



**HENDERSON COUNTY**

**EMPLOYEE HANDBOOK**

# HENDERSON COUNTY EMPLOYEE HANDBOOK

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**SECTION 3: EMPLOYEE FORMS**

Available in the Henderson County Human Resources' office or through the Employee Portal on the County website.

**APPENDIX A**

Employee Performance Review

## **EMPLOYEE HANDBOOK ACKNOWLEDGEMENT**

I have been notified that a copy of the Henderson County Employee Handbook is available for my review in my department head's office, through the Employee Portal, and in the Human Resources' office, and that it 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 Henderson 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 Henderson County's policies, practices and benefits. I understand that Henderson 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 Henderson 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 or 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 I abide by and adhere to these policies.

---

**Signature of Employee**

---

**Printed Name of Employee**

---

**Date Signed**

**COUNTY OF HENDERSON  
COMMISSIONERS COURT ORDER**

**WHEREAS** the Henderson County Commissioner's Court desires to provide the employees of Henderson County with a uniform format for dealing with various employment related issues; and

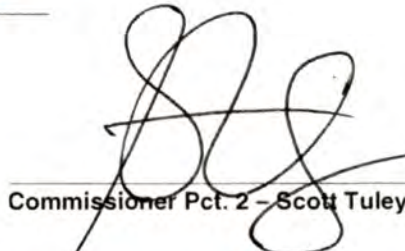
**WHEREAS** the Henderson County Commissioner's Court desires to adequately communicate to employees the policies and procedures of the County;

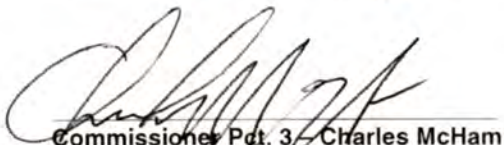
**THEREFORE, BE IT RESOLVED** and ordered that the Henderson County Commissioner's Court hereby approves, and adopts, the HENDERSON COUNTY EMPLOYEE HANDBOOK.

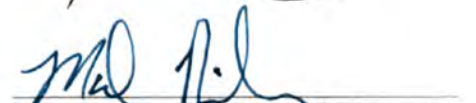
ADOPTED THIS 27 DAY OF July, 2021

  
County Judge - Wade McKinney

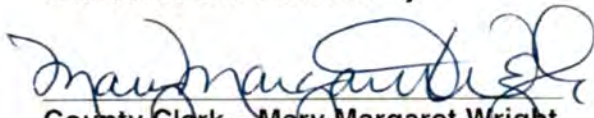
  
Commissioner Pct. 1 - Wendy Spivey

  
Commissioner Pct. 2 - Scott Tuley

  
Commissioner Pct. 3 - Charles McHam

  
Commissioner Pct. 4 - Mark Richardson

**Witnessed and Attested By:**

  
County Clerk - Mary Margaret Wright

**RESOLUTION FOR HENDERSON COUNTY**

**I the undersigned have read the Henderson County Employee Handbook that the Henderson County Commissioner's Court has adopted. As an ELECTED OFFICIAL of Henderson County, I endorse and approve the Employee Handbook. I approve the document as it reflects my commitment to Henderson County employees and it reflects my commitment to conform to appropriate state and federal laws.**

**I agree to be bound by the terms and conditions of the Henderson County Employee Handbook, as witnessed by my signature below.**

\_\_\_\_\_  
**Signature of Elected Official**

\_\_\_\_\_  
**Printed Name of Official**

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

## Henderson County Employee Handbook

Welcome to Henderson County!

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

Henderson 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 Henderson County, and other information you will need. Each elected or appointed official may have detailed policy and procedures manuals for their office.

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

Welcome aboard!



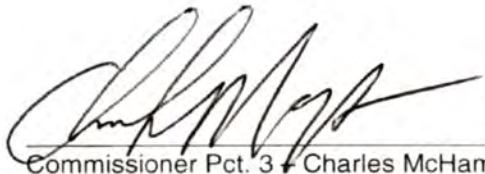
County Judge – Wade McKinney



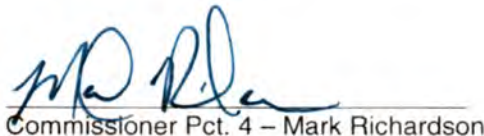
Commissioner Pct. 1 – Wendy Spivey



Commissioner Pct. 2 – Scott Tuley



Commissioner Pct. 3 – Charles McHam



Commissioner Pct. 4 – Mark Richardson



## **PERSONNEL MANUAL**

**FUNCTION:** This personnel manual is an outline of the personnel policies, practices and procedures of Henderson County. Henderson County reserves the right at any time to modify, delete, or add to any of the provisions contained herein at its sole discretion.

This Personnel Policy manual applies to every person employed by the county who is compensated wholly or in part with County funds.

This personnel manual does not constitute an employment agreement, or contract, or a guarantee to continued employment either express or implied.

The Human Resources' Office shall be responsible for the custody and distribution of the Personnel Policy Manual. Personnel policy modifications, additions, or deletions shall be approved by the Henderson County Commissioner's Court.

Each new employee will be given a copy of the Personnel Manual, if requested. The policy will also be available for review anytime during regular business hours in the Human Resources' office, the department heads office, and online at the Employee Portal on the official website of Henderson County.

# **SECTION 1: GENERAL POLICIES**

## **A. COUNTY EMPLOYMENT**

### **EMPLOYMENT AT-WILL**

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

Henderson 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.

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

### **EMPLOYEE STATUS POLICY**

Each County position has an employee status that identifies how the position is paid and how benefits are granted by Commissioner’s Court. This policy defines both health insurance and retirement benefits. The status of an employee cannot be changed without the approval of the Commissioner’s Court. Full time employees will be eligible for health insurance. All other classifications must be included in the County initial and/or standard measurement periods for the Affordable Care Act.

**Regular Full Time:** A full time employee shall be any employee in a position who has a normal work schedule of at least thirty (30) hours per week. Full time employees are eligible for county health insurance and retirement benefits. Other County policies will dictate eligibility for other benefits. 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. Henderson County makes exempt status determination based on the Fair Labor Standards Act.

**Regular Part Time:** A part time employee shall be any employee in a position who has a normal work schedule of at least thirty (30) hours per week and has been designated part time by the department head. A part time employee’s schedule may vary from zero hours to 29.5 hours from week to week. All regular part time employees must be placed on TCDRS retirement regardless of the number of hours worked per week. Other County policies will dictate eligibility for other benefits.

**Temporary Seasonal:** A seasonal employee shall be any employee who is hired into a position that lasts six (6) or less months and begins at approximately the same time each year. Examples may include, but are not limited to, summer mowers, and election workers. The County will define and document the season that the employee is being hired. Seasonal employees can be either part time or full time, and they **do not** qualify

for health insurance through the County under the Affordable Care Act. Temporary seasonal employees are not eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits.

**Regular Variable Hour:** A variable hour employee shall be any employee for whom the county cannot determine the average amount of hours that the employee will work each week – hours are variable or indeterminate at the time of the employee’s start date. If the employee works an average of thirty (30) or more hours a week in the measurement period, the employee will be eligible for health insurance through the County under the Affordable Care Act. If an employee’s schedule becomes regular, then the employee shall be reclassified as full or part time depending on the hours worked. Regular variable hour employees are eligible for retirement benefits under TCDRS. Other County policies will dictate eligibility for other benefits.

**Temporary Part Time:** A temporary short term part time employee shall be any employee who is expected to work less than thirty (30) hours each week in a position that is expected to last for a specific period of time or until a specific project is completed, but no longer than 12 months. If this project goes beyond 12 months, the employee will move into a regular part time status. Temporary short term part time employees are not entitled to any benefits under the Affordable Care Act and are also not eligible for retirement benefits under TCDRS. Other County policies will dictate eligibility for other benefits.

## **EQUAL EMPLOYMENT OPPORTUNITY**

Henderson County is an equal opportunity employer. The County will not discriminate on the basis of race, color, religion, national origin, sex, including lesbian, gay, bi-sexual or transgender, age, genetic information, pregnancy, military/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.

## **APPLICATION FOR EMPLOYMENT**

It is the policy of Henderson County to be an equal opportunity employer and to hire individuals solely upon the basis of their qualifications for the job to be filled.

**APPLICATION PROCEDURE:** Announcements for job openings with Henderson County may be posted on a bulletin board located at the Courthouse and can be posted with the Texas Workforce Center for a period of two weeks and on the county website, unless the position is no longer available. In an emergency, essential positions may be

posted for three days. The posting requirement does not apply to part-time positions or when a part-time employee is promoted to a full time position.

It is the policy of Henderson County that all prospective full-time employees pass a drug test after they sign a waiver for the drug testing. All employment is contingent upon the employee passing the drug test after the employment offer is made. No employee shall begin work until the results of the drug test have been received by the Human Resources Department.

It is also the policy of Henderson County that Commissioner's Court can require any employee handling public funds to be bonded by an approved insurance company, paid for by the County.

Applications are available in the Henderson County Human Resources' office or on the Henderson County website and the Employee Portal, located on the County website. Applications and resumes for employment can be submitted to the County Human Resources' office, and may be submitted at any time. These applications will remain on file for a period of two years unless specified otherwise.

