

Formatted: Different first page header

PANOLA COUNTY
ROAD AND BRIDGE DEPARTMENT
EMPLOYEE
POLICIES MANUAL

AS A
SUPPLEMENT TO
PANOLA COUNTY EMPLOYEE HANDBOOK

TABLE OF CONTENTS

Introduction
Definitions
Hours of Work
Ethical Conduct Policy
 Department Rules and Regulations
 Group I Rules/Penalty
 Group II Rules/Penalty
 Group Iii Rules/Penalty
Open Door Policy
Employee Grievance Procedure
Warning Notice File Report
Employee Disciplinary Warning Notice
Questioned Work Release Form
Employee Acknowledgment

INTRODUCTION

Panola County is an at-will employer. This means that either the County or the employee may terminate the employment relationship at any time for any reason or for no reason so long as there is no illegal reason. Nothing contained in this Employee Handbook affects an employee's at-will status, and no individual has authority, orally or in writing, to alter the at-will status of a county employee unless it is pursuant to a written contract that has been approved by the Panola County Commissioners Court.

This Employee Handbook is not a contract. The County may amend or eliminate any policy or benefit contained in this Employee Handbook at any time with or without notice.

~~Panola County employment practices operate under the legal doctrine known as "employment at will". Within State and Federal employment law, Panola County has the right to terminate an employee at any time and for any reason, with or without notice, except that Panola County will comply with all State and Federal legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal. Panola County will attempt to insure that employee terminations are not made in an arbitrary or capricious manner. However, this handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. Panola County reserves the right to change these policies at any time. It is understood that elected officials, by State statutes law, may control the terms and conditions of employment of those employees under their direct supervision. They may direct their departments in accordance with the laws vested in them and within County Personnel Policy.~~

This policy is in addition to the County's Personnel Policy. If this policy conflicts with the overall Personnel Policy, this policy prevails in regard to the Road and Bridge Department only.

This policy, as well as the overall County Personnel Policy, is intended to provide information on policies, procedures, and other personnel matters. It is not intended to imply any contract or contractual rights, and it may be revised or modified at any time. No supervisor has the authority to make changes to this policy.

The purpose of this policy is to provide the employees of the Panola County Road and Bridge Department with a clear understanding of the County's policies and procedures. Any organization must have certain policies to follow for consistency of applications in day to day work. This policy is intended to insure fairness to all employees with all Supervisors, Department Heads, and Elected Officials dedicated to compliance with its provisions in good spirit. Each employee is required to read this policy; questions should be directed to his/her supervisor.

This policy supersedes and replaces any other policy addressed to the Road and Bridge Department only. This policy will be continuously monitored to bring about improved understanding and any necessary policy changes.

DEFINITIONS

EMPLOYEE - Refers to Elected Officials, Appointed Department Heads, and other full-time and part-time employees.

PART-TIME EMPLOYEE - Part-Time employees are those whose work 29 or less hours per week, not to exceed budgetary allowances. They are eligible to receive reduced employee benefits in accordance with policies adopted by the Panola County Commissioners' Court. The scope of benefits received may vary proportionately with the number of hours typically scheduled for a part-time regular employee. Certain benefits will not be available to part-time regular employees. Part-Time Regular employees ~~are~~ may be eligible for retirement to participate in the Texas County and District Retirement System.

OVERTIME - Refers to all hours worked in excess of 40 hours in a single work week. Compensation is given to the nearest quarter (1/4) hour.

CALL-OUT - Refers to being called out after the work day has ended.

COMPENSATORY TIME - Refers to an optional method of payment for overtime that allows overtime to be paid in the form of time off with pay rather than in the form of cash. Compensatory time is accrued at the rate of one and one-half (1-1/2) times the hours worked in excess of forty (40) hours per-in a single work week. ~~However, a~~ Authorized paid holidays will be counted as hours worked for purposes of calculating overtime and compensatory time.

ANNIVERSARY YEAR - The twelve month period of time measured from the date of employment. This is used to calculate years of service for sick leave and vacation purposes.

LAYOFF - A reduction in the work force due to circumstances beyond the control of the employee.

DEPARTMENT HEAD - Either an Elected Official or a non-elected official appointed to supervise, manage, or direct a departmental unit of the County as designated by law or by the Commissioners' Court.

SALARY RANGE - The limits of a salary or hourly wage both minimum and maximum.

STRAIGHT
TIME - The hourly rate of pay for hourly employees.

TERMINATION- The separation for any reason of an employee from his/her employment with Panola County, including, but not limited to, discharge, layoff, resignation, or retirement.

DISCHARGE- A termination of employment for disciplinary reasons.

HOLDOVER
TIME - Hours worked beyond 5:00 pm, or at the completion of 10 hours, without having first ended a workday and going home.

HOURS OF WORK

A. ~~REGULAR~~ THE WORK WEEK

1. ~~The Panola County work week is from 12:01 a.m. on Saturday of each week to 12:00 Midnight of the succeeding Friday. Typically, Road and Bridge Department employees work a forty- hour week. A regular work week shall be forty (40) hours.~~
2. The work day ~~shall be~~ ten (10) hours, Monday through Thursday.
3. The ten (10) hour work day ~~shall~~ begins at 6:30 a.m. and ends at 5:00 p.m. with thirty (30) minutes for lunch.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

B. HOLDOVER

1. Any employee(s) may be held over past the end of the regular work day in an emergency situation.
2. Only the Foreman or a Commissioner of that precinct may hold over employees.

C. CALL-OUT

1. Employees may be called out to work in emergency situations by the Foreman or a Commissioner of that precinct.
2. Employees called out will receive two and one-half (2-1/2) hours or the actual time worked figured to the nearest one-quarter (1/4) hour, whichever is greater.

D. COMPENSATORY TIME

1. Compensatory time is earned only after forty (40) hours have been worked in a ~~regular~~ single work week. Sick days taken, compensatory time taken, or vacation taken does not count toward the forty (40) hours worked. Authorized paid holidays will count as hours worked.
2. Compensatory time is accrued at one and one-half (1-1/2) hours for each hour worked, figured to the nearest one-quarter (1/4) hour, after having worked forty (40) hours in a single work week.

E. **SICK HOURS**

1. Regular full time employees of Panola County Road and Bridge Department are eligible for paid sick leave, accruing at a rate equal to ten (10) hours per month. This change will be effective January 1, 2015.

F. **MISCELLANEOUS**

1. Road and Bridge Department employees who are ~~V~~volunteer firemen ~~shall~~will be allowed to leave the work site to fight fire if the fire is within five (5) miles or less from the work site. ~~The employee must, and after first having gotten~~ obtain their foreman's approval to respond to said fire before leaving the work site. Employees are to leave county vehicles either at the fire station or at an appropriate location such as a crossroad, store, or church where the vehicle is out of harm's way.
2. As soon as the employee/volunteer fireman leaves the work site to fight a fire, he/she immediately goes off county payroll and county insurance.
3. County equipment is not to be carried to a fire unless authorized by the Commissioner of that precinct.

**PANOLA COUNTY
ROAD AND BRIDGE DEPARTMENT
ETHICAL CONDUCT POLICY**

All employees, supervisors, and Commissioners must conform to ethical and legal standards to abide by the law and to preserve the department's integrity and reputation. We must always be mindful of the fact that our "employers" are the citizens of Panola County. The salaries of employees and supervisors are paid by those citizens, and they deserve a workforce which is committed to providing services to taxpayers.

From time-to-time, questions may arise as to whether employees are asked to perform work which violates these tenets. Although it is impossible to have hard and fast rules, especially given the number of roads in the county as well as the various circumstances under which roads have come into the county's road system, the department nevertheless requires that certain guidelines be followed by all employees and supervisors.

A. **Work which is Questionable in Nature**

Panola County is a political subdivision of the State of Texas. As such, it is subject to a constitutional prohibition on the use of public property (including equipment and personnel) for private purposes. Further, Panola County is constitutionally prohibited from making a gift of public funds. Because Panola County provides public services, it should be clear that work performed on private property is normally outside the scope of the duties of the employees of the department. Consequently, employees should not perform work in the following circumstances:

- ✓ work performed on private property without proper easement;
- ✓ work on roads behind locked gates without proper easement;
- ✓ work on roads behind signs indicating language such as "no trespassing" or "private property" without proper easement;
- ✓ working to fill an abandoned water well not on county property or county toad right-of-way; or

- ✓ any work beyond a sign indicating “end of county maintenance” without proper easement.

B. **Work which is Always Acceptable**

There are certain work tasks which employees will be asked to perform which will in all circumstances be acceptable. The following is an illustration:

- ✓ work performed within the right-of-way of a numbered county road; and
- ✓ delivery of road ditch material to nearby property owners upon completion of proper form.

C. **Employee Complaint Procedure**

Panola County is committed to not disciplining any employee who reports that he or she is being asked to perform work which falls within the questionable category. If an employee believes that there is some question about the work asked to be performed, then the employee should immediately inform his or her supervisor. The supervisor shall then complete a Questioned Work Release Form prior to any work being performed. Any work an employee then performs which he or she considers questionable will not be the basis of any administrative discipline against the employee.

It should be emphasized that, regardless ~~if of whether~~ a form is or is not filled out, all employees who believe questionable or unlawful work is being done should immediately contact a member of the Commissioners² Court, including the County Judge, or the Sheriff, or the Criminal District Attorney. Every such complaint will be investigated thoroughly, promptly, and in as confidential a manner as possible. In addition, the department will not tolerate retaliation against any employee for making such a complaint to any of these listed officials.

DEPARTMENT RULES AND REGULATIONS

The following rules are for the information and guidance of all employees. They are essential to efficient operation and the type of service both management and the citizens of Panola County expect. Their observance is also necessary to assure employees' maximum safety and health, as well as a fair and cooperative relationship between all employees. Failure to comply with rules shall be regarded as cause for reprimand or other discipline and possible discharge. These rules of discipline apply to Road and Bridge Department employees in addition to the general Panola County discipline policies.

Group I Rules

These are rules of such importance that no violation can be tolerated, and any violation shall warrant dismissal.

Penalty

First offense: Discharge

No employee shall:

1. Falsify any department records or give false information for department records.
2. Intentionally or knowingly destroy, damage, steal, appropriate for personal use, or conceal department property or property belonging to other employees.
3. Engage in fighting or in disorderly conduct on department property at any time, or off department property while engaged in department business.
4. Be under the influence, using, or in possession of narcotics, alcohol, or any other intoxicant while at work.
5. Fill out the time sheet of another employee; have his or her time sheet filled out by another person; alter time sheets in any manner; or fail to report immediately the accidental filling out of another's time sheet. (Exceptions shall be permitted if done by Foreman, ~~Road Coordinator~~, Acting Foreman, or County Commissioner, for employees who request it.)
6. Fail to carry out a supervisor's instructions, including refusal or failure to perform work assigned.
7. Be absent for two (2) consecutive workdays without notifying the department.

~~8. Without prior written authorization, possess or use any type of firearm while on department premises.~~

Formatted: Indent: First line: 0.5"
Formatted: Indent: Left: 0", First line: 0.5"

98. Gamble (including engaging in bookmaking in any fashion) while on department premises. For the purpose of this rule, rest periods and lunch periods shall be considered as department time.

910. Without prior written authorization or without compliance with the Texas Public Information Act, remove from department premises or disclose in any manner, any record, files, customer lists, trade secrets, or other items belonging to the department.

101. Be convicted of a crime which is a Class B Misdemeanor or above~~felony; class B or above, misdemeanor involving theft, morals, drugs or D.W.I.~~ Any employee convicted of a crime (Class B Misdemeanor or above) shall notify the Road Superintendent within five (5) days of the conviction. Failure to notify a supervisor of a conviction of the above within five (5) days of conviction will result in immediate discharge.

add change

- 112. Deliberately fail to observe safety rules and regulations or engage in reckless acts and/or practical jokes that result in bodily injury or property damage or that causes insurance to be canceled or rates to be increased.
- 123. Produce personal work on department time and/or equipment or use department material for such purposes without the express permission of the supervisor.
- 134. Leave the job site without permission during working hours.
- 145. Perform work of an inferior quality or quantity due to the employee's negligence or willful intent, including slowdown and/or work stoppages.

Group II Rules

These are rules the violations of which are considered major infractions.

Penalty

First offense: Written warning

Second offense within 12-month period (Not necessarily the same rules as in first And or second offenses): Discharge

No employee shall:

1. Post, alter, or remove from bulletin boards or department property, without prior department approval, any notices, signs, or other written or printed material.
2. Fail to report back to work on time after lunch or break periods, without permission from the supervisor.
3. Perform reckless acts (including practical jokes) that might result in injury and/or danger to life and property. This rule shall apply anywhere on department time and on department property at any time.
4. Fail to immediately report any accident, damage, or injury sustained by the employee during work hours or at any time, if department is involved.
5. Solicit on department time, in any fashion, without the express written permission of the department.
6. Use department telephone for personal calls without permission from the supervisor, or use personal cell phones to the extent that such use adversely slows job performance.

7. Use profane or abusive language or gestures anytime during working hours that is directed to a member of the public or another County employee.
8. Violate or disregard established safety rules, or create unsanitary condition on department property, including the failure to place refuse, garbage, and/or litter in proper receptacles.
9. Possess or use a television set, camera, tape recorder, or similar device on the premises without the permission of management.
10. Fail to properly maintain equipment or adhere to department's safety rules.
11. Fail to wear proper shoes.
12. Allow unauthorized persons, including family members, to come inside the fenced area of the Warehouse. Paychecks must be picked up at the Courthouse after installation of an electronic gate at the warehouse by anyone other than the employee. Each employee desiring to have his/her paycheck picked up must provide a written list of not more than designate one or two individuals who have the right to pick up an employee's check for that purpose and place such designation on file.
13. ~~Failure~~ to fill out Daily Vehicle Inspection Reports.
14. Be convicted of a Class C Traffic Misdemeanor while on duty in a county-owned vehicle. Any employee convicted of a Class C Traffic Misdemeanor while on duty in a county-owned vehicle must notify the Commissioner of that precinct within five (5) days of conviction. ~~Failure~~ to report the conviction to a supervisor within five (5) days of the conviction will result in immediate discharge.

