**ROBERTS COUNTY**

**EMPLOYEE HANDBOOK**

**AND**

**POLICY MANUAL**

**August 6, 2010**

**Approved in Open Court**

**September 13, 2010**

**Updated**

**June 10, 2013**

**May 11, 2015**

**February 8, 2016**

**December 11, 2017**

**November 12, 2019**

**January 10, 2022**

**August 14, 2023**

**ROBERTS COUNTY**

**EMPLOYEE HANDBOOK**

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**EMPLOYEE HANDBOOK ACKNOWLEDGEMENT (AMENDED 2/8/16)**

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

**I further understand that the Roberts County Employee Handbook is not a contract of employment. I understand that I am an at-will employee and that my employment may be terminated by either myself or the County, at any time, with or without cause, and with or without notice.**

**I understand that this employee handbook is intended to provide guidance in understanding Roberts County policies, practices and benefits. I understand that Roberts County retains the right to change this handbook at any time, and to modify or cancel any of its employee benefits when the need for change is recognized.**

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

**I understand that I 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.**

**I understand that I may be subject to reasonable suspicion of post-accident drug and alcohol testing. If I am required to have a Commercial Driver’s License (CDL) for my county position, I will be subject to random, reasonable suspicion and post-accident drug and alcohol testing.**

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

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature of Employee**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Printed Name of Employee**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date Signed**

**COUNTY OF ROBERTS**

**COMMISSIONERS COURT ORDER**

**WHEREAS the Commissioners Court of Roberts County and the County Judge wish to comply with various laws applicable to public employers in the employment relationship; and**

**WHEREAS the Roberts County Commissioners Court and the County Judge desire to provide the employees of Roberts County with a uniform format for dealing with various employment related issues; and**

**WHEREAS the Roberts County Commissioners Court and the County Judge wish to adequately communicate to employees the policies and procedures of the County:**

**THEREFORE, BE IT RESOLVED that the Roberts County Commissioners Court and the County Judge hereby approve and adopt the ROBERTS COUNTY EMPLOYEE HANDBOOK.**

**ADOPTED THIS \_\_\_\_\_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**County Judge**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Commissioner Pct 1 Commissioner Pct 2**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Commissioner Pct 3 Commissioner Pct 4**

**Witnessed and Attested By:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**County Clerk**

**RESOLUTION FOR ROBERTS COUNTY**

**We the undersigned have read the Roberts County Employee Handbook that the Roberts County Commissioner’s Court and County Judge has adopted. As ELECTED OFFICIALS of Roberts County, we endorse and approve the Employee Handbook. We approve the document as it reflects our commitment to Roberts County employees and it reflects our commitment to conform to appropriate state and federal laws.**

**We agree to be bound by the terms and conditions of the Roberts County Employee Handbook, as witnessed by our signatures below.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**County Clerk District Clerk**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**County Treasurer County Tax Assessor/Collector**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**County Sheriff County Attorney**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Justice of the Peace**

**Roberts County Employee Handbook**

Welcome to Roberts County!

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

Roberts County is committed to providing excellent service to the public in all of our county offices. As part of the team, we hope you will discover that the pursuit of excellence is a rewarding aspect of your career here.

This employee handbook contains some key policies, benefits, and expectations of Roberts County, and other information you will need. Each elected official may wish to adopt their department policies which complement our Roberts County employee handbook. Each elected official, appointed official and department head have detailed Roberts County policy and procedures manuals.

Your job, every job, is essential to fulfilling our mission of serving our county constituents every day and to meet or exceed their expectations. We achieve this through dedicated hard work and commitment from every Roberts County employee. You should use this handbook as a ready reference as you pursue your career with Roberts County. Please consult with your elected official, appointed official or department head regarding questions you may have concerning this employee handbook.

Welcome aboard!

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

County Judge

\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Commissioner Pct. 1 Commissioner Pct. 2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Commissioner Pct. 3 Commissioner Pct. 4

**SECTION 1:**

**GENERAL POLICIES**

**A. COUNTY EMPLOYMENT (Amended by Comm. Court 2/14/11)**

**1A-1 EMPLOYMENT AT-WILL**

All employment with Roberts County shall be considered “at will” employment. No contract of employment shall exist between any individual and Roberts County for any duration, either specified or unspecified.

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

Roberts County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice. Employees of Roberts County shall have the right to leave their employment with the County at any time, with or without notice.

**1A-2 EMPLOYEE STATUS POLICY FOR UNDER 50 EMPLOYEES**

**(amended 2/14/11, 2/8/16)**

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

**REGULAR FULL TIME:** A full time employee shall be any employee in a position which has a normal work schedule of at least 30 hours per week. Full time employees are eligible for county benefits for which they are qualified. Employees may be non-exempt, hourly employees or exempt employees. Non-exempt employees are eligible for overtime compensation. Exempt employees are not eligible for overtime compensation. Roberts County makes exempt status determination based on the Fair Labor Standards Act.

**REGULAR PART TIME (amended 5/11/15, 1/11/16):** A part time employee shall be any employee in a position which has a normal work schedule of less than 30 hours per week. Part time employees may be eligible for certain Roberts County benefits. All regular part time employees must be placed on TCDRS regardless of the number of hours worked per week.

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

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

**1A-3 EQUAL EMPLOYMENT OPPORTUNITY** (amended 1/10/22)

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

**1A-4 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT**

It is the policy of Roberts County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels they have been subject to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, appointed official, department head or the county attorney. All elected officials, appointed officials, department heads and employees with responsibilities requiring knowledge are instructed to treat the employee’s disability with confidentiality.

