

HARTLEY COUNTY PERSONNEL POLICY MANUAL

HARTLEY COUNTY EMPLOYEE HANDBOOK

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EMPLOYEE HANDBOOK ACKNOWLEDGEMENT-UPDATED JANUARY 1, 2019

I have received a copy of the Hartley County Employee Handbook that outlines my benefits and obligations as a County employee. I understand that I am responsible for reading and familiarizing myself with the information in this manual and understand that it contains general personnel policies of the County. If I need clarification on any of the information in this manual, I will contact The Hartley County Treasurers Office or my immediate supervisor.

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

I further understand that as a Hartley 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. Law Enforcement will follow the 207(k) agreement.

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

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

Signature of Employee

Printed Name of Employee

Date Signed

**COUNTY OF HARTLEY
COMMISSIONERS COURT ORDER
UPDATES JANUARY 1, 2019**

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

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

Therefore, be it resolved that the Hartley County Commissioners' Court and hereby approve, and adopt, the HARTLEY COUNTY EMPLOYEE HANDBOOK, updates effective January 1, 2019.

ADOPTED THIS 11ST DAY OF FEBRUARY, 2019




Ronnie Gordon, County Judge



David Vincent, Commissioner Precinct 1



David Ford, Commissioner Precinct 2



Chad Hicks, Commissioner Precinct 3

Butch Owens, Commissioner Precinct 4

Witnessed and Attested By:



Melissa Meads
Hartley County Clerk

HARTLEY COUNTY EMPLOYEE HANDBOOK

Welcome to Hartley County,

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

Hartley County is committed to providing excellent service to the public in all of our County offices and departments. 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 Hartley County, and other information you will need. Each elected official or department head may have detailed policy and procedures manuals 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 Hartley County employee. You should use this handbook as a ready reference as you pursue your career with Hartley County. Please consult with your elected official, department head or with the Hartley County Treasurers Office regarding questions you may have concerning this employee handbook.

Welcome aboard!

Sincerely,



Dinkie Parman

Hartley County Treasurer, CCT, CIO

PO Box 69

Channing, TX 79018-0069

806.235.3572 phone

806.635.5133 fax

dparman@co.hartley.tx.us

Hartley County Elected Officials 2018-2019

Hartley County Web Page

www.co.hartley.tx.us

<p>Hartley County Judge The Honorable Ronnie Gordon PO Box 69 Channing, TX 79018-0069 806.235.3442 phone 806.635.5133 fax <u>ronnie.gordon@co.hartley.tx.us</u></p>	<p>Hartley County Treasurer The Honorable Dinkie Parman PO Box 69 Channing, TX 79018-0069 806.235.3572 phone 806.635.5133 fax <u>dparman@co.hartley.tx.us</u></p>
<p>Hartley County Sheriff/Tax Collector-Assessor The Honorable Franky Scott PO Box 89 Channing, TX 79018-0089 806.235.3142 phone 806.235.2003 fax <u>franky.scott@co.hartley.tx.us</u></p>	<p>Hartley County Attorney The Honorable Robert Elliott PO Box 130 Channing, TX 79018-0130 806.235.2603 phone 806.635.5133 fax <u>rlclaw@xit.net</u></p>
<p>Hartley County Justice of the Peace The Honorable Beth Moore 701 Texas Blvd Dalhart, TX 79022 806.244.2939 phone 806.244.2299 fax <u>bmoore@co.hartley.tx.us</u></p>	<p>Hartley County-District Clerk The Honorable Melissa Mead PO Box 189 Channing, TX 79018-0189 806.235.3582 phone 806.235.2316 fax <u>melissa.mead@co.hartley.tx.us</u></p>
<p>Hartley County Commissioner Precinct 1 The Honorable David Vincent PO Box 412 Hartley, TX 79044</p>	<p>Hartley County Commissioner Precinct 2 The Honorable David Ford 5020 Co Rd R Dumas, TX 79029</p>
<p>Hartley County Commissioner Precinct 3 The Honorable Chad Hicks 1910 Navajo Trail Dalhart, TX 79022</p>	<p>Hartley County Commissioner Precinct 4 The Honorable Butch Owens 1223 Denrock Dalhart, TX 79022</p>

NOTICE TO EMPLOYEES AND HEALTHCARE PROVIDERS:

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family , except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information.

“Genetic information”, as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

If you have any questions, please call the Dana-Farber Occupational Health Department at 617-632-3016.

HARTLEY COUNTY LAW ENFORCEMENT 207(k) RESOLUTION

The Hartley County Commissioners Court has adopted the extended work period for law enforcement personnel authorized by the Fair Labor Standards Act §207(k). The work period is based on 28 consecutive calendar days beginning on Sunday, at 12:01 a.m. A law enforcement employee will be paid a salary based on a minimum of 160 hours reported and a maximum of 171 actual hours worked, plus overtime for any authorized hours worked over 171 during a work period. Overtime may be paid as compensatory time or paid time off as determined in the county's annual budget. An employee will be paid his or her full salary if the employee reports at least 160 hours during a work period. 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.

A law enforcement employee must account for 160 hours during each work period, by reporting actual hours worked or sick, vacation or compensatory time. If an employee reports more than 160 actual hours worked during a work period he or she will receive no additional salary compensation for the actual hours worked between 160 hours and 171.