Each Department Head is responsible for ensuring that his/her department's personnel budget is sufficient for employment of replacement of personnel, and for considering available funds after payment of any accrued salary and benefits.

No employment contract exists between Henderson County and any individual for any duration. An individual's employment may be terminated at any time, with or without notice, for any reason. Also, the terms and conditions of an individual's employment may be changed at any time, with or without notice, for any reason.

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

**DISQUALIFICATION:** Reasons for which an applicant shall be disqualified for consideration for employment shall include, but not be limited to, the following:

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

**NEW HIRES:** Before starting work, new hires must complete all required forms and schedule a drug test with the Human Resources office.

**REHIRES:** Any separation of employment is considered a new hire. All accruals start over if there is a separation of employment, for any period of time. Eligibility to be rehired: is a waiting period of 90 days from date of termination.

### **AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT**

It is the policy of Henderson County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels he or she has been subject to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, 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 Henderson 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.

### **PERSONNEL FILES**

The Henderson County Human Resources' office will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, as well as, records concerning performance, discipline and compensation.

It is important that the personnel records of Henderson County be accurate at all times. In order to avoid issues, compromising your benefit eligibility or having W2's returned, Henderson 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.

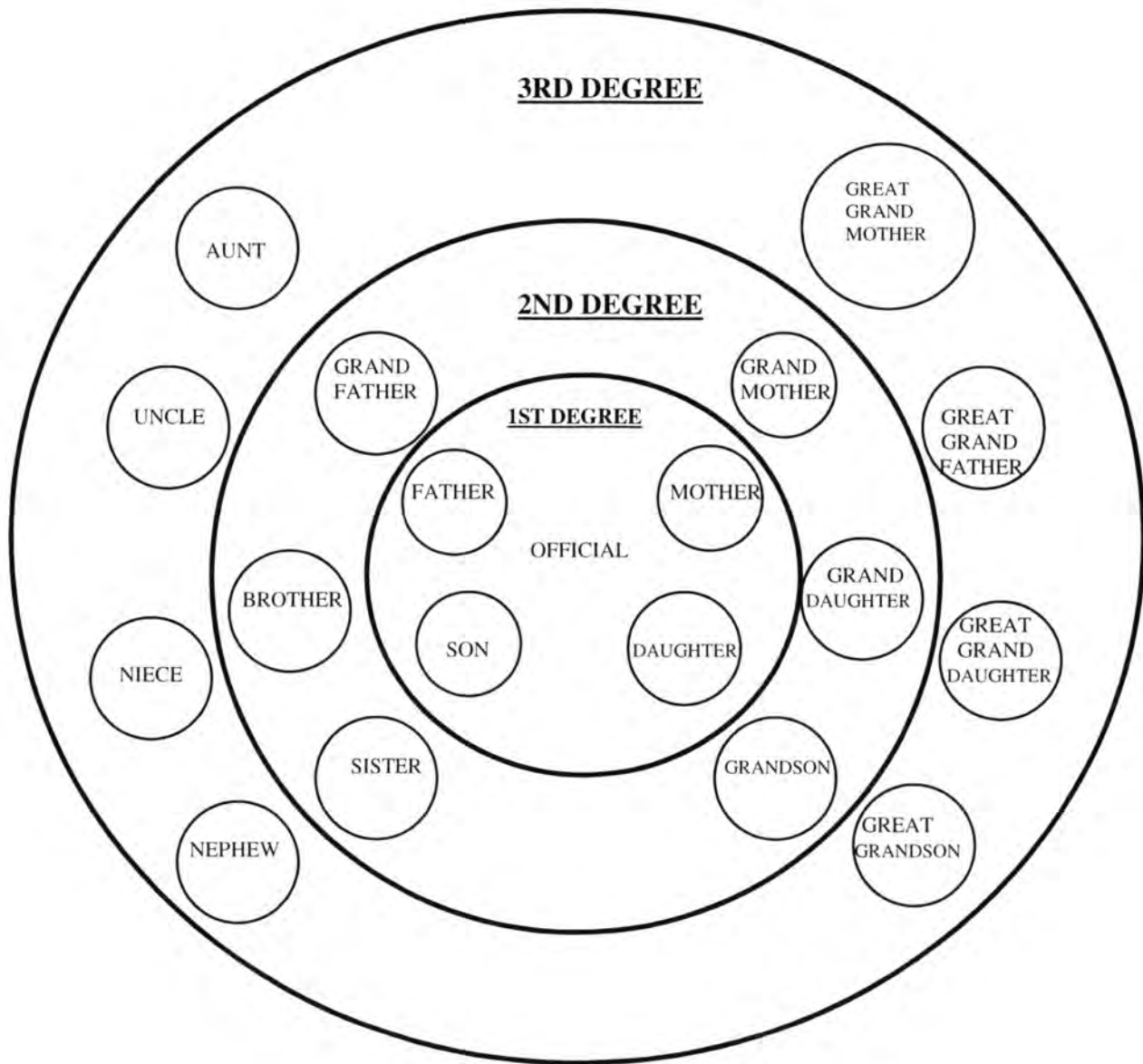
The Public Information Act allows County employees to keep their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether you have family members confidential. You may keep this information private by requesting in writing not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

## **NEPOTISM**

Texas Government Code Chapter 573, a Public Official of Henderson 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 he or she supervises or exercises control over. A degree of relationship is determined under Texas Government Code Chapter 573.

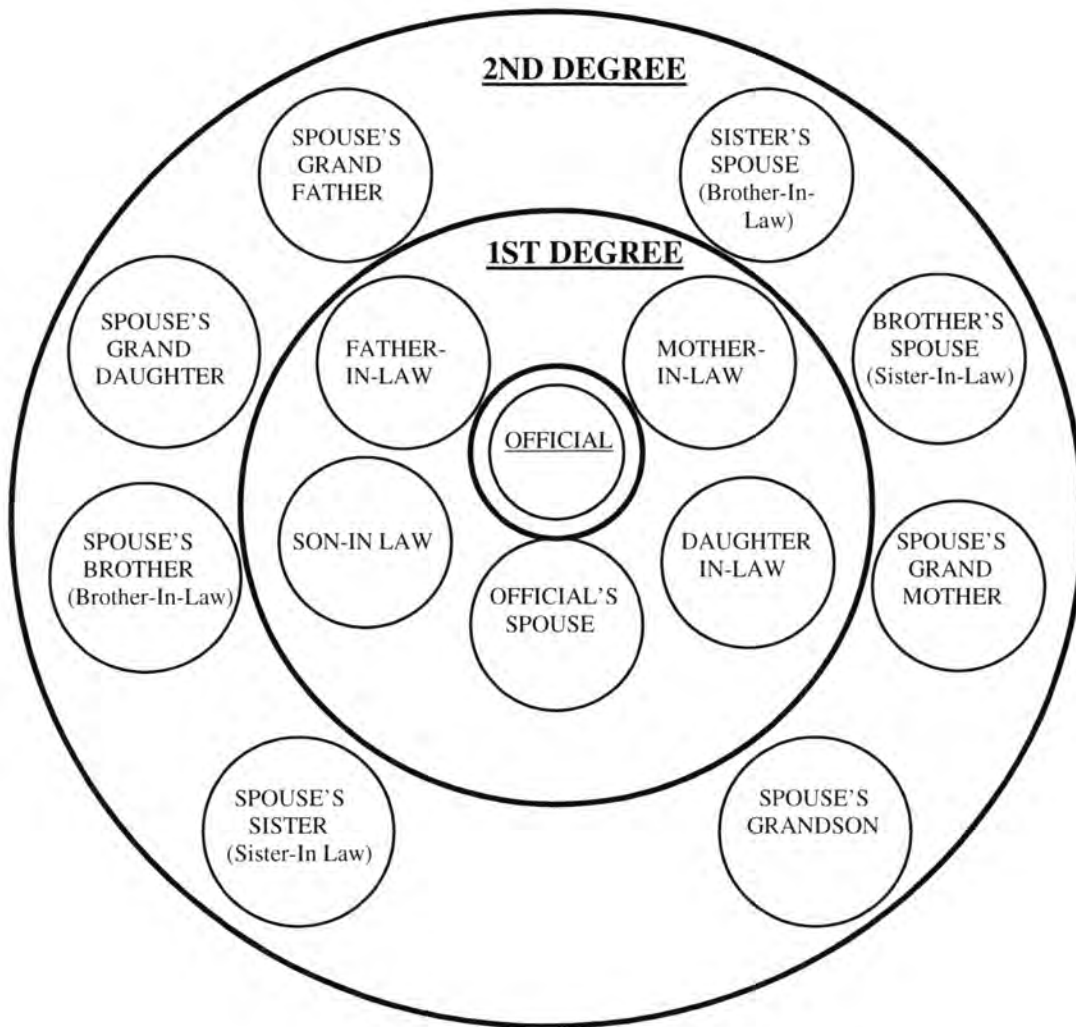
The civil law method, as approved by the Texas Legislature in 1991 to be effective in August of that year, shall be used for determining degree of relationship.