Group III Rules

Absences and Lateness

All employees who expect to be late or absent from work must call in (to the person designated by the department) prior to the normal starting time of a shift unless the absence or lateness is approved in advance by the individual's supervisor.

"Lateness" means reporting to work after the normal starting time for the employee.

During a period of 24 consecutive calendar months, absences (not excused by management) of two per two-month period, lateness (not excused by management) of three per two-month period, or a combination of such lateness and absences of three per two-month period shall result in the following penalties:

- First violation: written warning.

Comment [CF1]: The Amendments to the Policies Manual (Amended 04-00) indicate that there are at least 17 paragraphs, but the text of the policies only lists 14. Was there an intervening amendment that is not reflected in the materials provided?

- Second violation: final written warning.
- Third violation: discharge.

If an employee is sick or injured, management may require proof of that fact before lateness or the absence will be excused. A supervisor shall request that employees furnish a medical leave slip from their health care provider when the sick leave extends beyond three successive work days.

General

1. Department may charge each employee at cost for any item issued to him or her and lost or mislaid by him or her.
2. Any and all containers or packages carried into or out of the premises of the department, including department vehicles and equipment, shall be subject to inspection.
3. All lockers will be subject to inspection to insure sanitation, etc.
4. The department reserves the right to appropriately discipline or suspend any employee for a sufficient reason even though the offense is not specifically listed above. Changes to these rules and regulations will be issued when necessary.
5. If any employee is illiterate, that fact will be taken into consideration in the application of these policies.

**PANOLA COUNTY
ROAD AND BRIDGE DEPARTMENT
OPEN DOOR POLICY**

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Should a situation persist that you believe is detrimental to you or the department, discussion with your immediate supervisor or department head is encouraged. Any of these individuals will endeavor to work out a satisfactory solution to the problem. The department will not tolerate any form of retaliation against any individual availing himself or herself of the benefits of this procedure.

**PANOLA COUNTY
ROAD AND BRIDGE DEPARTMENT
GRIEVANCE PROCEDURE**

Although most misunderstandings can and should be solved on an informal basis with your supervisor, more formal provisions have been made to resolve difficult problems. The procedure for presenting a complaint is as follows:

- STEP 1:** Discuss the matter with your immediate supervisor. He or she will arrange a private interview with you and will give you a definite answer as soon as possible; but not more than three working days after the interview. If, after discussing all the facts with your supervisor, you have not reached an agreement, the supervisor will arrange a meeting within three working days with his or her Commissioner.
- STEP 2:** The Commissioner will conduct an investigation of the complaint and give you an answer within three working days. If you are not satisfied with the outcome of this discussion, he or she will suggest that you appear before the Commissioners² Court.
- STEP 3:** The Commissioner will assist you in putting your complaint in writing, if you wish. He or she will then arrange for you to meet with the Commissioners² Court. The Commissioners² Court will investigate and give you an answer within five working days after discussing the problem with you. The decision of the Commissioners² Court will be final.

**PANOLA COUNTY
ROAD AND BRIDGE DEPARTMENT
WARNING NOTICE FILE REPORT**

To Supervisors: This form is to be completed before meeting with the employee and issuing any warning notice. Before deciding on a penalty, consider the seriousness of the problem, employee's overall past record, including prior warnings, employee's work performance, rules and regulations violated, and precedents.

Name of Employee _____ Employee Classification _____

Department _____

Details of Current Incident:

Time of incident _____ Date of Incident _____

Place of Incident _____

Date Supervisor is preparing this report _____

Name(s) of employee(s) involved in the incident:

Details of the incident. (Explain cause, reasons why, and how it occurred, cost to County.)

Statements of employee(s) involved. (Attach additional sheets if necessary. Be sure that employee(s) sign their statements.)

Statement of witnesses. (Attach additional sheets if necessary. Be sure that witnesses sign their statements.)

Prior Warnings:

List prior warnings employee has received:

Reasons for Issuance	Date of Warning	Action Taken
_____	_____	_____
_____	_____	_____
_____	_____	_____

Recommended Action

_____ Oral Warning _____ Warning _____ Final Written Warning

_____ Suspension without pay (from _____ to _____)

_____ Termination

Date

Signature of Supervisor

cc: R&B Personnel File
County Treasurer's Personnel File

**EMPLOYEE DISCIPLINARY
WARNING NOTICE**

To: _____
(Name of Employee)

This will serve as a formal written warning against you for the acts/events alleged in the attached Warning Notice File Report.

The penalty assessed for such acts or events in accordance with the Panola County Road and Bridge Department Ethical Conduct Policy is as follows:

- _____ Written Warning
- _____ Final Written Warning
- _____ Suspension without pay from _____ to _____
- _____ Termination of employment

A copy of this Warning Notice will be placed in your R&B personnel file, and the County Treasurer's personnel file, ~~and a~~ copy will be given to you.

Executed in triplicate this _____ day of _____, 20____

Date

Signature of Department Head

RECEIVED AND ACKNOWLEDGED BY: _____
Signature of Employee

QUESTIONED WORK RELEASE FORM

EMPLOYEE WHO QUESTIONED WORK: _____

DESCRIBE QUESTIONED WORK AND LOCATION:

DATE ORDERED TO DO WORK: _____

IMMEDIATE SUPERVISOR WHO ORDERED WORK:

I ORDERED THE EMPLOYEE OR EMPLOYEES NAMED ABOVE TO PERFORM THIS WORK. MY SIGNATURE RELEASES THE EMPLOYEE OR EMPLOYEES NAMED ABOVE FROM ANY DISCIPLINARY ACTION IN REGARD TO THIS WORK.

DATE

SUPERVISOR/FOREMAN

EMPLOYEE ACKNOWLEDGMENT

I, the undersigned, do hereby certify that I have received a copy of the Panola County Road and Bridge Department Employee Policies Manual. I further state that I will abide by said Manual, and I understand that failure to do so can result in disciplinary action, up to and including termination. I understand further that the policies in this Manual are in addition to those contained in the Panola County Employee Handbook and that I must comply with those policies as well. I understand and acknowledge that I am an at-will employee of Panola County.

Date

Employee's Signature

Employee's Printed Name

**AMENDMENTS TO
PANOLA COUNTY ROAD AND BRIDGE DEPARTMENT
POLICIES MANUAL
(AMENDED 04-00)**

Group I Rules:

- 11. a. ~~Crime shall mean any Class B Misdemeanor and above.~~
- b. ~~Any employee convicted of a crime (Class B Misdemeanor and above) shall notify the Road Superintendent within five (5) days of the conviction.~~

Group II Rules:

- 14. ~~Paychecks must be picked up at the Courthouse after installation of an electronic gate at the warehouse by anyone other than the employee. A written list of not more than two individuals who have the right to pick up an employee's check must be provided by the employee.~~
- 17. a. ~~Be convicted of a Class C Misdemeanor while on duty in a county owned vehicle.~~
- b. ~~Any employee convicted of a Class C Traffic Misdemeanor while on duty in a county owned vehicle must notify the Road Superintendent within five (5) days of conviction.~~

**AMENDMENTS TO
PANOLA COUNTY ROAD AND BRIDGE DEPARTMENT
POLICIES MANUAL
(AMENDED 08-25-03)**

Delete reference to Road Superintendent and replace with "Commissioner of that precinct".

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

PANOLA COUNTY EMPLOYEE HANDBOOK

SECTION 1 OVERVIEW

- 1.01 NOTICE TO EMPLOYEES
- 1.02 EMPLOYEE ACKNOWLEDGMENT
- 1.03 GENERAL INFORMATION
- 1.04 PURPOSE AND AUTHORITY
- 1.05 EMPLOYMENT AT WILL
- 1.06 EQUAL EMPLOYMENT OPPORTUNITY
- 1.07 UNLAWFUL WORKPLACE DISCRIMINATION AND HARASSMENT
- 1.08 AMERICANS WITH DISABILITIES ACT
- 1.09 DRUGS AND ALCOHOL
- 1.10 SAFETY AND HEALTH
- 1.11 CRIMINAL CONDUCT
- 1.12 EQUIPMENT, PROPERTY, DEFENSIVE DRIVING
- 1.13 WORKPLACE VIOLENCE

SECTION 2 RECRUITMENT, HIRING, EMPLOYMENT

- 2.01 APPLICATIONS
- 2.02 NOTICE OF VACANCIES
- 2.03 EMPLOYMENT TESTING
- 2.04 VERIFICATION OF WORK ELIGIBILITY AND QUALIFICATIONS
- 2.05 ORIENTATION
- 2.06 EMPLOYMENT CLASSIFICATIONS

SECTION 3 EMPLOYEE CONDUCT

- 3.01 WORK STANDARDS
- 3.02 ATTENDANCE; TIMELINESS
- 3.03 APPEARANCE AND ATTITUDE
- 3.04 COMMUNICATIONS AND TELECOMMUNICATIONS
- 3.05 USE OF COMPUTER RESOURCES
- 3.06 SMOKING
- 3.07 COUNTY NOTARY BONDS AND FEES
- 3.08 SEARCHES

SECTION 4 COMPENSATION POLICIES

- 4.01 ESTABLISHMENT OF PAY SYSTEM
- 4.02 COMPLIANCE WITH STATE AND FEDERAL PAY ACTS
- 4.03 RIGHT TO CHANGE COMPENSATION
- 4.04 PAY SCHEDULE
- 4.05 PAYROLL DEDUCTIONS

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

- 4.06 REPORTING HOURS WORKED
- 4.07 WORK PERIODS; OVERTIME AND COMPENSATORY TIME
- 4.08 ON-THE-JOB INJURIES
- 4.09 EXPENSE REIMBURSEMENT
- 4.10 PROMOTIONS, LATERAL JOB CHANGES, AND DEMOTIONS

SECTION 5 EMPLOYEE BENEFITS

- 5.01 HEALTH, DENTAL AND LIFE INSURANCE
- 5.02 SOCIAL SECURITY
- 5.03 PENSION
- 5.04 WORKERS COMPENSATION
- 5.05 UNEMPLOYMENT COMPENSATION
- 5.06 EDUCATION AND TRAINING
- 5.07 RETIREES I SURVIVING SPOUSE

SECTION 6 LEAVE TIME

- 6.01 WORK LEAVE TIME
- 6.02 HOLIDAYS
- 6.03 VACATION LEAVE
- 6.04 SICK LEAVE
- 6.05 BEREAVEMENT OR FUNERAL LEAVE
- 6.06 MILITARY, JURY DUTY, CIVIL LEAVE
- 6/07 LEAVE OF ABSENCE
- 6.08 FAMILY AND MEDICAL LEAVE ACT (FMLA)

SECTION 7 EMPLOYEE PERSONNEL RECORDS

- 7.01 PERSONNEL FILES
- 7.02 LEAVE RECORDS

SECTION 8 DISCIPLINE I GRIEVANCE I SEPARATION

- 8.01 AT-WILL EMPLOYMENT; DISCIPLINE
- 8.02 DISPUTE RESOLUTION /GRIEVANCES
- 8.03 SEPARATION FROM EMPLOYMENT
- 8.04 INSURANCE CONTINUATION AFTER SEPARATION

SECTION 9 MISCELLANEOUS

- 9.01 INCLEMENT WEATHER
- 9.02 REQUEST FOR CONFERENCE ATTENDANCE
- 9.03 TRAVEL, LODGING, MEAL REIMBURSEMENT
- 9.04 MILEAGE REIMBURSEMENT

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

9.05 AIR TRAVEL
9.06 MEALS, LODGING AND MISCELLANEOUS EXPENSES
9.07 ADVANCES
9.08 NURSING MOTHERS

SECTION 10 FORMS

SECTION 11 CREDIT CARD USE

SECTION 12 POST-RETIREMENT EMPLOYMENT

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

1.01 NOTICE TO EMPLOYEES

Panola County is an at-will employer. This means that either the County or the employee may terminate the employment relationship at any time for any reason or for no reason so long as there is no illegal reason. Nothing contained in this Employee Handbook affects an employee's at-will status, and no individual has authority, orally or in writing, to alter the at-will status of a county employee unless it is pursuant to a written contract that has been approved by the Panola County Commissioners Court.

This Employee Handbook is not a contract. The County may amend or eliminate any policy or benefit contained in this Employee Handbook at any time with or without notice.

Law Enforcement or Detention Facility personnel and Road and Bridge employees should use the handbook supplement supplied to them by their Department Heads in addition to this policy.

Formatted: Font: Bold
Formatted: Font: Bold

Panola County is an Equal Opportunity Employer. It is the policy of Panola County that all personnel actions are conducted in a manner that provides equal opportunity to all employees and prospective employees. Every effort is taken to ensure that employees and prospective employees are treated fairly and that their civil rights are protected.

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

1.02 EMPLOYEE ACKNOWLEDGMENT

By signing below, I acknowledge that I have received a copy of the Panola County Employee Handbook and that it is my responsibility to read and understand the policies outlined in this Employee Handbook. If there is any policy that I do not understand, I agree to ask my supervisor or Department Head to clarify the policy. I understand that the handbook is intended only as a general reference and not a full statement of policies and procedures or a legal contract.

I agree to keep this book in my possession during my employment and to update it whenever provided with materials to do so.

I further understand that each handbook and binder is the property of *Panola County*. I agree to return the book upon terminating my employment with *Panola County*.

I also understand that I am an at-will employee. *Panola County* or I may terminate the employment relationship at any time for any reason or for no reason so long as there is no illegal reason.

(Signature)

(Date)

1.03 GENERAL INFORMATION

This handbook is NOT a contract. No contract of employment with *Panola County* will be valid unless it is signed in accordance with proper procedures by the *Panola County* Commissioners Court AND unless it is signed by and contains the name of the employee who would be benefited by the contract.

The policies and benefit offerings outlined in this handbook are subject to change or elimination at any time, without notice. Changes may be made at the sole discretion of *Panola County*. Any changes thereto supercede any prior written, verbal or implied policies.

