

# **COUNTY OF BURNET**

## **EMPLOYEE HANDBOOK**

**Adopted March 2, 2010**

## **NOTICE TO EMPLOYEES**

**The contents of the Employee Handbook are not a contract of employment or any covenant of such a contract. Specifically, employment at Burnet County is “at-will” employment. Your employment may be terminated by either yourself or the County, at any time, with or without cause, and with or without notice.**

**This statement of your employment relationship represents the entire agreement between you and the county of the circumstances under which your employment can be terminated. No one in Burnet County has the authority to make any agreement for employment other than employment “at-will”. This handbook is intended only to provide guidance in understanding Burnet County policies, practices and benefits. Except for the policy of “at-will” employment, Burnet County retains the right to change this handbook, and to modify or cancel any of its employee benefits when the need for change is recognized. The policies contained in this handbook supersede any and all existing or previously issued policies not longer in effect.**

### **EQUAL OPPORTUNITY EMPLOYER**

**There shall be no discrimination against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of personnel administration based upon race, religion, color, disability, national origin, sex, political affiliation, belief, veteran status or other protected factors. Personnel decisions shall be made on the basis of occupational qualifications and job related factors such as skill, knowledge, education, experience, and ability to perform a specific job.**

**The current Equal Employment Opportunity Plan is available upon request from the Treasurer’s Office. If a department has more than 50 employees it must adopt a separate Equal Employment Opportunity.**

**EMPLOYEE HANDBOOK  
FOR  
THE COUNTY OF BURNET**

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# EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET

## 1.00 INTRODUCTION

### 1.01 AUTHORITY

This handbook is adopted by the Commissioners' Court of Burnet County. Amended, revised, or new policies must be adopted by said court.

### 1.02 PURPOSE

This handbook sets forth the primary rules governing employment with the County of Burnet. These policies inform employees of the benefits and obligations of employment. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by employees and supervisors to achieve high quality public service.

This handbook is not intended to imply any contract or contractual rights. Burnet County Commissioners' Court reserves the exclusive right to modify these policies at any time without prior employee notification.

### 1.03 APPLICABILITY OF PERSONNEL POLICIES

The policies in this handbook apply equally to all employees paid through Burnet County's payroll system unless specifically exempted by law.

In cases where federal or state law or regulations supersede local policy, such laws or regulations will substitute for these personnel policies only insofar as necessary to comply.

Departments specifically exempted from the Burnet County Personnel Policy due to federal or state law or regulations include:

**CSCD: Adult Probation and Intermediate Sanction Facility (ISF):**

Section 76.006 and 76.008 of the Texas Government Code establishes the relationship between the County and the CSCD. Section 76.006 requires only that the CSCD contract with the County for all employee benefits, and section 76.008 requires that the County provide adequate facilities, utilities and equipment for the CSCD. The 33<sup>rd</sup> Judicial District CSCD has a policy and procedures manual which outlines and defines operations of the 33<sup>rd</sup> Judicial District CSCD.

Intermediate Sanction Facility is a program operated by the CSCD, and is a division of CSCD. The ISF also has a policies and procedures manual which is a subsection of the CSCD manual, incorporating all of the basic CSCD personnel policies, but which contain some procedures specific to the operation of the ISF.

In the event that any policy of Burnet County is not addressed in the aforementioned federal or state law or regulations, then Burnet County Policies and Procedures shall apply.

**33<sup>rd</sup> Judicial District Court:**

On May 28, 2003, the matter of personnel policies to be followed by employees of the District Judge's Office came to be considered. Whereas pursuant to the constitution and law of the State of Texas the Judge of the District Court is responsible for hiring court reporters and setting their compensation after public hearing, and is further authorized by statute to determine the compensation of the Court Administrator and staff; and whereas the 33<sup>rd</sup> Judicial District encompasses four counties for whom

**Burnet County administers the payroll of the reporters and Court's office staff and it is appropriate that the Court adopt a personnel policy to be followed by the employees under its control: The Court therefore enters the following orders and, accordingly, it is ordered and decreed that the personnel policy as promulgated by the Commissioners' Court of Burnet County (Policy) is hereby adopted as the personnel policy of the Official Court Reporter, the Deputy Official Court Reporter, the Court Administrator and the Court's administrative staff. Because state law provides otherwise for the Court to determine the compensation of these employees, this adoption does not include the pay grade schedule of the Policy. The Reporters and Court Administrators are hereby designated as "exempt: employees for purposes of the Fair Labor Standard Act".**

#### **1.04 DISSEMINATION OF PERSONNEL POLICIES**

**Employees receive a copy of the Personnel Policies at the time of employment. Employees are required to sign an acknowledgment and receipt statement which is kept in their personnel file.**

**An official record copy shall be filed with the County Clerk; the Treasurer's Office and posted on the County's website.**

#### **1.05 COMMUNICATION**

**Employees are encouraged to make constructive suggestions for improvement in these policies or procedures in writing to the Treasurer.**

# EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET

## 2.00 EMPLOYEE RESPONSIBILITIES

### 2.01 GENERAL

The County of Burnet is a public tax-supported organization. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are expected to carry out efficiently the work items assigned as their responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with the public, with other government employees and elected officials, with their supervisors, and with fellow employees.

### 2.02 TIMELINESS

Employees are to be punctual in maintaining work hours, keeping appointments and meeting schedules for completion of work.

An employee who expects to be absent from work must report the expected absence to his/her supervisor as far in advance of the time to be absent as is practical.

### 2.03 GIFTS

Employees shall not accept gifts from contractors, vendors, customers or other persons who have business dealings with the county.

### 2.04 CONFLICT OF INTEREST

An employee may not: (1) solicit or accept or agree to accept a financial benefit, other than from the county, that might reasonably tend to influence his/her performance of duties for the county or that he/she knows or should know is offered with intent to influence employee's performance; (2) accept employment or compensation that might reasonably induce him/her to disclose confidential information acquired in the performance of official duties; (3) accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the county; (4) make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the county; or (5) in exchange for having performed duties as a county employee in favor of that person.

### 2.05 POLITICAL ACTIVITY

Employees of the County of Burnet are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

A county employee may not use his/her official authority or influence to directly or indirectly coerce, attempt to coerce, or command any employee to campaign for or against or to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose.

### 2.06 WORKING HOURS

Full-time county employees have a standard 40-hour work week. Usual working hours are 8:00 am to 5:00pm Monday through Friday. Offices will maintain the above schedule to the extent possible. Working schedules vary by departments and are determined by the department head. Those employees who work in shifts will have varying hours of work to

be set by the elected official over the department.

## **2.07 OVERTIME WORK**

All employees of the county are subject to be called to work at any time by their supervisor or the Commissioners' Court when such action is required to serve the public properly. Exempt employees, as defined under the FLSA, are expected to render necessary and reasonable overtime services with no additional compensation. In the case of a declared emergency, exempt employees could qualify for overtime compensation.

## **2.08 WORK BREAKS**

Work breaks are a privilege, not a right, and shall be regulated by the department head.

## **2.09 PROOF OF AUTOMOBILE LIABILITY INSURANCE**

Every employee who uses a private vehicle for county business must be able to furnish proof of automobile liability insurance.

## **2.10 DRUG AND ALCOHOL POLICY: DRUG-FREE WORKPLACE REQUIREMENTS**

### **PURPOSE**

The purpose of this policy shall be to establish a drug and alcohol-free workplace to help ensure a safe and productive work setting for all employees.

### **APPLICABILITY**

This policy shall apply to all employees of Burnet County regardless of rank or position and shall include temporary and part-time employees.

The only exception to this policy shall be the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

### **POLICY**

The following shall be a violation of this policy:

- A. The manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance or drug paraphernalia on County property.
- B. Being under the influence of alcohol or illegal drugs while on County property or while on duty for the County. The use of any kind of alcohol or illegal drugs while on duty is forbidden and will subject the offender to disciplinary action up to and including dismissal at the discretion of Department Head.
- C. The use of prescription or over-the-counter drugs, while on County property or while on duty for the County, in a manner other than that intended by the manufacturer or prescribed by a physician. An employee shall notify his supervisor while taking any prescription medication that has the potential to affect performance of duties.
- D. Employees are not covered under Workers' Compensation if it is established they were under the influence of alcohol or illegal drugs at the time of the injury.

### **DEFINITIONS**

- A. A controlled substance shall include any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act (21 U.S.C. S 812), as amended.

- B. County property shall include all County owned, rented, or leased real property such as buildings, land, parking lots etc. and property used by employees such as vehicles, lockers, desks, closets, storage areas, etc.
- C. Drugs shall include any chemical substance that produces physical, mental, emotional, or behavioral change in the user.
- D. Drug paraphernalia shall include equipment, a product, or material that is used or intended for use in concealing an illegal drug or for use in injecting, ingesting, inhaling, or otherwise inducing into the human body an illegal drug or controlled substance.
- E. Illegal drug shall include any drug or derivative thereof which the use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, used for any other than a legitimate medical reason, and inhalants used illegally. Included is marijuana or cannabis in all forms.
- F. Under the influence shall be defined as a state of having a blood alcohol concentration of 0.02 or more or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage or a controlled substance.

#### TYPES OF DRUG AND ALCHOL TESTING

- A. Reasonable Suspicion Testing: If an employee is having a work performance problem or displaying behavior that may be alcohol or drug related, or is otherwise demonstrating conduct that may be in violation of this Drug and Alcohol Policy where immediate management action is necessary, a supervisor, will require that employee to submit to a breath test, urinalysis and/or blood test (see Appendix B). The following conditions may be signs of possible alcohol or drug use (this list is not all-inclusive):
  - Abnormally dilated or constricted pupils
  - Glazed stare – redness of eyes (sclera)
  - Flushed face
  - Change of speech (i.e. faster, slower, slurred)
  - Constant sniffing
  - Increased or unexplained absences
  - Redness under the nose
  - Sudden weight loss
  - Needle marks
  - Change in personality (i.e. paranoia, anger)
  - Increased appetite for sweets
  - Forgetfulness – performance altering – poor concentration
  - Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for more money
  - Constant fatigue
  - Hyperactivity
  - Smell of alcohol
  - Difficulty walking or standing
  - Dulled mental processes
  - Slowed reaction rate

- B. Post Accident Testing:** All employees directly involved in an on-the-job accident that results in property damage, lost time or bodily injury will be required to be drug and alcohol tested within 3 hours of the accident. Any accident involving damage to county property at any time shall also require a drug and alcohol test within 3 hours of the accident.

#### **REFUSAL TO BE TESTED**

Each employee is expected to fully cooperate and consent to a drug or alcohol test when requested under the terms of this policy. Refusal to consent to a drug test when requested may result in immediate termination.

#### **POLICY VIOLATIONS**

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

#### **PRESCRIPTION DRUGS**

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

Any information concerning prescription medications being used by an employee, and any other medical information of which the supervisor becomes aware, shall be treated as confidential information.

Prescription medications used at work are to be kept in their original container.

#### **TREATMENT**

Employees having problems with drugs or alcohol are encouraged to seek treatment from qualified professionals.

Information on benefits provided for treatment of alcohol and drug problems through the County's medical insurance program is available in the employee's insurance coverage booklet or from the Treasurer's Office.

#### **RESERVATION OF RIGHTS**

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

### **2.11 HARASSMENT POLICY**

#### **A. GENERAL HARASSMENT**

Burnet County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, race, color, religion, national origin, age, pregnancy, disability, family or military leave status or veteran's status. Such conduct becomes harassment when (1) the submission to the conduct is made a condition of employment; (2) the submission to, or rejection of; the conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Burnet County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the county does business. All harassment should be reported immediately (see Appendix A).

Employees who feel they have been harassed should immediately report the

situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly.

Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Retaliation against an employee who reports harassment or who cooperates in the investigation is prohibited by law as well as this policy.

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

## **B. SEXUAL HARASSMENT**

Sexual harassment is strictly prohibited by Burnet County, whether committed by elected official, appointed official, department head, co-worker or non-employee the county does business with. It shall be the policy of Burnet County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.

Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where: (1) the submission to such conduct is either an expressed or implied condition of employment; or (2) the submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or (3) the conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

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

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

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

Every reported complaint will be investigated promptly and thoroughly.

Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Use the following procedures so that your complaint maybe resolved quickly and fairly.

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

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

## **2.12 HIV/AIDS WORKPLACE POLICY**

### **A. POLICY**

Burnet County treats AIDS and HIV infection as disabilities in accordance with the policy on Equal Employment Opportunity (EEO) and the requirements of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973. Burnet County does not unlawfully discriminate against employees or applicants living with or affected by HIV (Human Immunodeficiency Virus) or AIDS (Acquired Immune Deficiency Syndrome).

### **B. PROCEDURES**

1. The County will treat HIV infection and AIDS the same as other illnesses in terms of all of our employee policies and benefits, including health and life insurance, disability benefits and leaves of absence.
2. An employee's health condition is private and confidential. An employee with AIDS or HIV infection is under no obligation to disclose his or her condition to an elected official, department head or any other employee of the County.
3. Employees living with or affected by HIV infection and AIDS will be treated in the same manner as employees with other disabling conditions.
4. Burnet County will respond to the changing health status of employees by making reasonable accommodations.
5. Co-workers, who harass, refuse to work with, or who otherwise discriminate against an employee with HIV infection or AIDS will be subject to the same disciplinary procedures that apply to other policy violations.

# EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET

## 3.00 EMPLOYEE COMPENSATION AND ADVANCEMENT

### 3.01 CATEGORIES OF EMPLOYMENT

There are three categories of employment with the County of Burnet:

**Full-time** A full-time employee is employed to hold an authorized position that is regularly scheduled 40 hours per week or an authorized position in law enforcement that is regularly scheduled 84 hours in a 14-day work period in accordance with paragraph 207(k) of the Fair Labor Standards Act.

**Part-time** A part-time employee is employed to hold an authorized position that is regularly scheduled for fewer than 40 hours per week.

**Temporary** A temporary employee is an employee hired to complete a specific project within a specified period of time. Temporary employees may be full-time or part-time.

Depending on the nature of an employee's job duties, he/she may be exempt from the overtime requirements of the FLSA. Exempt employees include executives, administrative employees, and professionals. The FLSA regulations are keyed to actual job duties of the employee, and an employee does not qualify merely because of the job title.

### 3.02 WORKDAY/WORKWEEK

The workday for Burnet County shall begin at 12:01 am each day and end 24 consecutive hours later.

For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for the County shall begin at 12:01 am on each Saturday and end seven (7) consecutive work days later (168 hours). The only exception to this is law enforcement employees who fall under the 207(k) exemption.

Burnet County Commissioners' Court adopted the FLSA Section 207(k) exemption for the Sheriff's Department's patrol deputies. The Burnet County Sheriff's Department shall contain one work period for patrol deputies. The work period shall consist of 84 hours and run from Saturday at 12:01 am, 14 consecutive calendar days. This establishes for Burnet County Sheriff's Department a 14 Day – 84 hour work period.

### 3.03 PAYDAYS

Paychecks are issued on a 26-week pay period per year system. Any deviation from this pay schedule will be at the sole discretion of Commissioners' Court.

Pay checks will not be issued other than on the official pay date.

No pay advance loans will be made to any employee for any reason.

### 3.04 CLASSIFICATION & COMPENSATION PLAN

The county maintains a classification and compensation plan by which each class of positions is assigned to a pay group.

### 3.05 PERFORMANCE EVALUATIONS

"Employee Performance Evaluations" will be completed annually each year for each employee by their Department Head or Supervisor, as described in the Burnet County Compensation Plan. Burnet County employees are not eligible for a merit increase

without a current year performance evaluation overall rating of 3 or better on record. The original of the evaluation is to be filed in the Employee's Personnel file in the Treasurer's office

### **3.06 TIMEKEEPING**

#### **Time Sheet:**

Time sheets are governmental documents and as such require accurate and truthful information and are subject to Texas Penal Code 37.10. Falsifying a time sheet, a governmental record is a Class "A" Misdemeanor.

Non-exempt employees who fail to complete or turn in their timesheet by the scheduled due dates will be subject to a reduction of 10 hours from their regularly scheduled work week. This deduction will result in the employee being paid 10 hours less for the current pay period. All corrections will be made on the next regularly scheduled payroll with the receipt of the employees completed time sheet. No non-exempt employee will be paid below minimum wage for actual hours worked.

#### **Electronic Time Clock:**

All Burnet County employees required to use the electronic time clock shall clock in upon arrival and clock out when leaving. If they are to be away from the office on personal business for more than 15 minutes they must clock-out.

- A. Leave such as vacation, sick and other approved leave shall also be recorded in the timekeeping system by the supervisor or department head.
- B. All non-exempt employees shall use the timekeeping system except in areas where internet access is not available.
- C. Non-exempt employees shall use their web access to "clock in" at the beginning and end of their workday and as necessary, within the workday, as to appropriately record their meal breaks or approved leave time.
- D. In the case of clock malfunction or other technological problems, it may be necessary to correct or enter missing data. These changes shall be documented and manually added to the employee's timecard as necessary by their supervisor to accurately report the employees' hours. Any clock or web access malfunctions should be promptly reported to the County Treasurer's Office.
- E. Burnet County uses a 7 minute rounding rule. Employees who clock in 7 minutes before or 7 minutes after any quarter hour will be paid on the quarter hour.
  - Employees should not clock in nor begin any work activities earlier than 7 minutes before their scheduled start time, unless the employee has supervisor approval for early arrival.
  - An employee should not clock out or continue any work activities any later than 7 minutes after their scheduled end time, unless the employee has supervisor approval for working late.
- F. All employees are required to view and sign their timesheets to ensure accuracy of their official recorded time. An employee should report discrepancies to their supervisor immediately. All employees are required to approve their timesheet at the end of each week.
- G. Supervisors or department timekeepers shall approve their employee's time at the end of each week.

- H. Departmental timekeepers shall ensure that employees and supervisors have accurately completed timesheets. At the end of each pay period, departmental timekeepers will “Sign Off” on all employee timesheets, therefore releasing the recorded data to Payroll for processing.

**3.07 OVERTIME COMPENSATION**

Overtime compensation (either in the form of pay or compensatory leave) is due to employees as follows:

7-day work week .....after 40 hours  
 14-day work period.....after 86 hours

Vacation leave, sick leave, personal leave, emergency leave and designated county holidays will not be counted as actual hours worked toward the calculation of overtime, but will be calculated as straight time.

**Compensation Options:** Non-exempt employees will be compensated for overtime by one of the following methods, at the option of the department head:

- 1) **Overtime pay** - Employees will be paid at one and one-half times their regular rate of pay for each hour actually worked in a work week or work period above their respective limits as listed above, (all overtime must be approved by the department head ahead of time) or
- 2) **Compensatory time** - Compensatory time off in lieu of cash payment will be calculated at the rate of one and one-half hours for each hour actually worked.

**Maximum Accumulation:** Burnet County's policy is that an employee may not accumulate more than 16 hours, 36 hours for shift employees, of compensatory time at any given time. When an employee reaches the maximum allowed accumulation of compensatory time, he/she will automatically receive overtime pay for any excess hours worked until the compensatory time balance is reduced. Any comp time accumulated at the end of each fiscal year will be paid on the last check in September, so it is realized in the current year's budget. **NO CARRY OVERS WILL BE GRANTED.**

**Comp Time Leave.** An employee who has accumulated comp time may request to take it, and such comp time leave must be given within a reasonable amount of time so long as it does not unduly disrupt the department's operations. Comp time must be taken in the fiscal year it is earned. Department Heads can dictate employee schedules in order to avoid overtime worked. However, the Department Head is mandated to require employees to fill out time sheets to reflect actual hours worked. At the end of each fiscal year, all accumulated comp time will be paid to the employee and reset for the next fiscal year. **NO CARRY OVERS WILL BE GRANTED.**

**3.08 LONGEVITY PAY**

Longevity pay is based on the number of years of unbroken service to the county. Any longevity pay is approved by Commissioners' Court. Longevity pay is in addition to COLA, and merit raises. Longevity pay will apply only to full-time employees.

Employees with less than 9 years of service are not eligible for longevity pay.

Employees with over 9 years of service receive longevity pay as follows:

-9 to 10 years of service	\$375 annually
-11 to 15 years of service	\$450 annually
-16 to 20 years of service	\$600 annually
-20 + years of service	\$750 annually

Longevity pay is calculated as of October 1 annually, at which time all employees who have earned longevity pay during that period will receive the benefit in November annually. This benefit is subject to standard withholding.

### **3.09 HOLIDAY PAY**

- A. Normally Scheduled Full Time Employees:** On designated county holidays, each employee is paid their hourly rate of pay for an 8 hour work day. Those employees (other than those subject to shift work) who are non-exempt and who are required to work on a designated county holiday will receive compensation at their hourly rate of pay for each hour worked in addition to their holiday pay or receive compensatory time off for their actual hours worked.
- B. Full Time Shift Employees:** Any Department that operates 24/7 and if the employee's regular day off falls on an authorized county holiday or if the employee works the holiday, the employee will be given 8 hours off within 180 days or will be paid for that 8 hours at their hourly rate within 180 days.
- C. Part-time and temporary employees are not eligible for holiday pay.**
- D. If an employee is off work due to FMLA, Worker's Compensation, or other unpaid leave of absence, holiday leave will not be accrued.**

### **3.10 PROMOTIONS**

Promotions are changes in the duty assignment of any employee from a position in one classification to a position in another classification in a higher pay group. A promotion recognizes advancement to a higher classification requiring higher qualifications and involving greater responsibility. A promoted employee will receive a pay increase within budgetary constraints commensurate with qualifications and responsibility in accordance with the Burnet County Compensation Plan.

Any reclassification of positions must have prior approval of Commissioners' Court before affecting any change. All changes must begin at the beginning of a pay period.

Any employee promoted to an exempt position from a non-exempt position will be paid for any accrued compensatory time at the time of the promotion. Time equivalent to the total hours paid must elapse prior to filling the vacancy created by the promotion, unless otherwise authorized by Commissioners' Court.

### **3.11 LATERAL TRANSFERS**

Lateral transfers are movements of an employee between positions in the same pay group. An employee transferring to another department will be paid any compensatory time on the books.

### **3.12 DEMOTIONS**

A demotion is a change in duty assignment of an employee from a position in one classification to a position in another classification in a lower pay group. An employee who is demoted may have his/her pay reduced. Demotions may be made for the purpose of voluntary assumption of a less responsible position, as a disciplinary measure, because of unsatisfactory performance in a higher position, or as a result of a reclassification of the employee's position.

### **3.13 PAY REDUCTION FOR DISCIPLINARY REASONS**

**An employee's pay for continued performance in the same position may be reduced as a disciplinary measure to a lower rate in the pay group for that position or to a rate in the next lower pay group.**

**The Commissioners' Court is the approving authority for all payrolls under the terms of (1) these policies, (2) the classification and compensation plan or, (3) the annual budget.**

### **3.14 APPROVING AUTHORITY**

**The Commissioners' Court is the approving authority for all payrolls under the terms of (1) these policies, (2) the classification and compensation plan or, (3) the annual budget.**

### **3.15 GRANT FUNDED POSITIONS**

**Any employee whose salary is funded by grant revenues must take any and all accrued leave during the period funded by the grant.**

**Employees whose salaries are funded by grants are subject to all Personnel Policies and Procedures and Compensation Program. Those employees, whose salaries and benefits are funded 100% by the grant and understood to possibly be a short term employment, will follow the terms of the grant and will not be eligible for salary increases. If the County funds the position in the future, the position will then go before the Human Resource Committee for review of group and salary, with the understanding that the position could receive a decrease in salary.**

# EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET

## 4.00 BENEFITS

### 4.01 MEDICAL AND LIFE INSURANCE

After 90 days of non-interrupted employment, the County of Burnet will provide group hospitalization, medical, life, and dental insurance for full-time employees. Premiums for employees are paid by the county. An eligible employee may add dependant coverage for family members at his/her expense. Each employee will be provided with coverage documentation.