(See the charts that follow)



**Consanguinity Kinship Chart  
(Blood)  
TEXAS NEPOTISM CHART – CIVILLAW METHOD**





**Affinity Kinship Chart  
(Marriage)**

**TEXAS NEPOTISM CHART - CIVIL LAW METHOD**

## **B. WORK RULES AND EMPLOYEE RESPONSIBILITY**

### **ATTENDANCE**

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

Each employee shall report to work on each day they are scheduled to work and at the starting time set by their supervisor unless prior approval for absence is given by the supervisor or the employee is unable to report 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 one 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 is responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness.

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

An employee who does not report for work 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.

### **DRESS CODE**

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

You are required to act in a professional manner at all times and extend the highest Courtesy to co-workers and to the public being served. A cheerful and positive attitude is essential to our commitment to customer service.

## **SMOKE FREE WORKPLACE**

Henderson County endeavors to provide a healthy environment. Therefore, there will be no smoking of any kind, including E-cigarettes allowed in County buildings or County Vehicles. Additionally, no smoking is allowed within fifteen (15) feet of the building entranceways.

## **CONFLICT OF INTEREST**

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

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

## **HARASSMENT**

Henderson 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, 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 Henderson 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 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. 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 or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation 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.

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

## **SEXUAL HARASSMENT**

Sexual harassment is strictly prohibited by Henderson County, whether committed by an elected official, appointed official, department head, co-worker or non-employee that the County does business. It is the policy of Henderson 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 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 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.

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 your department or to the County Judge or the County Attorney.

If a thorough investigation reveals that unlawful sexual harassment has occurred, Henderson 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 against an employee 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 or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation 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.

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.

### **POLITICAL ACTIVITY**

Employees of Henderson 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;
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; and
4. There will be no County political signage allowed on County property.

### **OUTSIDE EMPLOYMENT**

Henderson County employees are expected to give their full and undivided attention to their job duties. They should not use Henderson County facilities or equipment or their association with Henderson County to carry on a private business or profession. Unless express approval is obtained in advance and in writing from their immediate supervisor, County employees should not engage in a profit-making business nor become involved with a non-profit organization outside of their employment with Henderson County that interferes with the employee's assigned duties with Henderson County.

### **BREAKS**

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

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

The mother will be given 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. Henderson County does not allow any retaliation against nursing mothers for asking for this break. Nursing mothers are entitled to this break for the duration of the time they

are expressing breast milk. A reasonable accommodation will be given for the needs of employees who express breast milk. Employees of the County who need to express breast milk may not be discriminated against.

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

## **GRIEVANCES**

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

If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected 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 responsibility for the employee's department shall be final in all grievances.

## **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.

Supervisors, Department Heads, and or elected officials will administer a performance review for each of their employees twice a year, once in the second quarter due June 30th and then again in the fourth quarter due December 31<sup>st</sup>.

If an employee is found to display a below par performance the employee can be placed on a Performance Improvement Plan (PIP), for a duration of 60-90 days. During the 60-90 days period, the employee will be given the opportunity to improve their performance. An employee placed on a PIP can be let go at any time during the 60-90 day time period.

**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 his/her job.**

Henderson 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.

### **INSUBORDINATION**

Employees are required to follow county directives issued by their supervisor, department head, and or elected official. A refusal to follow a directive or a lack of respect directed toward that supervisor, department head, and or elected official will subject that employee to discipline, ranging from informal counseling, sent home without pay up to including immediate termination.

### **LICENSE AND CERTIFICATIONS**

Henderson County has many positions that require licenses and certifications. It is the responsibility of each employee to maintain all required licenses and certifications. If an employee is unable to renew or loses a license or certification, they must immediately notify his/her 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.

### **WEATHER CLOSINGS AND EMERGENCIES**

As a general practice, Henderson County does not close its operations 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: County Sheriff, IT Department, Commissioner's Court. 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 his/her 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 department head is responsible for determining which employees are essential and providing alternate information to that personnel designated as essential during emergency closings. Public safety will be foremost in the development of departmental emergency action plans.



## **CATASTROPHIC EVENT**

### **DECLARATION OF AN EMERGENCY:**

The county Judge shall be the local County authority to declare an emergency exists. In the County Judge's absence, the County Judge Pro Tem (or another County Commissioner, if necessary.) In the event of an emergency closing or evacuation, the County shall provide paid leave for "essential" and "non-essential" affected in certain emergencies including but not limited to:

- Inclement weather such as snow and icy conditions
- Tornadoes
- Floods
- Nuclear, Chemical, and biological emergencies
- Terrorist attacks
- Any other emergency declared by the federal, state, or local authority that results in closure of county offices or facilities.

### **CLOSING DUE TO AN EVACUATION ORDER:**

When an evacuation has been ordered, all "non-essential," non-emergency personnel will be released from work and encouraged to evacuate. Employees designated by their Department Head as "essential" Emergency Services Personnel will not be authorized to evacuate if an evacuation order is issued in accordance with Chapter 22 of the Texas Labor Code. Any "essential" employee who fails to report to work as schedules during an emergency evacuation order may be subject to disciplinary action, up to and including job termination; if the employee is necessary to provide for the safety and well-being of the general public or is otherwise necessary for the restoration of vital services. All "essential" employees must be designated and made aware of their assignment prior to an emergency. A list of "essential" employees shall be provides to the Emergency Management Coordinator and the Human Resources Director and shall be updated annually. Shifts may be established according to departmental needs at the discretion of the department head. Employees who are assigned "on call" status must notify supervisors of locations where they can be contacted.

## **COMPENSTATION OF EMPLOYEES**

### **Essential:**

When there is an emergency closure of County offices, all "essential" employees who are required to work during the emergency closure will be compensated as indicated below for the duration of the closure for all documented time during which they actually worked. Essential workers are defined by the local government, in this case the County Judge and Commissioners Court as anyone who is required to maintain the continuity of the governmental functions, whether in the office or working remotely. Exempt employees' salaries will be converted to an hourly equivalent. The term "actually worked" means time actively engaged in physical or mental exertion related to County's business (at the direction and control of the Department Head or Commissioners Court) either on or off the County's premises. The term "actually worked" shall include stand-by

and standby/sleep time as recognized under the Fair Labor Standards Act (FLSA) only in those instances where the employee is required by Department Head or Commissioners Court to stay on County Premises engaged to wait on instructions to work; and these employees do, in fact standby and/or sleep on the County premises. The following are examples for each FLSA classification:

- a. Elected Officials, the County Auditor, Court Reporters, and Assistant Criminal District Attorneys are regulated by State Statutes or other law; therefore, they are not subject to overtime compensation during an emergency closure.
- b. Exempt- A chief deputy in the Sheriff's Office who is designated as an "essential" employee during an emergency closure would receive his/her regular salary plus straight- time pay for all hours actually worked during the emergency closure. Their hourly rate would be derived from their regular salary.
- c. Non-Exempt- A Road and Bridge equipment operator normally works an 8-hour shift who is designated as an "essential" employee during an emergency closure would receive 8 hours of regular pay for each normally scheduled workday plus straight-time pay for all hours actually worked during the emergency closure unless and until the total hours actually worked during the work week exceeded 40 hours. At that time, the employee would receive overtime pay for those hours worked in excess of 40 hours.
- d. Sheriff Deputies who are designated as "essential" employees during an emergency closure would receive their regular pay, based on a 14- consecutive day work period with a maximum of 80 hours of straight-time before overtime begins to accrue. They would then receive additional straight-time pay for all hours actually worked during the emergency closure unless and until the employees total hours worked during the period exceeds 80 hours. At that time, the employees would receive overtime for hours worked exceeding 80.
- e. The maximum number of work hours which may be recorded for any single work day is 24 hours for the first 72 hours of the emergency closure and 18 hours per day thereafter.

**Non-Essential:**

- a. Full time, regular employees who are not required to report for duty will be paid for the Mandatory Emergency Days and Inclement Weather days as paid administrative leave for the purpose of calculating their compensation. Early closures relative to inclement weather at the direction of the County Judge will be compensated as paid Administrative Leave.
- b. Part time and temporary employees will be paid for their scheduled time lost due to an emergency closure.

- c. In the event of this type of closure, employees who had previously requested paid leave for time prior to the declaration of an emergency closure will have the approved leave time deducted from their appropriate leave balance.

**RETURN TO DUTY PHASE:**

All “non-essential” employees will report to their usual work areas as soon as possible following the order for resumption of normal operations, after the lifting of the emergency closure order and/or instructions from the applicable Elected Official/ Appointed Department Head. By reporting to work as directed, each employee meets their responsibility to work with other County employees as a team in restoring the community to normal service levels following the disaster. Non-essential service employees who evacuated will report to work at the start of the next normal shift, or sooner as directed, following the announcement of the Return to Duty phase. When all County offices are closed, an announcement will usually be posted on the Henderson County website in addition to return to duty instructions. An employee who is off work or scheduled to be off on sick leave, vacation, emergency leave, workers’ compensation, FMLA, or disciplinary leave shall have their leave recorded as such.