It is Roberts County’s policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the county. In accordance with the Americans with Disabilities Act, as amended (ADAAA), reasonable accommodations may be provided to qualified individuals with disabilities when such accommodations are necessary to enable them to perform the essential functions of their jobs, or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment, and all employees. If you require accommodation, please contact your elected official, appointed official, department head or the county attorney. Reasonable accommodation shall be determined through an interactive process of consultation.

**1A-5 PERSONNEL FILES** (amended 1/10/22)

The Roberts County department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application; pay information, as well as, records concerning performance, discipline and compensation.

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

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

**1A-6 NEPOTISM** (amended 1/10/22)

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

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

**CONSANGUINITY KINSHIP CHART**

(Relationship by Blood)

**AFFINITY KINSHIP CHART**

(Relationship by Marriage)

**B. WORK RULES AND EMPLOYEE RESPONSIBILITY**

**1B-1 ATTENDANCE**

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

Each employee shall report to work on each day they are scheduled to work and at the starting time set by their supervisor unless prior approval for absence is given by the employee’s supervisor or the employee is unable to report for work because of circumstances beyond the control of the employee. If an employee is unable to be at work at their normal reporting time, they shall be responsible for notifying their supervisor at least 1 hour prior to the scheduled start of their shift or as soon as it is reasonably practicable in the case of an emergency.

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

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

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

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

**1B-2 DRESS CODE**

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

It is just as essential that you act in a professional manner and extend the highest courtesy to co-workers and to the public being served. A cheerful and positive attitude is essential to our commitment to customer service

**1B-3 SMOKE FREE WORKPLACE** (amended 11/12/19, 1/10/22)

Roberts County endeavors to provide a healthy environment. Therefore, any form of tobacco or vaping consumed in county buildings, vehicles, and equipment is strictly prohibited. Additionally, no smoking or vaping is allowed within ten (10) feet of the exterior entranceways.

**1B-4 CONFLICT OF INTEREST** (amended 1/10/22)

Employees of Roberts County shall not engage in any employment, relationship, or activity which could be viewed as a conflict of interest because of the potential or appearance of affecting the employee’s job efficiency, or which would reduce their ability to make objective decisions in regard to their work and responsibility as a Roberts County employee.

Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination and these actions may have criminal consequences for employees.

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

1. Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor,

other than from the County, that might reasonably tend to influence the employee’s performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee’s performance;

1. Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
2. Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County;
3. Making any personal investment that might reasonably be expected to create a substantial conflict between the employee’s private interest and his or her duties for the County; or
4. Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

**1B-5 HARASSMENT** (amended 1/10/22)

Roberts County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, including lesbian, gay, bi-sexual or transgender status, sexual orientation or gender identity, race, color, religion, national origin, age, genetic information, pregnancy, disability, family or military leave status or veteran’s status. Such conduct becomes harassment when (1) the submission to the conduct is made a condition of employment; (2) the submission to, or rejection of, the conduct is used as the basis for an employment decision; or (3) the conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Roberts County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the county does business.

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

Every reported complaint will be investigated promptly and thoroughly. While all claims of harassment shall be handled with discretion, there can be no complete assurance of full confidentiality. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

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

Retaliation against an employee who reports harassment or who cooperates in the investigation is prohibited by law as well as this policy. Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected official, appointed official, or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the official or department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

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

**1B-6 SEXUAL HARASSMENT** (amended 1/10/22)

Sexual harassment is strictly prohibited by Roberts 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 Roberts 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, thoroughly. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.

Employees who feel they have been sexually harassed should immediately report the situation to the elected’ ~~or~~ appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the 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. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

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

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

a. When practical, confront the harasser and ask them to stop the unwanted

 behavior.

b. Record the time, place and specifics of each incident, including any

 witnesses.

c. Report continuing sexual harassment to the Elected Official, ~~or~~ Appointed

Official, or Department Head who is responsible for your department or to the County Judge or the County Attorney.

d. If a thorough investigation reveals that unlawful sexual harassment has

occurred, Roberts County will take effective remedial action in accordance with the circumstances, up to and including termination.

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

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

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

**1B-7 POLITICAL ACTIVITIES**

Employees of Roberts County shall have the right to support candidates of their choice and to engage in political activity during their personal time.

County employees shall not: 1) Use their official authority or influence to interfere with or affect the result of any election or nomination for office; 2) Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political reason; or 3) Use any equipment, property or material owned by the County for political activity or engage in political activity while on duty for the County.

**1B-8 OUTSIDE EMPLOYMENT**

Roberts County employees are expected to give their full and undivided attention to their job duties. They should not use Roberts County facilities or equipment or their association with Roberts County to carry on a private business or profession. Unless express approval is obtained in advance and in writing from their immediate supervisor county employees should not engage in a profit-making business or become involved with a non-profit organization outside of their employment with Roberts County that interferes with the employee’s assigned duties with Roberts County.

**1B-9 BREAKS** (amended 1/10/22)

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

Roberts County will provide reasonable [paid] breaks for a nursing mother to express breast milk. The nursing mother will be allowed whatever time is needed to express breast milk.

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

Roberts County does not allow any retaliation against a nursing mother for asking for this break. Nursing mothers are entitled to this break for the duration of the time they are expressing breast milk. A reasonable accommodation will be given for the needs of employees who express breast milk. An employee of the county who needs to express breast milk may not be discriminated against.

All other employee breaks are determined by each official or department head and are not required to be given. If your department provides you with a break, it may not be accumulated or used for time off. The Fair Labor Standards Act does not require any breaks other than for a nursing mother; however, if paid breaks are provided for employees, a nursing mother must be given the same amount of paid break time.

**1B-10 GRIEVANCES**

Any employee having a grievance related to their job should discuss the grievance with their immediate supervisor.

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

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

**1B-11 DISCIPLINE**

Each supervisor shall have the authority to administer discipline to employees in their department for poor performance, violation of policies, disruptive behavior, or any other behavior or activity which the supervisor feels is not acceptable as it relates to the employee’s job or the best interest of the department or County.

