

# **Goliad County**

## **Employee Personnel Policy**



Updated 12/1/2024



## WELCOME

Welcome to Goliad County!

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

Goliad County is committed to providing excellent service to the public in all 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 personnel policy contains benefits, expectations of Goliad County, and other information you will need. Each elected/appointed official or department head may have a detailed interdepartmental policy 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 Goliad County employee. You should use this policy as a ready reference as you pursue your career with Goliad County. Please consult with your elected official, appointed official or department head regarding questions you have concerning this policy.

As a county employee, you have a responsibility to the citizens of Goliad County. How well you do your work and how you conduct yourself on the job are both subject to public approval. Often, your contact with the citizens will be the only basis on which the county government is judged; therefore, you owe it to both the county and yourself to serve the public in the best possible manner. The county has proven to be a good place to work, but it is up to each individual employee to maintain their position because of good performance, proper attitude, and responsible action in the use of tax dollars.

The policy is a guideline on how we work as a team to provide that public service. Whether you are a new or experienced employee, this policy will give you facts about the county, how it works and governs us as employees.

The personnel policies and procedure of the county are adopted by the Commissioners Court, are subject to regular review, and may be updated or changed from time to time without prior notice.

Sincerely,

Goliad County Commissioners Court

## **About Goliad County**

Goliad County's governmental organization is established by The Constitution of the State of Texas and by the State Statutes. State and Federal govern its operations Law and by actions of the Commissioners Court.

### **The Commissioners Court**

The Goliad County Commissioners Court is the one body with powers and duties that allow it to affect all areas of county operations. It is comprised of five elected officials; the County Judge who represents the entire county, and four commissioners who each represent a different geographical area- a precinct. All the voters of the county elect these individuals. As a group, the Commissioners Court is the chief policy or legislative branch of the County Government and the chief administrative or executive branch. Among their functions, the Commissioners Court sets the tax rate, adopts the annual budget, adopts regulations and policies, approves, and manages county facilities and has final authority over all county matters.

The Commissioners' Court meets on the second and fourth Monday of each month at a time set forth by the Commissioners Court.

The Commissioner's Court is the policy making body of the county.

### **Elected Officials**

Elected officials are directly responsible to the voters for carrying out powers and duties assigned to their offices by State Law. While the Commissioners Court may influence the functions through the budget, the Elected Officials have administrative power over their departments.

### **Appointed Officials & Department Heads**

State Law also prescribes some offices whose directors are appointed by an Elected Official. It also allows the Commissioners' Court to create some departments and approve personnel to run them. The Auditor, who is appointed by the District Judge, is an example of a State Mandated appointed official.

### **Service To the Public**

On a day-to-day basis, citizens base their opinions on Goliad County on the actions of county employees. We have developed a code of conduct we think will help maintain a reputation for an outstanding county government.

### **Purpose**

The purpose of this policy is to provide uniform personnel guidelines for all employees of Goliad County. It is hoped that these guidelines will promote a high degree of understanding, cooperation, and unity between the

officials and department heads of this county and its personnel. Any elected and appointed official or department head, who has a written office policy, shall file the policy with the County Judges Office. These specific policies may not supersede, violate, or contradict the general personnel policies of Goliad County.

As such, this policy is designed to:

- Create and maintain a modern and comprehensive system of personnel administration.
- Increase efficiency and economy in the service of this county.
- Establish a system of fairness and equality for the employee and taxpayer alike.
- Encourage high morale among county personnel by providing good working relationships and opportunities for advancement and considerations.

These policies set forth the primary rules governing employment with Goliad County. The policies contained here inform employees of the benefits and obligations of employment within the county. They have been prepared and adopted to promote consistent, equitable, and effective practices which will result in high quality public service by both employees and supervisors. These policies are established by the Commissioners Court of Goliad County. They replace all previously approved policies to the extent of any conflict. Amended, revised, or new policies must be approved by the Commissioners Court.

Receipt of the Personnel Policy Manual by the employee does not constitute any type of employment agreement or contract with the county. Goliad County is an At-Will employer.

### **Applicability**

This policy is designed to apply to all employees and public officials in the service of Goliad County and shall not apply to those individuals or areas of the job which are regulated by statute. The personnel policies apply equally to all employees and officials of the county unless a class of employees is specifically exempted. In cases where federal law or regulation supersedes local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary to comply. Elected officials are personally exempt from the personnel policies but must abide by the personnel policies set by the administration of their department.

Goliad County Commissioners Court is the source of authority concerned with setting personnel objectives and issuing policy statements. The elected and appointed officials or department heads will be responsible for the implementation of the Policy and for the development of detailed procedures consistent with their intent.

Goliad County reserves the right to change the provisions of this policy at any time, without prior notice. The policy is a general guide, and the provisions do not constitute an employment contract. An elected and appointed official or department head will be notified of any changes. The most up to date policy will always be posted on [www.co.goliad.tx.us](http://www.co.goliad.tx.us)

### **Dissemination Of Personnel Policies**

The County Judges office will maintain the Personnel Policy Manual with all revisions for reference purposes. The County Judges Office directs each employee to the County Treasurers' Office or the county website for a copy of the Personnel Policy Manual.

### **Communication**

Employees are encouraged to make constructive suggestions for improvements in these policies, work procedures or conditions to their immediate supervisors or department heads.

### **Severability**

The provisions of this policy are severable and if any provision or part of a provision is held invalid, illegal, or unenforceable, this will not affect the validity of the remaining provisions or parts of the provision, which will remain in force and effect.

## ACKNOWLEDGEMENT

I have received a copy of the Goliad County Personnel Manual which outlines my privileges and obligations as an employee, the county's Drug and Alcohol Policy, D.O.T. Drug and Alcohol Testing Policy for CDL drivers and a summary of my benefits.

I acknowledge that the provisions of these policies are part of the terms and conditions of my employment, and I agree to abide by them. I accept responsibility for reading and familiarizing myself with the policies of Goliad County. If I need clarification on any of the policies in the manual, I will contact my supervisor.

Since this information is necessarily subject to change, it is understood that any changes will be communicated to me by my supervisor through notices from the Commissioners Court and/or through postings on the Goliad County website.

I further understand that my employment is terminable at will so that both the county and I remain free to choose to end our relationship at any time, for any legal reason or no reason at all.

I also acknowledge that as a county employee, I have a personal responsibility to provide high quality service to the public, to achieve the highest degree of safety possible for my fellow workers and for myself, to continually make suggestions for improvements and to demonstrate spirit, teamwork, and cooperation.

If at any time my immediate supervisor or my department head has reasonable suspicion of illegal drug use, if I am acting in a way or in a manner that could potentially affect my performance at work, or if I am acting in a manner that could endanger myself or my coworkers; I agree to undergo a "fit for duty" physical at the counties expense.

It is further understood that I may be granted compensatory time off in lieu of payment of overtime depending on the department, to the extent provided by law and that due to inclement weather, lack of work, or other business reasons I may be directed to use my accrued compensatory time by my supervisor.

Exceptions to established Goliad County Policies may be granted on a case-by-case basis by the employees' department head when strict adherence to the policy would result in undue hardship, significant operational disruption, or when compelling circumstances exist that cannot be reasonably addressed within the policy framework. All requests for exceptions must be submitted in writing, clearly outlining the specific policy being requested, the rationale for the exception, proposed mitigating controls, and the anticipated duration of the exception.