(See exemption below)

(a) Section 13(b)(20) of the FLSA provides a complete overtime pay exemption for "any employee of a public agency who in any workweek is employed in fire protection activities or any employee of a public agency who in any workweek is employed in law enforcement activities (including security personnel in correctional institutions), if the public agency employs during the workweek less than 5 employees in fire protection or law enforcement activities, as the case may be."

CITY OF CHANNING LAW ENFORCEMENT GRANT

Law enforcement personnel who work the City of Channing Grant hours over their regular scheduled hours, will received compensation at 1.5 times their regular hourly rate. These grant hours will be funded/paid for with an inter-local agreement with the City of Channing. (Adopted in Commissioners' Court December 12, 2016)



Ronnie Gordon, Hartley County Judge

February 11, 2019

Date



Attested by: Hartley County Clerk



SECTION 1: GENERAL POLICIES

A. COUNTY EMPLOYMENT

1A-1 EMPLOYMENT AT WILL

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

Hartley County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time with or without notice.

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

1A-2 EMPLOYEE STATUS (POLICY FOR UNDER 50 EMPLOYEES)

Each County position has an employee status that identifies how the position is paid and how benefits are granted by Commissioners’ Court. The status of an employee cannot be changed without the approval of the Commissioners’ Court.

REGULAR FULL TIME: A full time employee shall be any employee in a position which has a normal work schedule of at least 30 hours per week. Full time employees are eligible for County benefits for which they are qualified. 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. Hartley County makes exempt status determination based on the Fair Labor Standards Act.

REGULAR PART TIME: A part time employee shall be any employee in a position which has a normal work schedule of less than 30 hours per week. Part time employees may be eligible for certain Hartley County benefits. All regular part time employees must be placed on TCDRS retirement regardless of the number of hours worked per week.

TEMPORARY: A temporary employee shall be any employee who is hired into a position that is expected to last for a specific duration or until a specific project is completed. Temporary employees may have work schedules as assigned by their manager. Temporary employees are not entitled to any County benefits.

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

1A-3 EQUAL EMPLOYMENT OPPORTUNITY

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

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 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 or department head.

1-A4 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT (ADAAA)

It is the policy of Hartley 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 he or she has been subject to such treatment, or has witnessed such treatment, the situation should be reported to your elected official or department head. All elected officials, department heads and employees with responsibilities requiring knowledge are instructed to treat the employee's disability with confidentiality.

It is Hartley 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 accommodations, please contact your elected official or department head. Reasonable accommodation shall be determined through an interactive process of consultation.

1A-5 PERSONNEL FILES

The Hartley County Treasurers Office will retain basic employee information in an individual personnel file. This file will include pertinent employment documents such as, W2, TCDRS, insurance application, I9, compensation and miscellaneous payroll documents. All other pertinent employment documents such as resume, application, records concerning performance, discipline and other miscellaneous documents will be kept in an individual personnel file with the elected official or department head.

It is important that the personnel records of Hartley County be accurate at all times. In order to avoid issues, compromising your benefit eligibility of having W2's returned, Hartley County request employees to promptly notify the appropriate personnel representative of any change in name, home address, telephone number, and marital status, number of dependents or of any other pertinent information.

The Public Information Act allows County employees to keep their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether you have family members confidential. You 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 your first day of employment.

1A-6 NEPOTISM

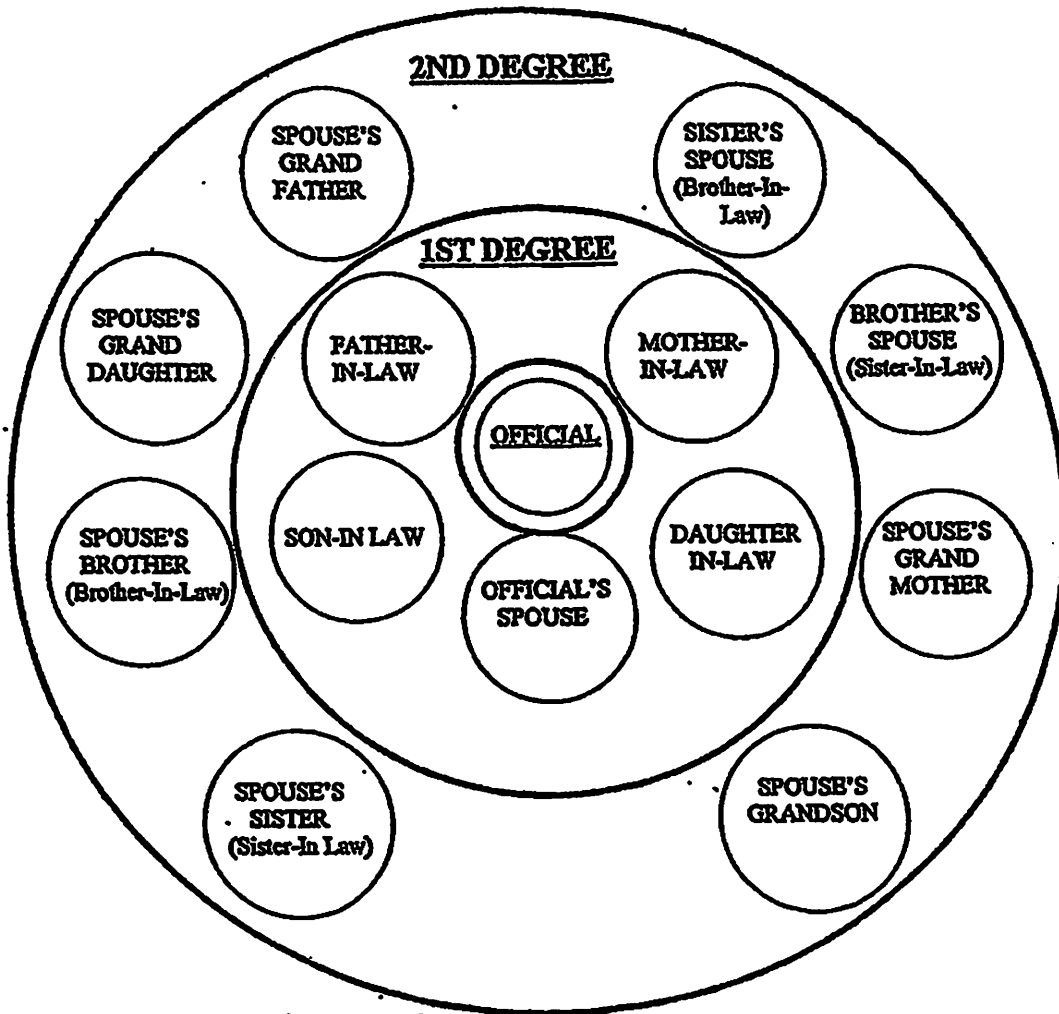
Texas Government Code Chapter 573, a Public Official of Hartley County is prohibited from hiring a relative in the third degree of consanguinity (blood) or the second degree of affinity (marriage) to work in a department that he or she supervises or exercises control over.