**Violation of this Policy:**

- (a) Refusing to perform assigned duties requires by this policy or to disobey any order or directive made or given by a supervisor; or
- (b) Failing to report for duty as directed during any applicable phase of this policy; or
- (c) Failure to abide by County Policy, departmental rules of regulations; or
- (d) Any conduct that interferes with, or might reasonably be expected to interfere with the proper and orderly conduct of the County’s business; or that brings, or might reasonably be expected to bring, discredit on the public service.

**Consequences for Violations of the Policy:**

A violation of this policy shall be considered a violation of County Policy, departmental rules, or regulations for which disciplinary action up to and including dismissal may be taken by the applicable Department Head, with the concurrence of the Elected Official. The County reserves the right to amend, change, or delete this policy at any time, with or without prior notice. Furthermore, this policy does not grant a right or benefit to any employee, either expressed or implied, that in any way alters the “at will” basis of employment that is intended by the County.

**Public Announcements:**

Information on county closing and reopening will be posted on the County Website. When a countywide closing is not initiated, Elected Officials and Department Heads retain the authority to make a determination for their own employees when weather conditions are so severe that it is unsafe for employees to travel from their residences to their assigned work stations.

## **CONFIDENTIALITY**

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

Regarding the personnel information of employees of Henderson 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.

## **WHISTLEBLOWER**

An employee may, in good faith, report an alleged violation of a Henderson County Policy or federal or state law to his or her supervisor, department head, or the County Human Resources' office, 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 allegation to County Attorney. The County will investigate the reported activity.

An official, supervisor, department head, 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 he or she is being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact the Treasurer's office or County Attorney.

An employee with a question regarding this policy should contact the Human Resources' Office.

## **C. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY**

### **COUNTY PROPERTY USAGE**

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

### **COUNTY VEHICLE USAGE**

Some employees may be required to use County vehicles as a part of his/her 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 subject to payroll taxes at the current IRS rate in accordance with IRS rules and regulations.

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

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

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

## **CELL PHONE USAGE**

Employees in possession of a Henderson County owned cellular phones are required to sign a Henderson County Cell Phone Policy. County employees may not text and drive while operating County vehicles.

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

## **COMPUTER AND INTERNET USAGE**

The use of Henderson County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for Henderson County business and for authorized purposes only. Employees with access to the information system will be required to sign a Henderson County IT Policy.

## **D. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY**

### **WORKERS COMPENSATION**

All Henderson County employees are covered by workers' compensation coverage while on duty for the County. Workers' compensation coverage pays for medical bills resulting from a covered injury or illness an employee incurs while carrying out the duties of his/her job. Workers' compensation also pays Temporary Income Benefits (TIBS) for time lost from work in excess of seven calendar days as the result of eligible work related injuries or illnesses.

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

All employees who are placed on Worker's Compensation leave will fall under the Family Medical Leave Act. Henderson County runs FMLA and Worker's Compensation concurrently.

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

## **EMPLOYEE SAFETY**

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

Each County employee must adhere to the general safety standards established for all employees as well as comply with their 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 or the County Judge's office.

## **DRUG AND ALCOHOL- ALL EMPLOYEES**

Henderson 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/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 Henderson 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 on duty for the County.

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

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

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

If the use of a medication could compromise an employee's ability to do his or her job or the safety of the employee, fellow employees or the public, the employee must report the condition to his or her supervisor at the start of the workday or use 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 Human Resources' office. Any employee who violates this policy shall be subject to disciplinary measures up to and including termination.

### **DRUG AND ALCOHOL- CDL EMPLOYEES**

CDL Drivers are an extremely valuable resource for Henderson County's business. Their health and safety is a serious County concern. Drug or alcohol use may pose a serious threat to a driver's 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 regulations. 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 Henderson 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. Henderson County Treasurer's Office will conduct



pre-employment, random, reasonable suspicion and post-accident drug testing in accordance with federal law pertaining to CDL drivers.

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

## **WORKPLACE VIOLENCE**

Henderson County is committed to providing a workplace free of violence. Henderson 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. Employees may possess a handgun with approval from their department head, and only if they possess a license to carry issued by the State of Texas. No open carry of handguns will be allowed. Licensed employees who wish to carry must know and obey all state laws with respect to carrying a concealed weapon including, but not limited to areas within County buildings that carrying concealed is prohibited by State law. This policy applies to County buildings and 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.

## **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.

Henderson 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 Henderson County among the community at large. Henderson 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.

- Do not mention Henderson County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Henderson 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 Henderson County computer equipment for non-work related activities. Social media activities should not interfere with your duties at work. Henderson County can monitor its computers to ensure compliance with this restriction.
- You must comply with copyright laws, and cite or reference sources accurately.
- All Henderson 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 Henderson County must be kept confidential and should not be discussed through a social media forum.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

**SECTION 2:  
EMPLOYEE  
COMPENSATION AND  
BENEFITS**

## **A. EMPLOYEE PAYROLL**

### **FAIR LABOR STANDARDS ACT SAFE HARBOR**

Henderson County makes every effort to pay its employees correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to Henderson County Human Resources' office attention, Henderson 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 timesheets are correct. Your timesheet must accurately reflect all regular and overtime hours worked, any absences, late arrivals, early departures, and meal breaks. Do not sign your timesheet if it is not accurate. When you receive each paycheck, 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 to be recorded on your timesheet. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your timesheet. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination. If anyone directs you to work without documenting your time worked, you must notify the Human Resources' Office.

It is a violation of Henderson County policy for any employee to falsify a timesheets, or to alter another employee's timesheet. 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 to alter another employee's timesheet 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 (3) falsely report that employee's hours worked, you should report it immediately to the Human Resources' Office, 125 N. Prairieville St., Courthouse Annex, Athens, Texas 75751, 903-675- 6171.

If you are classified as an exempt 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 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.

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 Human Resources' office, 125 N. Prairieville St., Courthouse Annex Athens, Texas 75751, 903-675- 6171. 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 100 East Tyler Street, Athens, Texas 75751, 903-675-6112.

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 may result in disciplinary action, up to and including termination.

## **Internal Revenue Service (IRS) FRINGE BENEFITS**

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

## **COMPENSATION**

Henderson County Commissioner's Court annually sets the compensation for each employee in accordance with Texas State Law.

Henderson 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 Commissioner's 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 bi-weekly salary compensates the employee for all hours worked up to 40 in each workweek of the bi-weekly pay period.

For part time regular employees, the bi-weekly salary compensates the employee for all hours worked in each workweek of that bi-weekly 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.

Exempt employees are paid a salary; therefore they do not accrue compensation time.

## **SALARY GUIDELINES FOR HIRING & OTHER PERSONELL ACTIONS**

Henderson County will administer a Performance Step Plan system for each pay grade. Salaries for hiring and other personnel actions will be set according to the guidelines below at two year intervals. Henderson County prohibits sex discrimination in the payment of wages and is firmly committed to the payment of fair wages under Title VII and the Equal Pay Act.

Salary (step) adjustments are not automatic the department head, elected official, and the Commissioner's Court has discretion to withhold a pay increase if performance does not meet expectations. Supporting documentation should be provided specifying the

existing performance problems and identifying the performance standards that the employee is expected to meet. Performance Reviews will need to be completed and returned to Human Resources once a year in the **second quarter due April 30<sup>th</sup>**. . All employee performance reviews will go before the Human Resources Director, who will act as an agent of the Commissioner's Court. If an issue with a performance review is found, HR will take a written recommendation to the Commissioner's Court for their review.

At any time with or without notice, the Commissioner's Court can freeze the step pay plan for an undetermined amount of time due to the economic state.

Employees hired during an even year will be eligible for a step increase the next even numbered year. Employees hired during an odd year will be eligible for a step increase the next odd numbered year.

In the event that an employee is situated at the maximum of his/her pay step, that employee shall be considered maxed out. If a pay increase (Cost of Living, based on CPI) is approved by Commissioner's Court for employees in general, the performance step plan will adjust accordingly ensuring the maxed out employee receives the increase. However, the employee will continue to max out at step 10.

### **IN ALL CASES**

1. The starting salary shall be at least equal to the minimum salary of the first step in the Performance Step Plan.
2. If a starting salary is desired to be higher than step 1, approvals are required at a minimum from the HR Director and must be within budgetary constraints as approved by the Audit Department and in most cases Commissioner's Court; see new hiring detail below.
3. All starting salaries must be coordinated with Human Resources.
4. All salary offers must be within budgetary limits. Consideration should be given to the job description and ranking, as well as the applicant's qualifications and experience, when determining the salary to be offered.

### **NEW HIRES**

1. An applicant who meets the minimum requirements of the job description may be hired at the minimum of the Performance Step Plan.
2. An applicant who meets the minimum requirements of the job description and has an additional two years of related experience or education may be offered a salary up to Step 2 as outlined by the Performance Step Plan.
3. An applicant who meets the minimum requirements of the job description and has an additional four years of related experience or education may be offered a salary up to Step 3 as outlined by the Performance Step Plan.

4. An applicant who meets the minimum requirements of the job description and has an additional six years of related experience or education may be offered a salary up to Step 4 as outlined by the Performance Step Plan.
5. An applicant who meets the minimum requirements of the job description and has an additional eight years of related experience or education may be offered a salary up to Step 6 as outlined by the Performance Step Plan.
6. All Grant personnel hired under this section will be required to agree and sign the standard "Grant Position Agreement" outlining the possibility of decreased or discontinued funding for this position. When possible, grant funded positions should conform to adopted salary guidelines.