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SIGNATURE OF EMPLOYEE

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PRINT NAME OF EMPLOYEE

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DATE

## **GENERAL RULES AND REGULATIONS**

This policy suggests several standards of conduct for all Goliad County employees. Most are standard procedures for any well-managed place of employment. Each department may have its own set of rules and guidelines, and if so, the elected/appointed official or department head will explain them and may provide an interdepartmental policy. Any elected/appointed officials or department head who have a written office policy shall file the policy with the County Judges Office. These specific policies may not supersede, violate, or contradict the general personnel policies of Goliad County Personnel Policy.

County employees should observe the following:

1. An employee's appearance and conduct reflect upon all Goliad County officials and employees and should be as outstanding as possible.
2. When dealing with the public in person or by telephone, courtesy is a necessity. If the answer to a question is unknown, try to find out or direct the person to the proper place.
3. Information concerning county business should be held in confidence. Most county records are available to the public through established procedures.
4. County equipment shall be used only for county business. Personal telephone calls shall be kept to a minimum.
5. All trips made for county business shall be reimbursed as per policy set by the Commissioners Court. No reimbursement will be made for entertainment, personal telephone calls, liquor, laundry, or similar expenses.

The privileges, duties, and responsibilities as a Goliad County employee are, of course, much more numerous than those briefly outlined in this policy. Questions about an employee's job should be addressed to their elected/appointed official or department head.

Always remember that Goliad County employees are public servants. Courtesy and consideration are the rights of the citizens that we employees serve. Our main objective is to serve the citizens of Goliad County and all of us must work together to accomplish this goal.

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## **EMPLOYMENT AT WILL**

All employment with Goliad County shall be considered “at-will” employment. Nothing contained herein shall be construed as creating a contract of employment except as specifically set out in paragraph.

No contract of employment shall exist between any individual and Goliad County for any duration except when the same shall have been specifically approved by the Commissioners Court pursuant to the laws of the state of Texas and only when fully executed by all parties authorized to execute the same.

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

Goliad County shall also have the right to change any condition, benefit, policy, or privilege or employment at any time, with or without notice.

Employees of Goliad County shall have the right to leave their employment with the county at any time, with or without notice.

## **EQUAL EMPLOYMENT OPPORTUNITY**

Goliad County is an equal opportunity employer. The County will not discriminate on the basis of race, color, religion, national origin, sex ( including pregnancy, gender identity, and sexual orientation), age, genetic information, veteran status, and disability, or any other condition or status protected by law in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by state or federal law or where a bona fide occupational qualifications exists. If an employee needs a reasonable accommodation because of a condition or status protected by law, please advise the elected/appointed official or department head and the County Judge.

## **REASONABLE ACCOMMODATION**

The County shall make reasonable accommodations for otherwise qualified disabled individuals to afford them the same opportunities for employment and all other benefits and privileges of employment afforded to non-disabled individuals.

Reasonable accommodations shall be determined through consultation with the disabled individual and/or through consultation with outside resources.

## **AMERICANS WITH DISABILITIES**

It is Goliad 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 (ADA), 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 an employee requires accommodation, please contact the elected/appointed official or department head. Reasonable accommodation shall be determined through an interactive process of consultation.

It is the policy of Goliad County to prohibit any harassment of, or discriminatory treatment of employees based on a disability or because an employee has requested 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 the elected/appointed official or department head or the County Judges Office. All elected/appointed officials or department heads and employees with responsibilities requiring knowledge are instructed to treat the employee's disability with confidentiality.

## **EMPLOYEE STATUS**

### **FULL TIME**

A regular full-time employee is one employed in a position which has a normal work schedule of at least 40 hours per week at the supervisor's discretion that is not specified as part time or temporary.

A regular full-time jailer is one employed in a position which has a normal work schedule of at least 80-86 hours in the 14-day work period at the sheriff's discretion that is not specified as part time or temporary. A regular full-time deputy is one employed in a position which has a normal work schedule or at least 80-86 hours in the 14-day work period at the sheriff's discretion that is not specified as part time or temporary.

Any full-time position must be approved by Commissioners Court prior to hiring.

### **Part Time**

A regular part-time employee is any employee in a position which has a normal work schedule of 29.5 hours per week at the supervisor's discretion.

These employees will be placed in TCDRS retirement system and receive partial vacation and sick leave.

### **Temporary**

A temporary employee, full or part-time, shall be any employee who is hired into a position which is expected to last for some specific duration not to exceed one year or until a specific project is completed. Temporary employees are not entitled to any county benefits.

### **Regular**

A regular employee shall be any employee, full or part-time, hired in a position which is not considered to be temporary.

### **CDL License**

Regular full-time employees hired into the road and bridge department must have a Class B or greater CDL License or obtain a Class B or greater CDL License within 3 months of employment. The CDL License must be appropriate for the machinery the employee will be operating. Part-time employees are not required to obtain a CDL License unless they are hired to operate equipment that requires a CDL License.

## **PERSONNEL FILES**

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

It is important that the personnel records of Goliad County be accurate at all times. To avoid issues compromising your benefit eligibility or having W2s returned, the Treasurer's office 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.

Performance Evaluations and disciplinary documents should be sent to the County Treasurer's office in sealed envelopes to be placed in their personnel file.

## **PERFORMANCE EVALUATIONS**

### **Purpose**

The performance evaluations are designed to help the supervisor and employee measure how well the employee is doing his or her job; to provide a tool for management decision regarding assignment, promotion, and retention of employees; and to identify performance problems that need to be addressed. A copy of the employee performance evaluation form can be found on the Goliad County website under the Treasurer's office.

### **Performance Evaluation Report**

Each County employee's work performance should be evaluated at least once a year prior to the anniversary date for his or her employment. An employee may be evaluated more than once a year at the discretion of the Department Head. The evaluation will be done on a form provided by the Treasurer's Office. New employees shall be evaluated at the completion of three months of employment.

The employee's supervisor will complete the performance evaluation report and meet with an employee in a setting that is private and free of distractions to explain and discuss the evaluation. Their supervisor will discuss with the employee any improvements in performance which appear desirable or necessary.

Employees are expected to sign the performance evaluation report to acknowledge their participation in the evaluation process and will receive a copy of the complete form.

Employees who are dissatisfied with their evaluation should put their objectives in writing and submit copies of their statement to their supervisor and their supervisor's immediate superior, who will review the employee's complaint and determine whether remedial action is warranted.

A copy of the performance evaluation report, including any statements by the employee, will be placed in the employee's personnel file.



## NEPOTISM POLICY

### Hiring Of Relatives

In accordance with the Texas Nepotism Statues, an elected or appointed official of Goliad County shall not hire a relative related in the third degree of consanguinity (blood) or the second degree of affinity (marriage) to work in a department which he or she supervises.

Goliad County has also adopted to not hire employees that are 1<sup>st</sup> degree relative in the same department.