1.04 PURPOSE AND AUTHORITY

Policies established in this manual are subject to the approval by the *Panola County* Commissioners Court and elected or appointed department heads. Each elected official or Department Head is encouraged to adopt these policies and administer them accordingly. For purposes of this policy manual, elected officials and department heads shall include:

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

County Judge	County Commissioners
County Clerk	County Tax Assessor
County Treasurer	County Auditor
County Sheriff	District Clerk
Criminal District Attorney	District Judge
Constables	Justices of the Peace
County Court at Law Judge	Voter Registrar
Road and Bridge Coordinator	Rural Addressing
Veteran's Service Officer	Maintenance Superintendent
Airport Manager	Head Librarian

This handbook outlines the employment policies of *Panola County*. The policies will inform employees of the benefits and responsibilities of their employment. *Panola County* has developed these policies for the purpose of promoting fair and consistent practices by managers and employees.

Panola County's employment practices policies will apply equally to all employees, unless exempted by law, contract, or the terms of a policy. Where federal or state laws or regulations ~~supereedes~~^{supersede} *Panola County* policies, *Panola County* and its employees will observe the requirements of these state and federal laws.

This handbook provides a summary of the employment policies of *Panola County*. Copies are ~~been~~ given to employees at orientation.

1.05 EMPLOYMENT-AT-WILL

Panola County employees are at-will employees. The County or the employee may terminate the employment relationship at any time for any reason or for no reason so long as there is no illegal reason. *Panola County* strives to treat all employees fairly in accordance with its personnel policies. However, this handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. *Panola County* also reserves the right to change or eliminate these policies and any benefits referenced herein at any time and without prior notice to employees.

1.06 EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of *Panola County* to provide equal employment opportunity to employees and applicants for employment without regard to race, religion, color, sex (including pregnancy), age, national origin, disability, military status, genetic make-up, or any other classification protected under applicable law. Discrimination in employment will not be tolerated.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Equal employment opportunity applies to all terms, conditions and privileges of employment, including without limitation hiring, probation, training, promotion, transfer, compensation, benefits and assistance, layoff, recall, employee facilities, discharge, and retirement.

Panola County has appointed an Equal Employment Opportunity Panel (EEO Panel) ~~comprised of Cassandra Brooks, Alberto Garza and Jim Young~~. This panel's responsibility includes monitoring compliance with this policy and reporting in accordance with applicable law. If any employee or applicant for employment believes s/he has been discriminated against or believes s/he has observed or is aware of any discrimination, it should be reported immediately to the Department Head or to a member of the EEO Panel. An investigation will be conducted and remedial action taken as appropriate. All elected officials and department heads are strongly urged to use the services of the EEO Panel.

Reasonable effort will be made to ensure that all contractors and subcontractors working for *Panola County* comply with this Equal Employment Opportunity policy. Any violation may result in penalties including but not limited to termination of contract.

1.07 UNLAWFUL WORKPLACE DISCRIMINATION AND HARASSMENT

Panola County prohibits all acts of discrimination and harassment based upon an individual's race, religion, color, sex (including pregnancy), age, national origin, disability, military status, genetic make-up, or any other classification protected under applicable law. The use of racial or ethnic jokes or derogatory remarks will not be tolerated.

Any employee who engages in discrimination or harassment on the basis of race, sex (including pregnancy), religion, color, age, disability, national origin, genetic make-up, or sexual orientation, who permits employees under his/her supervision to engage in such conduct, or who retaliates or permits retaliation against an employee who reports such conduct is guilty of misconduct and shall be subject to remedial action which may include the imposition of discipline up to and including termination of employment.

Sexual harassment is prohibited and includes any unwelcome sexual advance, request for sexual favor and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of employment;
- submission to or rejection of such conduct is used as a factor in any employment decision affecting any individual; or
- such conduct has the purpose or effect of unreasonably interfering with any employee's work performance or creating an intimidating, hostile or offensive working environment.

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

If you believe you have been a victim of unlawful discrimination or harassment or if you believe you have witnessed unlawful discrimination or harassment, take the following steps:

- discuss the matter with your supervisor or a member of the EEO Panel;
- if you believe that your supervisor or manager is the source or a party to the harassment, talk to any other supervisor or a member of the EEO Panel.

Panola County will investigate all complaints of unlawful discrimination and harassment and will take prompt remedial action as warranted. If, for any reason, you believe this has not occurred within a reasonable period of time, refer the matter to any other supervisor, up to and including the *Panola County Judge*.

Panola County will keep complaints of unlawful discrimination and harassment confidential to the extent possible without jeopardizing the effectiveness of its investigation.

Panola County prohibits retaliation against any person who makes a complaint of unlawful discrimination or harassment; conducts or cooperates in the investigation of a complaint of unlawful discrimination or harassment; files a charge of unlawful discrimination or harassment with the Equal Employment Opportunity Commission, the Texas Workforce Commission, or similar agency; or cooperates with an investigation by the Equal Employment Opportunity Commission, the Texas Workforce Commission, or similar agency.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

1.08 AMERICANS WITH DISABILITIES ACT

Panola County complies with the Americans with Disabilities Act. Qualified employees with disabilities needing a reasonable accommodation in order to perform the essential functions of their jobs should make a request for accommodation to the department head or to the County Treasurer.

Employees who have a complaint involving potential violation of the Americans with Disabilities Act should follow the complaint reporting procedure outlined in the County's policy on Unlawful Workplace Discrimination and Harassment.

1.09 DRUGS AND ALCOHOL

Panola County has implemented a Drug-Free Workplace policy and program. This includes the prohibition of possession or distribution of any controlled substance or alcoholic beverage at work, or while in a position representing *Panola County* business regardless of the location. Violation will result in disciplinary action, up to and including termination.

It is also a violation of policy for an employee to illegally use prescription drugs or to report to work under the influence of illegal controlled substances and/or alcohol.

The Drug-Free Workplace policy is distributed during new employee orientation and again when any changes in the policy take place. The policy outlines the disciplinary action taken when employees violate *Panola County's* standard. *Panola County's* program provides information about the risks of illegal drug use and alcohol use in the workplace, as well as information about counseling and treatment.

Testing for *Panola County* employees includes pre-employment testing based on business necessity, post-accident testing and reasonable suspicion testing. Those employees operating County vehicles or equipment may also be subject to random alcohol and drug testing.

Comment [A1]: As a governmental employer, you cannot do wholesale pre-employment testing for drugs or alcohol. A drug test is a 4th Amendment search so there must be a legitimate basis for the test.

1.10 SAFETY AND HEALTH

Panola County requires employees to conduct job tasks safely to protect themselves and others at work. All reasonable precautions should be taken when dealing with office machines, tools, general office furniture and fixtures and electrical devices. Carpets, furniture and the like that are in need of repair should be reported to a supervisor. Proper lifting techniques should be used and storage of items should not present a falling or collapsing hazard. Each employee should be aware of the closest fire exit and fire extinguisher and be prepared to call 911 in an emergency.

Comment [A2]: I did not know what was meant by "cleanliness" here so I substituted some language that I thought might work.

Every accident, near-miss, or injury needs to be reported to a supervisor immediately. The supervisor of the department will file an incident report, first report of injury, and/or incident investigation report, as appropriate and forward same to the Panola County Loss Control Coordinator. Reports of all workers' compensation incidents will be reported to the County Treasurer's office without undue delay.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

In the case of an injury requiring medical attention, employees should seek the nearest medical facility. In other cases, the injured employee should seek medical attention using *Panola County's* preferred workers' compensation health provider list. Upon return to work, a physician's statement of medical condition and release to return to work must be submitted to the Department Head and the County Treasurer's office. An employee will not be allowed to return to work without a medical release.

If a workplace injury requires long term medical attention, the injured employee will work with the supervisor to decide on return to work, light duty job opportunities, and eligibility for continuing employment. In the case of permanent disability due to job injury, a final release and settlement will be arranged, if appropriate.

1.11 CRIMINAL CONDUCT

Employees will not engage in any criminal conduct or conduct which, even though not criminal, may reflect adversely upon *Panola County* or its officials. Activity of this nature will result in disciplinary action, up to and including termination of employment.

Any employee convicted of a crime of the level of felony or of Class B misdemeanor or higher involving theft, moral turpitude or drug offenses shall be terminated. Employees must notify their Department Heads of such conviction within five days of the conviction.

1.12 EQUIPMENT AND PROPERTY

Employees are provided adequate tools, equipment, and vehicles to perform their jobs. It is the responsibility of employees to use them safely and to cooperate in the maintenance of equipment owned by *Panola County*. Employees must notify their supervisors immediately of any damage to a county vehicle, equipment, tool, or machine or of the need for maintenance or repair.

Any employee operating a *Panola County* vehicle is required to have a current state driver's license appropriate to that vehicle. When using a personal vehicle for conducting *Panola County* business, the employee must provide proof of personal automobile liability coverage.

For any accident involving a *Panola County* vehicle or a personal vehicle while conducting *Panola County* business, the accident must be reported immediately to the appropriate law enforcement agency and to the employee's supervisor.

All employees must wear seat belts when operating a County vehicle or when operating any piece of county equipment that has a seat belt..

In the interest of safety, employees are expected to exercise appropriate care and caution when using cell phones in County owned vehicles or equipment. Employees shall comply with all Texas Transportation Code laws concerning the use of cell phones while operating County vehicles or equipment. Employees operating County owned vehicles or equipment are prohibited from texting while vehicle/equipment is in motion.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Each employee who drives a County vehicle must have a current defensive driving certificate on file at the County Treasurer's office. New employees have 60 days to obtain the certificate. Costs for the course will be paid by *Panola County* or reimbursed to the employee upon proof of payment. Employees, except new employees hired less than 60 days, will not be permitted to operate a County vehicle without the certificate. It is the responsibility of the employee to maintain a current certificate. Reserve deputies must also comply.

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

Personal use of *Panola County* property or equipment is prohibited.

Comment [A3]: I am not sure what this means. Does the County require all employees who drive vehicles to take a defensive driving course that the County will pay for? If that is the extent of this, it needs to be stated more plainly. There is no "certificate" issued except as to course attendance. There is no way to keep such a certificate "current" that I know of.

1.13 WORKPLACE VIOLENCE

The County strives to provide a safe and secure working environment for its employees. Harassment, intimidation, threats, threatening behavior, violent behavior, or acts of violence by any employee while on County property or while on duty regardless of the location are absolutely prohibited. If an employee witnesses such an act of violence, a report should be made immediately to the employee's department head or to the County Judge.

Formatted: Justified

SECTION 2 RECRUITMENT, HIRING AND EMPLOYMENT

2.01 APPLICATIONS

Employment applications for posted positions will be accepted in the office of the department with the job opening. Applications for employment that do not apply to a currently posted position will be discarded.

Comment [A4]: Records retention law requires applications for posted positions to be maintained for 2 years. Do not include this in your handbook as it could give the false impression that retained applications will be considered for future postings, and that is not an advisable practice.

2.02 NOTICE OF VACANCIES

All vacancies in *Panola County* will be announced in a newspaper of local publication or on the county's website. The employment application solicitation process may also include a recruiting effort which may extend beyond *Panola County* when deemed necessary to obtain applications from individuals with necessary technical skills or other specialized qualifications or when it is in the County's best interest to do so.

2.03 EMPLOYMENT TESTING

Tests for job applicants will be limited to skills or performance testing to determine the level of competence or ability to perform certain tasks associated with the job being sought. An applicant will be disqualified from consideration for employment in a position if he or she does not meet the job qualifications for that position.

Final applicants for certain positions will be required to consent to a physical examination and/or drug testing by a medical professional designated by the County. When such tests will be

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

required, the job posting will so state. Refusal to give written consent for the tests will result in disqualification. A positive drug test result will disqualify the applicant for a period of one year. All information related to these tests will be held in strict confidence consistent with the provisions of applicable law. The County Treasurer's office will be responsible for retaining all confidential records related to these tests and such records will be kept in a locked file separate from other standard personnel files.

Only elected officials and department heads who have a need to know will be informed of the results.

For employees required to have a license to drive or operate equipment, driving records and license validity will be checked prior to employment and periodically during employment. Failure to maintain a license required to operate a vehicle or equipment necessary to perform a job will result in termination of employment.

2.04 VERIFICATION OF WORK ELIGIBILITY AND QUALIFICATIONS

The employing department is responsible for verifying the applicant's employment experience, education, and skills before extending a job offer to the applicant. By federal law, each new employee must, within the first three days of employment, complete and sign an INS Form I-9, and show proof of identity and eligibility. The new applicant must have also completed a W-4 form, insurance forms, insurance information about dependents, the employee acknowledgment from Employee Handbook and any other necessary employee benefit forms.

An applicant who makes a false statement on the application form, cannot legally hold the position, or offers money, service, or anything of value to win favor during the application process will be disqualified. Finally, if the applicant does not meet required physical requirements when tested or has not provided proof of citizenship or legal work status within the first three days of employment, the candidate will be disqualified.

If a license or certification is a job requirement, loss of such license or certification after hiring will result in termination of employment.

2.05 ORIENTATION

The County Treasurer's office provides general orientation about *Panola County* and the benefits of employment. Each employee will receive a copy of the Employee Handbook and any applicable workplace rules. It is the responsibility of the employee to read and gain an understanding of the handbook and work rules within five (5) working days from date of employment. The employee will acknowledge receipt of the handbook at that time. Periodic updates will also be acknowledged.

In most cases, actual job duty orientation and training will be given within the employee's specific department.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

2.06 EMPLOYMENT CLASSIFICATION

Full-time regular employment consists of ~~at least~~30–40 hours of work each week. This group includes both exempt and non-exempt classifications. Regular full-time employees are eligible for *Panola County* benefits.

Part-time regular employees are those whose work 29 or fewer hours per week, not to exceed budgetary allowances. They are eligible to receive reduced employee benefits in accordance with policies adopted by the Panola County Commissioners Court.

The scope of benefits received may vary proportionately with the number of hours typically scheduled for a part-time regular employee. Certain benefits will not be available to part-time regular employees.

~~Part-time Salaried employees may work any number of hours per week and are paid a set figure per pay period.~~

Temporary employees are hired on a short-term basis for a specific time period not to exceed six (6) months or for a specific assignment or project. Temporary employees are not eligible for benefits unless required by law.

Employment Contracts must be approved by the Commissioners Court.

SECTION 3 EMPLOYEE CONDUCT AND ETHICS

3.01 WORK STANDARDS

Every employee must remember that *Panola County* is a tax-supported entity and the citizens of *Panola County* paying those taxes should receive the best possible quality and highest standard of service possible. Public employees should act in a professional manner, using good judgment and courtesy at all times, and should avoid any type of behavior that would even appear illegal or unethical. Employees should carry out their work efficiently, honestly, courteously, and with the intention of keeping good relationships with the public.