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

1A-6 NEPOTISM

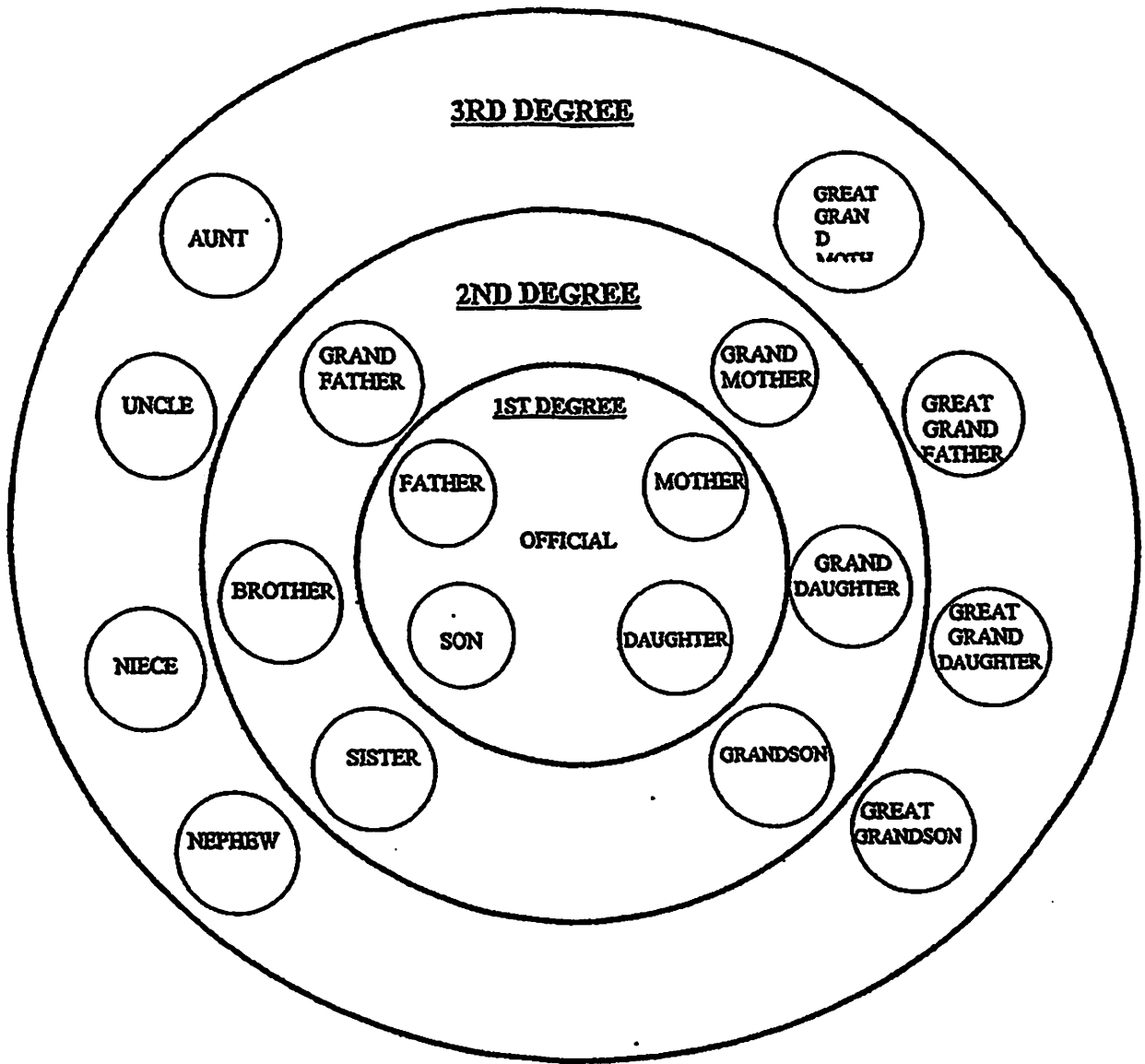
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A degree of relationship is determined under Texas Government Code Chapter 573. (See the charts that follow).