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

Examples of Nepotism are listed below

RELATIVES BY DEGREES		
1 <sup>ST</sup> DEGREE	2 <sup>ND</sup> DEGREE	3 <sup>RD</sup> DEGREE
Spouse	Granddaughter and spouse	Great-granddaughter and spouse
Mother and spouse	Grandson and spouse	Great-grandson and spouse
Father and spouse	Grandmother and spouse	Great-grandmother and spouse
Daughter and spouse	Grandfather and spouse	Great-grandfather and spouse
Son and spouse	Sister and spouse	Niece and spouse
Mother-in-law	Brother and spouse	Nephew and spouse
Father-in-law	Sister-in-law	Aunt and spouse
Stepdaughter	Brother-in-law	Uncle and spouse
Stepson	Grandmother-in-law	Half-aunt and spouse
	Grandfather-in-law	Half-uncle and spouse
	Step-granddaughter	Great-grandmother-in-law
	Step-grandson	Great-grandfather-in-law
	Half-sister and spouse	Aunt-in-law
	Half-brother and spouse	Uncle-in-law
	Stepsister and spouse	Niece-in-law
	Stepson and spouse	Nephew-in-law
		Step-great-granddaughter
		Step-great-grandson
		Step-niece and spouse
		Step-nephew and spouse
		First Cousins

## **ORIENTATION AND TRAINING**

Before an individual begins performing actual duties for Goliad County, the employee should fill out necessary paperwork in the County Treasurer's office. Departments requiring physical examinations and drug tests should have these performed and have the results before reporting to work. The appropriate department head should then provide a digital copy of the employee manual and have the employee sign a statement of receipt and understanding of County policies. The signed acknowledgement will be kept in the employees' personnel file located at the Treasurer's Office.

## **ASSIGNED STAFF**

Staff who are assigned to the county but are paid directly by another government or private organization are not employees of the county. These employees' benefits are specified in the contract for services. As a condition of their assignment, such staff are governed by all terms of these policies not in conflict with their contract for services.

## VACATION POLICY

### **Purpose**

Goliad County recognizes the importance of vacation time in providing employees with the opportunity for rest, recreation, and personal activities.

All regular full-time employees are granted vacation time with pay. The amount of vacation is determined by years of service completed in the current calendar year and employee schedule.

Beginning January 1, 1999, vacation time shall be accrued each pay period. For new employees, the employee will start accruing vacation hours the first of the month following 90 days of employment.

- A. All regular full-time employees will accrue vacation time as follows.

YEARS OF SERVICE	HRS ACCRUED PER PAY PERIOD	ANNUAL ACCRUAL HOURS
1-5	3.08	80
6-10	4.62	120
11+	6.15	160

An employee who is hired or terminated in the middle of a pay period will earn a prorated amount of vacation time based on the number of hours worked.

6. All regular part-time employees working 25 hours per week will accrue vacation time as follows:

YEARS OF SERVICE	HOURS ACCRUED PER PAY PERIOD
1-5	.04/ hr. worked.
6-10	.06/ hr. worked.
11 +	.08/ hr. worked.

## **VACATION POLICY CONTINUED**

### **Maximum Accrual**

The maximum amount of unused vacation that an employee shall be allowed to carry over in a calendar year shall be the amount the employee would normally accrue in twelve (12) months.

### **Scheduling**

Vacations are scheduled for the mutual convenience of the County and employees. With supervisor approval, vacation time can be taken anytime during the year. Employees shall not be paid for vacation in lieu of using vacation time.

### **Holiday during vacation**

If a holiday falls during an employee's vacation, the holiday shall be charged in accordance with the Policy on Holidays and shall not be charged against the employee's vacation time.

### **Termination**

If employment is terminated in good standing by the department head, including retirement, employees are paid for unused vacation time up to the maximum amount they may accrue in one year.

### **Record Keeping**

Each employee shall be responsible for accurately recording all vacation time used on his/her time sheet.

## **SICK LEAVE POLICY**

### **Eligibility**

All regular full-time employees shall be eligible for paid sick leave benefit. Regular part time employees working 30 hours or more each week shall be eligible for paid sick leave benefit at a prorated rate each pay period.

### **Accrual Rate**

Eligible full-time employees shall accrue sick leave at the following bi-weekly rates:

- 3.08 hours for employees with 1-5 years of service
- 4.62 hours for employees with 5-10 years of service
- 6.15 hours for employees with 11+ years of service

Eligible regular part time employees shall accrue sick leave at the following bi-weekly rates:

- 2.50 hours for employees with 1-5 years of service
- 3.50 hours for employees with 5-10 years of service
- 4.50 hours for employees with 11+ years of service

### **Maximum Accrual**

The maximum amount of sick leave an employee may accrue is (480 hours).

Employees are encouraged to donate sick time to the sick leave pool.

### **EMS Accrual Rate Sick & Vacation**

- 3.69 hours per pay period for employees with 1-5 years of service
- 5.53 hours per pay period for employees with 5-10 years of service
- 7.38 hours per pay period for employees with 11 + years of service

### **Use Of Sick Leave**

Sick leave may be used for the following purpose:

- A. Illness or injury of the employee.
- B. Appointments with physicians, optometrists, dentists, or another qualified medical professional.
- C. To attend to the illness or injury of a member of the employee's immediate family.

## **SICK LEAVE POLICY CONTINUED**

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.

### **Notification**

In planned or emergency use of sick time, an employee should notify his/her supervisor as soon as is reasonably practical.

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.

### **Documentation**

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 of employee or family member.

Documentation of illness or injury shall be required for any sick leave used during two (2) weeks prior to resignation of employment with the county.

### **Pay At Termination**

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

### **FMLA**

It shall be the responsibility of Goliad County to determine if leave should be designated as the Family Medical Leave Act (FMLA) leave based on information provided by the employee, which may include certification by the employee's physician. Said determination will be made and employees will be notified under the guidelines of the FMLA.

Employees who do not qualify for leave under the Family Medical Leave Act will be terminated at the end of 60 days of leave. Employees may be eligible for reasonable accommodation under the Americans with Disabilities Act and the County will make determinations based on individual circumstances in accordance with the federal law.

## HOLIDAYS POLICY

### **HOLIDAYS**

The County holidays are determined by the Commissioners' Court prior to January 1 each year.

All regular full-time employees are allowed a day (8 hours) off from work with pay for each holiday.

Holiday pay for employees starts after a 90-day probationary period.

### **Christmas Holiday**

Christmas holidays are scheduled to give most employees four consecutive days off, except when Christmas Day falls on Wednesday. The Christmas holidays schedule is:

#### CHRISTMAS FALLS ON

Saturday or Sunday  
Monday  
Tuesday  
Wednesday  
Thursday  
Friday

#### COUNTY HOLIDAYS ARE

Friday and Monday  
Monday and Tuesday  
Monday and Tuesday  
Tuesday and Wednesday  
Thursday and Friday  
Thursday and Friday

### **Other Holidays**

If an official county holiday falls on Saturday, the county holiday is observed the preceding Friday.

If an official county holiday falls on Sunday, the county holiday is observed the following Monday.

### **Vacation**

If a holiday occurs while an employee is on vacation, the employee does not need to claim vacation hours in lieu of holiday hours. Vacation hours will only be used to bring the employee up to the normal required work week hours; (I.E. a 40 hour a week employee on vacation during an 8-hour holiday time will need to claim only 32 hours vacation taken).