Individual employees must be responsible to their supervisors. Work directions and results, measurement of performance, and handling grievances are the responsibility of the supervisor.

Occasionally, someone may give employees directions other than their direct supervisor. In these instances, it is the employee's responsibility to inform the supervisor of the situation.

Communication with the public about County issues is the responsibility of the designated official or Department Head. Any controversial or unusual request or question from the public must be referred to that official.

3.01(a) Conflicts of Interest

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Employees may not enter into dealings or have financial interests in contracts and services performed by *Panola County*. This includes deriving any direct or indirect benefit resulting from the sale, service, contracting or purchases made on behalf of *Panola County*.

County employees may not accept financial benefits that would reasonably tend to influence decisions or encourage that employee to disclose confidential county business. Any offers of money, services, benefits, favors or other possible conflicts should be discussed with supervisors and/or county legal counsel.

Employees are protected from requirements, whether real or implied, to contribute time or money to any person or party. Soliciting political party campaign contributions, promoting fund-raising drives and even encouraging subordinates and colleagues to contribute to community non-profit organizations are prohibited activities. Violators will be subject to disciplinary procedures.

County employees, ~~with the exception of elected officials~~, are not allowed to participate in political activities while working on *Panola County* time or while wearing clothing or pins that indicate the individual's status as a *Panola County* employee. No County property such as equipment, buildings or vehicles can be used to display campaign materials or used for any other political activity.

Employees may not accept any outside employment or be involved in self-employment that conflicts with their duties as a county employee or that prevents the proper performance of duties.

3.01(b) Nepotism

No person will be employed by *Panola County* when the employment would result in a violation Chapter 573 of the Texas Government Code (Nepotism). Any such appointment may be voided by the Panola County Commissioners Court if not done voluntarily by the hiring department.

No hiring authority may appoint, confirm the appointment of, or vote for the appointment or confirmation of his/her father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law to any position.

No person will be hired to any position within a department when that individual's spouse is already serving in any position within the same department as an employee of *Panola County*. No person will be hired if such hiring would result in a direct or indirect supervision conflict due to a relationship between the prospective employee and a supervisor which falls within any relationships described in the two paragraphs above.

3.01(c) Gifts, Gratuities, and Honorariums

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

An employee may not solicit, accept, or agree to accept any benefit from a person he or she knows to be subject to regulation, inspection, or investigation by the employee or by the County.

An employee may not solicit, accept, or agree to accept any benefit from a person interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of the employee's discretion.

An employee may not receive gifts or gratuities in any personal or professional capacity that could create the impression that the giver was seeking favor or trying to influence an opinion or a judgment from the employee or official.

An employee may not solicit, accept, or agree to accept an honorarium in consideration for services that the employee would not have been requested to provide but for the employee's official position or duties with the County.

3.02 ATTENDANCE; TIMELINESS

Attendance is an essential function of each county job. An employee's being on time and ready to work the established schedule is critical to county operations. Employees are to report for work on time and to be punctual for appointments and meetings. Furthermore, work is to be completed at the time it is due. Frequent tardiness can result in disciplinary action up to and including termination of employment.

If an employee is going to be absent, he/she must report that absence to his or her supervisor within the first 15 minutes of the scheduled start time. Failure to report, other than in an emergency situation, may result in disciplinary action. Unexcused or excessive absences can lead to discipline up to and including termination of employment. See Section 6.01.

3.03 APPEARANCE AND ATTITUDE

Citizens observe employees of *Panola County* often in the course of their work. As *Panola County's* representatives, employees are asked to meet high standards both in the quality of their work and in presenting a professional image to the public. While there is not a formal dress code, employees are expected to maintain good physical grooming, have a neat and clean appearance, and display a pleasant disposition to citizens and colleagues.

Uniforms may be required for certain *Panola County* jobs, and those uniforms should be kept neat and clean.

All employees are expected to treat citizens and coworkers with respect and to demonstrate professionalism. Rudeness, crass language, shouting, and like conduct toward citizens or coworkers will not be tolerated.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

3.04 COMMUNICATIONS AND TELECOMMUNICATIONS

Any communication with the public is the responsibility of *Panola County* management or the person designated for that communication. Any non-routine or controversial questions or those out of the scope of the employee's job duties should be referred to the person designated to communicate on behalf of *Panola County*.

Panola County telephones are to be used for Panola County business. Personal calls should be limited both in frequency and length of the call. Long distance personal calls are not allowed except in emergency situations with prior approval of the supervisor.

3.05 USE OF COMPUTER RESOURCES

All use of *Panola County*-provided computer resources must be appropriate and in accordance with policy. Inappropriate use may subject an employee to discipline up to and including termination of employment. Inappropriate use includes, for example:

- use of the systems in violation of any *Panola County* policy, including the Unlawful Workplace Discrimination and Harassment Policy;
- use of the systems to create, send, or receive messages, pictures or computer files which are fraudulent, illegal, pornographic, obscene, sexually suggestive, insulting, sexist, racist, discriminatory or harassing;
- use of the resources to conduct illegal activities;
- loading software which is not approved in advance by management;
- making illegal copies of licensed software;
- using software that is designed to destroy data, provide unauthorized access to the *Panola County* computer or communications equipment, or which would disrupt *Panola County's* computer or communication equipment in any way; and
- using the *Panola County* computer resources, including e-mail and voice-mail systems for personal business.

Any message or file created, stored, and/or sent using the *Panola County* computer or communications equipment is *Panola County* property. Employees have no expectation of privacy in any document, photograph, file, or message stored, received or sent using *Panola County* equipment. Any *Panola County* computer may be subject to audit without notice.

3.06 SMOKING

Panola County is committed to providing a safe and healthy work place and prohibits smoking in *Panola County* facilities, except in specifically designated areas.

3.07 COUNTY NOTARY BONDS AND FEES

Should any Notary whose bond, fee, seal and recording log book have been paid for by the County receive any fees for notary services, those fees will be promptly remitted to the County Treasurer. If a notary employee leaves the service of the County, the employee will be required to return the notary seal and recording log book to the County Judge, County Auditor or County Treasurer.

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

Formatted: Left, Space After: 8 pt, Line spacing: Multiple 1.08 li, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers

3.08 SEARCHES

Employees have no expectation of privacy with respect to county property or county-provided facilities or equipment. The County may conduct searches or inspections of the worksite, including but not limited to all county property used by employees such as desks, file cabinets, offices, lockers, and computer and electronic files whether or not any such property is secured by a lock. The County may also, with reasonable cause, search personal property brought on to county premises including in vehicles parked in county parking lots. All searches must be authorized and conducted under the direction of the department head or the County Judge, and employees are expected to cooperate fully with any search.

SECTION 4 COMPENSATION POLICIES

4.01 ESTABLISHMENT OF PAY SYSTEM

Panola County compensates employees in accordance with decisions by the Panola County Commissioners Court as budgets are set. Pay for any given position is subject to the annual budgetary process and, as such, may be subject to increase, reduction, or status quo maintenance for any time period. The supervising elected official or administrator may make suggestions about salary compensation and other pay system concerns, but the final decision regarding compensation levels rests with the Panola County Commissioners Court.

4.02 COMPLIANCE WITH STATE AND FEDERAL PAY ACTS

Panola County will comply with all applicable State and Federal pay acts respecting the compensation of employees for services performed.

4.03 RIGHT TO CHANGE COMPENSATION

Panola County reserves the right to change compensation for any reason deemed appropriate by the Panola County Commissioners Court. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent *Panola County* budget. Should an overpayment in wages occur, *Panola County* has the right to recover the overpayment.

4.04 PAY SCHEDULE

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

Employees are paid on a bi-weekly basis throughout the year. Paychecks are issued through the office of the Panola County Treasurer. Paychecks compensate employees for work performed in the last pay period. Paychecks are distributed at the workplace prior to 5:00 p.m. every other Thursday. If a holidays falls on Thursday, checks will be distributed on Friday. The last paycheck of the year will be distributed ~~to with the first paycheck of the new year by each department heads on the last workday of the year for all Departments with the exception of Saturday and Sunday.~~ Payroll checks will include all hours through December 31. Department heads will be responsible for issuance of the checks to their employees for hours worked. Direct deposit is available. Forms for direct deposit can be obtained from the County Treasurer's office.

4.05 PAYROLL DEDUCTIONS

No payroll deduction will be made from an employee paycheck unless authorized by the employee or required by law. Employees are required to report changes in family status, address or other information that could affect amount of deductions withheld. These include Social Security and income taxes, retirement system contributions, court-ordered child support, and any other deductions required by law; ~~including employer provided clothing and qualified nonpersonal use vehicles. Department heads will be responsible for reporting the use of qualified nonpersonal use vehicles and employees will be taxed according to Internal Revenue Service Regulations.~~ Additionally, deductions may be authorized for employee contributions to health and dental insurance, supplemental insurance and deferred compensation plans requested by the employee.

4.06 REPORTING HOURS WORKED

It is the responsibility of those employees who are required to maintain a time sheet to properly record the time that he/she has worked during a payroll period. Accurate reporting of hours worked as well as all leave time, paid and unpaid, is required. All hours worked must be recorded for each work day. At the end of the reporting period, the employee will sign the daily time sheet verifying its accuracy. The supervisor will counter-sign the daily time sheet indicating that the hours claimed were actually worked. A master time sheet for the department will be forwarded to the County Treasurer's office along with the daily time sheets. Daily time sheets are to be submitted no later than fourteen (14) days after the payroll period. Failure to keep accurate time records or falsifying time records will result in discipline up to and including termination of employment.

Comment [A5]: Has the County considered requiring exempt employees to keep time sheet? This can come in handy in case an employee has been incorrectly designated as exempt and is seeking to recover overtime. I would be happy to discuss the pros and cons of doing this.

4.07 WORK PERIODS; OVERTIME AND COMPENSATORY TIME

The Panola County work week is from 12:01 a.m. on Saturday of each week to 12:00 Midnight of the succeeding Friday.

Overtime work is discouraged and must be approved by the employee's immediate supervisor prior to the performance of the work. Overtime is the hours worked in excess of 40 hours in a single work week. Authorized paid holidays will be included as hours worked. Sick time, vacation time or any other time not actually worked (except authorized paid holidays) will not be included when computing overtime. Overtime pay will be allowed only when authorized by an

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

appropriate supervisor or when absolutely necessary in an emergency. For nonexempt employees, if hours actually worked exceed 40 hours in a single workweek, authorized compensatory time will be allowed to accrue in lieu of overtime payments. Compensatory time is earned on the basis of 1 ½ hours of compensatory time for each hour worked in excess of 40 hours in a single work week. This compensatory time should be used as soon as practical and should be used before vacation time is requested. The County may require an employee to use accrued compensatory time at any time.

Certain employees are designated as "exempt employees" pursuant to Fair Labor Standards Act regulation. Exempt employees do not earn overtime or compensatory time. They are expected, at times, to work extra hours. Your supervisor will let you know if you are such an exempt employee. Depending upon the needs of the Department, a department head may allow an exempt employee to arrive late or to take off early in recognition of extra hours worked, but this is at the discretion of the department head.

Improper deductions from the pay of exempt employees is prohibited. If an exempt employee believes that an improper deduction from his/her salary has been made, a complaint should be made to the County Auditor-Treasurer. The County Auditor-Treasurer will investigate the complaint. Upon a finding by the County Auditor-Treasurer that an improper deduction was made, the exempt employee will be reimbursed in the amount of the improper deduction and the County will make a good faith effort not to make future improper deductions.

4.08 ON-THE-JOB INJURIES

All on-the-job injuries no matter how serious must be reported to the County Treasurer's office as soon as practicable but in no event later than 24 hours following the incident causing the injury to allow for proper care of the injury as well as for the filing of workers' compensation claims in the proper manner. The County provides workers' compensation benefits for employees injured in the course and scope of performing their duties for the County. Employees who are away from the job on approved workers' compensation leave will not be charged with any vacation or sick leave time while away from his/her position.

4.09 EXPENSE REIMBURSEMENT

An employee will be reimbursed for expenses incurred in completing his/her work-related assignment in accord with the policies established by *Panola County*. Each employee is responsible for providing verified receipts for any expense for which reimbursement is requested. Meal reimbursement will only be paid if the employee's assignment requires an overnight stay.

4.10 PROMOTIONS, LATERAL JOB CHANGES, AND DEMOTIONS

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Promotions are those job changes that result in advancement to higher positions with greater responsibility. Salary increases are subject to approval by the Department Head, in accordance with approved budget limits. Lateral job moves are changes to positions with the same level of pay. An employee taking a lateral transfer, whether at the employee's request or the manager's requirement, will retain the same amount of accrued leave and seniority. If the employee's current salary is in the approved salary range, the employee will not receive any reduction in pay as a result of a lateral move. Demotions require an employee to change to a lower paid position with a lower level of job responsibility. The demotion may be the result of a disciplinary action, a job reclassification or unsatisfactory work performance. *Panola County* reserves the right to make decisions regarding job changes at its discretion.

SECTION 5 EMPLOYEE BENEFITS

5.01 HEALTH, DENTAL, AND LIFE INSURANCE

Employees working at least 30 hours per week will be eligible to participate in the health, dental and life plans offered by *Panola County*.

5.02 SOCIAL SECURITY

Panola County employees are covered by Social Security. *Panola County* contributes to the Social Security Program on behalf of employees.

5.03 PENSION

Eligible employees are required to join the Texas County and District Retirement System (TCDRS) and to contribute to that fund through deductions from each paycheck. *Panola County* also contributes to the fund on behalf of the employee, based on a percentage of gross salary. If eligible, the employee must participate in the pension system upon hiring. For details regarding vesting and rights upon retirement, refer to a brochure outlining the program which is available in the County Auditor's office or contact TCDRS directly.

5.04 WORKERS' COMPENSATION

Employees are covered under the workers' compensation program, and *Panola County* pays the premium for that program. Workers' compensation pays medical coverage and wage replacement for employees injured in the course and scope of their duties for *Panola County*.