**Affinity Kinship Chart
(Marriage)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**



Consanguinity Kinship Chart
(Blood)

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**

B. WORK RULES AND EMPLOYEE RESPONSIBILITY

1B-1 ATTENDANCE

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

Each employee shall report to work on each day they are scheduled to work and at the starting time set by their supervisor unless prior approval for absence is given by the supervisor or the employee is unable to report to work because of circumstance beyond the control of the employee.

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

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

Each supervisor is responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness.

Frequent unexcused absences or tardiness, as determined by your immediate supervisor, may make an employee subject to disciplinary measures, up to and including termination of employment.

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

1B-2 DRESS CODE

Hartley County expects all employees to be well groomed, clean, and neat at all times. Each department head will determine the type of attire that is acceptable.

You 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.

1B-3 SMOKE FREE WORKPLACE

Hartley County endeavors to provide a healthy environment. Therefore, any form of tobacco consumed in County buildings is strictly prohibited. Additionally, no smoking within fifteen (15) feet of the exterior entranceways.

1B-4 CONFLICT OF INTEREST

Employees of Hartley 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 Hartley 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 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 employees 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 reasonable 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 his or her duties for the County; or
- 5) Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

1B-5 HARASSMENT

Hartley County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcomed words, acts or displays based on sex, race, color, religion, national origin, 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 on employment decision;
or
- 3) The conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Hartley County whether committed by an elected 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 or department head who is responsible for the department in which the work. If, for any reason, the employee feels that reporting the harassment to the elected official or department head may not be the best course of action, the report should be made to the County Judge or the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department 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 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 or department head who is responsible for the department. If, for any reason, the employee feel that reporting the retaliation to the elected official or department head may not be the best course of action, the report should be made to the County Judge or the County Attorney.

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

1B-6 SEXUAL HARASSMENT

Sexual harassment is strictly prohibited by Hartley County, whether committed by elected official, department head, co-worker, or non-employee the County does business with. It is the policy of Hartley 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 limited to, unwanted advances, request for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where:

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

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

Employees who feel they have been sexually harassed should immediately report the situation to the elected official 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 elected official or department head may not be the best course of action, the report should be made to the County Judge or the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department 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 claim shall be notified of the result of the investigation and any actions which are to be taken.

Use the following procedures so that your complaint may be resolved quickly and fairly

- 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 witness.
- 3) Report continuing sexual harassment to the elected official or department who is responsible for your department, or to the County Judge or the County Attorney.
- 4) If a thorough investigation reveals that unlawful sexual harassment has occurred, Hartley County will take effective remedial action in accordance with the circumstance, 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 or department head who is responsible for the department. If, for any reason, the employee feels that reporting the retaliation to the elected official or department head may not be the best course of action, the report should be made to the County Judge or the County Attorney.

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

1B-7 POLITICAL ACTIVITY

Employees of Hartley 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 or value to a party, committee, organization, agency, or person for a political reason; or
- 3) Use any equipment, property or material owned by the County for political activity or engage in political activity while on duty for the County.

1B-8 OUTSIDE EMPLOYMENT

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

1B-9 BREAKS

The Texas Right to Express Breast Milk in the Workplace Act and the Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk during the first year following the birth of a child. Hartley County supports the practice of expressing breast milk.

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

Hartley County does not allow any retaliation against nursing mothers 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. Employees of the County who need to express breast milk may not be discriminated against.

All other employee breaks are determined by each 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 nursing mothers, however if paid breaks are provided for employees, nursing mothers must be given the same amount of paid break time.

1B-10 GRIEVANCES

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 official or department head with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with the official.

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

1B-11 DISCIPLINE

Each elected official or department head shall have the authority to administer discipline to employees in their department for poor performance, violation of policies, disruptive behavior, or any

other behavior or activity which the supervisor feels is not acceptable as it relates to the employee's job or the best interest of the department or County.

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

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

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

1B-12 LICENSE AND CERTIFICATIONS

Hartley 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 of 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 Federal or State Law.

1B-13 WEATHER CLOSING AND EMERGENCIES

As a general practice, Hartley County does not close its operation 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 other elected officials and department heads of any official closings.

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 require to work during emergency closings. Each department head is responsible for designating their own employees and providing alternate information to personnel designated as essential during emergency closing. Public safety will be foremost in the development of department emergency action plans.

1-B14 CONFIDENTIALITY

Hartley County is a public entity, however, some County employees acquire confidential (confidential, non-public) information as a result of their position with the County. This information must be

protected. Employees who reveal confidential (confidential, non-public) information they have received as a result of their position may be subject to discipline up to and including termination.

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

1B-15 WHISTLEBLOWER

An employee may, in good faith, report an alleged violation of a Hartley County Policy or Federal or State law to his/her elected official or department head, unless all of these persons are the alleged perpetrator of the alleged violation of policy or law. If all of the listed persons are alleged to be involved in the violation, the employee may report the allegation the County Judge, the County Attorney or the County Sheriff. The County will investigate the reported activity.

An elected official, department head or 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 he/she is being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact the County Judge, the County Attorney or the County Sheriff.

An employee with a question regarding this policy should contact the County Treasurers Office.

C. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY

1C-1 COUNTY PROPERTY USAGE

Each County employee shall be responsible for the care, maintenance, proper use, and upkeep of any County equipment assigned to him/her. 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 you to criminal prosecution.