### 4.02 SOCIAL SECURITY & MEDICARE TAX

All county employees participate in Social Security which provides certain retirement and disability income benefits, including Medicare. Participation in this federal program is required by law. Deductions are made from each pay check in accordance with federal guidelines; this deduction is noted as "FICA" on employees' pay stubs. Burnet County funds an amount equal to the employee's deduction to the Social Security Administration for the employee's benefit. Employees are encouraged to go to [www.ssa.gov](http://www.ssa.gov) for further information about their Social Security Benefits.

### 4.03 RETIREMENT

The County of Burnet is a member of the Texas County and District Retirement System. Membership in the retirement system is mandatory for all full-time and part-time employees having only temporary employees with no prospects for continuation of employment beyond six months or an individual contractor may be excluded from TCDRS. Both the employee and the county contribute to the employee's retirement account. Employees who terminate prior to retirement will, upon request, be refunded their portion of the retirement account plus the interest earned on their portion. Forms are available in the County Treasurer's Office.

The employee's portion of the retirement contribution is tax deferred. You may have your deposits refunded to you or choose a Direct Rollover into an I.R.A. account or some other account approved by the IRS. If you do not choose a Direct Rollover, you will receive only 80% of the payment, because the Plan Administrator (TCDRS) is required to withhold 20% of the payment and send it to the IRS as income tax withholding to be credited against your taxes.

Any member is eligible for service retirement if the member satisfies either of the following requirements:

- 1) The member has completed at least eight (8) years of creditable service and has attained the age of at least sixty (60); or
- 2) The member has completed at least eight (8) years of creditable service and the member's attained age and total accumulated credited service equals 75 (referred to as "rule of 75") or
- 3) The member has accumulated 20 years credited service, whichever comes first.

Burnet County also makes employer contributions to the TCDRS Supplemental Death Benefits Fund. The beneficiary of a deceased employee would receive a lump-sum payment equal to a year's salary in addition to a return of the deceased's personal deposits and interest earnings. A retired member's beneficiary would receive a lump-sum payment equal to \$5,000.00.

For more detailed information the TCDRS information Handbook is available in the County Treasurer's Office. Burnet County adheres to the rules and regulations as set forth by TCDRS in regards to employee retirement. These rules and regulations are subject to change.

#### **4.04 WORKERS COMPENSATION**

All employees of Burnet County are covered by the County's workers' compensation program while on duty for the County unless they have elected to retain their common law right of action. To retain common law right, a new employee must inform the County Treasurer in writing within the first 3 days of employment.

An employee who suffers a job-related illness or injury is eligible to have all medical expenses paid for such injury or illness and if unable to work for more than seven calendar days, shall be eligible to receive partial salary continuation benefits which begin with the eighth day of disability; by law, certified peace officers injured in the line of duty receive full salary continuation. Salary continuation ends at the end of the current term of the current sheriff.

An employee who suffers an on-the-job illness or injury shall notify his supervisor as soon as is reasonably possible; he will fill out the appropriate reporting forms and forward them within 12 hours of notification by the employee to the Treasurer's Office. Failure to report job-related illnesses or injuries in a timely manner may affect an employee's eligibility to receive workers' compensation benefits or may delay benefit payments. The supervisor is required to notify the Treasurer's Office when the injured worker returns to work.

Time off work due to a job-related illness or injury will run concurrent with time to which the employee is otherwise entitled under the Family and Medical Leave Act.

No employee is guaranteed that his job will be held open for any period of time unless he is entitled to and files for leave under the Family and Medical Leave Act, in which case he will be entitled to up to 12 weeks (480 intermittent work hours) of leave, after which time the employee will be terminated if they are still unable to perform the essential functions of the position with or without reasonable accommodation. The employee must provide the paperwork required under our Family Leave policy.

Employees do not accrue vacation or sick leave while on workers' compensation salary benefits. They also are not paid by Burnet County for any holidays falling during their period of absence.

An employee may not perform any outside work or engage in any extra duty employment on the same calendar day(s) that he fails to report to work due to illness or injury.

An Employee who has been receiving workers' compensation salary benefits shall be required to provide a completed Workers' Compensation Status Report (DWCC-73) from the attending physician before being allowed to return to work. The release shall include whether or not the employee can return to full-time status with or without restrictions.

#### **4.05 UNEMPLOYMENT INSURANCE**

All employees of the county may be eligible for unemployment benefits under the Texas Unemployment Compensation Insurance.

#### **4.06 COBRA**

The federal government enacted the Consolidated Omnibus Reconciliation Act of 1985 (COBRA) which allows certain individuals the option of continuing their group health insurance under specified conditions.

Covered employees and their dependents are eligible to continue their coverage for up to 18 months if termination of coverage is due to:

- 1) Loss of coverage due to reduction of employee work hours
- 2) Voluntary employee termination including retirement
- 3) Employee layoff for economic reasons
- 4) Employee discharged, except for gross misconduct
- 5) Employee has exhausted their FMLA

Covered employees and their dependents are eligible to continue their coverage for up to 29 months if the participant is deemed disabled by Social Security within the first 60 days of COBRA continuation of coverage.

COBRA coverage for covered employees and dependents up to 36 months is permitted if termination of coverage is due to:

- 1) Death of the covered employee
- 2) Divorce or legal separation from the covered employee
- 3) Medicare eligible employee (employee becomes eligible for Medicare, leaving dependents without group coverage)
- 4) Children who lose coverage due to certain contractual eligibility limitations

The coverage cannot be continued beyond the following dates:

- 1) The date on which the employer ceases to provide any group health plan to any employee. If a group health coverage policy ceases to be in force with regards to the employee of the employer, it would be your employer's obligation to allow you or your dependents to continue under any replacing group policy or policies.
- 2) The date the full premium is not paid by the participant. (Including a 30 day grace period)
- 3) When the individual becomes covered under any other group health plan, or is entitled to Medicare benefits.
- 4) In the case of a spouse, when the spouse remarries and becomes covered under another group health plan.

Your election to continue coverage must be done within 60 days of the date of the Continuation of Coverage Election Form, or your termination date, whichever occurs last. Benefits provided shall be identical to coverage provided for active full-time employees and dependents that have insurance under the plan but have not yet terminated their coverage. The cost to continue coverage is paid by the individual. Within 180 days before expiration of your continuation of coverage, you shall have the right to convert to a conversion plan at the time of your termination if it is being offered to other active full time employees under the plan.

Questions regarding your right to continue insurance after your termination date should be addressed to the Burnet County Treasurer's Office.

#### **4.07 DEFERRED COMPENSATION**

**If you are interested in additional retirement, you may become a member of Nationwide Retirement Solutions and have an additional amount deducted from you paycheck for this purpose. There are brochures included in the Treasurer's Office.**

#### **4.08 PUBLIC EMPLOYEES CREDIT UNION**

**All Burnet County employees are eligible to join the Public Employees Credit Union. You can get a membership form from the Treasurer's Office. If you join the credit union, the amounts you request may be deducted from you pay check and sent directly to the credit union.**

**EMPLOYEE HANDBOOK  
FOR  
THE COUNTY OF BURNET**

**5.00 ABSENCES AND LEAVES**

**5.01 DEFINITIONS**

**Leave Time** Any time off during your normal scheduled work period.

**Unauthorized Absence** An Unauthorized absence is one in which the employee is absent from regular duty without the permission of the department head. Employees are not paid for unauthorized absences, and such absences are cause for disciplinary action, up to and including termination.

**Approval of Leave** All leave taken by county employees must be approved by their department head or supervisor.

For payroll purposes, vacation leave, sick leave, personal leave, emergency leave, and holiday hours granted by the County will not be counted as work hours in the overtime calculation. Leave time is permitted up to a maximum of 40 hours per work week or employees normal work schedule.

**5.02 VACATION LEAVE**

**Accruing Vacation Leave** Upon completion of the initial three month employment period vacation leave benefits, figured from the date of employment, are credited to the employee. Thereafter, earned vacation leave is accrued and credited to the employee at the end of each month.

Full-time employees (exempt and non-exempt) accrue vacation leave as follows:

- \* First through ninth year of employment:  
80 hours/year (6.67 hours/month)
- \* Tenth year and beyond:  
120 hours/year (10 hours/month)

Part-time and temporary employees do not earn vacation leave.

**Use of Vacation Leave** Accrued vacation leave can be used upon the completion of the initial three-month employment period. No more than 80 hours can be carried forward from one calendar year to the next. Any accrued vacation leave in excess of 80 hours, at December 31<sup>st</sup> of each year, will be forfeited from the employee's leave record, without compensation.

Vacation leave of one day or more, taken by an exempt non-elected employee, must be documented by completing an Exception Note signed by the department head and employee. The Exception Note is to be turned in to the County Treasurer's Office.

**5.03 SICK LEAVE**

**Accruing Sick Leave** Upon completion of the initial three-month employment period sick leave benefits, figured from the date of employment, are credited to the employee. Thereafter, earned sick leave is accrued and credited to the employee at the end of each month.

Full-time employees (exempt and non-exempt) accrue sick leave at the rate of 80 hours per year or 6.67 hours/month.

**Use of Sick Leave** Accrued sick leave can be used upon the completion of the initial three-month employment period. Accrued sick leave may be utilized by full-time employees who are absent from work due to:

- 1) Personal illness or physical or mental incapacity;
- 2) Medical, dental, or optical examinations or treatments;
- 3) Medical quarantine resulting from exposure to a contagious disease; or
- 4) Illness of the following members of the employee's immediate household:
  - a. Children under the age of 19
  - b. Spouse
  - c. Parents.

**Medical Statement:** An employee's supervisor may request, and employees must provide upon request, written verification by a physician of a medical illness or injury precluding availability for duty at any time that sick leave benefits are requested.

Sick leave of one day or more, taken by an exempt employee, must be documented by completing an Exception Note signed by the department head and employee. The Exception Note is to be turned in to the County Treasurer's Office

**Accumulation of Sick Leave** Sick leave not used during the year in which it accrues accumulates and is available for use in succeeding years up to a maximum allowable accumulation of 90 days (720 hours).

**Illness While on Vacation Leave** When an illness or physical incapacity occurs during the time an employee is on vacation leave, sick leave may be granted to cover the period of illness or incapacity and the charge against vacation leave reduced accordingly. Application for such substitution must be supported by a medical certificate or other acceptable evidence to supervisor. Supervisor will provide proper documentation to payroll department.

#### **5.04 MILITARY LEAVE**

Full-time and part-time employees of the county who are members of the state military forces or members of the reserve components of the armed forces of the United States are entitled to leave of absence from their duties, without loss of time or efficiency rating or vacation leave or salary, on all days during which they are engaged in authorized training or duty ordered by proper authority, not to exceed 15 days in any one federal fiscal year. Requests for approval of military leave must have copies of the relevant military orders attached. Military leave in excess of 15 days will be charged to vacation or leave without pay.

#### **5.05 CIVIL LEAVE**

Employees will be granted civil leave with pay for jury duty on a scheduled workday. Employee Payment for jury services shall be returned to the Burnet County General Fund.

#### **5.06 LEAVE OF ABSENCE**

Leave of absence is an approved absence from duty in a non-pay status. Granting a leave of absence is at the discretion of the department head with the approval of the Commissioners' Court. Such leave of absence shall not be granted unless there is a reasonable expectation that the employee will return to employment with the county at the end of the approved period.

Employees on leave of absence receive no compensation and accrue no benefits. However, previously accrued benefits are retained during leave of absence unless otherwise prohibited by the terms or provisions of the benefit programs. Medical insurance can be continued if paid for in advance by the employee.

A leave of absence is appropriate for the following reasons:

- \* Recovery from extended illness or temporary disability;
- \* Educational purposes when successful completion will contribute to the work of the county;
- \* Public service assignments; or
- \* Personnel exchange programs which emphasize Intergovernmental relations.

#### **5.07 EXTENDED LEAVE FOR ILLNESS OR TEMPORARY DISABILITY**

Following FMLA, Employees may request approval to use accrued sick leave and vacation leave for the purpose of paid release time to recover from an extended illness or temporary disability or may request approval for an unpaid leave of absence for these purposes. A request for leave for an extended illness or disability must be filed at least ten working days prior to the first day of leave unless emergency conditions exist. An employee also must provide a statement concerning his/her intentions about returning to work.

**Paid Leave** Upon written approval of the department head, an employee may use accrued sick leave, comp time and vacation leave for the purpose of paid absence from duty during an extended illness or temporary disability.