5.05 UNEMPLOYMENT COMPENSATION

Employees of *Panola County*, except for elected officials, are paid unemployment compensation benefits under the state program when the employee meets the requirements for unemployment compensation. *Panola County* pays the cost of this benefit.

5.06 EDUCATION AND TRAINING

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

When *Panola County* requires employees to participate in training programs, training costs are paid or reimbursed by *Panola County*, except meal reimbursement will only be paid if the employee requires an overnight stay. The time an employee spends away from work to attend the training program is considered work time. Authorization to attend professional seminars and certification courses are decided on a case-by-case basis by elected officials and department heads, within the constraints of the training and education budget, and subject to the approval of the Panola County Commissioners Court.

5.07 RETIREES AND SURVIVING SPOUSES

It is important that all current and retired employees understand and appreciate that the eligibility, benefits, costs and terms of coverage described here may be modified or eliminated with ~~or without reasonable~~ notice in the future at the discretion of the County. The current County policy described below is NOT guaranteed for any time period.

Eligibility - Group Medical Insurance continuation is available for retired employees who are eligible to begin receiving either Service or Disability retirement benefits from the Texas County and District Retirement System during the two months subsequent to employment termination. Group Medical Insurance ~~continuation coverage~~ is available for a surviving spouse who is eligible to begin receiving monthly survivor retirement benefits from the Texas County and District Retirement System during the two months subsequent to the active or retired employee's death if the surviving spouse was covered by the current group medical plan at the time of the active or retired employee's death. All eligibility is subject to change upon action of the current insurance carrier and/or the Commissioners Court. If changes are made, you may have rights under Federal Law (COBRA) regarding continued coverage.

The benefits for this program shall be in accordance with the provisions of the current group medical insurance master contract. A copy of the master contract shall be kept in the County Clerk's and County Auditor's office and may be reviewed during working hours.

The County will pay the premiums for the coverage afforded under this policy for all eligible retired employees. The premium for the coverage afforded any eligible surviving spouse or dependent shall be entirely payable by the covered individual. The County will not pay any portion of the premium for coverage for an eligible surviving spouse or dependent.

~~An eligible retired employee covered under our current insurance policy, who does not have Medicare coverage, must pay the difference between the premium applicable to a non-Medicare covered retired employee and the premium applicable to a retiree who has Medicare coverage. When a retiree covered under our plan obtains Medicare coverage, the County will pay all of the applicable premium for the retiree. It is the responsibility of the retiree or surviving spouse to notify the County when they or covered dependents become covered under Medicare or when dependents become ineligible for coverage. The premium of any eligible dependents of a retiree shall be entirely payable by the retiree regardless of any Medicare coverage. Any eligible surviving spouse shall be entirely responsible for the payment of applicable premiums regardless~~

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

~~of Medicare coverage. The premium for any eligible dependents of a surviving spouse shall be entirely payable by the surviving spouse.~~

The current monthly rates are in accordance with applicable premiums at time of qualifying event. The current rates in force will be provided upon request. Premiums shall be paid to the Treasurer's office on or by the 1st day of each month. Failure to remit required payments by the 1st of each month may cause the insurance to be terminated.

Any eligible retired employee or eligible surviving spouse must make application for group medical insurance coverage. This includes completion of the change forms required by the current insurance carrier and the County Selection Form. A copy of the County Selection Form is available at the County Auditor to County Treasurer's office. All required forms must be completed for insurance continuation. Coverage may not be available if selection forms are not completed within thirty days of the service retirement date or the date of survivor spouse began receiving the survivor retirement benefits. In the case of disability retirement, the selection forms would need to be completed within thirty days of the official notification by the Texas County and District Retirement System that disability retirement had been approved.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

SECTION 6 LEAVE TIME

6.01 WORK LEAVE TIME

The employee's supervisor or manager must approve all leave time. Supervisors are required to keep copies of leave slips for time requested. Leave time is entered on each employee's time sheet for that period.

An unauthorized absence time is time away from work that is not authorized by the appropriate supervisor. Employees will not be paid for this type of absence, and unauthorized absences may result in disciplinary action up to and including termination of employment. An employee who fails to contact his or her supervisor and obtain approval for an absence of three or more consecutive days will be considered to have voluntarily resigned employment.

6.02 HOLIDAYS

Panola County pays a certain number of paid holidays each year. These holidays are adopted on an annual basis for the upcoming calendar year by the Panola County Commissioners Court during a scheduled Court meeting, usually in the month of November. ~~Certain positions must work on the holidays. For positions requiring holiday hours, an alternate day can be taken after approval of the supervisor. Law enforcement personnel receive double pay for approved County holidays unless the Department Head adopts a supplemental policy that provides that, for that law enforcement department, Holiday Pay is a single days' wages.~~ Only full-time employees are eligible for Holiday pPay.

6.03 VACATION LEAVE

Regular full-time and part-time employees are eligible for paid vacation leave. Part-time employee's hours of paid leave are prorated. An employee is required to be in continuous employment for 6 months before they are eligible for vacation leave. Upon completion of 6 months employment, employees will be credited with 40 hours vacation leave. On each successive January 1, employees who have been continuously employed for 6 months through 10 years will be credited with 80 hours vacation leave for that calendar year.

On each January 1st, employees who have been continuously employed for 11 years through 15 years will be credited with 100 hours for that calendar year.

On each January 1st, employees who have been continuously employed for more than 15 years will be credited with 120 hours for that calendar year.

On each January 1st, employees who have been continuously employed for more than 20 years will be credited with 160 hours for that calendar year.

If an adopted *Panola County* holiday falls during the period an employee is on vacation, the holiday will not be charged against the vacation balance. If an employee becomes ill while taking vacation leave, the period of illness may be charged against the employee's sick leave balance and not vacation if:

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

- a. the employee has sick leave available, and;
- b. the employee promptly notified his/her supervisor of the illness, and;
- c. the employee provides the supervisor with acceptable proof of illness; and;
- d. the supervisor gives permission to charge the period of illness to sick leave.

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Vacation time must be used during the year in which it is earned and may not be carried over ~~except that extended illness that prevents an employee from taking all of his/her vacation leave during the year it is earned is a basis for requesting that the employee be allowed to carry over the vacation to the following year unless specifically approved by the Commissioners Court.~~ ~~Such requests for approval~~ will be handled on an individual basis by the Panola County Commissioners Court based on a written request by the employee and a recommendation from the Department Head. All requests to be allowed to carry over vacation leave must be filed with the County Judge by November 30th of the year in which the leave was earned. Late requests will not be considered.

Formatted: Superscript

Employees should submit their requests for vacation leave to their Department Head at least two weeks before the planned vacation. Requests will be subject to approval of the Department Head based on the timeliness of the request and the operating needs of the department.

Each department head or a designee shall maintain vacation records for each employee in that department.

Upon termination of employment for any reason, an employee with accrued unused vacation time will be paid for such time at the employee's then current pay rate. An employee will not be paid for unused vacation time while still employed by *Panola County*.

6.04 SICK LEAVE

Regular full-time employees are eligible for paid sick leave, accruing at a rate equal to 8 hours per month. New regular full-time employees who complete 12 months of service will be given a one time additional 360 hours of paid sick leave. Part-time employees will be credited pro rata based on the number of hours worked. The maximum sick leave accrual is 1080 hours.

New employees who are hired on or prior to the 15th of the month will earn 8 hours sick leave. New employees who are hired on or after the 16th of the month will earn 4 hours sick leave. There is no waiting period before an employee can use accrued and approved sick leave.

Sick leave may be used, when it has accrued, if the employee misses work for personal illness or mental incapacity, health care appointments or treatments, medical quarantine, or for personal care for members of his/her immediate family during illness or for health care appointments. Immediate family members include the employee's spouse, children (including step children and any foster children placed with the employee), and parents.

An employee will be responsible for notifying his/her supervisor as early as is practical on the first day of sick leave absence and request that approved sick leave be granted. If more than one day of sick leave is needed, the employee will be responsible for notifying his/her supervisor of

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

the expected length of the absence on the first day of sick leave or will be required to notify his/her supervisor on a daily basis if unable to come to work.

Employees, when using sick leave for health care appointments, are required to notify their supervisor at least a day in advance of the requested sick leave day.

A department head will request that employees furnish a medical leave slip from their health care provider when the sick leave extends beyond three successive work days. ~~However, if an employee is sick or injured, the Elected Official/Department Head may require proof of that fact before the absence will be excused.~~

The maximum amount of sick leave that an employee will have available at any given time is the unused balance at the end of the preceding month. Employees who have exhausted sick leave must take unpaid time from work, when authorized, and may request vacation or use other paid leave time they may have accrued. Employees will not be allowed to borrow sick leave against possible future accruals. Employees leaving *Panola County* are not compensated for any accrued sick leave.

Each department head or designee will maintain and update sick leave records on a monthly basis. The "Employee Sick Leave Summary" form will be used. A copy is available at the County Treasurer's office.

Employees returning from a sick leave of five or more working days must present a physician's fitness for duty statement that certifies that the employee is able to perform the essential functions of his/her job and lists any physical limitations. The employee is responsible for providing his/her job description to the physician for this purpose. Job descriptions may be obtained from the ~~County Treasurer~~ Department Head.

6.05 BEREAVEMENT LEAVE OR FUNERAL LEAVE

Regular full-time employees are eligible for bereavement leave. In the case of the death of a parent, child, spouse, brother, sister, grandparent, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, and grandchildren of either spouse, three days paid leave may be taken. An additional two days unpaid leave may be authorized by the Department Head. An employee may use vacation leave during a period of approved extended bereavement leave.

Regular full-time employees who are requested by the family of the deceased to officiate, serve as pallbearer, vocalist or musician at a funeral will be allowed one-half day off with pay. This time is limited to no more than two days or four funerals within a year's time.

6.06 MILITARY LEAVE, JURY DUTY AND CIVIL LEAVE

Panola County complies with the Uniformed Services Employment and Reemployment Act of 1994 and all applicable state statutes pertaining to military leave and employee rights. Employees will be granted paid leave of 15 work days in a single fiscal year to participate in

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

authorized military training or duty ordered or authorized by proper authority as per Chapter 437 of the Texas Government Code. Copies of orders must be provided to the Department Head within 3 days of receiving them. These sessions or exercises apply only to periods which fall within the employee's work schedule. Employees may use vacation or leave without pay if attendance is required in excess of the 15 work days paid maximum. Any unused balance may not be carried into the next fiscal year. Employees who leave their positions as a result of being called to active military service will be eligible for re-employment in accordance with State and Federal regulations in effect at the time of their release from active duty.

The Panola County Commissioners Court considers jury duty to be a public benefit and in furtherance of the County's role in the administration of justice. Full-time regular employees will be paid for time spent on jury duty, including the jury selection process and actual time serving on the jury. However, if the employee, as a prospective juror, is exempt, excused or dismissed before 12:00 o'clock noon, the employee will return to work for the remainder of the day after taking a lunch break. Any fees paid for jury service may be retained by the employee. A copy of the jury summons and document acknowledging completion of jury service must be provided to the department head to qualify for paid leave.

Employees absent from work to appear in private litigation in which he/she is a principal party or a subpoenaed witness will be charged other authorized accrued paid leave or may take leave without pay.

6.07 LEAVE OF ABSENCE

When an employee requires a leave of absence in excess of two weeks, the employee must request and obtain prior approval for the leave of absence (LOA) from his or her department head. A LOA of a period of up to a maximum of six months may be approved if the need is substantiated to and approved by the department head. All requests for LOA must be submitted in writing to the department head and must be supported by documentation that will enable the department head to make a decision to grant or deny the request. Medical certification is required if the purpose of the leave is the employee's own health problems or the employee's need to care for a family member with health problems. No LOA may exceed six months unless otherwise required by law. This policy will be administered consistently with the County's obligations under the Family and Medical Leave Act, the Americans with Disabilities Act and state and federal military leave laws. An employee requiring Family and Medical Leave must follow all procedures appropriate to that type of leave. A LOA will not be authorized unless there is a reasonable expectation that the employee will return to employment with the County at the end of the approved leave period.

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

A. Use of All Other Available Leave – All accrued leave, FMLA leave, and compensatory time must be exhausted and runs concurrently with an authorized LOA. Accrued sick leave may be used only in connection with a LOA based on medical necessity. After exhaustion of all paid leave, the remaining LOA, if any, is unpaid. No paid leave benefits accrue during an unpaid LOA. The six-month maximum absence includes all paid and unpaid days of leave.

B. Eligibility/Criteria – To be eligible for a LOA that exceeds an employee's accrued paid leave, the employee must be a full-time employee of the County. Factors considered by the County in granting a LOA include:

- the reason for the leave,
- the anticipated duration of the leave,
- the documents submitted to substantiate the need for the leave (e.g., medical certification),
- the frequency with which the employee requests approval for leaves of absence, and
- the impact that granting the leave will have on County operations.

While the County will strive to grant any meritorious request for a LOA, the County must ensure that granting the LOA will not create operational hardships and that all essential obligations of the County are able to be met with the staff available for the duration of the LOA.

C. Reasons for LOA - A LOA may be considered in the following circumstances:

1. Extended illness, injury, or temporary disability and recovery therefrom. Pregnancy and the recovery from childbirth are treated the same as any other medical condition.
2. Extended care for immediate family members (i.e., spouse, children, parents, or other family member residing with the employee).
3. Public service commitment.
4. Attending to personal matters of long duration (e.g., serving as executor of family estate matter)

D. Other Employment During Leave - Under no circumstances may an employee on an authorized LOA work another job, whether for pay, as a volunteer, or as self-employment.

E. Reinstatement - Employees returning from a LOA will be reinstated to their same position if the position is available. Reinstatement is not guaranteed unless required by federal or state law. If the employee's previous position is not available, the County will use its best efforts to place the employee in a position of similar pay and status. If an employee's same position or a position with similar pay and status is not available, the employee's job may be terminated with eligibility for rehire. An employee who fails to return to work at the conclusion of an approved LOA will be considered to have voluntarily resigned his or her employment with the County.

F. Revocation - The department head may revoke an authorized LOA at any time if there is reason to believe that there is no longer a basis for the leave or for violation of this policy.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

Failure to return to work after the expiration of an authorized LOA or failure to provide required medical status reports, physician's statements, or to contact the County per policy, will likely result in revocation of the LOA and/or disciplinary action up to and including dismissal.