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

**All County employees are “at will” employees and nothing in this policy gives an employee any contract of employment, guarantee of any duration of employment, or any other property interest in their job.**

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

**1B-12 LICENSES AND CERTIFICATIONS**

Roberts County has many positions that require licenses and certifications. It is the responsibility of each employee to maintain all required licenses and certifications. If an employee is unable to renew or losses any licenses or certification they must immediately notify their supervisor. If this license is a requirement for the position, the employee may be demoted, transferred or terminated. Under no circumstances will the employee be allowed to continue in the position where a license or certification is required if failure to have such license or certification is illegal under either Federal or State Law.

**1B-13 WEATHER CLOSINGS AND EMERGENCIES** (amended 1/10/22)

As a general practice, Roberts County does not close unless the health, safety, and security of county employees are seriously brought into question. When this happens, either because of severe weather conditions or other emergencies, the County Judge is responsible for initiating the closing.

The County Judge will notify the following entities for a public announcement:

KGRO/KOMX Radio and/or KVII TV. Announcements of an emergency closing will, to the extent possible, specify the starting and ending times of the closing. However, each elected official controls the working hours of their employees, even in an emergency situation.

Many county departments are continuous operating public safety and service departments. Many county personnel will be required to work during emergency closings. Each official or department head is responsible for designating their own employees and providing alternate information to personnel designated as essential during emergency closings. Public safety will be foremost in the development of departmental emergency action plans.

**1B-14 CONFIDENTIALITY** (amended 1/10/22)

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

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

**1B-15 WHISTLEBLOWER (amended 2/8/16)**

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

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

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

An employee who, in good faith, believes they are being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact the County Judge.

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

**C. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY**

**1C-1 COUNTY PROPERTY USAGE**

Each county employee shall be responsible for the care, maintenance, proper use, and upkeep of any County equipment assigned to them. County employees shall only use equipment, tools, and other County property that they are authorized to use. Personal use of county equipment, supplies, tools, and any other county property is not permitted and may result in discipline up to and including termination. Improper use may subject employees to criminal prosecution.

**1C-2 COUNTY VEHICLE USAGE**

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

If personal use of a county vehicle is permitted the employee will be required to keep a log of all personal miles driven, including to and from work. These

personal miles will be taxed at the current IRS rate in accordance with IRS rules and regulations.

Employees who operate vehicles must maintain a current active license for the operation of that vehicle. If they have any change in status of their license they must immediately notify their supervisor. An employee whose job involves operation of a vehicle requiring a license for its legal operation shall be subject to possible job change, demotion or termination if that license is suspended or revoked.

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to their supervisor and to the proper law enforcement or other authority immediately. A copy of all accident and incident reports prepared by the employee shall be sent to the supervisor and the County Judge.

**Texting Ban**

It is the policy of Roberts County that all employees who drive county owned vehicles operate said vehicles in a safe manner. Employees should always drive county vehicles with their full attention on the road. Cell phones should be used with a hands free device and texting while driving is never allowed while operating any county vehicle.

County employees are also forbidden from texting on any county owned device while driving their personal vehicles. Violators can be disciplined up to and including termination at the discretion of the employee’s supervisor and/or Elected Official.

If an employee has an accident in a county owned vehicle and it is due to texting while driving the employee will be subject to discipline up to and including termination at the discretion of the employee’s supervisor and/or Elected Official.

CDL holders who are caught texting while driving will also be subject to discipline up to and including termination. CDL drivers who violate this policy may also be subject to fines as imposed by the federal transportation department, and could lose their license for a period of 60 days or permanently if there are multiple violations.

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

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to his or her supervisor and to the proper law enforcement or other authority immediately. A copy of all accident and incident reports prepared by the employee shall be sent to the supervisor and the County Judge.

**1C-3 CELL PHONE USAGE**

Roberts County determines on a case by case basis the need for the county to pay a stipend to those employees who use their personal cell phones for business purposes. Each Elected Official can present to the Commissioners Court at budget time the need to include an employee or Elected Official for stipend consideration.

The cell phone stipend amount determined appropriate by Commissioner’s Court, if any, is a taxable fringe benefit and will be treated accordingly to comply with IRS regulations.

The Roberts County Commissioner’s Court reserves the right to end any stipend at any time for any reason deemed appropriate by the Court.

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

**1C-4 COMPUTER AND INTERNET USAGE** (amended 1/10/22)

The use of Roberts County information systems, including computers, fax machines, smart phones, tablet computers, and all forms of Internet/Intranet access, is for Roberts County business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in any expense to the County.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be used to solicit or sell products or services that are unrelated to the County's business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

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

Roberts County owns the rights to all data and files in any computer, network, or other information system used in the county. Roberts County also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems, Facebook, twitter, etc.) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using county equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by county officials at all times. Roberts County has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate county official. No employee shall break any copy right laws, download any illegal or unauthorized downloads. Roberts County monitors its entire informational systems and employees may be subject to discipline up to and including termination for any misuse of county informational systems.

Employees should not bring personal computers to the workplace or connect them to Roberts County electronic systems, unless expressly permitted to do so by their supervisor and or IT department. Violation of this policy, may result in disciplinary action, up to and including termination of employment.

**D. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY**

**1D-1 WORKER’S COMPENSATION** (amended 1/10/22)

All Roberts County employees are covered by workers’ compensation insurance while on duty for the County. Workers’ compensation insurance pays for medical bills resulting from a covered injury or illness an employee incurs while carrying out the duties of their job. Workers’ compensation also pays a Temporary Income Benefit (TIBS) for time lost from work in excess of seven calendar days as the result of eligible work related injuries or illnesses with the exception of Law Enforcement employees who receive salary continuation.