1C-2 COUNTY VEHICLE USAGE

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

Hartley County employees who drive a County vehicle home will fall under IRS Publication 15-B Fringe Benefits, Commuting Rule. These personal miles will be subject to payroll taxes at the current IRS rate in accordance with IRS rules and regulations.

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

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 liability carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change, demotion or termination.

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

1C-3 CELL PHONE USAGE

Hartley County determines on a case by case basis the need for County cell phone usage. Hartley County will reimburse employees for the use of their cell phones to those who require them to perform their job duties. The amount of reimbursement will be determined in the annual budget approved by the Commissioners' Court.

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

Hartley County bans all employees from texting while operating any County owned vehicle. County employees who are driving their own person 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 or CDL.

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

1C-4 COMPUTER AND INTERNET USAGE

The use of Hartley County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for Hartley County business and for authorized purposed 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 coworker or third parties; or disrupt the workplace.

Use of Hartley County computers, networks, and Internet access is a privilege granted by department heads and may be revoked at any time for inappropriate conduct carried out on such systems. Improper use may result in discipline up to and including termination.

Hartley County owns the right to all data and files in any computer, network, or other information system in the County. Hartley 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. Hartley County has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee’s computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate County official. No employee shall break any copy right laws, download any illegal or unauthorized downloads. Hartley County monitors its entire information system 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 Hartley County electronic systems, unless expressly permitted to do so by their supervisor. Violation of this policy, may result in disciplinary action, up to and including termination of employment.

D. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY

1D-1 WORKERS’ COMPENSATION

All Hartley 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 his/her 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.

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

Any employee who suffers a job related illness or injury is required to notify his/her supervisor as soon as possible. Failure to promptly report job related injuries or illness 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 allowed to return to work.

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

1D-2 EMPLOYEE SAFETY

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

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

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

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

1D-3 DRUG AND ALCOHOL-ALL EMPLOYEES

Hartley County is a drug and alcohol free workplace. A County employee may not be present at work during a period the employee's ability to perform his or her duties is impaired by drugs or alcohol. The County believes that a drug and alcohol-free workplace will help ensure a healthy, safe and secure work environment.

This policy applies to all employees of Hartley County regardless of rank or position and shall include full, time, part time and temporary employees.

The only exception to this policy is the 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 or on County property.

An employee may not be under the influence of alcohol or illegal drugs while on County property or while on duty for the County.

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

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

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

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 County Treasurers Office.

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

1D-4 DRUG AND ALCOHOL – CDL EMPLOYEES

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

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

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

1D-5 WORKPLACE VIOLENCE

Hartley County is committed to providing a workplace free of violence. Hartley County will not tolerate or condone violence of any kind in the workplace. The County will also not tolerate or condone any threats of violence, direct or indirect, this includes jokes. All threats will be taken seriously and will be investigate. Employees must refrain from any conduct or comments that might make another employee suspicious or in fear of their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surrounds at all times and report any suspicious behavior from the public, former employees or current employees to their immediate supervisor or the Sheriff's office

1D-6 SOCIAL MEDIA

For purposes of this policy "social media" includes, but is not limited to, online forums, blogs and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Hartley County recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee's work; is used to harass supervisor, co-workers, customers or vendors; creates a hostile work environment; or harms the goodwill and reputation of Hartley County among the community at large. Hartley 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 judgement and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your immediate supervisor.

- If your posts on social media mention Hartley County make clear that you are an employee of Hartley County and that the views posted are yours alone and do not represent the views of Hartley County.
- Do not mention Hartley County employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Hartley 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, 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 Hartley County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Hartley County monitors its computers to ensure compliance with this restrictions.
- You must comply with copyright laws, and cite or reference sources accurately.
- Do not link to Hartley County website or post Hartley County material on a social media site without written permission from your supervisor.
- All Hartley 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 Hartley County must be kept confidential and should not be discussed through social media forum.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

**SECTION 2:
EMPLOYEE
COMPENSATION
AND BENEFITS**

A. EMPLOYEE PAYROLL

2A-1 FAIR LABOR STANDARDS ACT (FLSA) SAFE HARBOR

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

Employees who are classified as non-exempt employees must maintain an accurate record of the total hours you work each day. It is the responsibility of each employee to verify that their timesheets are correct. Your timesheet must accurately reflect all regular and overtime hours worked; any absences, late arrivals, early departures, and meal breaks. 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 week.

Non-exempt employees, unless authorized by your supervisor, should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so. That time worked is to be recorded on your 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 report it to the Hartley County Treasurers Office.

It is a violation of Hartley County for any employee to falsify a timesheet, or to alter another employee's timesheet. It is also a serious violation of Hartley County policy for any employee, supervisor or official to instruct another employee too incorrectly or falsely report hours worked, or to alter another employee's timesheet to under or over report hours worked. If anyone instructs you too (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 the Hartley County Treasurers Office.

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 the Hartley County Commissioners' Court set the annual budget. While it may be subject to review and modification from time to time, the salary will a pre-determined amount that will not be subject to deductions from variations in the quantity or quality of the work you perform.

For exempt and non-exempt employees, your salary/wages may 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 or other voluntary deductions.

If you have questions about deductions from your pay, please immediately contact the Hartley County Treasurers Office. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter. If you are unsure of who to contact or if you have not received a satisfactory response within 5 business days after reporting the incident, please contact the Hartley County Attorney's Office. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperates in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including termination.