6.08 FAMILY AND MEDICAL LEAVE

POLICY

It is the policy of the County to provide eligible employees with all benefits and privileges to which they are entitled under the Federal Family and Medical Leave Act (FMLA). Many of the terms used in this policy are defined by the FMLA and have the meanings contained in the Act.

ELIGIBILITY

To be eligible for benefits under this policy, an employee must:

- A. Have worked for Panola County at least twelve (12) months (need not be continuous service but must have been during the previous seven years) and
- B. Have worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately preceding the leave.

QUALIFYING EVENTS

Leave under this policy may be taken for the following qualifying events:

- A. The birth of a son or daughter and in order to care for the newborn child; or
- B. The placement of a son or daughter with the employee for adoption or foster care; or
- C. To care for a spouse, son, daughter, or parent with a serious health condition; or
- D. The serious health condition of the employee that make the employee unable to perform the essential functions of the employee's job; or
- E. A qualifying exigency arising out of the fact that an employee's spouse, son, daughter, or parent is a military member on covered active duty or has been notified of an impending call or order to covered active dutystatus; or
- F. To care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the covered servicemember.

SERIOUS HEALTH CONDITION

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves overnight inpatient care at a hospital, hospice, or residential care medical facility including any period of incapacity or subsequent treatment in connection with such inpatient care or continuing treatment by a health care provider.

CONTINUING TREATMENT

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

A period of incapacity of more than three consecutive full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves:

- A. Treatment two or more times within thirty (30) days of the first day of incapacity by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider. "Treatment" requires an in-person visit, the first of which must take place within seven (7) days of the first day of incapacity; or
- B. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider. "Treatment" requires an in-person visit, the first of which must take place within seven (7) days of the first day of incapacity.
- C. Any period of incapacity due to pregnancy or for prenatal care.
- D. Any period of incapacity or treatment due to a chronic serious health condition that requires periodic visits for treatment by a health care provider or by a nurse under direct supervision of a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity.
- E. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective.
- F. Any period of absence to receive multiple treatments by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment.

LEAVE FOR A QUALIFYING EXIGENCY

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Eligible employees may take EMLA leave when an employee's spouse, son or daughter of any age, or parent is a military member on covered active duty or call to covered active duty status. An eligible employee may take leave for one or more of the following qualifying exigencies:

- A. Short-notice deployment. For example, leave may be taken to address any issue that arises because the military member was given seven or less days' notice for active duty deployment in support of a contingency operation. For a short-notice deployment exigency, the eligible employee may take up to seven (7) calendar days beginning on the date the military member is notified of an impending call or order to covered active duty.
- B. Military events and related activities. For example, leave may be taken to attend any official ceremony, program or event sponsored by the military that is related to the covered active duty or call to covered active duty status of the military member; or to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the covered active duty or call to covered active duty status of the military member.
- C. Childcare and school activities. For example, Leave may be taken to arrange for alternative childcare, provide childcare on an urgent, immediate need basis (not as routine), to attend school or daycare meetings, to enroll or transfer to a new school or day care facility a child of the military member when it is necessitated by the covered active duty or call to covered active duty status of a military member. Leave may be taken to make or update financial or legal arrangements to address the covered members' absence while on active duty or call to active duty status.
- D. Financial and legal arrangements. For example, leave may be taken to make or update financial or legal arrangements to address the military member's absence while on covered active duty or call to covered active duty status; or to act as the military member's representative before a governmental agency for obtaining, arranging or appealing military service benefits while the military member is on covered active duty or call to covered active duty status and for a period of ninety (90) days following the termination of the military member's active duty status.
- E. Counseling. For example, leave may be taken to attend counseling provided by someone other than a health care provider for oneself, for the military member, or the biological, adopted, or foster child, stepchild, or legal ward of the military member or a child for whom the military member stands in loco parentis who is under age 18 or is age 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

commence provided the need for counseling arises from the covered active duty status or call to covered active duty status of the military member.

- F. Rest and recuperation. For example, leave may be taken to spend time with the military member who is on a short-term, temporary, Rest and Recuperation leave during the period of deployment. Eligible employees may take up to fifteen (15) calendar days of leave for each instance of Rest and Recuperation beginning on the date the military member commences each instance of Rest and Recuperation.
- G. Post-deployment activities. For example, leave may be taken to attend post-deployment activities for the military member for a period of 90 days following the termination of the member's covered active duty status; and to address issues that arise from the death of a military member while on covered active duty status.
- H. Parental care.
- I. Additional activities to address any other additional events that may arise out of the military member's covered active duty or call to covered active duty status provided Panola County agrees the leave shall qualify as an exigency and agree to both the timing and the duration of such leave.

LEAVE AMOUNT

- A. Except for in the case of leave to care for a covered servicemember with a serious injury or illness, twelve (12) weeks leave per twelve (12) month period may be used under this policy.
- B. Panola County will measure the twelve (12) month period as a rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy.
- C. All leave taken under this policy during the prior twelve (12) month period shall be subtracted from the employee's twelve (12) week leave eligibility and the balance is the leave the employee is entitled to take at that time.
- D. If a husband and wife both work for Panola County the maximum combined leave they shall be allowed to take in any twelve (12) month period for the birth or placement of a child, or care for a parent with a serious health condition is twelve (12) weeks. The combined limit is twenty-six (26) weeks in a single twelve (12) month period if leave is to care for a covered servicemember with a serious injury or illness.
- E. An eligible employee is entitled to up to twenty-six (26) workweeks of leave to care for a covered servicemember with a serious injury or illness during a single twelve (12) month period.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

1. The single twelve (12) month period begins on the first day the eligible employee takes FMLA to care for covered servicemember and ends twelve (12) months after that date.
2. If an eligible employee does not take all of their twenty-six (26) workweeks during this twelve (12) month period, the remaining part of the twenty-six (26) workweeks of leave entitlement to care for the covered servicemember is forfeited.
3. This leave entitlement is applied on a per-injury basis such that an eligible employee may be entitled to take more than one period of twenty-six (26) workweeks of leave if the leave is to care for different covered servicemembers or to care for the same covered servicemember with a subsequent serious illness or injury, except that no more than twenty-six (26) workweeks may be taken within any single twelve (12) month period.
4. An eligible employee is entitled to a combined total of 26 workweeks of FMLA leave for any qualifying reason during the single 12-month period applicable to military caregiver leave.

PAID AND UNPAID LEAVE

- A. If an employee has accrued leave, the employee shall be required to use the following paid leave concurrently with FMLA leave:
 1. Compensatory time
 2. Vacation time
 3. Holiday time
 4. Sick time (only if the reason for the leave is such that sick time is available to be used under the County's sick leave policy)
 5. Personal time

The remainder of the FMLA leave, if any, shall be unpaid.
- B. An employee who is taking leave because of their own serious health condition or the serious health condition of an eligible family member shall be required to first use all earned compensatory time, then sick leave, vacation, and any other paid leave, with the remainder of the twelve (12) week leave period being unpaid leave.
- C. An employee taking leave for the birth of a child shall be required to use paid sick leave first, then earned compensatory time, vacation leave, holiday leave and personal leave for the recovery period after the birth of the child and prior to being on unpaid leave.
- D. After the recovery period from giving birth to a child, the employee shall be required to first use all earned compensatory

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

time, then vacation and other available paid leave, except for sick leave with the remainder of the twelve (12) week leave period being unpaid leave.

- E. An employee who is taking leave for the placement of a child in the employee's home for adoption or foster care shall be required to use first earned compensatory time, then vacation, then other available paid leave, except for sick leave, with the remainder of the twelve (12) week leave period being unpaid leave.
- F. An employee is taking leave for a qualifying exigency for a military member shall be required to use first earned compensatory time, then vacation and other available paid leave, except for sick leave, with the remainder of the twelve (12) week leave period being unpaid leave.
- G. An employee taking leave for the care of a covered servicemember shall be required to first use all earned compensatory time, then sick leave, vacation and any other paid leave, with the remainder of the twenty-six (26) week leave period being unpaid leave.
- H. The maximum amount of paid and unpaid leave that may be used under this policy in any twelve (12) month period is twelve (12) weeks, except for qualifying leave to care for a covered military member with a serious injury or illness with the maximum leave being twenty-six (26) weeks in a single twelve (12) month period.

EMPLOYEE BENEFITS

- A. While on FMLA leave, Panola County shall continue to pay the employee's medical insurance premium at the same rate as if the employee had been actively at work.
- B. The employee shall be required to pay for dependent coverage, and for any other insurance coverage for which the employee would normally pay, or the coverage will be discontinued.
- ~~C.~~ ~~Payment for coverage under section twenty-one (21) of this policy shall be made through regular payroll deduction while the employee is on paid leave.~~
- ~~DC.~~ While on unpaid leave, the employee shall be required to pay for premiums due to Panola County ~~under section twenty-one (21) of this policy~~ no later than thirty (30) days after the due date which Panola County sets or the coverage shall be discontinued.
- ~~ED.~~ At the end of the twelve (12) weeks leave all eligible employees will be offered COBRA if they are unable to return to work, except for the care of an injured covered military member where the eligible employee will be offered COBRA at the end of twenty-six (26) weeks in a single twelve (12) month period.

Comment [A6]: What does this refer to? I cannot find a "section twenty-one" in this policy.

INTERMITTENT LEAVE AND REDUCED SCHEDULE

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

- A. Intermittent leave under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee or the employee's eligible family member or for the care of a covered servicemember.
- B. A reduced schedule under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee or the employee's eligible family member or for the care of a covered servicemember.
- C. Intermittent leave or leave on a reduced schedule is available only if there is a medical need for the leave and such medical need can be best accommodated through an intermittent or reduced leave schedule.
- D. All work time missed as a result of intermittent leave or a reduced work schedule under this policy shall be deducted from the employee's twelve (12) week leave eligibility. If the time missed is for the care of a covered servicemember with a serious injury or illness, the time will be deducted from the employee's twenty-six (26) week leave eligibility in a single twelve (12) month period.

CERTIFICATION REQUIREMENTS

- A. Panola County shall have the right to ask for certification of the serious health condition of the employee or the employee's covered family member when the employee requests or is using leave under this policy. Medical certification forms will be provided to the employee for this purpose.
- B. The employee must respond to the request for medical certification within fifteen (15) days of the request or provide a reasonable explanation for the delay. If an employee does not respond, leave may be denied.
- C. Certification for leave taken because of a qualifying exigency shall include:
 - 1. A copy of the military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on covered active duty or called to covered active duty status;
 - 2. The dates of the military member's covered active duty service;
 - 3. A statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency, sufficient to support the need for leave.
 - 4. The approximate date on which the qualifying exigency will start and end;
 - 5. If the request is for an intermittent leave or reduced schedule basis, an estimate of the frequency and duration of the qualifying exigency;
 - 6. If the qualifying exigency involves meeting with a third party, appropriate contact information such as: name, title, organization,

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

- address, telephone number, fax number and e-mail address and a brief description of the purpose of the meeting.
- D. A medical certification form will be provided to the employee requesting leave to be taken for a serious injury or illness of a covered servicemember.
 - E. If the employee requests to take intermittent leave or work a reduced schedule, a medical certification shall include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. Certification for intermittent or reduced schedule leave may be requested every six (6) months in connection with an eligible absence.
 - F. Panola County shall have the right to ask for a second opinion from a physician of the County's choice, at the expense of the County unless the FMLA leave is to care for a seriously injured or ill covered servicemember and such condition is supported by an ITO or ITA.
 - G. If there is a conflict between the first and second certifications, Panola County shall have the right to require a third certification, at the expense of Panola County, from a health care practitioner agreed upon by both the employee and Panola County, and this third opinion shall be considered final.

REQUESTING LEAVE

- A. Except where leave is unforeseeable, an employee shall be required to submit, in writing, a request for leave under this policy to his or her immediate supervisor.
- B. Where practicable, an employee should give his or her immediate supervisor at least thirty (30) days' notice before beginning leave under this policy.
- C. Where it is not reasonably practicable to give thirty (30) days' notice before beginning leave, the employee shall be required to give as much notice as is reasonably practicable.
- D. If an employee fails to provide thirty (30) days' notice for foreseeable leave, the leave request may be denied until at least thirty (30) days from the date Panola County receives notice.

REINSTATEMENT

- A. Employees returning from leave under this policy, and who have not exceeded the twelve (12) week maximum allowed under this policy, shall be returned to the same job or a job equivalent to that the employee held prior to going on leave. Employees who have not exceeded the twenty-six (26) week maximum, in a single twelve (12) month period, allowed to care for a seriously ill or injured covered servicemember, shall be returned to the same job or a job equivalent to the job they held prior to going on leave.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

- B. Where an employee is placed in another position, it will be one which has equivalent status, pay, benefits and other employment terms and one which entails substantially equivalent skill, effort, responsibility and authority.
- C. Unless required to do so by other applicable law, Panola County shall have no obligation to reinstate an employee who takes leave under this policy and who is unable to return to work after using the maximum weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave; this includes employees who may still have sick leave or vacation leave still available.

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

REPAYMENT OF PREMIUMS

Except in situations where the employee is unable to return to work because of the serious medical condition of the employee or of the employee's family member, a serious injury or illness of a covered servicemember, or other circumstances beyond the control of the employee, an employee who does not return to work after using the maximum leave allowed under this policy shall be required to reimburse Panola County for all medical premiums paid by Panola County while the employee was on leave without pay.

OTHER BENEFITS

While on leave without pay under this policy, an employee shall not earn vacation or sick leave, be eligible for holidays, or earn other benefits afforded to employees actively at work, except for those stated in this policy.

OTHER ISSUES

- A. Any area or issue regarding family and medical leave which is not addressed in this policy shall be subject to the basic requirements of the Federal Family and Medical Leave Act (FMLA) and the regulations issued to implement it. This policy is intended to provide Panola County employee with all rights due them under the Family and Medical Leave Act but no other or further rights.
- B. Panola County may send out to an employee who has been out for three (3) or more days a Medical Certification to determine the employees FMLA eligibility. The employee should have their physician complete and return the certification within fifteen (15) days of receipt to be eligible for FMLA. Failure to return the medical certification may result in denial of FMLA.
- C. The County may designate an employee's leave to be FMLA leave even if the employee fails or refuses to submit a medical certification if there has been an FMLA qualifying event.
- D. Employees on FMLA leave because of the employee's own serious health condition will be required to provide a Fitness-for-Duty certification prior

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

to returning to work. The Fitness-for Duty certification must state that the employee is able to perform the essential functions of his/her job and list any physical limitations. A copy of the employee's job description will be provided for the health care provider to be able to make the certification.