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

Any employee who suffers a job related illness or injury is required to notify their supervisor as soon as possible. Failure to promptly report job related injuries or illnesses may affect an employee’s eligibility for benefits or delay benefit payments.

An employee who has lost time because of a work related accident or illness is required to provide a release from the attending physician before being allowed to return to work.

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

**1D-2 EMPLOYEE SAFETY** (amended 1/10/22)

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

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

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

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

**1D-3 DRUG AND ALCOHOL- ALL EMPLOYEES** (amended 11/12/19, 1/10/22)

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

This policy applies to all employees of Roberts County regardless of rank or position and shall include full time, part time and temporary employees. The only exception to this policy is the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

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

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

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

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

An employee may use prescription and over-the-counter drugs in standard dosage or according to a physician’s prescription if the use will not impair the employee’s ability to do their job safely and effectively. An employee must keep prescription medications used at work in their original container.

An employee taking prescribed or over-the-counter medications is responsible for consulting the prescribing physician or a pharmacist to determine if the medication could interfere with the safe and effective performance of their job duties.

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

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

An employee having problems with drugs or alcohol is encouraged to seek treatment from a qualified professional. Information on benefits provided for treatment of alcohol and drug abuse problems provided by the County’s health plan program is available in the employee’s health plan booklet or from the Treasurer’s Office.

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

An employee who voluntarily asks for time off to get treatment and recover from a drug or alcohol abuse problem will be given protections as required by law. Upon returning to work from a bona fide in treatment facility, the employee will be subjected to a volunteer drug testing program as often as monthly until there is evidence the employee no longer uses. Failure to comply with the requirements of the post rehabilitative program including refusing the volunteer testing program will result in termination. The post rehabilitative program will last for as long as two years. If at any time the employee tests positive, or refuses the volunteer drug test during this post rehabilitative program the employee will be terminated.

**1D-4 DRUG AND ALCOHOL- CDL EMPLOYEES** (amended 1/10/22)

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

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

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

It is the policy of Roberts County to comply with the U.S. Department of Transportation, FMCSA Clearinghouse, a secure online database that provides employers with real-time information about CDL driver drug and alcohol program violations. Roberts County will conduct both electronic queries and traditional manual queries with previous employers from January 6, 2020 to January 5, 2023 as required by FMCSA’s drug and alcohol use testing program, for checking CDL driver violation histories. Drivers may view their own records. Employees will be required to provide a consent form from the CDL holder to conduct both Limited and Specific inquiries.

A detailed policy and procedure is available at the Treasurer’s office.

**1D-5 WORKPLACE VIOLENCE** (amended 1/10/22)

Roberts County is committed to providing a workplace free of violence. Roberts County will not tolerate or condone violence of any kind in the workplace. The county will also not tolerate or condone any threats of violence, direct or indirect, this includes jokes. All threats will be taken seriously and will be investigated. Employees must refrain from any conduct or comments that might make another employee suspicious or in fear for their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surroundings at all times and report any suspicious behavior from the public, former employees or current employees to their immediate supervisor or the sheriff’s department. No employee may possess a firearm or other weapon other than an authorized law enforcement official, with or without permits in all county offices and buildings owned or used by Roberts County, this also includes county owned vehicles. If employees believe that a person is violating this policy, they should immediately report to their immediate supervisor or the sheriff’s department. Employees found in violation of this policy may be subject to discipline up to and including immediate termination.

**1D-6 SOCIAL MEDIA**

For purposes of this policy “social media” includes, but is not limited to, online forums, blogs and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and Instagram, etc. Roberts County recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee’s work; is used to harass supervisors, co-workers, customers or vendors; creates a hostile work environment; or harms the goodwill and reputation of Roberts County among the community at large. Roberts County encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

Where no policy or guideline exists, employees are expected to use their best judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.

* If your posts on social media mention Roberts County make clear that you are an employee of Roberts County and that the views posted are yours alone and do not represent the views of Roberts County.
* Do not mention Roberts County supervisors, employees, customers or vendors without their express consent.
* Do not pick fights. If you see a misrepresentation about Roberts County, respond respectfully with factual information, not inflammatory comments.
* Remember, you are responsible for what you write or present on social media. You can be sued by other employees, supervisors, customers or vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees can be subject to disciplinary action, up to and including termination for what they post on social media platforms, even if the employee did not use a county computer or if the post did not occur during work hours or on county property.
* Employees may not use Roberts County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Roberts County monitors its computers to ensure compliance with this restriction.
* You must comply with copyright laws, and cite or reference sources accurately.
* Do not link to Roberts County’s website or post Roberts County material on a social media site without written permission from your supervisor.
* All Roberts County policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment and code of conduct.
* Any confidential information that you obtained through your position at Roberts County must be kept confidential and should not be discussed through in social media forum.
* Violation of this policy may lead to discipline up to and including the immediate termination of employment.

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

EMPLOYEE INFORMATION

AND

PERMISSION

DRUG AND/OR ALCOHOL TESTING

As explained in the ROBERTS COUNTY EMPLOYEE POLICY MANUAL and further in the County's DRUG AND ALCOHOL POLICY, the use, manufacture, distribution, dispensing, possession, sale, or purchase of any controlled substance, including alcohol, on County property is strictly prohibited and could result in disciplinary action and/or possible immediate termination. Also, according to this policy, County property shall include all County owned or leased property including vehicles, equipment, lockers, desks, or closets, etc.

By signing this document I hereby agree to be tested by either breath or urine

test to determine chemical or drug content. Such test may be conducted on a

random basis or at such time that there is "reasonable cause/reasonable

suspicion that:

 (1) use of a substance is affecting performance; or,

 (2) the employee is engaged in any of the prohibited acts or activities

listed in current County Policy.