**Unpaid Leave of Absence** Upon written approval of the department head and approval of Commissioners' Court, an employee may be granted up to six months of unpaid leave of absence for the purpose of recovery from an extended illness or temporary disability. During this time, an employee accrues no additional annual leave, sick leave, or longevity benefits, but retains those already accrued. Medical insurance can be continued if paid for in advance by the employee. Other benefits are retained during unpaid leave of absence unless otherwise prohibited by the terms or provisions of the benefit program.

**Conditions** The department head may require an employee requesting a paid or unpaid leave for extended illness or temporary disability to provide a medical doctor's statement as to the date upon which the employee is no longer able to perform his/her duties and the expected length of the recuperation period. The employee may also be required to provide periodic statements from a medical doctor as to whether or not the employee is able to return to work. Failure to provide required medical status reports or to contact the office on the schedule required by the department head is grounds for revoking the leave and for taking disciplinary action, up to and including termination.

#### **5.08 USING LEAVE IN COMBINATION**

Unless an employee who is absent on sick leave requests leave without pay upon exhaustion of sick leave, he/she will automatically be placed on vacation leave status until vacation leave is exhausted. Sick leave cannot be used for vacation leave purposes when vacation leave is exhausted.

With the approval of the department head, other types of leave and holidays may be used in any combination if it is determined to be in the best interest of the employee and the county.

**5.09 EMERGENCY LEAVE**

Emergency leave with pay shall be granted by the department head for reasons of serious illness, accident, or death in an employee’s family.

Emergency leave limitations: (per occurrence)

Spouse, Child, Parent,..... 40 hours

Brother, Sister, Grandparents, Grandchild, Uncle, Aunt, Nephew, Niece,  
And In-laws..... 16 hours

**5.10 PERSONAL LEAVE**

All full-time, including exempt employees will be granted 16 hours of personal leave per year. Personal leave may be used as the employee desires, with department head approval.

Employees starting after January 1<sup>st</sup> of each year will be granted personal leave on a pro-rated basis.

Employees who have completed 5, 10, 15, 20...+5, etc. continuous years of service with Burnet County will receive an additional 8 hours of personal leave on January 1st of the year following the anniversary year.

**5.11 HOLIDAYS**

Holidays are determined each year by Commissioners’ Court. A schedule of holidays shall be posted in each department and on the County Website.

- A. HOLIDAY WORK – It is not always feasible to grant holidays at the scheduled time to employees assigned shifts of an around-the-clock operation. Any department head who finds it necessary to do so may direct some or all employees of the department to report for work on any holiday. For holiday pay policy, see Sections 3.09.
- B. If an official holiday falls within an employee’s vacation, the employee will be granted the holiday and not be charged for a day of vacation leave.
- C. Part-time employees are not eligible for holiday pay.

**5.12 BAD WEATHER DAYS**

Any full-time employee who, by his/her own choice, misses’ work because of bad weather shall show time missed as vacation leave, personal leave, or compensatory time used.

Part time employees will not receive any compensation for bad weather days as they are paid hourly for their actual hours worked.

Bad weather/emergency days mandated by the County Administrative Judge will be paid. Hours will not be used to compute overtime or compensatory time.

## 5.13 SICK LEAVE POOL

### GENERAL

An employee may request to use pool leave only once per fiscal year per catastrophic (life-threatening) illness, unless he/she does not use his maximum entitlement on the first request. An employee who is on pool leave at the end of the fiscal year and still cannot return to work does not have to reapply to continue using pool leave in the next fiscal year. However, he/she may still only receive the maximum entitlement per illness.

All regular, full-time employees may apply to use sick leave from the sick leave pool subject to provisions. (The only exception is any employee being paid Worker's Compensation).

An employee does not have to contribute to the pool in order to use from the pool, and no payback of pool sick leave is required.

Requests will be processed on a first-come, first-served basis. The Pool Committee will have (5) workdays from the date they receive a request in which to approve or deny the request. The decision of the Pool Committee will be the final decision. The supervisor of an employee requesting to use pool leave will ensure that an appropriate physician's statement regarding the illness or injury accompanies the request.

### CONTRIBUTING SICK LEAVE TO THE POOL

An active employee may contribute 1-3 days of sick leave to the pool each fiscal year in increments of 8 hours.

Employees will not be allowed to contribute sick leave to be used only by a particular person.

### REQUESTING TO USE SICK LEAVE FROM THE POOL

An employee must have completed one year of continuous service with the County before he/she is eligible to use leave from the pool.

Employees must exhaust all paid leave before they are eligible to use any leave from the pool.

An employee who has exhausted all paid leaves to which he/she is entitled may apply to use sick leave hours from the pool. Requests must be submitted in writing on a Sick Leave Pool Request Form (available in the Treasurer's Office).

The amount of hours available from the pool is determined by the number of years of continuous service with the County. The following will be used to determine the number of hours available:

- \* 1 year - 5 years      1/9 balance of pool/or 30 work days, whichever is less
- \* 6 years - 10 years    1/6 balance of pool/or 60 work days, whichever is less
- \* over 10 years        1/3 balance of pool/or 90 work days, whichever is less

In no event can the amount of sick leave used from the pool exceed 1/3 of the balance of hours in the pool or 90 work days, whichever is less.

An employee can use pool sick leave for his own catastrophic illness or injury or for one in his immediate family. Immediate family is defined as child, spouse, or parent.

An employee may also apply to receive sick leave from the pool if he/she gave sick leave to the pool and then exhausted his sick leave balance in the same fiscal year. Such employees may receive only the number of hours they contributed to the pool unless their illness or injury is catastrophic (life-threatening).

An employee on pool leave does not accrue paid leave.

Any unused balance of pool leave hours granted to an employee returns to the pool at the end of the illness. The estate of a deceased employee is not entitled to payment for unused pool sick leave.

#### **5.14 FAMILY AND MEDICAL LEAVE AND MILITARY FAMILY LEAVE**

##### **POLICY**

It shall be the policy of the county to provide eligible employees with all benefits and privileges required under the Federal Family and Medical Leave Act (FMLA) And Military Family Entitlements.

##### **ELIGIBILITY**

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

- A. Have worked for Burnet County at least twelve (12) months (need not be continuous service) and,
- B. Have worked at least one thousand two hundred fifty (1,250) hours during the previous twelve (12) months.

##### **QUALIFYING EVENTS**

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

- A. The birth of a child and in order to care for that child; or
- B. The placement of a child in the employee's home for adoption or foster care; or
- C. To care for a spouse, child, 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 their job; or
- E. A qualifying exigency arising out of the fact that an employee's spouse, child or parent is a covered military member (National Guard or Reserves) on active duty or has been notified of an impending call or order to active duty in support of a contingency operation; or
- F. To care for a covered service member (Regular Armed Forces, National Guard or Reserves) with a serious injury or illness if the employee is the spouse, child, parent or next of kin (nearest blood relative) of the service member.

##### **SERIOUS HEALTH CONDITION**

- A. Serious health condition of the employee shall be defined as a health condition that requires overnight inpatient care at a hospital, hospice, or residential care medical facility or continuing treatment by a health care provider.

- B. Serious health condition of a spouse, child, or parent shall be defined as a condition which requires overnight inpatient care at a hospital, hospice or residential care medical facility, or a condition which requires continuing care by a licensed 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 incapacity, or
- B. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment by a health care provider. This treatment must occur within the first seven days of incapacity.
- C. Any period of incapacity due to pregnancy or prenatal care.
- D. Any period of incapacity or treatment due to a chronic serious health condition that requires periodic visits to a health care provider and continues over an extended period of time.
- E. Any period of incapacity which is permanent or long term due to a condition that treatment is not effective.
- F. Any period of incapacity or absence to receive multiple treatments by a health care provider.

#### **QUALIFYING EMERGENCY LEAVE**

Eligible employees may take FMLA leave when an employee's covered military member (spouse, child of any age or parent) is on active duty or called to active duty status in support of a contingency operation. The following qualify as exigency leave:

- A. Leave may be taken to address any issue that arises because the covered military member was given seven or less days notice for active duty deployment in support of a contingency operation. Eligible employee may take up to seven (7) days beginning on the date the covered military member receives the call or order to active duty.
- B. Leave may be taken to attend any official ceremony, program or event sponsored by the military that is related to the active duty or call to active duty status of a covered military member.
- C. Leave may be taken 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 active duty or call to active duty status of a covered military member.
- D. Leave may be taken to arrange for alternative childcare, provide childcare on an urgent basis (not as routine), to attend school or daycare meetings, to enroll or transfer covered children under age 19 when it is necessitated by the active duty or call to active duty status of a covered military member.

- E. 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.**
- F. Leave may be taken to act as the covered military members' representative before a governmental agency for obtaining, arranging or appealing military service benefits while the covered military member is on active duty or call to active duty status and for a period of ninety (90) days following the termination of the covered member's active duty status.**
- G. Leave may be taken to attend counseling provided by someone other than a health care provider for oneself, for the covered military member or covered child provided the need for counseling arises from the active duty status or call to active duty status of a covered military member.**
- H. Leave may be taken to spend time with a covered military member who is on a short-term, temporary, rest and recuperation leave during leave during the period of deployment. Eligible employees may take up to five (5) days of leave for each instance of rest and recuperation.**
- I. Leave may be taken to attend post-deployment activities for the covered military member for a period of 90 days following the termination of the covered member's active duty status.**
- J. Leave may be taken to address issues that arise from the death of a covered military member while on active duty status.**
- K. Leave may be taken to address any other additional events that may arise out of the covered military member's active duty or call to active duty status provided Burnet County agrees the leave shall qualify as an exigency and agree to both the timing and the duration of such leave.**

#### **LEAVE AMOUNT**

- A. Up to twelve (12) weeks leave per twelve (12) month period may be used under this policy.**
- B. Burnet 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 Burnet 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 service member 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 service member with a serious injury or illness during a single twelve (12) month period.
  - 1. The single twelve (12) month period begins on the first day the eligible employee takes FMLA to care for covered service member 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 service member 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 service members or to care for the same covered service member 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.

#### **PAID AND UNPAID**

- A. If an employee has accrued leave, the employee shall be required to use the following paid leave as detailed below:
  - 1. Compensatory time
  - 2. Vacation time
  - 3. Holiday time
  - 4. Sick time
  - 5. Personal time

The remainder of the leave shall be unpaid.
- B. An employee who is taking leave because of their own serious health conditions, 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 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 covered 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 service 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 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.

#### **INSURANCE**

- A. While on leave under this policy, Burnet 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 leave (paid leave).
- D. While on unpaid leave, the employee shall be required to pay for premiums due to Burnet County under section twenty-one (21) of this policy no later than thirty (30) days after the due date which Burnet County sets or the coverage shall be discontinued.
- E. 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.

#### **INTERMITTENT LEAVE AND REDUCED SCHEDULE**

- 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, the employee's eligible family member or the care of a covered military member.
- 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, the employee's eligible family member, or the care of a covered military member.

- C. 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 military member 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. Burnet County shall have the right to ask for certification of the serious health condition of the employee or the employee's eligible dependent when the employee requests or is using leave under this policy.
- B. The employee must respond to the request with 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 of the serious health condition of the employee shall include:
  - 1. The date the condition began;
  - 2. Its expected duration;
  - 3. The diagnosis of the condition;
  - 4. A brief statement of the treatment; and
  - 5. A statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's job.
- D. Certification of the serious health condition of an eligible family member shall include:
  - 1. The date the condition began;
  - 2. Its expected duration;
  - 3. The diagnosis of the condition;
  - 4. A brief statement of treatment; and
  - 5. A statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.
- E. Certification for leave taken because of a qualifying exigency shall include:
  - 1. A copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or called to active duty status in support of a contingency operation;
  - 2. The dates of the covered military members active duty service;
  - 3. A statement of 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, address, telephone number, fax number and e-mail address and a brief description of the purpose of the meeting.
- F. Certification for leave taken for a serious injury or illness of a covered military member shall include:
    1. If the injury or illness was incurred in the line of duty while on active duty.
    2. The approximate date on which the illness or injury occurred and the probable duration;
    3. A description of the medical facts regarding the covered military members health condition, sufficient to support the need for care;
    4. If the covered military member is a current member of the Regular Armed forces, the National Guard or Reserves and the covered military member's branch, rank and unit currently assigned to;
    5. The relationship of the employee and the covered military service member;
    6. In lieu of certification, an ITO (invitational travel orders) or an ITA (invitational travel authorization) issued is sufficient certification for an eligible employee to be allowed to take FMLA to care for a covered military member. The employee may be required to provide confirmation of the covered family relationship to the seriously injured or ill, covered military member.
  - G. If the employee plans to take intermittent leave or work a reduced schedule, the certification shall also 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.
  - H. Burnet 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, if the County has reason to doubt the certification, except FMLA to care for a seriously injured or ill, covered service member supported by an ITO or ITA.
  - I. If there is a conflict between the first and second certifications, Burnet County shall have the right to require a third certification, at the expense of Burnet County, from a health care practitioner agreed upon by both the employee and Burnet 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 Burnet 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 military member, shall be returned to the same job or a job equivalent to the job they held prior to going on leave.
- 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. Burnet 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.