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

Hartley County will comply with the IRS with regard to fringe benefits such as County uniforms, County vehicle usage and day-trip meals. You may be responsible for paying payroll taxes on such fringe benefits.

2A-3 COMPENSATION

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

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

Law Enforcement personnel are treated in accordance with the 207(k) exemption under the Fair Labor Standards Act. The Commissioners Court has adopted this exemption. (vii: Attached in the front of this policy)

A non-exempt employee will be paid a salary based on a minimum of 37.5 hours reported and a maximum of 40 actual hours worked, plus overtime for any authorized hours worked over 40 during a work period. Overtime may be paid as compensatory time or paid time off as determined in the county's annual budget. An employee will be paid his or her full salary if the employee reports at least 37.5 hours during a work period. 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 40. A non-exempt employee must account for 37.5 hours during each work period, by reporting actual hours worked or sick, vacation or compensatory time. If an employee reports more than 37.5 actual hours worked during a work period he or she will receive no additional salary compensation for the actual hours worked between 37.5 hours and 40.

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

2A-4 PAYROLL DEDUCTIONS

Deductions shall be made from each employee's paycheck for federal withholding, social security, Medicare and any other deductions required by law. Employees eligible for membership in the Texas County and District Retirement System (TCDRS) shall have their contributions to that system deducted from each paycheck. Any optional deduction authorized by Commissioners' 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.

2A-5 WORK WEEKS AND WORK PERIODS

For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the work period for non-exempt employees shall have a work week of 40 hours as established by Hartley County Commissioners' Court and shall begin at 12:01 a.m. on each Saturday and end seven (7) consecutive days later (168 hours). Law Enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of 28 days and 171 hours as established by the Hartley County Commissioners' Court. The Law Enforcement work period is based on 28 consecutive calendar days beginning on each Sunday, at 12:01 a.m. and ends twenty-eight (28) consecutive days later (672 hours).

2A-6 TIMESHEETS

Each employee must fill out a time sheet to be turned in to their supervisor on the last day of each pay period. Failure to complete a timesheet may result in an employee only receiving minimum wage payment until the proper time sheet has been completed and turned into the payroll department. All corrections will be made on the next regularly scheduled payroll. The time sheet prepared by the employee shall show an accurate record of all time worked and leave taken, whether paid or unpaid, for the pay period. Time sheets are governmental documents and as such require accurate and truthful information. Falsifying a time sheet, a governmental record is a criminal offense.

The Hartley County Commissioners' Court grants the Hartley County Treasurer the authority to adjust leave time so total hours for non-exempt employees are not above their scheduled work week (37.5 or 40 hours), and not above 160 for law enforcement in the 28 day cycle.

2A-7 PAYPERIODS

The pay period for Hartley County shall be a monthly pay period covering the first day through the last day of the month with checks or by direct deposit being issued on the twenty-fifth (25th) 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.

2A-8 WORK SCHEDULES

The normal hours of work for most positions in the County shall be from 8:00 a.m. to 12:00 p.m., 1:00 p.m. to 5:00 p.m., Monday through Friday. Each department head shall determine the exact working schedule for their employees. In order to meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule, or they may be subject to call back in case of emergency or special need.

2A-9 HOURS WORKED

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

2A-10 LAW ENFORCEMENT PAY AND OVERTIME 207(k)

Hartley County Commissioners' Court has adopted the 207(k) exemption under the Fair Labor Standards Act (FLSA) for law enforcement employees, which includes the deputies. These employees have a work period of 28 days and overtime due after 171 hours actually worked. Law enforcement employees' shall be paid an hourly wage. Paid leave shall not be counted in determining if overtime has been worked in any workweek. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

2A-11 OVERTIME CALCULATIONS AND RULES

Overtime shall include all time actually worked for the County in excess of 40 hours in any workweek, with the exception of law enforcement.

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.

Overtime compensation shall be paid in the form compensatory time off in accordance with the provisions of the FLSA. Covered employees shall receive paid compensatory time off at the rate of one and one-half (1.5) time the amount of overtime worked.

The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 240 hours for a regular employee and 480 for law enforcement. When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at the rate of one and one-half (1.5) the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum.

Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works. Compensatory time may be used for any purpose

desired by the employee with supervisor approval. Hartley County shall have the right to require employees to use earned compensatory time at the convenience of the County.

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

Hartley 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. Hartley County shall retain the right to pay all or part of the overtime worked in any workweek by paying for the overtime at one and one-half (1.5) the employee's regular rate of pay.

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

2A-12 DEMOTIONS

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

2A-13 TRANSFERS

Transfers are the lateral movement of an employee from one position to another with the same responsibility or complexity of job duties with no change in salary. Elected officials, appointed officials or department heads may transfer an employee in their department to a vacant position. All transfer must be handled in accordance with the budget adopted by Commissioners' Court.

2A-14 PROMOTIONS

Promotions are the movement of an employee from one position to another with an increased responsibility or complexity of job duties, and to a higher salary. Elected officials, appointed officials or department heads may transfer an employee in their department to a vacant position. All promotions must be handled in accordance with the budget adopted by Commissioners' Court.

2A-15 SEPERATIONS

A separation shall be defined as any situation in which the employer-employee relation between the County and a County employee ends. All separations from Hartley County shall be designated as one of the following types: 1) resignation; 2) retirement; 3) dismissal; 4) reduction in force; or 5) death.

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

A retirement shall be a 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.