## **REHIRES**

Any separation from employment is considered a new hire, new hire guidelines will apply to determine the appropriate step.

## **PROMOTION**

For purposes of salary administration, a promotion occurs when an employee moves to another position that is of a higher grade than the prior position. Elected officials, appointed officials or department heads may promote an employee in their department to a vacant position. Promotional increases must be within budgetary constraints. When determining salary for promotions, apply new hire guidelines to determine appropriate step.

## **DEMOTION AND SALARY REDUCTION**

A demotion is defined conceptually as the assumption of job duties and responsibilities that are lower in character and scope than the prior position.

Some common reasons for demotions are:

- a) Performance related- When an employee is reassigned to a position at a lower grade due to poor performance.
- b) Organizational Realignment- When an employee is reassigned without prejudice to a position at a lower grade due to reorganization or elimination of the current job.
- c) Reduction or Reassignment- When a reduction in force or reassignment of the employees is needed; the most recent performance evaluation of employees in a job category will be used to determine separation or reassignment. When there is a 0.5 or less difference in scores, then seniority shall be the determining factor.
- d) Voluntary Demotion- When an employee requests a demotion to a position at a lower pay grade.
- e) Disciplinary Demotion- If an employee is reassigned to a position at a lower pay grade due to misconduct.



## **CHANGE IN STATUS**

Change from Full- Time to Part- Time status- If a department head or elected official submits a written request to change an employee's status from full-time to part-time, the Human Resources Department will submit that request, and the Audit Office will submit for a budget amendment for Commissioner's Court approval. If approved, pay and benefits will be adjusted accordingly.

## **LATERAL TRANSFERS**

If an employee transfers to a job in the same pay grade, the salary will remain the same. Elected officials, appointed officials or department heads may transfer an employee in their department to a vacant position. All transfers must be handled in accordance with the budget adopted by Commissioner's Court.

## **LONGEVITY PAY**

As of December 31, 2019 longevity pay will no longer be earned nor paid out; with the exception of those employees who will reach 5 years of employment in 2020, these employees will receive their earned longevity pay at a prorated rate. Longevity pay previously earned will be added to the base pay the employee is currently receiving.

## **APPOINTED POSITION TO AN ELECTED POSITION**

In the event an appointed employee decides to run for an elected official position, years served in an appointed position will not transfer over if said employee wins the election.

## **AWARDING STEP PAY INCREASES**

If a step pay increase is granted for an employee, the step increase will be awarded on the employee's anniversary date

## **WHO ADMINISTERS THE PERFORMANCE REVIEWS?**

Department heads or elected officials will administer the performance reviews to their employees. For the performance reviews of the Elections Administrator, Library Director, and Fair Grounds Manager their respective boards will submit written recommendations to the County Judge who will review them in executive session. The Fire Marshal, Human Resources Director, and the Animal Shelter Director will be reviewed by the Commissioners Court in executive session. The Juvenile Director will be reviewed by the Juvenile Board.

All employees will be reviewed using the same review except the Sheriff's Office and the Fire Marshal's Office (Please see following review). The Sheriff's Office and the Fire

Marshal's Office will continue to use their current review as it pertains to law enforcement.

### **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 Commissioner's Court and approved by the employee shall also be made from the employee's paycheck. No optional deduction shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the Treasurer's Office.

### **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 Henderson County shall begin at 12:01 a.m. on each Sunday and end seven (7) consecutive days later (168 hours). Law Enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of 28 days and 160 hours as established by the Henderson County Commissioner's Court.

### **TIMESHEETS**

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

### **PAY PERIODS**

The pay period for Henderson County shall be a bi-weekly pay period with the pay period dates established by the Commissioner's 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.

### **DIRECT DEPOSIT**

All County employees are required to have their payroll checks direct deposited into an account at a financial institution of his/her choice. Employees may select up to 4 (four)

different accounts in which to apply payroll funds.

All new hires will have 3 (three) days from initial date of employment to complete and return to the Human Resources a Direct Deposit Authorization form. The completed form shall include a voided check of information concerning the financial institution information, including the account number and routing number.

It is the responsibility of each employee to notify the Treasurer's office of any changes on bank information. If notification is not made in a timely fashion, salary payments could be delayed for up to two weeks.

### **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 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.

### **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.

### **LAW ENFORCEMENT PAY AND OVERTIME**

The Henderson County Commissioner's Court has adopted the extended work period for law enforcement personnel authorized by the Fair Labor Standards Act §207(k). A law enforcement employee will be paid a salary based on a work period of 28 days with a minimum of 160 hours reported. Employees will receive straight time payment for the hours between 160 and 171 hours plus overtime for any authorized hours worked over 171 during a work period. Overtime may be paid as compensatory time or paid through payroll 1.5 times their regular rate as determined in the County's annual budget. An employee will be paid his or her full salary if the employee reports at least 160 hours during a work period. Overtime will not accrue in any work period during which an employee reports sick, vacation, or compensatory time until the number of actual hours worked reported during the work period exceeds 171.

Except in an emergency situation, as determined by the Commissioner's Court, County Judge, or the Sheriff, an employee must obtain advanced authorization from his or her supervisor before working more than 171 hours in any work period to receive overtime compensation

## **PAID QUARANTINE LEAVE FOR PEACE OFFICERS AND DETENTION OFFICERS**

Per HB 2073, Henderson County shall provide quarantine leave for Peace Officers, Detention Officers employed by Henderson County and ordered by a supervisor or health authority to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. This includes Peace Officers and Detention Officers, as defined by this policy, who are employed by, appointed by, or elected to their position.

“Detention Officer” means an individual appointed or employed as a county jailer or other individual responsible for the care and custody of individuals incarcerated in a county jail.

“Peace Officer” means an individual described by article 2.12, Code of Criminal Procedure, who is elected for, employed to or appointed by the county.

Eligible employees who are on qualifying paid quarantine leave shall receive all employment benefits and compensation, including leave accrual, retirement, and health benefits for the duration of the leave; and, if applicable, shall be reimbursed for reasonable costs related to the quarantine, including lodging, medical, and transportation. An employee on the qualifying paid quarantine leave will not have their leave balances reduced.

Notification will need to be made to the employee’s direct supervisor if there is belief that they qualify for Paid Quarantine Leave. The employee’s supervisor will notify HR who will send out the reimbursement form to the employee affected. Upon completion the form will be turned into Audit for review.

NOTE: Off duty exposures will not be covered under this policy.

## **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 120 hours. When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at a rate of one and one-half (1 ½) the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum. If a department does not have overtime budgeted, the employee may be placed on involuntary furlough until budgetary compliance is met.

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. Henderson 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.

Henderson 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. Henderson County shall retain the right to pay all or part of the overtime worked in any workweek by paying for that overtime at one and one-half (1 ½) the employee's regular rate of pay. Each employee shall be responsible for recording any compensatory time used within a pay period on the time sheet for that pay period.

Any employee that transfers from one department to another will not be permitted to carry forward overtime. The employee will be paid the accrued overtime. This payment will be charged to the department the employee is leaving.

## **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 Henderson 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 Henderson County and the separation does not fall into one of the other categories. Employees who are resigning should submit a written notice of resignation to his/her supervisor.

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

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

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

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

### **RETIREE REHIRES**

Retired employees shall be eligible to apply for open positions with Henderson County as long as the following provisions are met: 1) The retiree has been retired for at least three (3) calendar months, 2) No prior arrangement or agreement was made between Henderson 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 three (3) calendar months. A bona fide separation means there is no prior agreement or understanding between Henderson County and the retiree that the retiree would be rehired after retirement.

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 is not a consideration for determining retirement eligibility from the County. Also, an employee cannot retire from the County with an arrangement to begin work as an independent contractor.

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. 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.

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**

### **HEALTH AND DENTAL PLANS**

All full time regular employees of Henderson County shall be eligible for the group medical plan and dental plan benefits. Regular variable hour employees who work an average of thirty (30) or more hours a week in the measurement period will be eligible for health insurance after the measurement period. Regular part time, temporary seasonal, temporary short term part time, and regular variable hour employees who work an average of less than thirty (30) hours a week in the measurement period will not be eligible for health insurance.

Henderson County pays a portion of coverage for eligible employees. New hires are not eligible for insurance benefits until completing a 90 day employment period. Additions and deletions of dependents generally are only permitted during the annual enrollment period, unless the change is due to a qualifying event.

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

Details of coverage under the group medical insurance plan and dental plan are available in the County Human Resources' office and may be obtained during the normal working hours for that office.