I do hereby agree and accept the terms and conditions of possible drug and/or

alcohol testing by Roberts County as specified in the Drug and Alcohol Policy and the Roberts County Employee Policy Manual.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee Signature

In the event an employee is under 18 (eighteen) years of age the signature of

Parent or Guardian is required as part of this agreement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent or Guardian

**SECTION 2:**

**EMPLOYEE COMPENSATION AND BENEFITS**

**A. EMPLOYEE PAYROLL**

**2A-1 FAIR LABOR STANDARDS ACT SAFE HARBOR** (amended 2/8/16)

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

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

Non-exempt employees, unless authorized by your supervisor, should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so. That time worked is recorded on your time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination. If anyone directs you to work without documenting your time worked, you must tell the County Treasurer.

It is a violation of Roberts County policy for any employee to falsify a time card, or to alter another employee's time card. It is also a serious violation of County policy for any employee, supervisor or official to instruct another employee to incorrectly or falsely report hours worked, or alter another employee's time card to under- or over-report hours worked. If anyone instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to the County Judge at 300 E. Commercial, Miami, TX, telephone number (806)-868-3721.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours worked for the County. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a pre-determined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

For exempt employees, your salary may also be reduced for certain types of deductions such as your portion of health, dental or life insurance premiums; state, federal or local taxes, social security, retirement; or, voluntary contributions to a deferred compensation plan. In any workweek in which you performed any work, your wages may be reduced for any of the following reasons: 1) absence from work for one or more full days for personal reasons, other than sickness or disability; or 2) full day disciplinary suspensions for infractions of our written policies and procedures; or 3) full day for violating safety rules of a major significance; or 4) Family and Medical Leave or Military Leave absences; or 5) to offset amounts received as payment for jury and witness fees or military pay; or 6) the first or last week of employment in the event you work less than a full week.

*

If you are an exempt employee, in any workweek in which you performed any work, your salary will not be reduced for any of the following reasons: 1) partial day absences for personal reasons, sickness or disability; or 2) your absence because the facility is closed on a scheduled work day; or 3) your absence because of the County's operating requirements; or 4) absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or 5) any other deductions prohibited by state or federal law.

Please note: it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to the County Judge at (806)868-3721 or the County Treasurer at (806)868-2411. If you are unsure of who to contact or if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the County Attorney at (806)868-2019. Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

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

Roberts County will comply with the IRS in regards to fringe benefits such as county cell phones, county uniforms, and county vehicle usage and day-trip meals. You may be responsible for paying taxes when you receive such fringe benefits.

**2A-3 COMPENSATION** (amended 11/12/19, 1/10/22)

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

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

Law Enforcement personnel are treated in accordance with the 207(k) exemption under the Fair Labor Standards Act. The Commissioners Court has adopted this exemption. *(See Policy Below)*

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

Some employees may have the classification of hourly employees paid on a salary basis, but they remain non-exempt for FLSA purposes. For full time non-exempt employees, the monthly salary compensates the employee for all hours worked up to 40 in each workweek of the month.

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

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

**2A-4 PAYROLL DEDUCTIONS**

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

Employees eligible for membership in the Texas County and District Retirement System shall have their contributions to that system deducted from each paycheck. Any optional deduction authorized by the Commissioners’ Court and approved by the employee shall also be made from the employee’s paycheck.

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

**2A-5 WORK WEEKS AND WORK PERIODS**

For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Roberts County shall begin at 12:01 a.m. on each Monday and end seven (7) consecutive work days later (173.33 hours). Law Enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of 28 days and 160 hours as established by the Roberts County Commissioners Court.

**2A-6 TIMESHEETS**

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

Time sheets are governmental documents and as such require accurate and truthful information. Falsifying a time sheet, a governmental record is a criminal offense. Employees shall only use appropriate available leave to account for their regular weekly work schedule.

**2A-7 PAY PERIODS**

The pay period for Roberts County shall be a monthly pay period with the pay period dates established by the Commissioners’ Court. If a payday falls on a holiday or a weekend, paychecks shall be issued on the last workday immediately preceding the holiday or weekend.

**2A-8 WORK SCHEDULES**

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

**2A-9 HOURS WORKED**

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

**2A-10 LAW ENFORCEMENT PAY AND OVERTIME** (amended 2/8/16, 1/10/22, 6/12/23)

The Roberts County Commissioners Court has adopted the extended work period for law enforcement personnel authorized by the Fair Labor Standards Act §207(k). The work period is based on 28 consecutive calendar days beginning on December 20, 2021, at 12:00 a.m. A law enforcement employee will be paid a salary based on a minimum of 160 hours reported and a maximum of 171 actual hours worked, plus overtime for any authorized hours worked over 171 during a work period. Overtime may be paid as time and a half (x 1.5) for time worked over 171 hours in a 28 day period OR given comp time off at time and a half (x 1.5) as determined by the county’s annual budget. An employee will be paid their full salary if the employee reports at least 160 hours during a work period. Overtime will not accrue in any work period during which an employee reports sick, vacation, holiday or compensatory time until the number of actual hours worked reported during the work period exceeds 171.

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

**2A-11 OVERTIME CALCULATIONS AND RULES**

Overtime shall include all time actually worked for the county in excess of 40 hours in any workweek, with the exception of law enforcement (See policy on “Law Enforcement Pay and Overtime”).

Paid leave shall not be counted in determining if overtime has been worked in any workweek. Except in emergency situations, an employee shall be required to have authorization from his/her supervisor before working overtime.

Overtime compensation shall be paid in the form of compensatory time off in accordance with the provisions of the FLSA. Covered employees shall receive paid compensatory time off, at a rate of one and one-half (1 ½) times the amount of overtime worked.