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

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

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 designated beneficiary or estate shall receive all earned pay and payable benefits.

2A-16 RETIREE REHIRES

Retired employees shall be eligible to apply for open positions with Hartley County as long as the following provisions are met: 1) The retiree has been retired for at least two (2) calendar months, 2) No prior arrangement or agreement was made between Hartley 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 two (2) calendar months. A bona fide separation means there is no prior agreement or understanding between Hartley 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.

Rehire 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 purpose of beneficiary determination and benefit selections.

B. EMPLOYEE BENEFITS

2B-1 HEALTH AND DENTAL PLANS

All full time regular employees of Hartley County shall be eligible for the group medical plan and dental plan benefits.

Premiums for the coverage for eligible employees shall be determined by Commissioners' Court in the budget annually.

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

Detail of coverage under the group medical insurance plan and dental plan are available in the County Treasurers Office and may be obtained during the normal working hours for that office.

Employees who leave the employment of Hartley 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). Information on extension of benefits under COBRA is available in the County Treasurers Office. COBRA notifications will be provided to all employees within 30 days of their hire date. All eligible employees and qualified dependents will be provided with COBRA information following their termination.

2B-2 OTHER PLANS – LIFE, SUPPLEMENTAL

Hartley County may provide a limited amount of life insurance on eligible employees as part of the group medical coverage. Hartley County provides supplemental insurance coverage. All supplemental insurance coverage premiums are the responsibility of the employee. Information regarding these supplemental insurances by be obtained from the County Treasurers Office.

2B-3 VACATION

The following employee classifications shall be eligible for the vacation benefit: Regular Full Time. These following employee classifications shall not be eligible for the vacation benefit: Regular Part Time, Temporary.

Eligible employees shall earn vacation at the rate of one (1) work day per month. For the purpose of this policy, a working day shall be defined as the regular number of hours that an employee would be

expected to work on a day that he/she is scheduled to work. Example: A 40 hour week would accrue an 8 hour day, a 37.5 hour week would accrue a 7.5 hour day.

Vacation will be accrued on a calendar basis, beginning January 1st thru December 31st. A maximum of 5 working days may be carried over to the following calendar year.

Vacations shall not be accrued while an employee is on leave without pay. Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation.

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

Employees shall only be able to use vacation which has already been accrued and shall not be allowed to borrow 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 12 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 a maximum of 10 working days.

Each employee shall be responsible for accurately recording all vacation time used on their time sheet.

2B-4 SICK

The following employee classifications shall be eligible for the sick leave benefit: Regular Full Time. These following employee classifications shall not be eligible for the sick leave benefit: Regular Part Time, Temporary.

Eligible employees shall earn sick leave at the rate of one (1) work day per month. For the purpose of this policy, a working day shall be defined as the regular number of hours that an employee would be expected to work on a day that he/she is scheduled to work. Example: A 40 hour week would accrue an 8 hour day, a 37.5 hour week would accrue a 7.5 hour day.

Sick leave shall not be accrued while an employee is on leave without pay. Accrual of Sick leave shall begin at the time an employee begins work in a position eligible to accrue sick leave.

Eligible employees shall earn sick leave at the rate of 12 work days per year. The maximum amount of unused sick leave an employee shall be allowed to have at one time is 60 work days. When an employee reaches the maximum accrual, he/she shall not be allowed to accrue additional sick leave time until the employee takes sick leave hours to reduce the balance below the maximum allowed under this policy.

Sick leave may be used for the following purposes: 1) illness or injury of the employee; 2) appointments with physicians, optometrists, dentists, and other qualified medical professionals; 3) to attend to the illness or injury of a member of the employee's immediate family. For the purpose 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.

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 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 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 it is reasonably practicable. If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify his/her supervisor of the anticipated length of absence. If an employee uses three (3) or more consecutive days of sick leave, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness, for either the employee's own illness or the illness of an immediate family member. Employees who have a pattern of abusing sick 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 sick leave against future accruals. Employees shall not be paid for unused sick leave at the termination of employment.

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

2B-5 HOLIDAY

The following employee classifications shall be eligible for the holiday benefit: Regular Full Time. These following employee classifications shall not be eligible for the holiday benefit: Regular Part Time, Temporary.

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

For the purpose of this policy, a holiday is equal to a working day and shall be defined as the regular number of hours that an employee would be expected to work on a day that he/she is scheduled to work. Example: A 40 hour week would accrue an 8 hour day, a 37.5 hour week would accrue a 7.5 hour day.

If a paid holiday occurs during the vacation of an eligible employee, that day shall be paid as a holiday and not be charged against the employee's vacation balance. If a designated holiday falls on an eligible employee's day off, the employee shall be allowed to take another day off with pay during the following 60 days. An employee shall not be allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

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 60 days equivalent to the amount of time worked, (up to 8 hours) on the holiday. Law Enforcement will get credit for holiday time at 160 hours in their 28 day time cycle.

Special consideration shall be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for Hartley 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 not taken, they will not be paid at termination.

2B-6 JURY DUTY

All employees of Hartley 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 served 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 the jury service involved time outside the employee's normal work schedule. Any fees paid for jury service may be kept by the employee.

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

2B-7 FUNERAL LEAVE

All employees shall be allowed up to three (3) days leave with pay for a death in the immediate family. For the purpose of this policy, immediate family shall include the employee's spouse and the child, parent, brother or sister of the employee or the employee's spouse. Employees may be allowed time off with pay, up to a maximum of four (4) hours, to attend the funeral of a relative who is not immediate family or the funeral of a friend. If leave is needed beyond the limits set in this policy, it may be charged to available vacation or compensatory time or leave without pay.

