of the employee's accrued sick leave up to $2,500.00 after ten (10) years of continuous service. After twenty (20) of continuous service, employee shall be paid for all of accrued sick leave up to $5,000.00. If an employee is discharged, terminated, or fails to work out his two week notice, sick leave will not be paid. All Sick Leave and Medical Coverage and Benefits are shown on Page 819. **All voting "Aye." MOTION CARRIED**

Emergency session:

1} **Court to consider and/or act upon discussion reference New HVAC Unit ($31,275.00) plus Removal of Old Units ($1,000.00) for Adult Probation Office:** Motion by Commissioner Cantu, seconded by Commissioner Kent to approve New HVAC Unit ($31,275.00) plus Removal of Old Units ($1,000.00) for Adult Probation Office, as shown on Page 822. **All voting "Aye." MOTION CARRIED**

32} **Court to consider and/or act upon awarding Contracts for Administrative Service Provider and Engineering Service Provider for the 2017-2018 TxCDBG Community Development Fund Application Services:** Motion by Commissioner Cantu, seconded by Commissioner Dominguez to approve Grant Works as their Contracts for Administrative Service Provider for the 2017-2018 TxCDBG Community Development Fund Application Services. **All voting "Aye." MOTION CARRIED**

Motion by Commissioner Cantu, seconded by Commissioner Dominguez to approve Enprotec, Hibbs and Todd as the Engineering Service Provider for the 2017-2018 TxCDBG Community Development Fund Application Services, as shown on Page 823. **All voting "Aye." MOTION CARRIED**

33} **Court to consider and/or act upon adopting a Resolution designating an Administration Service Provider and an Engineering Service Provider for the 2017-2018 TxCDBG Community Development Fund:** Motion by Commissioner Kent, seconded by Commissioner Dominguez to approve adopting a Resolution designating Grant Works as Administration Service Provider and Enprotec, Hibbs and Todd as Engineering Service Provider for the 2017-2018 TxCDBG Community Development Fund, as shown on Page 839. **All voting "Aye." MOTION CARRIED**

MINUTES OF THE COMMISSIONERS COURT

STATE OF TEXAS:
COUNTY OF PECOS:

BE IT REMEMBERED, that on the 26th day of July, 2021 and the time posted, the Commissioners Court of Pecos County, Texas convened into Regular Session in the Courtroom of the Pecos County Courthouse, Fort Stockton, Texas, with the following members present, to-wit:

Joe Shuster, County Judge
Tom Chapman, Commissioner Precinct No.1
Robert Gonzales, Jr, Commissioner Precinct No. 2
Santiago Cantu, Jr., Commissioner Precinct No. 4
Diane Avila, Assistant County Auditor
Frank Lacy, County Attorney
Liz Chapman, County Clerk

And the proclamation having been made the Court was in Session, the following business came on to be considered:

1} **Invocation given by Commissioner Perry.**

2} **Public Comments on Agenda Items:**

3} **Minutes:** Motion by Commissioner Perry, seconded by Commissioner Cantu to approve Minutes of previous meeting as presented by County Clerk. **All voting "Aye." MOTION CARRIED**

* 4} **Court to consider and/or act upon amending Employee Handbook regarding separation (Section 2.02 Pay at Termination):** Motion by Commissioner Cantu, seconded by Commissioner Chapman to approve amending Employee Handbook regarding separation (Section 2.02 Pay at Termination) shown on Page 938. **All voting "Aye." MOTION CARRIED**

5} **Court to consider and/or act upon approving any Items turned in to Auditor's Office for 4-H Auction to be held on Saturday, September 18, 2021:** No items to approve. No Action Taken