The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 240 hours. (Maximum allowed for regular employees can be 240 and 480 for law enforcement.) When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at a rate of one and one-half (1 ½) the employee’s regular rate of pay until compensatory time has been used to bring the balance below the maximum.

Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee’s absence will not place an undue hardship on the operations of the department in which the employee works. Compensatory time may be used for any purpose desired by the employee with supervisor approval. Roberts County shall have the right to require employees to use earned compensatory time at the convenience of the county.

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

Roberts County shall retain the right to “buy back” all or part of an employee’s unused compensatory time by paying the employee for that time at the employee’s current regular rate. Roberts County shall retain the right to pay all or part of the overtimeworked in any workweek by paying for that overtime at one and one-half (1 ½) the employee’s regular rate of pay.

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

**2A-12 DEMOTIONS**

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

**2A-13 TRANSFERS**

Transfers are the lateral movement of an employee from one position to another with the same responsibility or complexity of job duties with no change in salary.

Elected officials, appointed officials or department heads may transfer a qualified employee in their department to a vacant position. All transfers must be handled in accordance with the budget adopted by Commissioners Court.

**2A-14 PROMOTIONS**

**Promotions are the movement of an employee from one position to another with an increased responsibility or complexity of job duties and to a higher salary.**

Elected officials, appointed officials or department heads may promote a qualified employee in their department to a vacant position. All promotions must be handled in accordance with the budget adopted by Commissioners Court.

**2A-15 SEPARATIONS**

A separation shall be defined as any situation in which the employer-employee relationship between the County and a County employee ends. All separations from Roberts County shall be designated as one of the following types:

1) resignation; 2) retirement; 3) dismissal; 4) reduction in force; or 5) death.

A resignation shall be classified as any situation in which an employee voluntarily leaves his/her employment with Roberts County and the separation does not fall into one of the other categories. Employees who are resigning should submit a written notice of resignation to their supervisor.

A retirement shall be any situation in which an employee meets the requirements to collect benefits under the County’s retirement program and voluntarily elects to leave employment with the County to do so. An employee who is retiring should notify their supervisor of that intent at least 30 days prior to the actual retirement date to help prevent delays in starting the payment of retirement benefits.

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

An employee shall be separated from employment because of a reduction in force when their position is abolished or when there is a lack of funds to support the position or there is a lack of work to justify the position.

A separation by death shall occur when an individual dies while currently employed by the County. If an employee dies while still employed by the County, their legally designated beneficiary or estate shall receive all earned pay and payable benefits.

**2A-16 RETIREE REHIRES** (amended 2/8/16)

**(TCDRS requires at least a full calendar month break in service with no pre-arranged return)**

Retired employees shall be eligible to apply for open positions with Roberts County as long as the following provisions are met: 1) The retiree has been retired for at least 2 calendar months and 2) No prior arrangement or agreement was made between Roberts County and the retiree for re-employment, and 3) strict adherence to normal leaving employment procedures were followed at the time of the employee’s retirement.

The retiree must have a bona fide separation of employment and have been retired for a minimum of 2 calendar months. A bona fide separation means there is no prior agreement or understanding between Roberts County and the retiree that the retiree would be rehired after retirement. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Newly elected officials who have recently retired from the County cannot draw their retirement because they have an arrangement to return to work for the County. Employees also cannot retire with an agreement to go work in a different department or different position. Changing employee status does not matter when determining if someone is still working for the County. Also, an employee cannot retire from the County with an arrangement to begin work as an independent contractor either.

Rehired retirees who did not have a bona fide separation of employment may owe a 10 percent excise tax and be required to repay all of their monthly retirement payments. Abusing the retirement provisions in such a manner would violate a qualification requirement for retirement plans under Section 401(a) of the Internal Revenue Code, potentially resulting in significant tax consequences for the employer, its participating members and those retired employees.

Any retiree who meets all other TCDRS requirements, who is rehired consistent with this policy, must establish a new membership with TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selections.

**B. EMPLOYEE BENEFITS**

**2B-1 HEALTH INSURANCE** (amended 2/8/16)

All full time regular employees of Roberts County shall be eligible for the group medical insurance benefits.

Premiums for the coverage for eligible employees shall be paid entirely by the County.

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

Details of coverage under the group medical insurance plan is available in the County Treasurer’s Office and may be obtained during the normal working hours for that office.

Employees who leave the employment of Roberts County or who lose their coverage eligibility, may be eligible for an extension of the medical coverage for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an employee is unable to return to work following FMLA leave, if eligible, they will be offered COBRA. Information on extension of benefits under COBRA is available in the County Treasurer’s Office and may be obtained during the normal working hours for that office. COBRA notifications will be provided to all employees within 30 days of their hire date. All eligible employees and qualified dependents will be provided with COBRA information following their termination

**2B-2 OTHER INSURANCE – LIFE, SUPPLEMENTAL**

Employees shall have a limited amount of life insurance on themselves as part of their group medical insurance coverage. Roberts County makes available supplemental insurance coverage with companies approved by the Commissioner’s Court. All supplemental insurance coverage premiums are the responsibility of the employee. Information regarding these supplemental insurances may be obtained from the County Treasurer.

**2B-3 VACATION** (amended 2/8/16)

All full-time regular and part-time regular employees shall be eligible for vacation benefits. Temporary employees shall not be eligible for vacation benefits.

Employees who have worked for less than 10 years in aposition eligible to receive vacation shall earn 80 hours vacation per year after the first full year of employment.

Employees who have worked for 10 or more years in a position eligible to receive vacation shall earn 120 hours vacation per year.

Vacation shall not be accrued while an employee is on leave without pay. Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of one year in such a position before being eligible to take any vacation.