### **Holidays That Fall on A Day Off**

If a holiday occurs during an employee's regular scheduled day off, the employee may take their scheduled day off and will be allowed to take the holiday hours off on another day during the two weeks' pay period or if the employee is unable to take the time, he/she will be paid for the holiday if that position is budgeted for holiday pay.



## **HOLIDAYS POLICY CONTINUED**

### **Work On Holidays**

If an employee is scheduled to work or called in for an emergency to work on a holiday, the employee will be allowed to take the holiday hours off on another day during that two-week pay period or if the employee is unable to take the time, he/she will be paid for the holiday.

## **EMERGENCY CLOSINGS AND INCLEMENT WEATHER POLICY**

### **Emergency Closings**

When adverse weather conditions result in widespread hazardous travel conditions the Goliad County Judge or designee may grant administrative leave to employees. Administrative leave is defined as paid time off at the employee's regular pay rate.

### **Time Reporting**

When the Goliad County Judge or designee officially closes an office due to adverse weather conditions, time shall be reported as follows:

- Administrative leave shall be granted for scheduled work hours missed during the closing. An employee shall not be required to use the vacation hours missed while the office was officially closed.
- Any employee in a non-emergency position who worked his/her scheduled hours while an office was closed, will report the hours as regular hours worked. Such an employee shall receive compensatory time for the regularly scheduled hours worked while the office was officially closed.
- An employee who was not scheduled to work during the hours that the office was officially closed shall not receive administrative leave for the hours that the office was closed.

### **Administrative Leave for Officially Closed Roadways**

An employee who is unable to travel to work may be granted administrative leave for scheduled work hours missed when an office is not officially closed if:

- A particular geographical area has widespread officially closed major roadways due to adverse weather conditions.
- No practical alternative routes are available.

## **ESSENTIAL PERSONNEL FOR LOCAL DECLARED DISASTERS & EMERGENCY RESPONSE**

Local Declared Disasters shall include the following Essential Personnel:

- County Judge
- Emergency Management Coordinator
- Sheriff's Office
- Constables
- Fire Marshall
- Dispatch
- EMS
- LEPC/Crisis Planning Committee
- County Commissioners
- JPs
- Auditor
- Treasurer
- IT Coordinator

Essential Personnel will also include any personnel that is called in to work by their direct supervisor.

In the event of a Declared Disaster in Goliad County & the Goliad County EOC is activated, all essential personnel will be paid at a rate of time and a half of their normal pay rate until deactivation. The Emergency Management Coordinator will be responsible for tracking personnel time logs.

## **JURY DUTY LEAVE POLICY**

### **Jury Duty**

Employees of Goliad County who are called for jury duty shall receive their regular pay for the period they are called for jury duty. Employees must provide proof of jury duty to their direct supervisor. All documents will need to be copied to the Treasurer's office and placed in employee's personnel file.

Any fees paid for jury service may be kept by the employee.

### **Official Court Attendance**

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 or state shall be entitled to leave with pay for such period as his/her court attendance may require. Employees must provide proof of court duty to their direct supervisor. All documents will need to be copied to the Treasurer's office and placed in employee's personnel file.

### **Private Attendance**

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, comp time, or leave without pay.

## **MILITARY LEAVE POLICY**

### **Guard and Reserve**

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.

Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which shall fall within the employee's normal work schedule.

An employee may use annual leave, earn compensatory time, or leave without pay if he/she must attend Reserve or National Guard Training sessions or any active duty more than the fifteen (15) day maximum.

### **Orders**

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

### **Active Military**

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

## **FEDERAL MILITARY LEAVE (USERRA) POLICY**

### **Eligibility**

All Goliad County employees who are member of the “uniformed services” and “ununiformed services” defined {38 U.S.C. Section 4303 (13 & 16) } the commissioned corps of the Public Health Service, or any other category of person designated by the President in time of war or emergency are eligible for military leave for active duty, active duty for training, initial active duty for training, inactive duty training, full time National Guard duty, or absence to determine the employees fitness to serve in the Armed Forces.

### **Leave Of Absence**

Employees must provide advance written or verbal notice to his/her immediate supervisor that the employee will be leaving the job for military service or training. Notice may also be provided by an appropriate officer of the uniformed service in which military service is performed.

### **Extended Leave of Absence**

Employees will be granted leave as required to fulfill their obligations. In general, military leave shall be limited to a cumulative period of five (5) years, which may be extended as required by law.

### **Health Benefits While on Leave**

Employees on leave for military service are eligible for continued coverage for themselves and their dependents under Goliad County’s health plan for up to 24 months. This continuation of coverage will be discontinued if the employee fails to apply for or return to employment. The employee must pay for premiums for this coverage if he/she chooses to continue coverage under Goliad County’s group health plan while on military leave.

If the employee is in military service for less than 31 days, he/she is only required to pay the same employee share of the premium that he/she paid as an active-duty employee. If the employee is in military service for more than 31 days, he/she must pay 102 percent of the full premium under the plan, the same premium that would be paid for COBRA coverage.

### **Other Benefits While on Leave**

An employee who is absent from military service is entitled to participate in any rights or benefits, not based on seniority, which are provided to other Goliad County employees on paid or unpaid leave of absence.

Employees must pay the employee’s cost of benefits provided while he/she is on military leave to the same extent that other employees on leave of absence are required to pay. Employees who fail to pay the employee cost may not be provided with benefits.

## **MILITARY LEAVE (USERRA) POLICY CONTINUED**

### **Return From Military Service**

Goliad County will restore an employee who returns from military leave to the position he/she would have attained if continuously employed or a position of like seniority, status, and pay, the duties of which the employee is qualified to perform, provided the employee receives a satisfactory discharge and returns to or reapplies for work within the time required by law.

For periods of military leave of less than 31 days, the employee must report for work at the beginning of the first full regularly scheduled shift on the first full calendar day following his/her completion of military service and expiration of time for safe transportation back to his/her residence plus eight hours.

If the period of the military service is more than 30 days but less than 181 days, the employee must apply for re-employment no later than 14 days following completion of military service, or as soon as possible, if failure to make timely application is through no fault of the returning employee.

If the period of military service was more than 180 days, the employee must apply for re-employment not later than 90 days after completion of military service.

All the above limits must be extended by a period of up to two years if an employee is hospitalized or convalescing from an illness or injury incurred in, or aggravated during, the performance of military service.

### **Benefits on Re-Employment**

An employee is entitled to the seniority and other benefits determined by seniority that the employee would have attained had he/she remained continuously employed upon re-employment.

A right or benefit is seniority-based if it is determined by or accrues with length of service. On the other hand, a right or benefit is not seniority-based if it is compensation for work performed or is subject to a significant contingency.

### **Forfeiture Of Rights**

(Sec. 4316 (b)(2)(A)(ii). If prior to leaving for military service an employee knowingly provides clear written notice of an intent not to return to work after military service, the employee waives entitlement to leave-of-absence, rights and based on seniority. Notice of intent waives all leave-of-absence rights and benefits. They cannot surrender other rights and benefits that an employee would be entitled to under USERRA, particularly employment rights.

## **FUNERAL LEAVE POLICY**

### **Family Funeral Leave**

Employees shall be allowed up to three days leave with pay for death in the immediate family.

For purposes of this policy, immediate family shall include father, mother, sister, brother, wife, husband, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandchildren, or grandparents, (of either the employee or the employees' spouse).