Employees who leave the employment of Henderson County or who lose their coverage eligibility may be eligible for an extension of the medical plan for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA). 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 Human Resources' 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

### **WELLNESS INCENTIVE PROGRAM**

Effective 11/01/2020 Henderson County rolled out a Wellness Program on a voluntary basis now available to all full- time employees and elected officials enrolled into the county health plan. The program is administered according to federal rules permitting employer- sponsored wellness programs that seek to improve employee health or prevent disease, including the Americans with Disabilities Act of 1990, the Genetic Information Nondiscrimination Act of 2008, and the Health Insurance Portability and

Accountability Act, as applicable, among others. You will be asked to complete a biometric screening (Annual Physical) and a Tobacco Cessation Course. You are not required to complete the biometric screening or to participate in the blood test or other medical examinations or to participate in the Tobacco Cessation Course. You may choose to opt-out with the opt-out wellness rate (Premium Differential) set by the Commissioners Court for a minimum of \$25 monthly per program not completed.

Full Time Employees and elected officials who do not participate in a biometric screening (Annual Physical) are subject to a \$25.00 monthly premium contribution towards their health benefits effective 11/1/2021.

Full Time Employees and elected officials who either certify as tobacco users or fail to certify and do not participate in the tobacco cessation program are subject to a \$25.00 monthly premium contribution towards their health benefits effective 11/1/2021.

The results from your biometric screening will be used to provide you with information to help you understand your current health and potential risks, and may also be used to offer you services through the wellness program, such as Condition Management or Lifestyle Coaching with Blue Cross and Blue Shield of Texas and Naturally Slim. You also are encouraged to share your results or concerns with your own doctor.

### **PROTECTIONS OF DISCLOSURE OF MEDICAL INFORMATION**

We are required by law to maintain the privacy and security of your personally identifiable health information. Although the Healthy County Wellness Program and Henderson County may use aggregate information it collects to design a program based on identified health risks in the workplace Henderson County Wellness Program will never disclose any of your personal information either publicly or to the employer, except as necessary to respond to a request from you for a reasonable accommodation needed to participate in the Wellness Program, or as expressly permitted by law. Medical information that personally identifies you that is provided in connection with the Wellness Program will not be provided to your supervisors or managers and may never be used to make decisions regarding your employment.

In addition, all medical information obtained through the Wellness Program will be maintained separate from your personnel records, information stored electronically will be encrypted, and no information you provide as part of the Wellness Program will be used in making any employment decision. Appropriate precautions will be taken to avoid any data breach, and in the event a data breach occurs involving information you provide in connection with the Wellness Program, we will notify you immediately.

You may not be discriminated against in employment because of the medical information you provide as part of participating in the Wellness Program, nor may you be subjected to retaliation if you choose not to participate.



## **RETIRED EMPLOYEES HEALTH PLANS**

Effective January 1, 2010, Regular full time employees who leave employment with the County by retiring under the Henderson County retirement program (Texas County & District Retirement System) with a hire date on or before December 31, 2009 are eligible to receive health benefits paid at the same portion as is paid for current regular full time employees by the County for a maximum of three years. Retired employee's eligibility shall cease upon the occurrence of the following events, whichever occurs first:

1. The last day of the contract month in which a retiree becomes eligible for Medicare by reason of turning 65, or
2. The last day of the contract month in which a retiree becomes eligible for disability benefits under the United States Social Security Act, or
3. The last day of the contract in month in which the County has contributed premiums for a three year period.

Employees hired on or after January 1, 2010 will only be eligible for continued health coverage as required by state and federal law.

## **OTHER PLANS – LIFE, SUPPLEMENTAL**

Henderson County may provide a limited amount of life insurance on eligible employees as part of the group medical plan coverage. Henderson County provides supplemental insurance coverage. All supplemental insurance coverage premiums are the responsibility of the employee. Henderson County offers a cafeteria plan through AFLAC and MetLife. Information regarding these supplemental insurance plans may be obtained from the Henderson County Treasurer's office.

## **VACATION**

Full-time regular employees are eligible for vacation and will earn vacation leave on a pro-rated basis in accordance with the following schedule.

<u>Years of Service</u>	<u>Bi-Weekly</u>
0-3 years	3.23 hrs. /bi-weekly
3-5 years	3.69 hrs. /bi-weekly
5-8 years	4.15 hrs. /bi-weekly
8-10 years	4.62 hrs. /bi-weekly
Over 10 years	5.08 hrs. /bi-weekly

Regular full-time employees who are compensated for less than 80 hours in a bi-weekly pay period and temporary employees earn no vacation pay.

Regular part-time employees who are compensated for 40 hours or more in a bi-weekly pay period will earn 1.65 vacation hours per pay period.

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 six months in such a position before being eligible to take any vacation.

The maximum amount of unused vacation an employee shall be allowed to accrue is 240 hours; the maximum hours paid out at the time of separation will be 160 hours, if the time has been earned. When an employee reaches the maximum accrual, he/she shall not be allowed to accrue additional vacation time until the employee uses vacation hours to reduce 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 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 his/her timesheet.

Any employee that transfers from one department to another may carry vacation time forward if agreed to in writing by the new department head. Otherwise, the employee will be paid for unused vacation, as per the above policy. This payment will be charged to the department the employee is leaving.

## **SICK LEAVE**

Regular full time employee classifications shall be eligible for the sick leave benefit. Full time employees must be compensated for a full 80 hours in a bi-weekly pay period. These employee classifications shall not be eligible for the sick leave benefit: regular part time, temporary part-time, regular variable hour, and temporary seasonal.

Eligible employees shall accrue sick leave at a rate of 3.69 hours per each hour bi-weekly pay period worked. 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. The maximum hours paid out at the time of separation will be 80 hours if the time has been earned. The accrued hours available to be earned and paid begin with the 2018 year. Hours earned prior to January 1, 2018 will not be available for payment upon separation. When sick time is used during this transition, the hours earned prior to January 1, 2018 will be utilized first.

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, or other relative living in the employee's home who is dependent on the employee for care.

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

If an employee uses three (3) or more consecutive days of sick leave, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness, for either the employee's own illness or the illness of an immediate family member. Employees who have a pattern of abusing sick leave may be required to provide a physician's statement for those absences as required by their supervisor.

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

The employee will be placed on FMLA, in the event the employee is eligible.

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

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

Any employee that transfers from one department to another may carry sick leave forward if agreed to in writing by the new department head. Otherwise, the employee will lose and will be paid for unused sick leave, as per the above policy. This payment will be charged to the department the employee is leaving.

### **SICK LEAVE POOL**

**Termination of the sick leave pool effective date: December 31, 2017.**

## **HOLIDAY**

The following employee classifications shall be eligible for the holiday benefit: Regular full-time and regular part-time. These employee classifications shall not be eligible for the holiday benefit: Temporary part-time, temporary seasonal and regular variable-hour.

The County holidays shall be determined by the Henderson County Commissioners Court.

Paid holidays are a discretionary benefit left entirely up to the Commissioners Court. Employees are required to work their full shift the day before and after a paid holiday observed by the county in order to be eligible to receive Holiday Pay. If an employee calls out sick the day before or after a holiday their Holiday Pay will be revoked. In the event that the employee can provide a doctor's note for the absence(s), holiday pay will be reinstated. Scheduled and approved vacation is an exception to this rule.

Paid Holidays will not count as hours worked for overtime nor FMLA eligibility purposes.

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. All regular part-time employees who work 40 hours or more in a bi-weekly pay period will be eligible for paid holiday benefit for the hours the employee would have normally been scheduled to work that day.

An eligible employee called in to work on a holiday because of an emergency, or other special need of the County, shall be given paid time off during the next 30 day's equivalent to the amount of time worked 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 Henderson 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.

Law enforcement will get paid 8 (eight) hours for a holiday if worked and any other hours actually worked on the holiday.

## **JURY DUTY**

All employees of Henderson 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 his/her Court attendance may require. If an employee is absent from work to appear in private litigation in which he/she is a principal party, the time shall be charged to vacation, other eligible paid leave, or leave without pay.

## **BEREAVEMENT LEAVE**

All employees shall be allowed up to 3 days leave with pay for a death in the immediate family. For purposes of this policy, immediate family shall include the employee's spouse, children, parent, brother or sister. There will be 1 day of leave with pay for a death of anyone within the 3<sup>rd</sup> degree of consanguinity by blood or 2<sup>nd</sup> degree of consanguinity by marriage.

## **MILITARY LEAVE**

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

Any Henderson County employee who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team called to state active duty by the governor or another appropriate authority in response to a disaster is entitled up to 7 days of paid disaster leave per fiscal year. This leave is in addition to the paid leave provided for authorized

training or duty otherwise authorized or ordered. During disaster leave under these provisions, the person may not be subjected to loss of time, efficiency rating, personal time, sick leave, or vacation time.

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

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

Henderson 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 state and federal laws in effect at the time of their release from duty.

## **RETIREMENT**

All regular employees (full time, part time, and regular variable hour) shall be eligible for the retirement benefit offered through the Texas County and District Retirement System. Temporary seasonal and temporary short term part time employees will not be eligible for retirement benefits. Eligible employees shall make contributions to the retirement program through a system of payroll deduction. Henderson 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.

## **SOCIAL SECURITY / MEDICARE**

All Henderson 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.

## **FMLA / MFL**

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

1. have worked for Henderson County at least 12 months (it is not required that these 12 months be consecutive; however a continuous break in service of 7 years or more will not be counted toward the 12 months); **and**
2. Have worked at least 1250 hours during the previous 12 months.