#### **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 an eligible family member, or other situations 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 Burnet County for all medical premiums paid by Burnet 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, 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.

- B. Burnet 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. Employees will be required to provide a Fitness-for-Duty certification prior to returning to work.**
- D. Once FMLA is exhausted, employees eligible for insurance will be offered COBRA.**

**EMPLOYEE HANDBOOK  
FOR  
THE COUNTY OF BURNET**

<b>6.00 HEALTH AND SAFETY</b>
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**6.01 GENERAL SAFETY RULES**

- A. Employees shall not turn on, use, repair, or operate any vehicle, crane, electricity, gas, steam, air, acid, caustic or other dangerous material or equipment unless qualified and authorized by a supervisor.
- B. Safety Guards and devices furnished by Burnet County or the department shall be used. Removal or non-use may be authorized only by the supervisor and approved by the department head.
- C. Approved personal protective equipment shall be worn whenever the exposure indicates the need for it, i.e., eye and ear protection equipment and safety belts. Protective footwear shall be worn as recommended by supervisor.
- D. Only tools, equipment, machines, etc. that is properly maintained and adjusted may be used.
- E. Floors must be kept free of any material or substance that might constitute a tripping or slipping hazard. Employees responsible for any such material or substance spilled shall clean it up immediately.
- F. Horseplay, running, and practical jokes are prohibited on the job.
- G. Immediately report all injuries to your supervisor.
- H. The Treasurer's Office shall be notified in all medical or loss time accidents of employees. The Auditor's Office shall be notified of all incidents related to public accidents.
- I. Computer keyboards should be placed at a level to prevent wrist strain causing carpal tunnel syndrome.

**6.02 CLOTHING AND SAFE DRESS**

- A. Employees will wear clothing appropriate to their work assignments. Clothing will be in reasonably good condition and clean.
- B. Supervisors are responsible for ensuring that employees are informed as to the requirements for wearing apparel that is suitable for the type of work to be performed and the hazards involved.
- C. For those working with machinery or in other hazardous operations, shirts, blouses, trousers, slacks, coveralls, etc. should be well fitted, with no loose or flowing appendages. Sleeves, if full length, should be buttoned to the wrist. The practice of working without a shirt is prohibited.
- D. Employees with long hair who work around moving machinery must wear adequate hair covering to preclude the possibility of entanglement.

- E. Jewelry such as rings, pendants, necklaces, earrings, watches, etc., shall not be worn whenever they constitute a hazard, i.e., working around moving machines, electrical or electronics equipment, etc.

### **6.03 LIFTING AND MANUAL MATERIAL SAFETY HANDLING**

Lifting and material handling type injuries make up a major portion of risk for employee injury. We also recognize that in order to reduce the risk of this type injury, we must find alternatives to manual lifting and manual material handling. Employees are to follow these procedures when handling materials:

- A. Try to eliminate the need for lifting or reducing the risk of lifting injuries through:
  - 1. Organizing storage of materials
  - 2. Limiting bulk and weight of materials to be lifted. Keep package sizes manageable. (Remember that bulky and awkward objects cause most material handling injuries.)
  - 3. Keeping aisles clear when carrying materials to prevent trips, stumbling, etc.
  - 4. Making sure you are aware of the weight of the objects. Underestimating or overestimating the weight of an object can lead to injury.
  - 5. Wiping off wet, greasy, or slippery objects before handling them.
- B. Rather than lifting manually, use the mechanical lifting devices whenever possible and team lifting when necessary. .
- C. All manual lifting cannot be eliminated. Lift as a last resort, if mechanical aids are not available and the lift is necessary. When lifting alone, follow either of the appropriate lifting procedures below:
  - 1. Two hand squat lift involves six (6) steps:
    - a. Keep feet parted-one alongside and one behind the object.
    - b. Keep back straight, nearly vertical.
    - c. Tuck elbows and arms in and hold close to body.
    - d. Grasp the object with your whole hand, not just the fingers.
    - e. Tuck your chin in.
    - f. Keep body weight directly over feet.
  - 2. Assisted one-hand lift should be used when it is impossible to bend the knees and squat. Reaching over into a container to lift something would be a good example of this.
    - a. Place the non-lift hand on the container top, bend over the container.
    - b. While bending over, kick the foot on the same side as the non-lifting hand rearward to provide forward body balance. (optional)
    - c. Reach and grasp object to be lifted.
    - d. Push down with the non-lifting hand on the container top raising the upper body to a vertical position. Be sure to let the non-lifting arm do the work, not the back.
    - e. Remember, this technique is not always practical. This type of lift should be limited to a load weight of 15-20 lbs.

3. **Twisting the body should always be avoided. Turn your body as a whole unit to reduce the risk of an injury while lifting and carrying loads.**
4. **It is impractical to establish a definite limit on how much weight can be lifted, however, based on an infrequent lift; the following can be used as a guide line. This is based on a normal lift (with no twisting) of a standard size box (20"x15"x10"). Allowance should be made if the object is bulkier than this by decreasing the allowable weight.**
5. **Employees who will be lifting objects on the job should keep themselves in good physical condition. If you are going to be lifting objects that are heavy, or lifting for a prolonged period, take time to do some stretching and warm up exercise prior to starting the job. Studies have shown that this can have a dramatic effect on reducing injuries of this type.**

#### **6.04 EMERGENCY RESPONSE**

**In the event an accident occurs, each employee shall take the necessary Emergency Response as outlined here: Look for medic alert bracelet or necklace. It is recommended that all employees with medical conditions wear a medic alert bracelet or necklace.**

#### **6.05 PERSONNEL INJURIES**

**It is strongly suggested that every employee take CPR training as soon as possible after being hired.**

**If an employee is injured, other employees in the immediate area are encouraged and authorized to the extent of their training and qualifications, to assist the injured employee. The most qualified employee on site should make the initial assessment of the severity of the injury and, if the injury is found to be minor (non life-threatening) and if the injured employee is conscious and consents, is authorized to take the following action.**

- A. Provide first aid to the injured employee.**
- B. Transport the injured employee to the nearest physician or medical facility;  
or**
- C. Contact Emergency Medical Services (EMS) or ambulance service.**

**For more severe or life-threatening injuries, immediately call 911.**

**No employee should attempt, and nothing herein is intended or should be construed to require any employee, to provide any medical aid or assistance, including moving an injured employee or otherwise administer any first aid, if the employee:**

- A. Is not qualified or properly trained to administer such aid and/or assistance,**
- B. Does not have the consent of an injured employee who is conscious and able to give consent,**
- C. Determines that protective equipment (such as disposable gloves or breathing barriers) is not available or adequate to protect the employee from exposure to or contamination, or from contact with, the injured employee's blood and other bodily fluids, or with any other hazardous chemical or material,**
- D. Determines that by remaining at the scene with the injured employee, the employee puts his own safety at risk or his own well-being in harm's way,**

and

- E. For any reason under the circumstances then existing, is unwilling to risk, or to assume the risks, to his own safety and well-being in attempting to administer first aid.

Supervisor or Employee will report all medical injuries as soon as possible on the day the accident occurs to the County Treasurer's Office.

#### **6.06 FIRE EMERGENCIES**

If a fire emergency occurs, it is the responsibility of each employee to follow these basic rules in the order indicated.

- A. Remove injured person from any further danger when safe to do so.
- B. Sound an alert to make any persons in the immediate area aware of the fire emergency.
- C. Evacuate the facilities.
- D. Call the Fire Department at 9-1-1.
- E. Attempt to extinguish the fire using the proper type of equipment or extinguisher.

#### **6.07 HAZARDOUS MATERIAL INCIDENT**

Chemical spills or exposure to chemical accidents can be extremely hazardous. Often the chemicals involved a change from dormant to volatile condition upon exposure to the environment or contact with other materials including air, earth or water. All employees must evacuate any area where a hazardous material incident occurs and then call: 9-1-1.

#### **6.08 DUTIES OF EMPLOYEES**

- A. Each employee will be issued a copy of the Safety Policy.
- B. Each recipient shall sign a certificate for the Safety Policy acknowledging receipt.
- C. Be courteous at all times and under all circumstances.
- D. If an employee observes another employee conducting any operation that is dangerous to himself or others, immediately call his attention to it.
- E. If an employee is involved in an accident causing injury or damage and it is established that it is due to carelessness, negligence or a violation of a safety rule, that employee will be subject to disciplinary action up to and including termination at the discretion of the Department Head.
- F. Serious injury can result from horseplay. Offenders will be subject to disciplinary action up to and including termination at the discretion of the Department Head. Offenders are not covered under Workers Comp if injured while engaged in horseplay.
- G. Alcohol and Illegal Drugs
  - 1. The use of any kind of alcohol or illegal drugs while on duty is forbidden and will subject the offender to disciplinary action up to and including dismissal at the discretion of Department Head.
  - 2. Employees are not covered under Workers' Compensation if it is established they were under the influence of alcohol or illegal drugs at the time of the injury.

3. An employee shall notify his supervisor while taking any prescription medication that has the potential to affect performance of duties.

#### H. Reporting Injuries and Vehicle Accidents

1. Any injury suffered by an employee, involving a motor vehicle while on the job shall be reported to his supervisor when it occurs.
2. Supervisor shall immediately contact the Treasurer's Office regarding any injuries to employees and the Auditor's Office regarding any damage to the vehicle.

### 6.09 MATERIAL STORAGE

- A. Material, wherever stored, should not create a hazard. It shall be limited in height and shall be piled, stacked or racked in a manner designed to prevent it from tipping, falling, collapsing, rolling or spreading. Racks, bins, plans, blocks, sheets shall be used where necessary to make the piles stable.
- B. Heavy and awkward items shall be stored near the bottom of shelves or cabinets.
- C. Do not allow equipment or storage to come within 30 inches of all electrical panels.
- D. Secure storage shelf, cabinets and other items, which may tip over.
- E. Indoor storage shall not obstruct or adversely affect means of exit.
- F. Clearance shall be maintained around lights and heating units to prevent ignition of combustible materials.
- G. Storage shall be in orderly and regular stacks.
- H. No combustible material shall be stored outdoors within 10 feet of a building or structure.

### 6.10 LIGHTING

- A. Adequate illumination which is suitable to provide a reasonably safe environment shall be provided.
- B. Where the quality of lighting cannot be obtained by general lighting methods, supplementary lighting shall be provided; all possible precautions should be taken to prevent electrical shock to the user.

### 6.11 WEATHER

Special precaution shall be taken in weather that is rainy, icy or excessively hot. Proper clothing must be worn by workers and proper driving techniques must be followed.

### 6.12 RULES OF SAFETY

Every employee is responsible for notifying maintenance of any safety issues they become aware of.