### **Additional Leave**

If leave is needed beyond the limits set forth in this policy, it may be charged to available vacation time, compensatory time or to leave without pay.



## MEDICAL INSURANCE POLICY

### **Eligibility**

All regular full-time employees scheduled to work at least 30 hours or more a week, per ACA, shall be eligible for the group medical insurance. In addition, employees eligible for group medical insurance will also receive a life insurance benefit. This will become effective after the 90 days from the new hire date. Premiums for the coverage for eligible employees shall be paid by the county.

### **Dependent Coverage**

Eligible employees may cover their qualified dependents by paying the full premium for the dependents by payroll deduction.

### **Extension Of Coverage**

A full-time employee covered under the County's group insurance shall be eligible for continued group insurance coverage only upon retirement from the County or under the Consolidated Omnibus Budget Reconciliation Act (COBRA), at their own expense.

To be eligible for the insurance retirement benefit, a person must be a regular full-time employee of Goliad County for 8 years and must be eligible to retire from County service by meeting the County's TCDRS' eligibility requirements for retirement benefits. Those eligible shall include regular, full-time employees who are paid from the general fund of the County, from a special fund of the County, or from special grants paid through the County.

The County's group insurance will be the primary insurance until a retiree is eligible for Medicare and will cease when a retiree becomes Medicare eligible. The retiree will be responsible for one hundred percent (100%) of the premium for himself and any dependents. **Premiums for spouses and dependents cease at midnight on the last day of any month in which the premium is not received in the Treasurer's office when due.**

### **Life Insurance**

Employees shall have a limited amount of life insurance on themselves as part of their group medical insurance coverage.

## MEDICAL INSURANCE POLICY CONTINUED

### **Cobra**

If a qualifying event occurs and a family member loses coverage under the County's health insurance plan, he/she may be eligible to purchase extended coverage at his/her own expense.

Loss of coverage may occur due to termination, lay off, death of employee, divorce, or loss of coverage due to children ceasing to be a dependent child under the terms of the county's health insurance plan.

The Maximum time that coverage can be extended is 18 months for an employee and 36 months for a dependent. Employees (and their eligible dependents) on military leave under USERRA regulation may elect up to 24 months of continued coverage under COBRA.

Upon notification from an employee that a qualifying event has occurred. Goliad County will notify the health insurance carrier to mail the employee a COBRA letter, which will include the rates, premium due, and due dates. **Premiums for spouses and dependents cease at midnight on the last day of any month in which the premium is not received in the Treasurer's office when due.**

## **WORKERS COMPENSATION POLICY**

All non-exempt County employees shall be paid an hourly salary. Some employees may have the classification of hourly employees paid on a salary basis, but they remain non-exempt for FLSA purposes. Exempt employees shall receive a weekly salary for all hours worked. For full-time non-exempt employees, the monthly salary compensates the employee for all hours worked up to 40 hours in any work week.

For part-time regular employees, the monthly salary compensates the employee for all hours worked in a work week 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.

### **Eligibility**

All Goliad County employees are covered by workers compensation insurance while working on duty for the county.

### **Benefits**

Workers' compensation insurance pays for medical bills resulting from injury or illness an employee incurs while carrying out the duties of his/her job.

Workers' compensation also pays a partial salary continuation benefit for time lost from work after seven calendar days as the result of eligible work-related injuries or illness. (Exception: Jailers and deputies are guaranteed 100% of salary continuation as stated by the State Constitution from the 1<sup>st</sup> date of injury).

### **Accident Reporting**

Any employee who suffers a job-related injury or illness shall be required to notify his/her supervisor as soon as possible. A copy of the incident report can be found on the Goliad County's website under the County Treasurer's office.

Failure to promptly report job related illness or injuries may affect an employee's eligibility for benefits or delay benefit payments which are due.

### **Physicians' Release**

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

### **Contributory Factors**

An employees workers compensation benefit may be adversely affected and deniable if the employee is injured while under the influence of alcohol, drugs, or while the employee is engaging in inappropriate behavior such as horseplay.

Employees out on Worker's Compensation leave will not accumulate sick, vacation or holiday benefits.

### **FMLA**

Goliad County designates absence from work because of a Workers Compensatory injury or illness as FMLA leave if applicable and will notify employees of this designation as appropriate. (See FMLA Policy)

## **RETURN TO WORK POLICY**

### **Policy Overview**

This policy covers employees who are on leave due to an occupational injury or illness. Because employees are our most valuable resources, Goliad County attempts to help employees return to work as soon as possible after their physician certifies their fit to do so.

### **Coordination With Attending Physician**

An employee on leave due to a work-related disability can return to work only when Goliad County receives the attending physician's written medical release authorizing such return. Goliad County Judge, Goliad County Treasurer, in conjunction with the elected official and/or employees' supervisor, is responsible for providing the physician with a copy of the employee's job description, copies of job descriptions for potential light-duty assignments and written information explaining Goliad County's return-to-work policy.

### **Job Descriptions**

Each elected official is responsible for working with supervisors to ensure that job descriptions accurately and completely describe the essential functions of each position. Each elected official works with the County Judges Office to analyze any new light-duty position and develop a job description describing the essential functions of that position.

### **Return To Work Options**

Arrangements to facilitate an employee's early return to work are made in consultation with the employees attending physician and or other qualified medical professionals retained by the County or its insurance carrier. The following options are explored:

Return to prior position. An employee is offered the opportunity to return to his/her prior position if the attending physician certifies that the employee can perform the essential functions of the job with or without reasonable accommodations. The County Judge is responsible for working with the employee's supervisor, the elected official, and attending physician (and third-party consultants, as necessary) to provide any reasonable accommodations.

Modified Duty. Any employees who are not yet able to return to their former duties are offered (subject to restrictions) a temporary modified-duty assignment that has been approved by the employee's attending physician. The County Judge is responsible for working with the employee's supervisor, the elected official, and attending physician (and third-party consultants, as necessary) to provide and implement the modified-duty assignment. The assignment can consist of the employee's regular job reduced working hours and/or activities, or an alternative modified-duty position.

## **RETURN TO WORK POLICY CONTINUED**

### **Restriction On Modified Duty Assignments**

The following restrictions apply to modified-duty assignments. There is no guarantee of work. The County must endeavor to return employees to gainful employment as soon as possible by exploring possible modified-duty assignment. However, Goliad County does not guarantee the availability of modified-duty work.

### **Restriction On Modified Duty Assignments Continued**

Pay rates and workers compensation benefits. Employees on modified duty are not guaranteed the rate of pay they received for the position they held at the time they sustained their work-related injury or illness. Employees receive temporary income benefits from workers' compensation to supplement this income to a pre-injury level. (Exception: Commissioned Law Enforcement officers are guaranteed 100% of salary by the State Constitution while incapacitated under Workers Compensation standards whether on modified-duty assignments or not). The pay rate for a modified-duty assignment is based on knowledge, skills, and abilities required for the job as well as general market conditions. Employees who return to work in modified duty positions before they have reached maximum medical improvement are eligible for temporary partial disability benefits held at the time they sustained the work-related accident or illness. Employees in modified-duty positions are not permitted to supplement their workers compensation benefits by using their accrued vacation, personal, or medical sick leave.