- E. Once FMLA is exhausted, employees eligible for insurance will be offered COBRA.

6.09 ADMINISTRATIVE LEAVE

An employee may be placed on Administrative Leave with pay as deemed appropriate by the Elected/Appointed Official or department head. Administrative Leave with pay will be assigned when the employee's absence from work is determined to be in the best interest of the County as when the employee is the subject of an internal investigation. The employee may be placed on Administrative Leave with pay for a period of no more than five working days without Commissioners Court approval. The period of Administrative Leave with pay may be extended by action of the Commissioners Court. The Elected/Appointed Official or department head will notify the County Treasurer immediately, in writing, of the Administrative Leave with pay status.

SECTION 7 EMPLOYEE PERSONNEL RECORDS

7.01 PERSONNEL FILES

In each employee's personnel file, records regarding position, pay, and other employee status actions will be retained. Other items that may be contained in the file are written notes of explanation, grievances filed, employee forms for taxes and retirement application. The file will also contain disciplinary actions, awards received, training records, and performance reviews, including driving records of employees authorized to operate county vehicles. Access to the file is by appointment with the County Treasurer's office. Employee medical records will be kept in a separate, locked, confidential file in the County Treasurer's office.

Personnel files are generally considered to be public records in Texas. Each employee may execute an election to require that the employee's home address, home telephone number, emergency contact information, Social Security Number, and/or information that reveals whether the employee has family members be kept confidential by the County. To be effective, the election must be made within fourteen (14) days of the date of hire, election, or appointment or within fourteen (14) days of the date of termination of employment.

7.02 LEAVE RECORDS

Records of leave accrual and leave taken are kept with payroll information in employee records. These records are updated with payroll information. Changes in leave requested or taken can be corrected on the time sheet or by notice to the County Treasurer's office.

SECTION 8 DISCIPLINE / GRIEVANCE / SEPARATION

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

8.01 AT-WILL EMPLOYMENT/DISCIPLINE

Since employees of *Panola County* are employed "at-will," dismissal can take place at any time and for any reason, with or without notice. Conduct that violates county policy, interferes with operations, discredits *Panola County*, or offends or is dangerous to others in the workplace is grounds for discipline, whether such conduct is expressly prohibited by or in violation of any applicable rule, policy or directive.

General rules of conduct include employees' performance of assigned tasks in an efficient and safe manner, compliance with attendance control policies and directives and the respectful treatment of visitors, employees and supervisors.

The following conduct is expressly prohibited and provides a non-exclusive list of conduct that will result in discipline up to and including immediate termination of employment:

1. Dishonesty or falsifying a document, including but not limited to applications for employment, medical certifications, and time records;
2. Failure to observe starting, quitting, and/or break times;
3. Reckless acts;
4. Inferior or inadequate job performance;
5. Violation of any security, health, safety or environmental directive;
6. Smoking in a non-designated area;
7. Excessive and/or unexcused absenteeism and/or tardiness;
8. Failure to report to work after an approved absence;
9. Theft, attempted theft, misappropriation or intentional damage to County property or personal property of another;
10. Possession of alcohol, an intoxicant or a controlled substance, which has not been prescribed for the one in possession, on County property or while on County business;
11. Reporting to or being present at work under the influence of alcohol or a controlled substance;
12. Threatening, intimidating, abusing or interfering with a supervisor, contractor, employee or visitor by words or actions;
13. Insubordination;
14. Fighting or assault;
15. Sleeping on the job;
16. Unauthorized possession of a firearm, prohibited weapon or explosive on County property or while conducting County business;
17. Conviction of a felony or a misdemeanor involving moral turpitude;
18. Failure to report an accident or misconduct;
19. Engaging in unlawful discrimination or harassment;
20. Using offensive language with or raising one's voice toward a citizen/customer of the County; and
21. Receiving or soliciting a bribe or other improper payment or service.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Discipline is determined by supervisors and managers. The progressive discipline process includes steps such as a verbal warning, written reprimand, suspension from duty, demotion, final warning, and separation by involuntary dismissal. While *Panola County* supports the use of the progressive discipline process, it has the right to use any appropriate method of discipline, alone or in conjunction with other disciplinary actions, including immediate termination of employment.

In the event of dismissal, the employee will be provided with such notice and rights to be heard as are required by law.

8.02 DISPUTE RESOLUTION / GRIEVANCES

Panola County wishes to prevent circumstances that lead to grievances and encourages its employees to work out problems informally and as expeditiously as possible. When a dispute occurs, it is to be resolved promptly. Employees will not face adverse consequences for filing a grievance. Grievances may be filed alleging unfair treatment, discrimination, improper application of regulations and benefits of employment, and for improper working conditions.

Informal grievance by attempting to resolve the problem through an informal meeting with the supervisor is the first step in the process. If this attempt to resolve the problem fails, a more formal grievance, in writing, should be filed. This formal grievance, signed by the employee, is presented to his/her supervisor within two weeks of the occurrence giving rise to the grievance. If the grievance alleges discrimination because of race, creed, religion, color, sex, age, national origin, disability, military status, sexual orientation or any other classification protected by law then a copy of the formal grievance should be forwarded to a member of the Equal Employment Opportunity Panel. The employee should include a statement regarding what action they are requesting be taken as a result of the grievance.

The Department Head will initiate an appropriate investigation and will take steps to resolve the grievance or contact a member of the Equal Employment Opportunity Panel, if appropriate. All documentation should be held by the Department Head or the Equal Employment Opportunity Panel. The Department Head or the EEO Panel will provide the grievant with a written decision regarding the resolution of the grievance. ~~The employee may appeal if dissatisfied with the resolution of the grievance. Failure to appeal within five working days of receipt of the original decision will imply agreement with the resolution.~~

8.03 SEPARATION FROM EMPLOYMENT

Separation usually results from resignation, retirement, layoff, termination, or death. If the reason is resignation, an employee is requested to give notice in writing at least two weeks before the last day of work. For separation due to retirement, more notice is requested. Layoff may occur if a position is eliminated or when there is a lack of funding or work.

Termination can occur for any reason, however *Panola County* intends to work with employees, where possible, to avoid involuntary separation.

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

If an employee resigns employment, orally or in writing, such resignation is accepted immediately by *Panola County*.

Payment for the employee separated because of resignation, retirement, layoff or death will be made on the next scheduled payday. In the event of involuntary separation, payment will be made on the day of termination. The final check will include vacation and compensatory leave time, as appropriate.

8.04 INSURANCE CONTINUATION AFTER SEPARATION

Panola County complies with the Consolidated Omnibus Reconciliation Act of 1985 (COBRA). For information regarding COBRA rights, see the County Treasurer.

SECTION 9 MISCELLANEOUS

9.01 INCLEMENT WEATHER

Each Elected Official or Department Head will decide whether to close his or her office in case of inclement weather. Each Elected Official or Department Head will decide the opening time(s) and will notify employees. Different arrival times may be assigned due to an employee's home location. If sudden inclement weather develops during the day, each Department Head will close as he/she sees fit. Individual employees may be allowed to leave due to their home location. When an office is officially closed due to inclement weather, affected employees will be paid for the days or times the office is closed if the employee was scheduled to work. ~~If the office is open and an employee decides to stay home due to inclement weather, the employee may take unpaid leave or may use accrued vacation leave.~~

Sheriff's Office and Road and Bridge employees will follow their supervisor's directions.

9.02 REQUEST FOR CONFERENCE ATTENDANCE

All employees, including elected officials, who are requesting to attend a work-related conference will complete the "Request for Conference Attendance Form" and submit same to the Commissioners Court for approval before the conference date. Forms are available at the County Auditor's office.

9.03 TRAVEL, LODGING AND MEAL REIMBURSEMENT

Request for reimbursement and accounting of travel advances will be made on a "Travel

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

Reimbursement Form.” This form is available at the County Auditor’s office. No expenses will be reimbursed without receipts.

9.04 MILEAGE REIMBURSEMENT

Approved travel in a personal vehicle will be reimbursed at the rate determined by the Internal Revenue Service to and from the destination by the most direct route. State mileage figures may be used. ~~When a Panola County employee is traveling in a non Panola County employee’s vehicle, the Panola County employee will be allowed \$.05 per mile to help defray the costs incurred by the driver.~~

9.05 AIR TRAVEL

Travel by air should be at the coach rate and used only when time constraints would preclude driving (this might include the necessity of an overnight stop if driving is used), or when all expenses associated with air travel is not more than 20% more than the total mileage reimbursement, room, and meal requirements necessitated by automobile travel. An employee may elect to use air travel and receive the limits prescribed by the County as partial reimbursement of the total fare. Employees are urged to use shuttle busses for transportation to and from airports and hotels.

A copy of ticket charges must accompany requests for reimbursements and prior approval by the County Judge must be obtained to use air travel by completing a “Justification for Air Travel” form available at the County Judge’s office.

9.06 MEALS, LODGING AND MISCELLANEOUS EXPENSES

Reimbursement for actual expenses up to a maximum of \$250.00 per day per employee will be provided for out of town travel. Receipts shall be attached as verification. Tips will be included on meal receipts. Reimbursements will not be made for alcoholic beverages. Reimbursements may include miscellaneous reasonable and necessary expenses such as taxi fare, valet service, etc. Receipts are not required, however, explanation must be given for these claimed expenses.

9.07 ADVANCES

Advances should be requested as a last resort and may be approved for up to \$150.00 per day. A cash advance of \$150.00 may be requested per day for travel expenses; however, the maximum daily limit is \$250.00 a day for lodging, meals and miscellaneous expenses. If the hotel bill is paid in advance, it will be deducted from the maximum daily limit. The remainder will be allowed for the cash advance, not to exceed \$150.00 per day. Request for advances should be made on a “Request for Travel Advance” form, available at the County Judge’s office, and must be signed by the Department Head and the County Judge. An employee who is advanced travel money will complete the “Travel Reimbursement” form with the required receipts within 5 days after return to the County. An advance greater than the actual cost must be returned to the

Formatted: Tab stops: 1.46", Left + 5.01",
Left + Not at 3.25" + 6.5"

Formatted: Tab stops: 4.73", Left + 5.4",
Left + Not at 3.25" + 6.5"

County within 5 days after return to the County. Any otherwise allowable expense for which receipts are not submitted will not be approved.

9.08 NURSING MOTHERS

Panola County supports the practice of expressing breast milk and will make reasonable accommodations for the needs of employees who express breast milk. The County will provide a reasonable amount of break time for an employee to express breast milk each time the employee has need to express the milk and will provide a private place for the employee to express milk. An employee will not be discriminated against because she has asserted her rights to express milk. The County Judge's Conference Room on the second floor of the courthouse is designated as the location for this purpose.

Formatted: Tab stops: 1.46", Left + 5.01", Left + Not at 3.25" + 6.5"

Comment [A7]: This revision brings your policy into compliance with the FLSA and with new Chapter 619 of the Texas Government Code. The location designated **can never be a bathroom** under any circumstances (even if it is a single user facility).

Formatted: Tab stops: 4.73", Left + 5.4", Left + Not at 3.25" + 6.5"

SECTION 10 FORMS

ELECTION REGARDING PERSONAL INFORMATION

I, _____, hereby make the following election with respect to allowing public access to information in the custody of Panola County that relates to my home address, home telephone number, emergency contact information, and Social Security Number or that reveals whether I have family members.

I do not want Panola County to disclose or allow public access to the following:

_____ My home address

_____ My home telephone number

_____ My emergency contact information

_____ My Social Security Number

_____ Information that reveals whether I have family members

Employee's Signature

Employee's Printed Name

Date

**PANOLA COUNTY POLICY & SELECTION FORMS
FOR GROUP MEDICAL INSURANCE CONTINUATION COVERAGE FOR
RETIREES AND SURVIVING SPOUSES**

IT IS IMPORTANT THAT CURRENT AND RETIRED EMPLOYEES UNDERSTAND AND APPRECIATE THAT THE CURRENT ELIGIBILITY, BENEFITS, COSTS, AND TERMS OF COVERAGE MAY BE CHANGED, ~~OR MODIFIED, OR ELIMINATED~~ IN THE FUTURE. THE CURRENT COUNTY POLICY DESCRIBED BELOW IS NOT GUARANTEED FOR ANY TIME PERIOD.

Comment [A1]: Per Cathy – I recommend not calling this “continuation” because that word is so closely associated with COBRA coverage.

ELIGIBILITY

Group Medical insurance ~~continuation coverage~~ is available for retired employees who are eligible to begin receiving either Service or Disability retirement benefits from the Texas County and District Retirement System during the two (2) months subsequent to employment termination.

Group Medical insurance ~~continuation coverage~~ is available for a surviving spouse who is eligible to begin receiving monthly survivor retirement benefits from the Texas County and District Retirement System during the two (2) months subsequent to the active or retired employee’s death if the surviving spouse was covered by the current group medical plan at the time of the active or retired employee’s death.

The above stated eligibility is subject to future change upon action of current insurance carrier and/or the Panola County Commissioners’ Court. If changes are made, you may have rights under Federal Law regarding continued coverage (COBRA).

BENEFITS

The benefits for this program shall be in accordance with the ~~provisions-terms~~ of the current group medical insurance ~~master contract coverage in effect~~ for Panola County at any given time. ~~A copy of the master contract shall be kept in the County Clerk’s office and may be reviewed by anyone during normal working hours~~ summary of benefits is available upon request.

Comment [A2]: Per Cathy - All health benefits coverage providers are required by law to have a “summary of benefits” available to covered individuals. If the County does not have this document, it should request one from TAC.