## **A. Office Safety**

- 1. Pencil sharpeners shall not be installed where they might be striking hazards.**
- 2. Electric cords on machines and desk lamps must be kept in good repair. Cords are to be replaced when outer insulation is broken.**
- 3. All fans shall be equipped with suitable guards. Fans shall not be placed where they might be struck.**
- 4. Thumbtacks and other sharp pointed objects should be kept in containers, not loose in desk drawers.**
- 5. Individual upright shelves, lockers and cabinets will be fastened to floors or walls, if the possibility of overturning exists. Where there are two or more, they will be fastened together.**
- 6. Not more than one drawer of a file cabinet may be open at one time. Drawers should not be left open when not in use.**
- 7. When it is necessary to store material on top of lockers or file cabinets, due regard must be given to the weight, shape, and stability of the material.**
- 8. Have defective chairs repaired or replaced promptly.**
- 9. Do not tilt back in straight chairs.**
- 10. Extreme care must be exercised when cleaning glass used for desk tops.**
- 11. Use knives, razor blades, scissors or shears with care. Cutting edged instruments will be sheathed when not in use.**
- 12. Paper cutters shall be equipped with a safety bar. Blade spring tension will be adjusted so that the blade will not fall of its own weight.**
- 13. Desks shall be arranged so that electrical and telephone outlets and leads are not tripping hazards.**
- 14. Splintered or jagged edges, or other defects found on office furniture will be promptly repaired or the equipment replaced.**
- 15. Spindle (spike) files should not be used.**
- 16. Before using office machines, be sure they are properly located and not in danger of falling.**
- 17. Never clean or lubricate electrical appliances when they are in operation. When cleaning electrical appliances, which are controlled by a switch on the machine, be sure the switch is turned off and the plug removed.**
- 18. Protection should be provided against moving parts on power driven office equipment.**

## **B. Flexible Electric Cords**

- 1. Flexible cords shall be maintained in good repair and must bear the Underwriters Laboratory label (UL). Do not use cords that are frayed or damaged.**
- 2. Flexible cords should be limited to temporary use, and never cross traveled pathways, unless suitably protected to avoid damage and the creation of tripping hazards.**
- 3. Under no circumstances shall any flexible cord or electrical cord be spliced, except by qualified personnel.**
- 4. Never tack cords to the walls, etc., and keep cords away from pinch-**

points and hot or wet surfaces. Never string cords across the ceiling, over pipes, or near sinks, and never place cords and plugs under physical stress or tension.

**C. Copy Machines**

All Copiers should be located in an area with adequate ventilation.

**D. Road and Bridge**

Every employee should be constantly watching for hazards along the roadway. If one is noted, prompt action should be taken to remove it or to notify your supervisor.

**E. Equipment and Machinery**

All equipment and machinery operators will follow operator's manual and safety recommendations.

**6.13 FIRE PREVENTION**

- A. Oily rags, waste, etc. shall be placed in metal cans with covers and emptied frequently.
- B. Precautions against fire and explosions shall be used where flammables with a low flash point are used or stored. Some commonly hazardous liquids are paint, gasoline, paint thinners and solvents.
- C. Clean up flammable liquids that are spilled immediately.
- D. Approved safety cans should be used in transporting and storing flammable liquids.
- E. Containers of flammable liquids shall be secured in vehicles before transporting.
- F. All buildings, especially shops and garages, shall be properly equipped with fire extinguishers.
- G. All fire extinguishers shall be visually inspected yearly. They shall be serviced every year or after any of the following acts or conditions:
  - 1. When found necessary by an inspection.
  - 2. When the extinguisher is used or emptied.
  - 3. When there is evidence of tampering.
  - 4. When there is physical damage or corrosion.
  - 5. When it has been exposed to any abnormal temperature, corrosive atmosphere or materials or leading, etc.
- H. A record of inspection shall be kept by the maintenance department and a tag attached to each extinguisher.
- I. One individual shall be appointed to perform inspections and see that extinguishers are serviced and maintain records.
- J. The size, type and quantity of extinguishers installed shall conform to local, state and federal safety and health standards.

**6.14 REASON FOR RULES**

As your employer, Burnet County is concerned for your safety. As an employee, safety is YOUR responsibility.

**EMPLOYEE HANDBOOK  
FOR  
THE COUNTY OF BURNET**

<b>7.00 USE OF COUNTY PROPERTY</b>
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**7.01 GENERAL POLICY**

The county attempts to provide each employee with adequate tools, equipment, and vehicles for the job being performed and expects each employee to observe safe work practices and safe and courteous operation of vehicles and equipment in compliance with all municipal, county, and state regulations.

**7.02 USE OF TOOLS, EQUIPMENT, PROPERTY AND VEHICLES**

Employees who are assigned tools or equipment or vehicles by their departments are responsible for them and for their proper use and maintenance.

All county property shall be returned upon termination of employment.

No personal use of any county property, money, materials, supplies, tools, equipment or vehicles is permitted. Violations may result in discharge and possible prosecution.

The use of personal property in the course and scope of employment is at the employee's own risk for loss or damage. Reasonable measures will be taken to safeguard your personal belongings; however, Burnet County assumes no liability for personal property brought into the workplace. Any employee who brings personal property into the workplace assumes the full risk for it should it be lost, stolen, or damaged.

**7.03 VALID DRIVER'S LICENSE**

All elected officials/employees driving a County-owned vehicle must have a valid Texas Driver's License with a classification which allows for operation of the assigned vehicle. If during the course of employment an elected official/employee loses his/her driver's license due to suspension or non-renewal, the elected official/employee shall immediately notify his/her department head/elected official. It shall be the elected official/department head's responsibility to ensure that each of his/her employees possess a valid Texas Driver's License with the proper classification to operate the employee's assigned vehicle. Improper use of a County vehicle shall be subject to disciplinary action. If any employee is excluded from the County's liability insurance coverage due to their driving record, they will become ineligible to drive a County vehicle.

An occupational driver's license is not considered a valid driver's license under this section.

Suspension or revocation of the driver's license of an employee who is assigned as a vehicle or equipment operator may result in a demotion or termination.

Burnet County may check employees driving records, at the county's discretion, for all employees who drive for Burnet County business reasons. This includes driving a county owned vehicle or their own car for County business. Employees who drive for the county must furnish the county with their driver's license number.

**7.04 ACCIDENT REPORTING**

Any employee operating county equipment or vehicles must report all equipment or vehicular accidents and property damage or liability claims to his/her supervisor and the proper law enforcement agency immediately.

Each vehicular accident, no matter how minor, must be reported to the county in order

that an elected official accident report can be filed. Reports should be made to the County Auditor's office. Failure to report accidents may lead to disciplinary action up to and including termination.

Following all accidents all drivers will be tested in accordance with our drug and alcohol policy. CDL drivers must follow DOT regulations.

#### 7.05 COUNTY TELEPHONES

**No personal long distance telephone calls shall be charged to the any county telephones.** Personal long distance calls shall be charged to credit cards, charges reversed, or charges made to a third number. Personal calls shall be kept to a minimum.

Where job needs demand immediate access to an employee, the county may issue a County-owned cellular telephone to an employee for work-related communications. These phones are intended to be used for business purposes and No personal calls are allowed. If personal cellular calls are made which result in a charge to the county the employee shall reimburse the county within 10 days after notification from the Auditor's Office. Abuse of county issued cellular phones can result in disciplinary actions, up to and including termination.

#### 7.06 COUNTY VEHICLE USAGES – GENERAL GUIDELINES

All vehicles must be parked at a county facility at the end of each working day unless prior authorization has been granted by their elected official or department head.

Vehicles may be used only for work-related duties and if authorized to drive to and from work. They may be used for no other purpose except in an emergency or for trips completely incidental to County employment while driving to and from a County-related job site.

If an elected official/employee uses a County vehicle to commute to and from their primary residence, the fringe benefit use of said vehicle shall be included as taxable income of the elected official/employee in accordance with Internal Revenue Service Commuting Valuation Rules. Marked vehicles used by law enforcement officers used to commute to and from work are considered as qualified non-personal vehicles and the use of such vehicles is not considered taxable income. Unmarked vehicles used by law enforcement officers are also considered as qualified non-personal vehicles and the use of the vehicles by such personnel to commute to and from work is not considered as taxable income. The term "law enforcement officer" means an individual who is employed on either a full-time or part-time basis by a governmental unit that is responsible for the prevention or investigation of crime involving injury to persons or property (including apprehension or detention of persons for such crime), who is authorized by law to carry firearms, execute search warrants, and to make arrests (other than merely a citizen's arrest), and who regularly carries firearms (except when it is not possible to do so because of the requirements of undercover work). **Use of either a marked or unmarked vehicle by a person who is not a law enforcement officer would be considered as taxable income.** Only County elected officials/employees, duly commissioned reserve officers authorized by the County Sheriff or Constable, or officers assigned to special operations and/or task force units approved by Commissioners' Court, are authorized to drive a County vehicle. A list of duly commissioned reserve officers authorized by the County Sheriff, Constable, or to drive a County vehicle shall be maintained by the respective department head/elected official and a copy kept by the Treasurer's office.

## **A. Personal Use**

- 1. At no time may a County vehicle be used for personal gain, personal business, to drive to a place of secondary or part-time employment not related to County business, or for any other non County-related use.**
  - 2. Law Enforcement vehicles may be used for special events provided the County is reimbursed at a rate approved annually by Commissioners' Court.**
  - 3. County vehicles may not be used as tow vehicles, unless it is for official County business.**
- B. Allowed passengers in County vehicles are: a) anyone in the care and custody of a law enforcement official; b) County employees; c) a non-employee on County-related business; and d) any person in need of transport due to an emergency.**
- C. In the event of an accident involving a County-owned vehicle being used by County elected official/employee for personal reasons, the County elected official/employee will be fully liable for all damage and/or injuries sustained to all parties in the accident.**
- D. All drivers of County-owned vehicles, and those using their personal vehicles on County business, shall comply with all applicable State and local laws. It will be the responsibility of the driver to pay any fines imposed for not complying with such laws.**

The Commissioners' Court may grant a vehicle allowance to any elected official/employee deemed appropriate. The vehicle allowance will be paid monthly on the elected official/employee's paycheck as a Taxable Fringe Benefit as designated by IRS Fringe Benefit Guidelines.

### **7.07 UNIFORM POLICY**

If a Burnet County employee receives a county uniform, Burnet County will comply with IRS regulations in determining if the benefit is taxable to the employee.

### **7.08 USE OF COUNTY CASH FUND**

According to LGC Sec. 130.902 (c) A change fund may not be used to make loans or advances or to cash checks or warrants of any kind.

Therefore, no checks will be cashed for any reason from any county change drawer.

# **EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET**

<b>8.00 DISCIPLINE</b>
------------------------

## **8.01 DISCIPLINE**

All elected officials are strongly recommended and all department heads, supervisors and anyone responsible for hiring/firing and supervising employees are required to attend an annual HR Seminar provided by the County or by other professional organization.

Each department head shall have the authority to take disciplinary action against an employee when, for whatever reason, the department head feels that such action is necessary to ensure the effective operation of the department or to protect the interests of the county. While all county employees are at-will employees and may be terminated at any time, a department head may choose to take other disciplinary action, depending on the nature and severity of the problem, prior to considering termination of employment. Examples of the disciplinary steps that may be taken include:

1. Oral Warnings; Prepare written account of "oral warning" and file in Personnel file.
2. Written Reprimand
3. Reduction in Pay
4. Suspension with Pay
5. Suspension without Pay; or deduction from pay of exempt employees may be made for unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace conduct rules or violation of safety rules.
6. Demotion
7. Termination

While it would not be possible to list every situation for which disciplinary action would be taken, the following is a brief list of some of those situations for which disciplinary steps would normally be used.

- \* Insubordination;
- \* Absence without leave, including failure to notify a supervisor of sick leave and repeated tardiness or early departure;
- \* Endangering the safety of other persons through negligent or willful acts;
- \* Intoxication or drug abuse while on duty;
- \* Unauthorized use of public funds or property;
- \* Violation of the requirements of these personnel policies;
- \* Conviction of a felony;
- \* Falsification of documents or records;
- \* Unauthorized use of official information or unauthorized disclosure of confidential information;
- \* Unauthorized or abusive use of official authority;
- \* Incompetence or neglect of duty; or
- \* Disruptive behavior which impairs the performance of others.

# **EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET**

<b>9.00 SEPARATIONS</b>
-------------------------

## **9.01 RESIGNATION**

An employee who intends to resign is encouraged to notify his supervisor in writing at least two weeks prior to the last day of work.

## **9.02 RETIREMENT**

The same notice requirements for resignation apply in the case of retirement. Retirement packages are available in the County Treasurer's Office.

More detailed information is available in the TCDRS Member Information Guide.