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

1. the birth of a child and in order to care for that child;
2. the placement of a child in the employee's home for adoption or foster care;

3. to care for a spouse, child (under the age of 18 or if over 18 incapable of self-care due to a disability), or parent with a serious health condition;
4. the serious health condition of the employee that make the employee unable to perform the essential functions of his/her job;
5. a qualifying emergency arising out of the fact that an employee's spouse, child or parent is a covered military member of the Armed Forces (Regular, Reserve or National Guard), deployed to a foreign country or has been notified of an impending call or order to active duty in a foreign country;
6. to care for a covered service member (Regular, Reserve or National Guard) 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; or
7. to care for a covered veteran who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of 5 years preceding the date on which the veteran began that medical treatment, recuperation or therapy.

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.

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.

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

1. 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 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;
2. any period of incapacity due to pregnancy or pre-natal care;
3. 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;
4. any period of incapacity which is permanent or long term due to a condition that treatment is not effective;
5. Any period of incapacity or absence to receive multiple treatments by a health care provider.

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 a foreign country. The following qualify as exigency leave:

1. 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 7 days beginning on the date the covered military member receives the call or order to active duty;
2. 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 in a foreign country of a covered military member;
3. 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 in a foreign country of a covered military member;
4. 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;
5. 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 in a foreign country;
6. leave may be taken to act as the covered military member's 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 in a foreign country and for a period of 90 days following the termination of the covered member's active duty status;
7. 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 in a foreign country of a covered military member;
8. 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 fifteen (15) days of leave for each instance of rest and recuperation;
9. 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;
10. leave may be taken to address issues that arise from the death of a covered military member while on active duty status in a foreign country;
11. certain activities related to the care of the military member's parent who is incapable of self-care where those activities arise from the military member's covered active duty; or
12. 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 in a foreign country provided the County agrees the leave shall qualify as an exigency and agree to both the timing and the duration of such leave.

Up to 12 weeks leave per 12 month period may be used under this policy. The County will measure the 12 month period as a rolling 12 month period measured backward from



the date an employee uses any leave under this policy. All leave taken under this policy during the prior 12 month period shall be subtracted from the employee's 12 week leave eligibility and the balance is the leave the employee is entitled to take at that time.

If a married couple both work for the County the maximum combined leave they shall be allowed to take in any 12 month period for the birth or placement of a child, or care for a parent with a serious health condition is 12 weeks. The combined limit is 26 weeks in a single 12-month period if leave is to care for a covered service member or covered veteran with a serious injury or illness.

An eligible employee is entitled up to 26 workweeks of leave to care for a covered service member or covered veteran with a serious injury or illness during a single 12-month period:

1. the single 12 month period begins on the first day the eligible employees takes FMLA to care for covered service member or covered veteran and ends 12 months after that date;
2. if an eligible employee does not take all of their 26 workweeks during this 12 month period, the remaining part of the 26 workweeks of leave entitlement to care for the covered service member or covered veteran 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 26 workweeks of leave if the leave is to care for different covered service members or covered veterans or to care for the same covered service member or covered veteran with a subsequent serious illness or injury, except that no more than 26 workweeks may be taken within any single 12 month period.

If an employee has accrued leave, the employee shall be required to use the following paid leave as detailed below: compensatory time, vacation, holiday and sick. The remainder of the leave shall be unpaid.

An employee taking leave because of their own serious health condition, or the serious health condition of an eligible family member shall be required to first use all earned compensatory time, then sick leave, vacation, and any other paid leave, with the remainder of the 12 week leave period being unpaid leave.

An employee taking leave for the birth of a child shall be required to use paid sick leave first, then earned compensatory time, vacation and holiday leave for the recovery period after the birth of the child and prior to being on unpaid leave.

During 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 12 week leave period being unpaid leave.

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

An employee 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 12 week leave period being unpaid leave.

An employee taking leave for the care of a covered service member or covered veteran shall be required to first use all earned compensatory time, then sick leave, vacation, and any other paid leave, with the remainder of the 26 week leave period being unpaid leave.

The maximum amount of paid and unpaid leave that may be used under this policy in any 12 month period is 12 weeks, except for qualifying leave to care for a covered military member with a serious injury or illness with the maximum leave being 26 weeks in a single 12 month period.

While on leave under this policy, the County shall continue to pay the employee's medical plan premium at the same rate as if the employee had been actively at work. The employee shall be required to pay for dependent coverage, and for any other coverage for which the employee would normally pay, or the coverage will be discontinued. Payment for coverage shall be made through regular payroll deduction while the employee is on leave paid leave. While on unpaid leave, the employee shall be required to pay for premiums due to the County no later than 30 days after the due date which the County sets or the coverage shall be discontinued.

At the end of the 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 26 weeks in a single 12 month period.

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 or covered veteran.

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 or covered veteran.

All work time missed as the result of intermittent leave or a reduced work schedule under this policy shall be deducted from the employee's 12 week leave eligibility. If the time missed is for the care of a covered military member or covered veteran with a serious injury or illness the time will be deducted from the employee's 26 week leave eligibility in a single 12 month period.

The 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.

The employee must respond to the request within 15 days of the request or provide a reasonable explanation for the delay. If an employee does not respond, leave may be denied.

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.
- 6.

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.

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 a foreign country;
2. the dates of the covered military members active duty service;
3. a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency, sufficient to support the need for leave;
4. the approximate date on which the qualifying exigency will start and end;
5. if the request is for an intermittent leave or reduced schedule basis, an estimate of the frequency and duration of the qualifying exigency;
6. if the qualifying exigency involves meeting with a third party, appropriate contact information such as: name, title, organization, address, telephone number, fax number and e-mail address and a brief description of the purpose of the meeting.

Certification for leave taken for a serious injury or illness of a covered military member or covered veteran 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 probably duration;
3. a description of the medical facts regarding the covered military members or covered veterans' 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 or covered veteran; or
6. In lieu of certification, a TO (invitational travel orders) or an ITA (invitational travel authorizations) 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 family or next of kin relationship to the seriously injured or ill covered military member or covered veteran.

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 6 months in connection with an eligible absence.

The 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.

If there is a conflict between the first and second certifications, the County shall have the right to require a third certification, at the expense of the County, from a health care practitioner agreed upon by both the employee and the County, and this third opinion shall be considered final.

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.

Where practicable, an employee should give his or her immediate supervisor at least 30 days' notice before beginning leave under this policy. Where it is not reasonably practicable to give 30 days' notice before beginning leave, the employee shall be required to give as much notice as is reasonably practicable. If an employee fails to provide 30 days' notice for foreseeable leave, the leave request may be denied until at least 30 days from the date the County receives notice.

Employees returning from leave under this policy, and who have not exceeded the 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 26 week maximum, in a single 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.

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.

The 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.

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 the County for all medical premiums paid by the County while the employee was on leave without pay.

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.

Employees who are out on approved FMLA may not take trips outside of the County unless the travel is related to the employees own serious health condition, the serious health condition of the child, spouse or parent of the employee or to attend qualifying military events. Employees may ask for permission from their immediate supervisor to take other trips outside of the County and supervisors may grant employee requests at their discretion.

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.

The County may send out to an employee who has been out for 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 15 days of receipt to be eligible for FMLA. Failure to return the medical certification may result in denial of FMLA. Employees will be required to provide a Fitness-for-Duty certification prior to returning to work.

### **LIGHT AND RESTRICTED DUTY ASSIGNMENTS**

The County, department head or elected official may, at its sole discretion, offer temporary light-duty job assignments for employees with temporary work-related restrictions due to an illness or injury. Employees who wish to return to work with temporary restrictions due to injuries or illnesses should, if desired, contact the Human Resources Department and their supervisors about light-duty assignments.

Light-duty assignments under this policy are specially created temporary job assignments for employees injured or otherwise incapacitated. Such light-duty assignments are temporary assignments only, are not vacant or permanent positions within the County's workforce, and are not available to employees on a permanent basis under any circumstances. The availability of such light-duty assignments depends on the employee's restrictions and the business needs of the County. The existence of this light duty policy does not in any way guarantee that light duty will be available at any given time, or for any particular employee who requests it.

If at any point an employee is medically determined to have sustained permanent restrictions, the creation or continuation of a temporary light duty assignment will not be considered. In that event, the County will review the employee's situation separately, to determine the appropriate steps to be taken, if any, under the Americans with Disabilities Act, other applicable law, and other relevant County policies.

If a light duty assignment is available, an employee will be permitted to work in a light duty assignment only after the County receives a written statement from employee's treating health care provider approving the assignment for the injured or ill employee. In general, the County will review the status of the temporary light duty assignment with the affected employee every 30 days, in light of the County's business needs and the employee's condition, to determine if continuation of the assignment is appropriate.

If a light-duty assignment is offered by the employer and approved by the employee's physician, an employee's refusal to accept the offer of light-duty may affect the employee's right to workers' compensation benefits under applicable law. However, if the employee's injury or illness qualifies as a serious health condition for purposes of the Family and Medical Leave Act, such refusal to accept light duty will not impact the employee's rights under the Act.

An employee who accepts light-duty work restrictions cannot be denied the opportunity to return to his or her original job when the restrictions are removed by the doctor who originally authorized the return to work.