The maximum amount of unused vacation an employee shall be allowed to have at one time is the amount an employee would earn in a year. When an employee reaches the maximum accrual, he/she shall not be allowed to accrue additional vacation time until sufficient time has been used to bring the balance below the maximum allowed under this policy.

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

Employees shall only be able to use vacation which has already been accrued

and shall not be allowed to borrow vacation against possible future accruals.

Employees shall not be allowed to receive pay for vacation in lieu of taking time

off.

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

If an employee has worked for at least one year in a position which accrues vacation at the time the employee resigns, is discharged, or is terminated for any other reason, the employee shall receive pay for all unused vacation up to the maximum allowed under this policy.

Each employee shall be responsible for accurately recording all vacation time

used on their time sheet.

**2B-4 SICK** (amended 2/8/16, 1/10/22)

All full time regular and part-time regular employees shall be eligible for the paid sick leave benefit.

Eligible employees shall accrue sick leave at a rate of 8 hours per month. Accrual of sick leave shall start at the time an individual begins work for the County in a position eligible for the sick leave benefit.

The maximum amount of unused sick leave an employee shall be allowed to have at any time is 480 hours.

Sick leave may be used for the following purposes: 1) illness or injury of the employee; 2) appointments with physicians, optometrists, dentists, and other qualified medical professionals; or 3) to attend to the illness or injury of a member of the employee’s immediate family. For purposes of this policy, immediate family shall be defined as spouse, child, parent, foster child, or other relative living in the employee’s home who is dependent on the employee for care.

Where sick leave is to be used for medical appointments, an employee shall be required to notify their supervisor of the intent to use sick leave as soon as the employee knows of the appointment. Where use of sick leave is not known in advance, an employee shall notify their supervisor of the intent to use sick leave within 15 minutes of the employee’s normal time to begin work, when practicable. Where it is not practicable to notify the supervisor within 15 minutes of the normal starting time, the employee should notify their supervisor as soon as is reasonably practicable. If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify their supervisor of the anticipated length of absence. The employee will be placed on FMLA, if event and employee is eligible. If an employee uses three (3) or more consecutive days of sick leave, the supervisor shall have the right to require a physician’s statement or some other acceptable documentation of injury or illness, for either the employees own illness or the illness of an immediate family member. Employees who have a pattern of abusing sick leave may be required to provide a physician’s statement for those absences as required by their supervisor.

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

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

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

**2B-5 HOLIDAY**-(amended 6/10/13, 2/8/16, 12/11/17, 6/12/23)

The County holidays shall be the 24-hour period (12:00 am to 11:59 pm) on those days designated as holidays for the following calendar year as determined by the Roberts County Commissioners’ Court.

All full time regular, full time law enforcement, and part time regular employees shall be eligible for the paid holiday benefit. The paid holiday benefit will be paid at time and a half and the employee must work on the regularly scheduled holiday to receive this benefit. All hourly full time employees shall be paid equivalent to the regularly scheduled hours at the regular hourly rate. (update 12/11/17)

If a paid holiday occurs during the vacation of an eligible employee, that day shall be paid as a holiday and not be charged against the employee’s vacation balance. If a designated holiday falls on an eligible employee’s day off, the employee shall be allowed to take another day off with pay during the following 30 days. An employee shall not be allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

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

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

**2B-6 JURY DUTY**

All employees of Roberts County who are called for jury duty shall receive their regular pay for the period they are called for jury duty which includes both the jury selection process and, if selected, the time they actually serve on the jury.

Pay for serving on a jury shall only include the time the employee would have normally been scheduled to work and will not include extra pay if jury service involves time outside the employee’s normal work schedule. Any fees paid for jury service may be kept by the employee.

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

**2B-7 EMERGENCY LEAVE** (amended 2/8/16)

Employees shall be allowed up to 24 hours leave with pay for a death in the immediate family. For purposes of this policy, immediate family shall include the employee’s spouse and the child, parent, brother or sister of the employee or the employee’s spouse. Employees may be allowed time off with pay, up to a maximum of 4 hours, to attend the funeral of a relative who is not a member of the immediate family or the funeral of a friend. If leave is needed beyond the limits set in this policy, it may be charged to available vacation or compensatory time or to leave without pay.

**2B-8 MILITARY LEAVE**

Roberts County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) days off per year with pay to attend authorized training sessions and exercises. The fifteen (15) day paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next calendar year. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee’s normal work schedule. An employee may use annual leave, earned compensatory time, or leave without pay if he/she must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen day maximum.

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

Roberts County employees who leave their positions as a result of being called to active military service or who voluntarily enter the Armed Forces of the United States shall be eligible for re-employment in accordance with the state and

federal regulations in effect at the time of their release from duty.

**2B-9 RETIREMENT**

All part time and regular employees shall be eligible for the retirement benefit through the Texas County and District Retirement System. Temporary employees will not be eligible for retirement benefits. Eligible employees shall make contributions to the retirement program through a system of payroll deduction. Roberts County shall make a contribution to each eligible employee’s retirement account according to requirements of TCDRS. Information on the retirement program may be obtained at the County Treasurer’s Office during the normal working hours for that office. As an additional employee benefit Roberts County pays for employee and retiree life insurance as part of the TCDRS retirement program.

**2B-10 SOCIAL SECURITY/MEDICARE** (amended 1/10/22)

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

**2B-12 LEAVE OF ABSENCE**

Employees may request a personal leave of absence to a maximum of 30 days. Personal leaves of absence may include reasons such as extended vacations, continuing education, extended bereavement, or other personal matters. Personal leaves of absence are granted solely at the discretion of the elected official, appointed official or department head.