2B-8 MILITARY LEAVE

All Hartley 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 to attend 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 he/she must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen (15) day maximum.

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

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

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

2B-9 RETIREMENT

All part time and regular full time employees shall be eligible for the retirement benefit offered through the Texas County and District Retirement System (TCDRS). Temporary employees will not be eligible for retirement benefits. Eligible employees shall make contributions to the retirement program through a system of payroll deductions. Hartley 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 Treasurers Office during the normal working hours for that office.

2B-10 SOCIAL SECURITY/MEDICARE

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

2B-11 TRAVEL & REIMBURSEMENTS

Hartley County will pay for all expenses incurred while attending training, conference and work related functions, which require the employee to be out of the County for the day, or for overnight.

DAY TRAVEL MEALS-will be reimbursed at cost, for day travel, receipts must be submitted for reimbursement. Day travel meals will be paid through payroll according to IRS Publication 15-B, Fringe Benefits.

OVERNIGHT TRAVEL MEALS-will be paid for on a per diem basis, at the current "State Rate" per day. Travel days will be prorated according to departure and arrive times.

Employees using their personal vehicle for out of County travel will be reimbursed at the current IRS Rate. Mileage will be figured on a round trip, from the employee's town of employment, using map quest, google maps or other mileage program.

Other expenses incurred such as registration, lodging, taxi, parking, air fare, car rental, etc. can be charged directly to Hartley County or paid for by the employee for reimbursement from the County.

All request for reimbursement shall include a travel expense form, describing the function including dates, times and place of the event. Round trip mileage and receipts of expenditures. Travel expense

forms can be obtained from the County Treasurers Office. After approval for payment, all reimbursements will be made to the employee by the County Treasurer in a timely matter.

All reimbursements will be paid after the expense has occurred, no advancements on expenses will be made.

2B-12 LONGEVITY

The following employee classification shall be eligible for the longevity benefit: Regular Full Time and Regular Part Time who work more than 10 hours per week. The following employee classifications shall not be eligible for the longevity benefit: Regular Part Time who work less than 10 per week and Temporary.

An employee shall be required to work a minimum of five (5) years in an eligible position before receiving longevity pay. If a Regular Part Time employee works more than 10 hours per week, for a minimum of five (5) years he/she becomes eligible to receive longevity pay. If a Regular Part Time employee becomes an eligible full time employee, they will receive credit for years of service towards their longevity pay.

If an employee leaves Hartley County then returns to work at a later date, they will retain their years of service towards their longevity pay.

Longevity pay shall be paid annually according to the following schedule: 0-4 years @ \$0.00; 5-9 years @ \$5.00; 10-14 years @ \$10.00; 15-19 years @ \$15.00; increasing at \$5.00 increments every 5 years. (See attached longevity schedule adopted 10/1/2002)

The employee will become eligible for longevity on his/her employment anniversary date, (12 months = 1 year of service). Longevity will be calculated by the fiscal year budget and paid out in a lump sum annually in the December payroll.

No limited will be set on years of service to Hartley County Longevity Program.

Hartley County Longevity Adopted 10/01/2002

Years of Service	Monthly	Annually	Years of Service	Monthly	Annually
0-4	\$0.00	\$0.00			
5 @ \$5.00	\$25.00 x 12	\$300.00	25 @ \$25.00	\$295.00 X 12	\$3540.00
6	\$30.00 x 12	\$360.00	26	\$320.00 X 12	\$3840.00
7	\$35.00 x 12	\$420.00	27	\$345.00 X 12	\$4140.00
8	\$40.00 x 12	\$480.00	28	\$370.00 X 12	\$4440.00
9	\$45.00 x 12	\$540.00	29	\$395.00 X 12	\$4740.00
10 @ \$10.00	\$55.00 x 12	\$660.00	30 @ \$30.00	\$425.00 X 12	\$5100.00
11	\$65.00 x 12	\$780.00	31	\$455.00 X 12	\$5460.00
12	\$75.00 x 12	\$900.00	32	\$485.00 X 12	\$5820.00
13	\$85.00 x 12	\$1020.00	33	\$515.00 X 12	\$6180.00
14	\$95.00 x 12	\$1140.00	34	\$545.00 X 12	\$6540.00
15 @ \$15.00	\$110.00 X 12	\$1320.00	35 @ \$35.00	\$580.00 X 12	\$6960.00
16	\$125.00 X 12	\$1500.00	36	\$615.00 X 12	\$7380.00
17	\$140.00 X 12	\$1680.00	37	\$650.00 X 12	\$7800.00
18	\$155.00 X 12	\$1860.00	38	\$685.00 X 12	\$8220.00
19	\$170.00 X 12	\$2040.00	39	\$720.00 X 12	\$8640.00
20 @ \$20.00	\$190.00 X 12	\$2280.00	40 @ \$ 40.00	\$760.00 X 12	\$9120.00
21	\$210.00 X 12	\$2520.00	41	\$800.00 X 12	\$9600.00
22	\$230.00 X 12	\$2760.00	42	\$840.00 X 12	\$10,080.00
23	\$250.00 X 12	\$3000.00	43	\$880.00 X 12	\$10,560.00
24	\$270.00 X 12	\$3240.00	44	\$920.00 X 12	\$11,040.00