## **9.03 REDUCTION IN FORCE**

An employee may be separated when his position is abolished or when there is either a lack of funds or lack of work.

When reductions in force are necessary, decisions on individual separations will be made after considering (1) the relative necessity of each position to the organization, (2) the performance record of each employee, and (3) qualifications of the employee for remaining positions.

## **9.04 TERMINATION**

Burnet County is an "at will" employer, which means that Burnet County can terminate the employment relationship at any time, with or without prior notice, and for any reason not prohibited by statute.

## **9.05 DISABILITY**

Burnet County adheres to the Americans with Disabilities Amendments Act of 2008 or the ADAAA.

## **9.06 DEATH**

If a county employee dies, his/her estate receives all earned pay and any accrued and payable benefits.

## **9.07 TERMINATION PAY**

Upon termination from county employment, employees will receive their final paycheck on the next regularly scheduled payday after their last day of work or HR receives notification of termination whichever is later.

Upon termination from county employment, employees will be paid for all unpaid compensatory time on the books.

Upon termination from county employment, employees who have completed one year of continuous service to Burnet County will be paid for accrued and unused vacation leave up to a maximum of 80 hours.

Upon termination, an employee who has completed one year of continuous service to Burnet County, and who has "holiday leave" on the books will be paid at his hourly rate of pay.

Upon termination, any employee who has accrued longevity pay for that fiscal year will

be paid for such longevity accrual on a prorated basis.

In the event of an employee resignation, payment of vacation leave and holiday leave is contingent upon two weeks' notice, and the completion of all scheduled work days in the notice period unless prior approval is received from the Department Head.

No compensation will be paid upon termination for sick leave or personal leave still carried on the books.

#### **9.08 EXIT INTERVIEW**

**ALL EMPLOYEES TERMINATING FROM BURNET COUNTY EMPLOYMENT MUST COME TO THE TREASURER'S OFFICE FOR AN EXIT INTERVIEW ON THEIR LAST DAY OR THE DAY AFTER THEIR LAST DAY OF EMPLOYEMENT.**

**EMPLOYEE HANDBOOK  
FOR  
THE COUNTY OF BURNET**

<b>10.00 PERSONNEL FILES</b>
------------------------------

**10.01 GENERAL**

Official personnel files are maintained by the Treasurer's Office. The record copy of all personnel information related to an employee shall be filed in the employee's personnel file.

Information in an employee's personnel file must be disclosed upon request unless specific items are accepted from disclosure by law. No information from any record placed in an employee's file will be communicated to any person or organization except by the employee's department head or designated personnel in the Treasurer's Office.

Employees are expected to inform the Treasurer's Office of any changes in or corrections to information recorded in their individual personnel file such as home address, telephone number, person to be notified in case of emergency, or other pertinent information.

**10.02 LEAVE RECORDS**

Official records of vacation, sick, personal leave, holiday, compensatory time accrual and usage will be kept for each employee by the Treasurer. Leave records will be updated after the close of each week for employees using the electronic time clock system with accruals being posted at the beginning of each month. All other employees leave taken will be posted with each payroll and accruals posted at the end of each month. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled.

# **EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET**

<b>11.00 TRAVEL EXPENSES</b>
------------------------------

## **11.01 ELIGIBILITY**

Any employee of Burnet County required to travel in the performance of county business shall be reimbursed as provided for in these policies. Such travel shall be at the discretion of the department head. Use of county vehicles is encouraged whenever possible. Once an employee has given notice of resignation, they do not qualify for reimbursements to attend schools, conferences or any other non-required travel.

## **11.02 TRANSPORTATION COST**

An employee using a private motor vehicle for transportation shall be reimbursed at the rate per mile allowable by IRS guidelines for actual mileage traveled using the shortest route to and from his/her destination.

When two or more employees travel in the same vehicle, only one may claim mileage reimbursement. This provision, however, shall not preclude any employee from receiving reimbursement for other eligible expenses incurred.

When an employee or elected official uses another mode of transportation, such as a bus, air or train, reimbursement shall be for the actual cost of the transportation. A ticket receipt must accompany the expense report. Employees and elected officials shall not be reimbursed for use of a rental car except where the cost of other transportation would exceed the cost of a rental car or is not available.

## **11.03 LODGING COST**

Reimbursement for lodging shall be paid for official county business at the rate allowed by the Department Head.

## **11.04 MEALS**

Employees or elected officials traveling outside the county may receive a per diem not to exceed \$50.00 per day for meals providing they are traveling over night on official business.

Any amount in excess of the IRS per diem rate will be considered a taxable fringe benefit.

Breakfast will be paid for if you travel before 6:30 am. Lunch will be paid for if you travel before 10:30 am. Dinner will be paid for if you travel after 7:00 pm. Amounts for each meal would be as follows: Breakfast \$10.00, Noon \$15.00 and Evening \$25.00.

The employee has the option of presenting receipts not to exceed \$50.

Employees that travel without an overnight stay must present receipts for reimbursement to be reimbursed on the employee's next paycheck. Amounts for each meal are as follows: breakfast may be reimbursed at \$10.00, lunch \$15.00 and dinner at \$25.00. These meals are taxable as wages to the employee because travel must be away from home overnight to be excludable.

Burnet County will not reimburse purchases of alcoholic beverages.

## 11.05 INCIDENTAL EXPENSES

Employees or elected officials shall be reimbursed for the actual cost of the following incidental expense incurred during official travel:

- |                |                        |
|----------------|------------------------|
| * Taxi service | * Hotel/Motel          |
| * Parking fees | * Food Meal Only       |
| * Bus fares    | * Registration         |
| * Toll charges | * Transportation Costs |
| * Gratuities   |                        |

Receipts for these expenses shall be attached to the report for reimbursement.

## 11.06 EXPENSE REPORT

All elected officials and employees filing an expense report shall do so within 30 days after the last date of travel. The expense report must be properly filled out, accompanied by the pertinent receipts, and signed by the department head. Reports are to be filed with the County Treasurers' Office.

## 11.07 TRAVEL EXPENSE ADVANCES

In order to receive an advance on travel expenses, a Request for Advance Travel Expenses form must be submitted to the County Treasurer at least three days prior to departure. Upon return to Burnet County, a Travel Expense Report form must be completed and submitted to the County Treasurer. Any refund due the county will be paid to the County Treasurer.

## 11.08 OUT-OF-STATE TRAVEL

All out-of-state (with the exception of emergencies) travel must be approved in advance by Commissioners Court.

# **EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET**

## **12.00 INTERNET, EMAIL**

The email and internet are great tools in today's workplace. They help us communicate faster, be more productive, and to have access to greater resources. However, like any other tool, they can be misused and cause severe harm. Therefore, it is important that we provide employees information on how to use these tools responsibly.

### **12.01 PROPERTY**

All messages or documents, including emails, created or received on the county's email system are the property of the county and subject to review without notice. Any message needed for the effective operation of the county is acceptable. The internet is provided by the County for county business use and is also subject to review and/or monitoring without notice.

### **12.02 PERSONAL USE AND PRIVACY ISSUES**

Reasonable limited personal use is allowed as long as it does not interfere with the employee's work and all the guidelines for responsible use are followed. Employees cannot expect such documents to remain private, including personal communications.

County Email signatures should contain only information related to county business, i.e. name, title, contact information and not personal beliefs or mottos, i.e. religious, political or humorous references.

Email can be monitored by the Technology Department and may be intercepted during the ordinary course of business.

### **12.03 PUBLIC RECORDS**

Email is subject to the discovery process during litigation and is considered a public record subject to the Open Records Act, just as are other county documents.

Information that should be viewed as confidential should not be included in email.

### **12.04 NETWORK ACCESS AND TECHNICAL SUPPORT**

County network, internet access and technical support is provided to 'county funded' departments. Technical support provided by the county Technology Department shall include configuration of network access, email setup and installation of approved software as well as troubleshooting of issues arising from normal business operations on county owned equipment. Repair costs arising from misuse of county equipment, i.e. downloading viruses, spyware infection from non-business related web browsing, installation of unapproved hardware or software, will be paid by the department requesting service or employee who caused the damage. Safety of the county network can be compromised due to these unauthorized activities possibly bringing the entire network system down.

Departments funded by other entities, i.e. state or district, will be provided internet connection only after verifying those departments have adequate virus protection on the attached computers. Computers may not be added to the County network without prior written approval of the Technology Department. Technical support for non-county funded departments shall include internet access if located in County Offices, as available, network connectivity, if applicable and email setup on county email system. Troubleshooting support will be limited to connectivity and email issues on non-county

owned equipment.

Use and installation of personal hardware or software (i.e. laptops, pda's, cell phone chargers and applications, mp3 players) on county equipment or county network must be approved by the Technology Supervisor. Approved equipment must be verified to have adequate virus protection and/or configuration prior to connection on county network.

#### **12.05 BANDWIDTH USAGE**

Bandwidth is limited to a fixed amount supplied to the county by the internet service provider. Following are examples that reduce bandwidth resulting in slower network speeds and productivity and should be restricted:

- Viewing online videos
- Listening to internet radio
- Downloading music or videos

#### **12.06 NETWORK AND WORKSTATION MONITORING**

Bandwidth usage and network activity will be monitored to check network traffic and determine efficiency by the Technology Department. Concerns will be addressed with the Elected Officials or Department Heads and County Judge. Elected Officials or Department Heads may request review of any computer in their department to insure proper usage.

**NOTICE:** Information accessed on county computers is available by report from Technology Department. i.e. report showing websites visited, date and time of activity, attempts to access prohibited sites. Monitoring of computer activity must be requested in writing by Elected Official, Department Head or Supervisor to the Technology Supervisor. Monitoring will not begin until request has been made. Be advised that many websites will place unauthorized 'markers' on computer even if not directly opened.

#### **12.07 EXAMPLES OF EMAIL AND/OR INTERNET USES THAT ARE ACCEPTED:**

- Conducting county business;
- Research for county business;
- Information gathering for county business

#### **12.08 EXAMPLES OF EMAIL AND/OR INTERNET USE THAT ARE PROHIBITED:**

- Accessing, sending or forwarding email that violates county policy or is not in the county's best interest;
- Engaging in an activity that is fraudulent, illegal, or malicious;
- Accessing, sending, forwarding, receiving or storing anything offensive, obscene, or defamatory or that tends to interfere with the productivity of other employees;
- Sending email to harass or annoy other individuals;
- Using email for personal gain.
- MySpace, Facebook or other social networking websites
- Streaming audio or video websites, including YouTube and internet radio sites
- On-line personal shopping
- On-line gaming or gambling
- Instant messaging for other than work related communication

Access for work related purposes to the prohibited sites mentioned above shall be made in writing to the Technology Supervisor and must include approval by Department Head or Department Supervisor and will be allowed only for official investigations or training

by Law Enforcement or legal departments. Request must include name of employee to allow access, IP address of their computer, sites to allow access and date range that sites will need to be accessed.

## **12.09 DOWNLOADING INFORMATION/COPYRIGHT**

It is prohibited to download software without approval from Technology Supervisor. Most information is subject to federal copyright laws just as written and recorded copyrighted material is protected. Just because information is found on the Internet, the user is not necessarily given the right to free, unlimited use of that information unless a disclaimer provides that right. Generally, an Internet user is allowed to download one copy of copyrighted material for personal use. Any other use, without the permission of the copyright owner, could lead to legal action by the copyright owner. Downloading files or software from unauthorized sites can also lead to spyware or viruses being installed on workstations and infecting the network.

## **12.10 DOCUMENT RETENTION**

Email and Internet information should be deleted from computers as soon as it is no longer needed. It is the content and function of an e-mail message that determines the retention period for that message. The State of Texas has guidelines for all documentation. Examples:

**Administrative Correspondence - 3 years**  
**General Correspondence - 1 year**  
**Transitory Information - After purpose of record has been fulfilled**

For more information regarding State retention policies visit the TSLAC website. <http://www.tsl.state.tx.us/slrm/lgschedules/index.html>

If the information must be stored for an extended period, it should be moved to disk or other external storage system.