# **SECTION 3: EMPLOYEE FORMS**

**Available on the County website under the Employee Portal or  
In the Human Resources' office**

## Appendix A



# Employee Performance Review

Employee Name (last, first, middle)		Social Security Number (optional)	Position Title	
Department Name:	Supervisor Name	Hire Date	Review Date	

### ***Performance Ratings Guide***

5	Distinguished Performance; Consistently exceeds performance expectations across the board.
4	Highly Effective Performance; Consistently meets and at times exceeds performance expectations.
3	Effective Performance; Consistently meets performance expectations
2	Needs Improvement; Inconsistent performance, at times meets expectations and at times falls below expectations
1	Unsatisfactory Performance; Consistently falls below performance expectations

### **All Employees**

	<b>Performance Factors</b> Rate employee using the above scale (1,2,3,4,5) on each of the performance factors described below	<b>Rating</b>	<b>Comments (Optional)</b> When possible, provide comments and/or examples, which describe the performance and explain the rating for that factor.
<b>Stretch</b>	1. <b>Initiative:</b> Starts assignments without prompting; independently contributes ideas and projects; follows up to assure completion and meeting of objectives.		
	2. <b>Adaptability:</b> Works effectively under changing conditions (new people, ideas, procedures, etc.); anticipates and prepares for change		
	3. <b>Accountability:</b> Observes Henderson County policies; uses financial resources effectively; continually evaluates work value; encourages safety of others and reports hazards.		
	4. <b>Respect:</b> Treats other individuals with dignity, consideration and respect.		



	<b>Performance Factors</b> Rate employee using the above scale (1,2,3,4,5) on each of the performance factors described below	<b>Rating</b>	<b>Comments (Optional)</b> When possible, provide comments and/or examples, which describe the performance and explain the rating for that factor
<b>Integrity</b>	5. <b>Commitment:</b> Adheres to work schedule; attendance and punctuality do not interfere with department or individual performance; consistently meets deadlines (under pressure); is prepared for meetings.		
	6. <b>Resource and Risk Management:</b> Effectively uses Henderson County time, money, information and physical assets in an ethical manner; maintains confidentiality.		
<b>Teamwork</b>	7. <b>Interpersonal Skills:</b> Builds effective relationships and provides appropriate and effective service to internal/external customers; works effectively with supervisors, subordinates and peers; demonstrates tact, cooperation, patience and willingness to help		
	8. <b>Communication:</b> Communicates well with supervisors, peers and subordinates through effective written, oral and listening skills.		
<b>Excellence</b>	9. <b>Work Quality/Quantity:</b> Consistently produces the appropriate quantity of work with a minimum of errors; work is submitted timely; work is accurate, thorough and presented well; works without detailed supervision.		
	10. <b>Job Knowledge:</b> Demonstrates and applies knowledge of requirements, methods, techniques and skills involved in performing the essential functions of the job; seeks to gain and apply new knowledge and acquire new skills.		

**For Supervisors/Managers ONLY**

**(If the employee is not in a supervisory capacity, please skip this page.)**

	<b>Job Factors for Managers &amp; Directors</b>	<b>Rating</b>	<b>Comments (Optional)</b>
<b>Stretch</b>	1. <b>Training &amp; Development:</b> Educates subordinates; provides growth and educational/training opportunities; works with people to realize their potential (i.e., regular meetings to review performance and provide guidance); provides training tools for improvement; provides opportunities for others to apply their knowledge and skills.		
	2. <b>Creativity:</b> Employs originality, imagination and inventiveness to generate new ideas and alternatives combines elements of existing methods and practices with new techniques; challenges conventional practices with creative solutions; looks for more than one answer to a given problem; is willing to experiment and take appropriate risks to innovate solutions.		

	Job Factors for Managers & Directors	Rating	Comments (Optional)
<b>Integrity</b>	3. <b>Accountability:</b> Uses Henderson County resources consistent with cost versus benefit considerations; meets financial performance objectives; seeks and identifies and acts on opportunities for cost efficiency; continually evaluates work value; equally balances the importance of safety, quality and productivity.		
	4. <b>Respect:</b> Treats subordinates with dignity, consideration and respect of individuality.		
	5. <b>Leadership:</b> Motivates and inspires others toward a common goal; serves as credible role model, displaying and instilling a positive attitude; sets high standards for self, group and others; articulates goals and expectations clearly; builds a strong sense of teamwork, purpose and group identity; delegates appropriate levels of authority; deals effectively with people's concerns and problems.		
<b>Teamwork</b>	6. <b>Employee Communication:</b> Effectively delegates work and responsibility to appropriate staff and establishes controls to arrive at desired results; ensures staff are kept informed of relevant information and two-way communication occurs; effectively handles personnel issues and discipline problems.		
	7. <b>Feedback &amp; Evaluation:</b> Sets goals and communicates expectations clearly; recognizes the achievements of others; provides constructive feedback as appropriate; gives ongoing feedback during the year, completes appraisals on time.		
	8. <b>Collaboration:</b> Builds strong working relationships with subordinates and peers to successfully achieve organization's goals and objectives. Demonstrates tact and patience. Solicits cooperation, participation and feedback from subordinates. Effectively coordinates work with other departments or organizations as needed.		
<b>Excellence</b>	9. <b>Analyze Problems:</b> Demonstrates critical thinking skills; successfully applies knowledge/experience to work problems; able to quickly and accurately research, evaluate and diagnose problems and find alternatives; clarifies unknowns; knows when to seek help.		
	10. <b>Planning, Organization and Implementation:</b> Sets objectives and priorities; forecasts needs; manages time and resources efficiently to meet objectives; effectively handles the requirements of multiple or competing tasks. Successfully implements plans and delivers results according to expectations.		

**Safety (applies to Road & Bridge and Maintenance Employees only)**

		Comments (Optional)
<p>1. Follows <b>safety rules and policies</b> contained in the Henderson County safety manual. Actively works to protect themselves and fellow employees from workplace hazards. Wears proper <b>Personal Protective Equipment (PPE)</b> and reminds others, as necessary, to do the same. While driving on Henderson County business: drives safely and defensively and has not experienced any accidents.</p>		
<p>2. Uses 100% <b>fall protection</b> when performing work at heights. Uses proper techniques while <b>lifting/handling materials, climbing structures and mounting/dismounting equipment</b> or elevated locations.</p>		
<p>3. <b>Plans</b> operations and manages risk within acceptable limits to always balance safety, quality and productivity, thereby preventing accidents and injuries. Always plans for and ensures proper equipment is being used. Ensures work is performed safely while delivering quality services and demonstrates leadership by always modeling safe work behaviors.</p>		
<p>4. Ensures employees have required <b>safety training</b> and educates employees on safe work practices and Henderson County safety policies. Instructs employees on proper procedures for reporting incidents. Takes prompt corrective action if safety violations occur. Tailgate meetings should be conducted and documented daily.</p>		
<p>5. <b>Investigates and reports</b> all accidents in a timely, complete and accurate manner. <b>Conducts routine audits</b> to identify unsafe behaviors/work conditions and quality concerns. <b>Takes prompt remedial action</b> to correct identified deficiencies.</p>		
<p>6. Ensures that only <b>qualified drivers</b> are permitted to drive Henderson County vehicles or drive on county business.</p>		

If Average Score is:	Average Rating is:
4.60 - 5.00	Distinguished Performance
3.85 - 4.59	Highly Effective Performance
3.00 - 3.84	Effective Performance
2.00 - 2.99	Needs Improvement
1.00 - 1.99	Unsatisfactory Performance

5-TOTAL NUMBER OF DISTINGUISHED PERFORMANCE	
4-TOTAL NUMBER OF HIGHLY EFFECTIVE PERFORMANCE	
3-TOTAL NUMBER OF EFFECTIVE PERFORMANCE	
2-TOTAL NUMBER OF NEEDS IMPROVEMENT	
1-TOTAL NUMBER OF UNSATISFACTORY PERFORMANCE	

SUM OF THESE 5 BOXES

Sum of 1's X 1	
Sum of 2's X 2	
Sum of 3's X 3	
Sum of 4's X 4	
Sum of 5's X 5	

TOTAL SCORE:

**Divide the sum of the 5 boxes by the total score to get average score.**

AVERAGE SCORE:

**Use table above to get the employee's average rating.**

OVERALL RATING:

**Reviewing Supervisor's Comments** (attached additional documentation if necessary): \_\_\_\_\_

**Action Plan/Training Development Goals:** Summarize specific projects, performance objectives, timelines, and training/development plans for the next evaluation period. (Attach additional documentation if necessary.)

Reviewing Supervisor's Signature: \_\_\_\_\_

Date:

Next Level Supervisor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Human Resources Manager Signature: \_\_\_\_\_

Date: \_\_\_\_\_

The contents of this form have been reviewed with me. I understand that Henderson County will use this form in connection with salary administration, development and placement activities. I understand that my signature indicates receipt of performance review, not necessarily agreement with evaluation. I understand that I may enter my opinions here or on an attached sheet of paper and discuss them with the Henderson County Human Resources Department.

**Employee Comments** (attach additional documentation if necessary): \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date:

cc: Employee File