Modified-duty assignments are temporary arrangements intended to complement and facilitate the healing process. Modified-duty assignments cannot exceed 12 weeks without approval from the County Commissioners' Court.

### **Employee Refusal of Work/Training**

If an employee refuses to return to regular or modified duties in response to a written, bona fide offer of employment by Goliad County sent via certified mail, the employee is separated from employment and his/her position will be filled permanently. (NOTE: An exception to this rule applies in the case of employees who have not yet exhausted their FMLA leave entitlement.

A written offer of employment must clearly state: the position offered and duties of the positional; the County's agreement to any limitations or conditions set out in the attending physician's certification of the employees' fitness to return to work; the jobs essential functions; and the jobs wage, working hours, and location.

## **RETURN TO WORK POLICY CONTINUED**

### **Permanent Disabilities**

When reaching maximum medical improvement, an employee can have a permanent disability that impairs the employee's ability, with or without reasonable accommodations, to return to his/her regular position. The County, in consultation with the employee's attending physician and the workers compensation carrier may evaluate the following options:

Securing vocational rehabilitation services for Texas Rehabilitation Commission or private consultants, as appropriate. Services can include assessment and testing, counseling, and training.

Finding an open position at the County with the elected official's approval that commensurate with the employees' knowledge, skills, and abilities.

### **Medical Information**

All employee medical information is held in strict confidence in accordance with the Americans with Disabilities Act. Medical inquiries are limited to those permitted under Texas workers compensation statute and applicable federal law.

### **Coordination with FMLA**

Nothing in this policy should be construed as denying employees their rights under the Family and Medical Leave Act or any other federal or state law.

It is the County's policy to designate an employee's leave due to work related injury or illness as FMLA leave if applicable. To the extent permitted by FMLA, the county counts the period of an employees modified-duty assignment towards the employees FMLA entitlement.

Employees entitled to FMLA leave can voluntarily accept modified-duty assignments while they are recuperating; but they cannot be required to do so. Employees who lose their workers' compensation income benefits because of declining a modified duty assignment are required to substitute any available vacation, personal, or medical, sick leave, for unpaid FMLA leave.

Until employees have exhausted their 12 weeks of FMLA entitlement, they have the right to be reinstated to their original job or an equivalent job if they are able to perform the job's essential functions.

## **RETIREMENT POLICY**

### **Eligibility**

Regular full time and part time employees become members of the Texas County & District Retirement System (TCDRS), based on criteria set forth by TCDRS.

### **Contributions**

Eligible employees shall contribute to the TCDRS retirement program through payroll deduction.

Goliad County shall match the contribution of the employee in accordance with the retirement plan.

Employees become eligible for TCDRS pension, who:

Have 20-25 years of service credit at any age; or,

Are age 60 with 8 years of service credit; or,

Have combined years of service credit and age equaling 75 (Rule of 75).

### **Information**

Information on TCDRS retirement program may be obtained at the County Treasurer's office or [www.tcdrs.org](http://www.tcdrs.org)

## **POST EMPLOYMENT RETIREMENT POLICY**

### **Eligibility**

Retirees of a participating subdivision may be rehired only after a bona fide separation of employment and a break in service of their monthly annuity.

### **Bona Fide Separation**

A bona fide separation means there was no prior agreement or understanding between the employer and employee that the person would be rehired after retirement. An affidavit confirming no prior agreement must be signed by the retiree, the previous official/department head performing the rehire.

### **Break In Service**

A retiree who resumes employment with Goliad County must have a break in service of at least one full calendar month.

### **Same Position Reemployment**

The Commissioners Court may review the reemployment of a retiree into the same position the retiree vacated provided the retiree is documented as the most qualified candidate for the vacancy following the county's standard procedures for job posting and application review. Court review is solely for the purpose of determining any inconsistencies with this policy.

### **New Member**

Any retiree who is rehired consistent with this policy will establish a new membership with TCDRS and will be a new member for the purpose of beneficiary determination and benefit selections.

### **Inconsistent Rehire**

A retiree who is rehired inconsistent with any provision of this policy will be considered not to have retired from the system. Thus, the employee's service retirement annuity will be determined, and the person must return any payments received to TCDRS.



## **SOCIAL SECURITY POLICY**

### **Social Security**

All county employees shall participate in the Federal Social Security program which provides certain retirement, disability, and other benefits.

### **Contributions**

Contributions to this program shall be made by payroll deductions in accordance with the requirements of the program.

The County shall contribute an amount equal to the employee's contribution in accordance with the requirements of the program.

## **FAMILY & MEDICAL LEAVE ACT (FMLA) & MILITARY LEAVE (MFL) ACT POLICY**

The federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2009 requires employees with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week leave entitlement (Family and Medical Leave), as well as the military family leave entitlement (Family and Medical-MFL) described in this policy.

Employees with any questions about their eligibility for FMLA leave should contact the County Treasurers or County Judges Office for more information.

### **Eligibility**

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

- a. Have worked for Goliad County at least 12 months (it is not required that these 12 months be consecutive); and,
- b. Have worked at least 1250 hours during the previous 12 months.

### **Qualifying Events**

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

- a. The birth of a child and to care for that child;
- b. The placement of a child in the employees' home for adoption or foster care;
- c. To care for a spouse, child, parent with a serious health condition; or
- d. The serious health condition of the employee.

### **Serious Health Condition**

The serious health condition of the employee shall be defined as a health condition that makes the employee unable to perform the essential functions of his or her job.

Serious health condition of a spouse, child, parent shall be defined as a condition which requires inpatient care at a hospital, hospice, or residential care medical facility, or a condition which requires continuing care by a licensed health care provider.

### **Leave Amount**

Up to 12 weeks leave per 12-month period may be used under this policy for reasons listed above. The County will measure the 12-month period as a rolling period measured backward from the date an employee uses any leave under this policy for all FMLA and MFL leave (see below)

All leave taken under this policy during the prior 12-month period shall be subtracted from the employees FMLA or MFL leave eligibility and the balance is the leave the employees is entitled to take at that time.

If a husband and wife both work for the County, the maximum combined leave they shall be allowed to take in any 12 months for the birth or placement of a child is 12 weeks.

**FAMILY & MEDICAL LEAVE ACT (FMLA) & MILITARY LEAVE (MFL) ACT POLICY**  
**CONTINUED**

**Military Family Leave**

Under the MFL, there are two types of leave available:

1. A qualifying exigency leave.
2. Leave to care for a covered service member.

Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks for their FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employees' spouse, son, or daughter, in the Armed Forces (Regular, Reserve, or National Guard) is on active duty or called to active-duty status in a foreign country. Qualifying exigencies may include:

- a. Short notice deployment (up to 7 days of leave).
- b. Attending certain military events.
- c. Arranging alternative childcare.
- d. Addressing certain financial and legal arrangements.
- e. Periods of rest and recuperation for the covered military member (up to 5 days of leave).
- f. Attending certain counseling sessions.
- g. Attending post-deployment activities (available for up to 90 days after the termination of the covered military members active-duty status).
- h. Other activities that arise out of the covered military members active duty or call to active duty in a foreign country and agreed upon by the county and the employee.

There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces (Regular, Reserve, or National Guard) who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retire list. This also includes a 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 undergoes that medical treatment, recuperation, or therapy.