Employees on personal leaves of absence are converted to an inactive status and do not accrue any benefits. Employees may continue the county health insurance but they are responsible for the entire premium, which includes both their portion and the county portion. The employee must pay for the premium on the first of each month, lack of payment will result in insurance termination and the employee will become eligible for COBRA. Return to work on a personal leave of absence is not guaranteed and is subject to current business conditions and an appropriate job opening.

**SECTION 3:**

**MISCELLANEOUS POLICIES**

**3A-1 Roberts County Flag Policy**

In an effort to provide uniformity in the display of the flag of our nation and state; to show as clearly and as often as possible the national and state colors in an orderly manner, and, to demonstrate in dignity that the facilities of this county are a seat of the government of its people, the Commissioners Court of Roberts County does hereby on this the 12th day of January adopt the following as its policy in the flying of the said emblems:

 1. the flags flown will be in good condition. They shall not be tattered and kept in reasonable state of cleanliness and repair;

 2. the flags flown will be of a suitable size to suit the size and status of the courthouse;

 3. any flag not in suitable condition shall be destroyed but only in accordance with accepted military procedure for same;

 4. the flags shall be flown on all days where the weather allows;

 5. the flags shall be flown at half mast on the following occasions:

* Memorial Day;
* Veteran’s Day;
* Any day(s) declared by the President of the United States or the Governor of Texas in honor of the passing of any citizen of the nation or state; and,
* Any day(s) declared by order of the Commissioners Court of this county in honor of the passing of any citizen of this county.

 6. The national flag shall always be flown as the uppermost flag when it is flown with any other flag. The next flag flown below it should be the state flag when it is flown.

 7. The state flag is flown with the red band on the bottom and with the star standing on two points.

 8. When raising and lowering the flag(s), they should be raised briskly and lowered slowly.

9. When flown at half mast, they should be raised each time to the top of

 the pole and then lowered to half mast.

 10. No other flags shall be flown except they be authorized by the Commissioners Court.

 11. The Sheriff’s Office or its agents shall discharge these duties.

**3A-2 Returned Check Policy**

The Roberts County Treasurer or another County Officer who receives revenue in place of the county treasurer, shall collect a $30.00 fee for services rendered for any person who has a check returned.

The fee for “Returned Check” is for a check that is presented to Roberts County in payment for any service, fee, claim, registration, fine, or other cost of the county and is returned by the depository bank or another bank for any reason considered to be the fault of the drawer, including:

 (1) insufficient funds to cover the check;

 (2) closed account;

 (3) unauthorized signature; or

 (4) drawn on uncollected funds.

**3A-3 Travel Policy** (added 8/14/2023)

County Elected Officials and Department Heads are expected to plan the out-of-county travel for themselves and their employees to achieve maximum economy and efficiency. The purpose of the travel should be the same as that travel approved in the individual departmental budgets in any particular fiscal year. All county reimbursed travel must be for **OFFICIAL COUNTY BUSINESS ONLY**.

It is the responsibility of the Elected Official or Department Head to see that all Travel Expense Forms are properly completed and signed before being sent to the Treasurer.

*Travel Related Meals—Per Diem*

Overnight Travel: Employees traveling away from home overnight on County business are reimbursed at the per diem rate of $65.00 ($10 breakfast, $20 lunch, $35 dinner) for travel related meal expenses. Receipts are not required for reimbursement of travel meals.

First and last days of travel will be reimbursed at 75% of the per diem ($48.75).

The Return Date is the Last Day of the conference/event (“Conference”).

Full Days at Conference will be reimbursed at 100% of the per diem ($65.00),unless meals are included as part of the conference registration. If meals are provided by the Conference, employee will not be reimbursed for those meals ($10 breakfast, $20 lunch, $35 dinner).

Requests for per diem must include a copy of the registration for the Conference, must include the dates of the Conference, and must be received on or before 10 a.m. on the Monday preceding the week of the Conference. If that Monday is a holiday, requests for Per Diem must be received by or before 10 a.m. on Friday two weeks preceding the Conference. Per diem payments will not be issued more than 1 month prior to the Conference start date.

Per diems will be issued for the first day of travel, not to exceed one day before the conference or required committee meeting.

Requests made after the time period set forth above will be handled at the same per diem rates. However, while such requests will still require completion of a Request for Per Diem, they will probably not be paid until after the Conference due to budgetary time constraints due to their late submission.

Non-Overnight Travel: Roberts County does not reimburse for meals when the employee does not travel overnight as the meals would be considered taxable compensation to the employee.

In certain situations defined by IRS, non-taxable meals may be provided where employees do not travel overnight. Those meals may be reimbursed by Roberts County if actual receipts are produced and the condition meets the IRS criteria for non-taxable meals. See IRS Fringe Benefit Guide for Federal, State and Local Governments – Publication 5137.

Roberts County does not reimburse for meals when considered taxable by the IRS.

*Travel Related Lodging*

Overnight Travel: Roberts County pays for actual cost of lodging for Employees traveling away from home for conferences overnight on County business.

Lodging for conferences will be paid for the host hotel or an equivalent hotel. If lodging is not prepaid by the County, the county employee will obtain a lodging statement/receipt, which will be submitted to the County Treasurer.

Those items, which will be reimbursed on the hotel statement, are:

Daily Room Charges (up to the maximum allowed)

Necessary Hotel Taxes

Business Telephone Calls

Hotel Parking Fees

Those items, which **WILL NOT** be reimbursed on the hotel statements, are:

Meals (covered by daily per diem)

Personal expense items such as cleaning or laundry

Alcoholic beverage charges

Recreation Facilities use charges

Movies and personal phone calls

*Travel Related Mileage*

The approved IRS rate for mileage, on the shortest route to and from each destination. ***Point-to-point mileage must be documented either by an employee's beginning and ending vehicle odometer readings or by googlemaps.com online mapping service using the Roberts County Courthouse as the point of origin and the exact address of the destination as the ending point.***