COSTS

~~An-The County will cover the cost of premiums for the coverage afforded for all eligible retired employees covered under our-the County’s current insurance policy, who does not have Medicare coverage, must pay the difference between the premium applicable to a non-Medicare covered retired employee and the premium applicable to a retiree who has Medicare coverage. When a retiree covered under our plan obtains Medicare coverage, the County will pay all of the applicable premium for the retiree.~~

~~It is the responsibility of the retiree and surviving spouse to notify the County when they or covered dependents become covered under Medicare or when dependents become ineligible for coverage.~~

~~The premium of any eligible dependents of a retiree shall be entirely payable by the retiree regardless of any Medicare coverage.~~

Any eligible surviving spouse or dependent shall be entirely responsible for the payment of applicable premium ~~regardless of any Medicare coverage.~~ The County will not pay any portion of the premium for coverage for an eligible surviving spouse or dependent.

~~The premium for any eligible dependents of a surviving spouse shall be entirely payable by the surviving spouse.~~

The current monthly rates are in accordance with applicable premiums at time of qualifying event. The current rates in force will be provided upon request. Premiums shall be paid to the Panola County Treasurer's Office on or by the 1st day of each month. Failure to remit required payments by the 1st of each month may ~~cause your insurance to be stopped~~ result in termination of coverage.

SELECTION OF BENEFITS

Any eligible retired employee or eligible surviving spouse must make application for group medical insurance ~~continuance~~ coverage. This includes completion of the change forms required by the current insurance carder and the selection form required by this document.

Any required change forms and the attached selection form must be completed for continuation coverage. Forms will be provided upon request. Coverage may not be available if selection form is not completed within thirty (30) days of the service retirement date or the date of survivor spouse began receiving the survivor retirement benefits. In the case of a disability retirement the selection form would need to be completed within thirty (30) days of the official notification by the Texas County & District Retirement System that disability retirement had been approved.

All information on this selection form is considered a part of this policy.

****SELECTION FORM****

_____ I do wish to continue my insurance coverage as explained in the above document and choose:

- _____ Coverage for myself (retiree only)
- _____ Coverage for myself (retiree) and eligible dependents
- _____ Coverage for myself (surviving spouse only)
- _____ Coverage for myself (surviving spouse) and my eligible dependents

_____ I do not wish to continue group medical insurance coverage.

I understand the following:

1. Dependents can be dropped or added at a later date dependent upon eligibility and the specific time when open enrollment is allowed by the current insurance carrier.
2. All coverage and premiums are ~~with-subject to~~ the current insurance carrier provisions and are subject to change and/or approval by the insurance carrier.
3. The above described coverage is subject to approval of Service Retirement, Disability Retirement, or Surviving Spouse Retirement benefits as described in the eligibility section of this document on page 1.
4. This form must be completed and required payments made or no coverage will be provided.
5. Before coverage can begin any required change forms from the current insurance carrier must also be completed and are subject to the insurance carrier's approval and/or acceptance.
6. All three pages of this document determines the basis for group medical insurance continuation.
7. Panola County reserves the right to revise, modify, change, add, or delete a County ~~benefit, rule, or policy~~; and no oral statement or representation can change or modify a County ~~benefit, rule, or policy~~.
8. The current benefits, terms of coverage, cost, or eligibility may be changed or modified at the discretion of the Commissioners' Court.
9. This acknowledgment supercedes all prior agreements, understandings, and representations concerning Panola County group medical insurance.

EMPLOYEE: _____ **DATE:** _____
Printed Name

SIGNATURE: _____ **PHONE:** _____

ADDRESS: _____

Based upon the selection above, the initial monthly rate payable to Panola County each month is \$ _____. Rates are subject to change any month.

Please remit payment to: Panola County Treasurer

Room 212 Panola County Courthouse
Carthage, Texas 75633

Formatted: Indent: Left: 1.5", First line:
0.5"

PANOLA COUNTY OFFICIAL/EMPLOYEE
REQUEST FOR ATTENDANCE
AT A CONFERENCE

NAME: _____

POSITION: _____

DEPARTMENT: _____

DATE: _____

CONFERENCE: _____

LOCATION: _____

DATES: _____ to _____

NUMBER OF DAYS OUT OF OFFICE FOR THIS CONFERENCE: _____

Does the conference meet your educational requirements for the year? _____

If not, how much of your requirements will be met by this conference? _____

How much of your requirements have been met already, not counting this conference?

How many days have you been away from your job this year for conferences, not
counting this conference? _____

Do you have sufficient funds in your budget for this conference? _____

Write a short statement explaining the public purpose that will be met by your
attendance at this conference: (continue on the back if necessary.)

REQUEST FOR TRAVEL ADVANCE

Name: _____ Date: _____

Destination: _____ Purpose: _____

Departure date and time: _____

Return date and time: _____

I request the following travel advance:

LODGING, MEALS, MISCELLANEOUS

\$ _____ per day for _____ day = \$ _____

TOTAL TRAVEL ADVANCE REQUESTED \$ _____

I agree that within 5 days of my return I will submit a Travel Reimbursement form and attach lodging and meal receipts. I understand that I cannot claim any amounts for lodging and meals for which I do not submit receipts, and that I will reimburse the county for any advances greater than my approved costs.

Employee Signature

Date

APPROVAL:

Department Head

Date

County Judge

Date

TRAVEL REIMBURSEMENT FORM

Name: _____ Date: _____

Destination: _____ Purpose: _____

Departure date and time: _____

Return date and time: _____

TRAVEL:

Mileage: _____ miles at _____ per mile = \$ _____

OR

Airline Fare: (attach copy of ticket) = \$ _____

MEALS AND LODGING:

Attach receipts

of employees in room _____ \$ _____

MISCELLANEOUS:

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

TOTAL MISCELLANEOUS _____

TOTAL EXPENSES	\$ _____
LESS TRAVEL ADVANCE	\$ (_____)

TOTAL DUE (COUNTY) EMPLOYEE \$ _____

I hereby certify that these were actual expenses incurred by me in the course of business for Panola County, Texas.

EMPLOYEE'S SIGNATURE: _____

DEPARTMENT HEAD APPROVAL: _____

JUSTIFICATION FOR AIR TRAVEL

- 1. Cost of using auto _____ miles @ \$.28 per mile \$ _____
- 2. Cost of _____ nights lodging (1 night at \$75 per
500 miles traveled) \$ _____
- 3. Approximate cost of meals while driving \$ _____

TOTAL COST

- A. TOTAL COST X 1.2 = \$ _____
- B. COST OF AIR FARE = \$ _____

If cost of B is equal to or less than A, air travel will be approved.

If cost of B is greater than cost of A, the County Judge will approve a request for the amount of A to be applied to B, with the difference paid by the employee.

DATE: _____

I request prior approval for air travel up to the limits shown on line A above.

Employee

Approved: _____
County Judge

SECTION 11

CREDIT CARD USE

CREDIT CARD USE POLICY AND FORMS

PANOLA COUNTY

CREDIT CARD USE POLICY

PURPOSE: To establish guidelines for the use of existing and future Panola County credit cards in order to facilitate county business while protecting the financial integrity of the County. By approval of this policy, the Panola County Commissioners Court hereby finds and affirms that a public interest and public purpose for county business exists for the use of current credit cards. All future credit cards must be approved as meeting a public interest and public purpose for county government. Specified purposes for the use of a County credit card are for accommodations, fuel, and general county purposes, including Sheriffs detention functions and building services.

SCOPE: This policy applies to all persons, elected officials and employees, who are authorized by a department head or by the commissioners court to use a Panola County credit card.

PROCEDURE:

- Persons authorized according to this policy to use a Panola County credit card must execute a "Credit Card Use Certification" before using a credit card. The individual's Credit Card Use Certification will be kept on file in the County Treasurer's Office and may be revoked at any time by the individual by giving written notice to the County Treasurer.
- Once a credit card charge has been made, the individual using the card must complete a "Credit Card Charge Report" or other appropriate documentation showing that a county public purpose has been met and attach an original itemized receipt for the goods or services charged. A credit card charge document that only shows the total amount due is not an itemized receipt. The Credit Card Charge Report must be signed by the employee using the credit card and his or her Department Head. The Department Head's signature indicates that the employee was authorized to make the purchases and that the purchases were reasonable and were made in accordance with all applicable procedures and current laws. The report and/or receipt(s) will be provided to the County Auditor. Failure to provide an original itemized receipt for a charge may result in the charge being deemed to be a personal expense of the employee.

GENERAL GUIDELINES APPLICABLE TO THE USE OF ANY PANOLA COUNTY CREDIT CARD:

- Panola County credit cards may be used only for official county business, and all expenses incurred on such cards must be reasonable. Use of a Panola County credit card for any personal charge is strictly prohibited. Personal charges include but are not limited to purchasing fuel for a personal vehicle, entertainment, alcohol, cash advances, telephone calls, personal Internet service, items for non-employees, and all unauthorized charges.
- Only persons authorized by this policy may use a Panola County credit card.
- Panola County credit cards may be used only for reasonable expenses for the purposes authorized by this policy. Any unauthorized use of a Panola County credit card will result in discipline up to and including termination of employment.
- Whenever an employee has a Panola County credit card in his or her possession, the employee must safeguard the credit card and account number to the same degree that he or she would safeguard his or her personal credit card and information.
- Panola County credit card numbers may not be given out over the telephone or on-line except as provided by the Credit Card Travel Use Guidelines, below.
- Officers and employees of the County are expressly prohibited from maintaining Panola County credit card numbers in any format or on any device.
- Making a copy of a Panola County credit card is not permitted for any purpose.
- A person authorized to use a Panola County credit card may not allow any other individual to use the card.
- No personal expenses may be charged to a county credit card even if the employee intends to reimburse the County for the charge.
- Any unauthorized use of a Panola County credit card will be considered to be a personal charge by the individual making the charge. Payment for any personal charges must be made to the County immediately and may result in employee discipline and/or county collection efforts including payroll deductions, suit to collect a debt, or criminal prosecution.
- Lost or stolen credit cards must be reported immediately to the law enforcement and the County Treasurer or County Auditor.

CREDIT CARD TRAVEL USE GUIDELINES:

In addition to the foregoing General Guidelines applicable to the use of any Panola County credit card, the following guidelines apply to the use of Panola County credit cards for travel on County business:

- Only overnight accommodations may be guaranteed on or charged to the credit card.
- Mini bar items, dry cleaning, and movies or other entertainment may not be charged to the credit card.
- If required to reserve overnight accommodations, the Panola County credit card number may be provided by phone to the service provider.
- Credit cards must be picked up from and returned to the County Treasurer's Office.

Credit cards must be returned immediately upon completing the actions for which the purchase order relating to the use of the card is complete.

CREDIT CARD USE CERTIFICATION

I _____ hereby acknowledge that I have received a copy of the Panola County Credit Card Use Policy ("Policy") and that I have read the Policy and have been able to have any questions about the requirements of the Policy answered. I understand the consequences of my failure to comply with the policy. I hereby agree to comply with the terms of the Policy.

I understand and agree that my use of a Panola County credit card is limited to payment for reasonable expenses for an authorized use for county business only and that any unauthorized use of a county credit card could have criminal implications.

I understand and agree that any unauthorized use of the Panola County credit card will be a personal debt that I owe the County and that must be paid immediately upon my return of the credit card to the County Treasurer.

I hereby request and authorize the County to deduct any unauthorized charges from my pay check up to the amount of the unauthorized charge over one or more pay periods as may be needed.

I hereby acknowledge that my failure to repay any unauthorized charge that I make on a County credit card creates a debt that the County may collect by any legal means including criminal prosecution

Signature: _____

Printed Name: _____

Date: _____

SECTION 12
POST-RETIREMENT
EMPLOYMENT

POST-RETIREMENT EMPLOYMENT

This section deals with retirees who seek re-employment with Panola County.

Panola County may rehire a retiree and his/her monthly TCDRS benefit payment will not be suspended as long as the original termination was bona fide under Internal Revenue Service guidelines and meets certain TCDRS requirements that became effective April, 2006. These strict guidelines must be followed to maintain *Panola County's* retirement plan's qualified status with the Internal Revenue Service and TCDRS. A "qualified plan" means any contributions or deposits to the retirement plan are tax deferred. Losing the plan's qualified status is extremely expensive and has serious tax consequences for *Panola County* and its employees.

The Internal Revenue Service requires that the retirement be based on a bona fide separation from employment. No official of *Panola County* may make a prior agreement or arrangement, before retirement, to hire an employee after he/she retires from *Panola County*. There can be no expectation of employment by a *Panola County* employee after retirement.

If *Panola County* loses its "qualified status" with the Internal Revenue Service the following penalties may apply:

Panola County may owe back taxes, interest and penalties on its employer contributions and employee deposits to TCDRS retroactive to the date the Internal Revenue Service determined the plan to be non-qualified.

Panola County may have to withhold taxes on TCDRS contributions and deposits going forward.

Panola County employees may be liable for income taxes on the value of their vested benefits even though TCDRS does not allow an immediate distribution.

Rehired retirees who did not have a bona fide separation may owe a 10 percent excise tax and be required to repay all of the monthly payments to TCDRS.

The following procedure applies to retired rehires:

- A. A bona fide separation means a separation that is not based on collusion or subterfuge, and without a promise, agreement or understanding between a Panola County official and an employee that the employee would be rehired after retirement;
- B. A retiree who resumes employment with *Panola County* must have had a break in service of at least one (1) full calendar month and must have a true and bona fide separation;
- C. An affidavit sworn to and signed by the *Panola County* official offering the position, and an affidavit sworn to and signed by the Panola County retiree indicating there was no agreement or understanding of re-employment after retirement by either party shall be filed. The *Panola County* retiree and the *Panola County* official shall include in each

affidavit a full and unconditional indemnity agreement to *Panola County* and its employees for all penalties, taxes, interest, costs, damages, attorney and accountant fees and all other tax consequences if any question or investigation or adverse decision is initiated or made by the IRS or the Texas County and District Retirement System. Each affidavit must be acceptable to the County Judge and County Auditor. These affidavits shall be submitted to the Panola County Commissioners Court at the time the retired employee's new employment is approved or recorded by the Commissioners Court;

- D. Although not required, it is strongly recommended that the *Panola County* official offering a position to a *Panola County* retiree consult the *Panola County* Criminal District Attorney's office to insure all legal requirements of the Internal Revenue Service, the TCDRS and Panola County are met; and
- E. A retiree who is rehired consistent with this section will establish a new membership with TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selection.