**Paid and Unpaid Leave**

If an employee has accrued leave, the employee shall be required to use appropriate paid leave for all FMLA or MFL leave. The maximum amount is 12 weeks for FMLA leave and MFL exigency leave and up to 26 weeks for MFL leave to take care of a covered service member.

**FAMILY & MEDICAL LEAVE ACT (FMLA) & MILITARY LEAVE (MFL) ACT POLICY**  
**CONTINUED**

**Insurance**

While on leave under this policy, the County shall continue to pay the employees medical insurance premium at the same rate as if the employee had been actively at work if there is a group health plan in effect.

The employee shall be required to pay for dependent coverage, and for any other insurance coverage for which the employee would normally pay, if there is a group health plan in effect, or the coverage is discontinued.

Payment for coverage under section of this policy shall be made through regular payroll deduction while the employee is on leave with pay.

While on leave without pay, 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 if there is a group health plan in effect.

**Intermittent Leave and Reduced Schedule**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employers' operations.

Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. All work time missed as the result of intermittent leave or a reduced work schedule under this policy shall be deducted from the employees FMLA/MFL leave eligibility.

**Physicians Statement and Certifications**

The County shall have the right to ask for medical information and certification of the serious health condition, from the employees' physician or medical provider or the employees' eligible dependent physician or medical provider when the employee request or is using leave under this policy. The county can also ask for certification for MFL leave.

The employees should respond to the request within 15 days of the request or provide a reasonable explanation for the delay. Certification of the serious health condition of the employee shall include:

- a. The date the condition began.
- b. Its expected duration.
- c. The diagnosis of the condition.
- d. A brief statement of the treatment; and
- e. 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.

**FAMILY & MEDICAL LEAVE ACT (FMLA) & MILITARY LEAVE (MFL) ACT POLICY**  
**CONTINUED**

Certification of the serious health condition of an eligible family member shall include:

- a. The date the condition began.
- b. Its expected duration.
- c. The diagnosis of the condition.
- d. A brief statement of treatment; and
- e. A statement that the patient requires assistance, and that the employee's presence would be beneficial or desirable.

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.

The County shall have the right to ask for a second opinion from a physician or medical provider of the County's choice, at the expense of the County, if the County has reason to doubt the certification.

If there is a conflict between the first and second medical 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 County, and this third opinion shall be considered final.

**Requesting Leave**

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. FMLA & MFA forms are available on the Goliad County website.

Where practicable, an employee should give his or her immediate supervisor at least 30 days' notice before beginning leave under this policy.

When 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.

**FAMILY & MEDICAL LEAVE ACT (FMLA) & MILITARY LEAVE (MFL) ACT POLICY**  
**CONTINUED**

**Reinstatement**

Employees returning from leave under this policy, and who have not exceeded the FMLA/MFL 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.

When 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 number of weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave.

**Repayment Of Premiums**

Except in situations where the employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or other situations beyond the control of the employee, an employee who does not return to work after using the maximum number of weeks leave allowed under this policy shall be required to reimburse the County for all medical premiums if there is a group plan in effect and paid by the county.

**Other Benefits**

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

**Other Issues**

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 issues to implement it.

## **SICK LEAVE POOL POLICY**

### **Purpose**

A Sick Leave pool shall be established to provide a source of additional sick leave for those employees who have exhausted all accrued paid leave because of catastrophic illness or injury. A copy of the Goliad County Sick Pool Policy and application can be found on the Goliad County website under Treasurers Office.

### **Catastrophic Illness/Injury**

Catastrophic illness or injury means a severe condition combination of conditions affecting the mental or physical health of an employee or employee's immediate family that requires the service of a licensed practitioner for a prolonged period.

Examples of qualifying catastrophic illness or injuries generally considered include, but not limited to:

1. Stroke with residual paralysis or weakness.
2. Incapacitating heart attack.
3. Major Surgery (Hysterectomy, mastectomy, heart bypass, prostate, etc.).
4. Cancer/Hepatitis.
5. Broken Hip.
6. Car wreck requiring hospitalization.

Examples of illness or injuries that generally would not be severe enough to be catastrophic include, but would not be limited to:

1. Broken bone.
2. Cold/Allergy.
3. Minor surgery with no complications such as appendectomy, tonsillectomy, or day surgery.
4. Pregnancy with minor or no complications.

### **Eligible Employee**

Eligible employee is one who has one or more years of continuous employment with Goliad County; is a regular employee of Goliad County with a normal work schedule of at least 30 hours per week; has enrolled and donated to the Sick Leave Pool and has exhausted all accrued paid leave.

## SICK LEAVE POOL POLICY CONTINUED

### **Allowable Hours**

The following breakdown of sick-pool hours based on 8 hours per day for full-time employees and 6 hours per day for part-time, could be granted according to time of service and type of illness.

Full Time Years of Service	Allowable Workdays
1-5	30
6-10	42
11+	60

Part Time Years of Service	Allowable Workdays
1-5	15
6-10	21
11+	30

### **Immediate Family**

An immediate family consists of an employee's spouse, son, daughter, or parent.

### **Pool Administrator**

The Sick Leave Pool Administrator shall be the Goliad County Treasurer.

### **Donations**

Employees who wish to donate to the Sick Leave Pool may do so in January each year. Donations of at least 8 and no than 40 hours for full-time and 4 hours for part-time employees must be made in January each year to stay active in the pool. Employees leaving employment may donate up to 8- hours at time of termination. For employees wishing to donate, forms may be picked up at the Goliad County Treasurer's office.

### **Applying for Sick Leave Pool**

An eligible employee may withdraw leave from the Sick Leave Pool by submitting a sick leave Pool Application and a Licensed Practitioner Statement Form. Both application and Licensed Practitioner forms are available at the Goliad County Treasurers office.



## **FRINGE BENEFITS POLICY**

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

## **INTRODUCTORY PERIOD**

All new regular employees serve a 90-day probationary period. During the probationary period, the employee will not accumulate leave.

## **CAFETERIA PLAN**

The county offers a “cafeteria plan” at the employee’s option. This plan provides payroll deduction for insurance premiums and optional insurance coverage.

## **CREDIT CARD USE POLICY**

### **ISSUANCE OF CREDIT CARD**

1. The cards are issued, and account balances will be billed to the County Auditor's office. It is the card holder's responsibility to ensure that the card is properly used. It is the card holder's responsibility to safeguard his/her issued card to the same degree that they safeguard their own personal credit card and credit information. All employees that are issued a Goliad County Credit Card must sign an affidavit that states they have read and understand this policy on credit card use. All credit cards in use prior to the adoption of this policy are subject to the guidelines of this policy. All credit card purchases shall adhere to the purchasing policy and the adopted budget. Cardholders must remember that this is a payment method only, and all other purchasing processes, including proper procurement and County tax exemption must be obtained before a purchase can be processed. A tax exemption form can be obtained from the Auditor's Office.
2. The Auditor's office will have a county credit card to check out as needed. The credit card will need to have a signed user agreement form filled out prior to checking out.