## **12.11 PASSWORD**

Each user should have a unique logon name and password. The importance of keeping the logon name and password confidential is stressed and should never be given to anyone except the Technology Supervisor or designee and, where deemed necessary, to a department head who may need access to the employee's files in the absence of the employee. \*\*Reminder that even though passwords are used, this is not a guarantee of privacy.

## **12.12 VIOLATIONS OF TECHNOLOGY POLICY**

Violations found will be reported immediately to the Department Head and County Judge, with a copy to employee's personnel file, for investigation and consultation with the Information Technology Department to determine severity. Depending on the severity of the violation, discipline could range from a simple warning up to termination determined by Elected Official. On third misuse offense, county will block all internet use for said employee.

## **12.13 EQUIPMENT SPECIFICATIONS AND MINIMUM SYSTEM CONFIGURATION**

All technology equipment purchased with county funds, grants or other special funds and requiring approval by Commissioner's Court should be pre-approved by the Technology Department to verify compatibility prior to presenting to the court.

All computers on the network must meet minimum system requirements as follows unless approved by the Technology Department. These requirements will be reviewed annually:

Pentium 4 processor, 512 MB ram, 80 GB hard drive, Windows XP SP3 operating system

#### 12.14 REQUESTS FOR TECHNICAL SERVICE

If you need Technical Support, Equipment Repairs or have other Technology Issues, please make the request in writing, either by email or use the Online Technical Request link on our website to submit the request as follows:

1. Go to [www.burnetcountytexas.org](http://www.burnetcountytexas.org) to log in to the Staff page. (User name and password required, contact technology dept if you do not have one.)
2. Once on the staff page, click the Online Technology Request
3. Complete the form online and click Submit

Your request will be directed immediately to the Technology Department and the Network Contractor. If you are unable to use your computer or another one in your office, please call the Technology Department at 715-5286 or extension 2386 to report the problem.

# EMPLOYEE HANDBOOK FOR THE COUNTY OF BURNET

13.00 BURNET COUNTY FRAUD POLICY
----------------------------------

## 13.01 BACKGROUND

The County fraud policy is established to facilitate the development of controls which will aid in the detection and prevention of fraud against Burnet County. It is the intent of the County to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

## 13.02 SCOPE OF POLICY

This policy applies to any fraud, or suspected fraud, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other related parties with a business relationship with Burnet County.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the County.

## 13.03 POLICY

Management is responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each member of management will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity.

Any fraud that is detected or suspected must be reported immediately to the County Attorney, who coordinates all investigations both internal and external.

## 13.04 ACTIONS CONSTITUTING FRAUD

The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:

- Any dishonest or fraudulent act
- Forgery or alteration of any document or account belonging to the County
- Forgery or alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Profiteering as a result of insider knowledge of County activities
- Disclosing confidential and proprietary information to outside parties
- Disclosing to other persons securities activities engaged in or contemplated by the county
- Accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to the County. Exception: Gifts less than \$20 in value.
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related inappropriate conduct

## 13.05 OTHER INAPPROPRIATE CONDUCT

*Suspected improprieties* concerning an employee's moral, ethical, or behavioral

conduct should be resolved by departmental management.

If there is any question as to whether an action constitutes fraud, contact the County Attorney for guidance.

#### 13.06 INVESTIGATION RESPONSIBILITIES

The County Attorney has the primary responsibility for the initial investigation of all suspected fraudulent acts as defined in the policy. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made by the County Attorney, who shall report said findings and conclusions to the Commissioners' Court.

#### 13.07 CONFIDENTIALITY

Burnet County treats all information received *confidentially*. Any employee who suspects dishonest or fraudulent activity will notify the County Attorney immediately, and *should not attempt to personally conduct investigations or interview/interrogations* related to any suspected fraudulent act (see REPORTING PROCEDURE section below). Investigation results *will not be disclosed or discussed* with anyone other than those who have legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the County from potential civil liability.

#### 13.08 AUTHORIZATION FOR INVESTIGATING SUSPECTED FRAUD

Members of the Investigation Unit will have:

1. Free and unrestricted access to all County records and premises, whether owned or rented; AND
2. The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of their investigation.

#### 13.09 REPORTING PROCEDURES

Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will *contact the County Attorney immediately*. The employee or other complainant may remain anonymous. All inquires concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the County Attorney.

The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution.
- Do not discuss the case, facts, suspicions, or allegations with *anyone* unless specifically asked to do so by the County Attorney.

#### 13.10 TERMINATION

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the department head. The County Attorney does not have the authority to terminate an employee. The decision to terminate an employee is made by the employee's management.

### **13.11 ADMINISTRATION**

**The Commissioners' Court is responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised as needed.**

HARRASSMENT REPORT COMPLAINT FORM

Harassment is defined as any employee’s visual, physical or verbal conduct toward another employee that interferes with the employee’s working environment and job duties.

Burnet County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, race, color, religion, national origin, age, pregnancy, disability, family or military leave status or veteran’s status. Such conduct becomes harassment when (1) the submission to the conduct is made a condition of employment; (2) the submission to, or rejection of; the conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Burnet County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the county does business. All harassment should be reported immediately.

COMPLAINANTS NAME: \_\_\_\_\_

JOB TITLE: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_

CURRENT EMPLOYMENT STATUS: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

ALLEGED HARASSERS NAME: \_\_\_\_\_

JOB TITLE: \_\_\_\_\_

BUSINESS PHONE: \_\_\_\_\_

CURRENT EMPLOYMENT STATUS: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_

Complainant, describe the harassment in precise terms. Verbal harassment requires the entire conversation, verbatim (attach additional page if needed): \_\_\_\_\_

\_\_\_\_\_

Complainant, if physical harassment is involved describe the conduct with specificity. Include the physical circumstances of the alleged harassment, the date, time, location and names of witnesses, if any (attach additional page if needed): \_\_\_\_\_

\_\_\_\_\_

Has the harassment ever happened before? \_\_\_\_\_

If so, when? \_\_\_\_\_

Where? \_\_\_\_\_

Was the incident reported to authorized personnel (include name of authorized personnel): \_\_\_\_\_

\_\_\_\_\_

Describe the effects of the harassment. \_\_\_\_\_

Was medical personnel contacted (include name of medical personnel): \_\_\_\_\_

\_\_\_\_\_

APPENDIX B  
**ALCOHOL AND DRUG TESTING FOR REASONABLE CAUSE**

**Reasonable Suspicion Testing:** If an employee is having a work performance problem or displaying behavior that may be alcohol or drug related, or is otherwise demonstrating conduct that may be in violation of this Drug and Alcohol Policy where immediate management action is necessary, a supervisor, will require that employee to submit to a breath test, urinalysis and/or blood test. The following conditions may be signs of possible alcohol or drug use (this list is not all-inclusive):

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Abnormally dilated or constricted pupils</li> <li>• Glazed stare – redness of eyes (sclera)</li> <li>• Flushed face</li> <li>• Change of speech (i.e. faster, slower, slurred)</li> <li>• Constant sniffing</li> <li>• Increased or unexplained absences</li> <li>• Redness under the nose</li> <li>• Sudden weight loss</li> <li>• Needle marks</li> <li>• Change in personality (i.e. paranoia, anger)</li> </ul> | <ul style="list-style-type: none"> <li>• Increased appetite for sweets</li> <li>• Forgetfulness – performance altering – poor concentration</li> <li>• Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for more money</li> <li>• Constant fatigue</li> <li>• Hyperactivity</li> <li>• Smell of alcohol</li> <li>• Difficulty walking or standing</li> <li>• Dulled mental processes</li> <li>• Slowed reaction rate</li> </ul> |
|--|--|

**BURNET COUNTY SUPERVISOR,** State objective facts giving rise to the belief that the employee is under the influence of alcohol or a controlled substance: \_\_\_\_\_

**EMPLOYEE'S NAME:** \_\_\_\_\_

**JOB TITLE:** \_\_\_\_\_

**BUSINESS PHONE:** \_\_\_\_\_

**CURRENT EMPLOYMENT STATUS:** \_\_\_\_\_

**DEPARTMENT:** \_\_\_\_\_

**BURNET COUNTY EMPLOYEE** is expected to fully cooperate and consent to a drug or alcohol test when requested under the terms of Burnet County policy. Refusal to consent to a drug test when requested may result in immediate termination.

I understand and agree that the test(s) I am about to receive include(s) a test for alcohol, illegal drugs, and/or controlled substances.

I hereby give my consent to Burnet County to perform these tests. I understand that if I decline to sign this consent form and thereby decline to take the tests that my refusal may result in immediate termination.

\_\_\_\_\_  
 Employee's Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Supervisor's Signature if employee refuses to sign

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Witness Signature if employee refuses to sign

\_\_\_\_\_  
 Date

**BURNET COUNTY EMPLOYEE HANDBOOK**

**COMMISSIONERS' COURT APPROVAL:**

**We, the undersigned, County Judge and Commissioners in and for Burnet County, Texas, hereby certify that we have on this date received and have approved the revisions to the Burnet County Personnel Policies through February 23, 2010.**

**WITNESS OUR HANDS, Officially this 2<sup>nd</sup> day of March, 2010.**

\_\_\_\_\_  
**Donna Klaeger**  
**Burnet County Judge**

\_\_\_\_\_  
**Bill Neve**  
**Commissioner, Precinct #1**

\_\_\_\_\_  
**Russell Graeter**  
**Commissioner, Precinct #2**

\_\_\_\_\_  
**Ronny Hibler**  
**Commissioner, Precinct #3**

\_\_\_\_\_  
**Joe Don Dockery**  
**Commissioner, Precinct 4**

**ATTEST:** \_\_\_\_\_  
**Janet Parker**  
**Burnet County Clerk**

**BURNET COUNTY EMPLOYEE HANDBOOK**

**I acknowledge that I have received my copy of the Burnet County Employee Handbook and Safety Policy that outlines general safety rules and obligations as an employee. I acknowledge that the provisions of this policy are part of the terms and conditions of my employment and that I agree to abide by them. I accept responsibility for reading and familiarizing myself with the information in this policy.**

**I further understand that the Burnet County Employee Handbook is not a contract of employment or any covenant of such a contract. Specifically, employment of Burnet County is “at-will” employment. I understand my employment may be terminated by either myself or the County, at any time, with or without cause, and with or without notice.**

**I understand that this policy is intended only to provide guidance in understanding Burnet County policies, practices and benefits. Except for the policy of “at-will” employment, I understand that Burnet County retains the right to change this policy, and to modify or cancel any of its employee benefits when the need for change is recognized.**

**If I have any questions about any policy or rules, I will ask my department head, or contact the Burnet County Treasurer's Office for clarification.**

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

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Printed Name of Employee**

\_\_\_\_\_  
**Date**

# BURNET COUNTY EMPLOYEE TIMECLOCK PROCEDURES

## TO CLOCK IN AND OUT

Go to TimeClock Plus  
Click on Web Clock  
Enter ID (Employee 4 digit #)  
Hit Enter  
To Clock In – Click on Clock In  
To Clock Out – Click on Clock Out  
Click OK  
If you will look at the icons across the top of your page you will see  
Clock In, Clock Out, Break (ignore), Job Code (ignore), View  
Click on View and you will see what leave you have available to you  
Close out of TimeClock by clicking red x in upper right corner  
**(DO NOT LEAVE TIMECLOCK OPEN)**

## FORGOT TO CLOCK IN

Go to TimeClock Plus  
Click on Web Manager  
Enter ID (Employee 4 digit #)  
Hit Enter  
Click on “Add Shift” (at the bottom of the page)  
√ “Individual is Clocked In” (on left side of box)  
Time In: Enter time you should have clocked in  
Click Save  
Close by clicking red x

## FORGOT TO CLOCK OUT

See Manager

## WANT TO TAKE LEAVE

Go to TimeClock Plus  
Click on Web Manager  
Enter ID (Employee 4 digit #)  
Hit Enter  
Click on “Add Shift” (at the bottom of the page)  
√ “Time Sheet Entry” (on left side of box)  
Date In: put date of leave  
Time In: put time leave is to begin  
Hours: total number of hours of leave taken  
(hrs worked plus leave taken cannot exceed your normal work schedule/week)  
Job Code: click on blue down arrow and select leave to be taken  
(You can click on the Accrual Tab at the top of the page to see what  
leave you have available)  
After choosing the leave job code click Save  
Close by clicking red x