### **USE OF CREDIT CARD**

1. Credit cards are for business related expenses including travel and general purposes. Credit card types are purchases/merchant and fuel cards. All travel expenses can be paid with a card including registration, hotels, meals, airfare, and car rentals.
2. Upon use of the credit card, each cardholder must code per the budget line item and provide receipts/credit memos to each transaction within five (5) days to the Auditors Office. In the event a receipt has been misplaced, the employee and department head must sign a Missing Receipt Affidavit form provided by the Treasurer & Auditors Office.
3. Fuel credit cards are for county vehicle use only unless Authorized by a direct supervisor during an emergency. A signed request from the direct supervisor will be required.

### **REIMBURSEMENT FOR CARD EXPENSES**

1. Each employee who uses a personal credit card will be required to retain receipts for all expenses.

### **SALES TAX**

1. Employees must recognize when setting up their credit card charges with the vendor, supplier, or hotel, that state sales tax and tips cannot be included and will not be reimbursed to the employee. See #1 for tax exemption.
2. Goliad County will request reimbursement from the employee for any purchases not authorized. If the employee fails to submit payment, the amount will be deducted from the employee's pay.

## **CREDIT CARD USE POLICY CONTINUED**

### **DISPUTE A CHARGE**

1. The cardholder must report a charge not authorized as soon as discovered to the Auditor's Office. The Auditor's office will notify the credit card company and begin the process and document the dispute.

### **UNAUTHORIZED CREDIT CARD USE**

- a. A purchase for personal use or any other purchase not connected with county business.
- b. A cash advance.
- c. Purchases made to bypass the purchasing policy and/or procurement.

### **VIOLATION OF POLICY**

1. Failure of a cardholder to submit receipts within five (5) business days may result in an employee's wages to be deducted until all obligations are paid in full. An employee will lose the right to use a county credit card if they habitually fail to submit the receipts within the time period. All late fees shall be paid for by the employee.

### **SEPERATION OF EMPLOYMENT**

1. Credit cards should be returned to the County Auditor's Office upon termination of employment. All receipts must be submitted with the card for any charges. All credit card charges will be reviewed prior to final paycheck to employees.

## **Part-Time Carryover Hours Policy**

Part-Time Max Rollovers per year of service will be;

0-4 years of service	65 hours
5-10 years of service	100 hours
11 years of service plus	120 hours

## **“ADMIN” PAY POLICY**

All “Admin” pay request will be sent to the County Judge. The County Judge will consider all requests and make a final decision by the end of the day each request is received.

## **ATTENDANCE AND TIMELINESS POLICY**

### **Attendance**

Each employee shall report to work on each day he/she is scheduled to work unless prior approval for absence is given by the employee's supervisor, or the employee is unable to report for work because circumstances beyond the control of the employee.

### **Tardiness**

Each employee shall be at his/her place of work at the starting time set by his/her supervisor unless prior approval is given by the supervisor, or the employee is unable to be at work on time for reasons beyond the control of the employee.

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.

### **Notification**

If an employee is unable to be at work at his/her normal reporting time, the employee shall be responsible for notifying his/her supervisor in a reasonable timeframe of the circumstances causing tardiness or absence.

### **Excused And Unexcused**

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

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



## **CONFLICT-OF-INTEREST POLICY**

### **Conflict-Of-Interest**

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

Employees involved in conflict-of-interest situations shall be subject to discipline, up to and including termination.

### **Prohibited**

Activities which constitute a conflict of interest shall include but are not 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 employees' private interests and his/her duties for the county.
- 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.

## POLITICAL ACTIVITY POLICY

### **Political Activity**

Employees of Goliad 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:

- A. Use their official authority or influence to interfere with or affect the result of any election or nomination for office,
- B. Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political reason; or
- C. Use any equipment, property or material owned by the County for political activity.

## **SAFETY POLICY**

### **Purpose**

Goliad County's policy on safety is to provide healthy and safe working conditions for all its employees.

### **Safety Standards**

Each County employee shall be required to adhere to the general safety standards established for all employees and to all additional safety standards for his/her job or the department in which he/she works.

### **Violations**

Failure to follow the safety standards set by the County shall make an employee subject to disciplinary action, up to and including termination.

### **Accident**

An employee causing an accident resulting in major injury or death because of failure to follow safety standards shall be terminated.

### **Reporting**

Employees observing unsafe working conditions shall take action to correct those conditions and/or report the unsafe conditions to their immediate supervisor. The employee's department head must notify the County Judge and the County Treasurer's office of the accident on the day of the accident or the nearest business day to the accident occurrence. The employee is responsible for reporting the accident immediately to their department head and then filing a written statement with the Treasurer's office that day or the business day nearest to the accident. A copy of any accident report involving County equipment, or vehicles must be forwarded to the Department head as soon as the law enforcement investigation is completed. A copy of the incident report must be filed with the County Auditor and in the personnel file in the County Treasurer's office of the employee involved.

## **COUNTY PROPERTY POLICY**

### **Responsibility**

County employees shall only use equipment, vehicles, tools, and other County property that they are authorized to use.

Only county employees can operate county owned vehicles.

Each employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other county equipment assigned to him/her.

### **Personal Use**

Personal use of County vehicles, equipment, supplies, tools, and other county property shall not be permitted.

### **Licenses**

A County employee who operates any County equipment or vehicle which requires a license shall be required to have a current active license and/or current CDL license if applicable for that vehicle or equipment any time he/she operates it.

- A. An employee shall notify his/her supervisor of any change in the status of that license.
- B. An employee shall be subject to possible job change or termination if that license is suspended or revoked,
- C. An employee who is deemed uninsurable by the County's vehicle insurance carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination.

### **Accidents**

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to his/her supervisor and to the proper law enforcement or other authorities.

## **SEXUAL HARASSMENT POLICY**

It shall be the policy of Goliad County to provide a workplace 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.

### **Definition**

Sexual harassment shall include, but not limited to, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- A. Submission to such conduct is either an expressed or implied condition of employment,
- B. Submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person or,
- C. 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.

### **Claims**

All claims of sexual harassment shall be taken seriously and investigated.

While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.

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

### **Reporting**

Employees who feel they have been sexual 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, another member of the Commissioners Court, or to the County Attorney.

The official or department head to which the claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

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

### **Other Rights**

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 regarding sexual harassment charges.

## **ANTI-HARASSMENT POLICY**

### **Policy Statement**

The County strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. The work environment should be characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Employees should be able to work and learn in a safe yet stimulating atmosphere. The accomplishment of this goal is essential. For that reason, the County will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the County will seek to prevent, correct, and discipline behavior that violates this policy.

### **Prohibited Conduct**

Discrimination:

- A. It is a violation of this policy to discriminate in the provision of employment opportunities, benefits, or privileges, to create discriminatory work conditions, or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person race, color, national origin, age, religion, disability status, gender, sexual orientation, or marital status.
- B. Discrimination of this kind may also be strictly prohibited by a variety of federal, state, and local laws, including Title VII of the Civil Rights Act 1964; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.
- C. Discrimination in violation of this policy will be subject to severe sanctions up to and including termination.

Harassment, including sexual harassment, is prohibited by federal and state laws. This policy prohibits harassment of any kind, and the County Judges office will take appropriate action swiftly to address any violations of this policy. The definition of harassment is verbal or physical conduct designed to threaten, intimidate, or coerce. Also, verbal taunting (including racial and ethnic slurs) which, in the employee's opinion, impairs his/her ability to perform his/her job.

Examples of harassment are:

- A. Verbal: Comments which are not flattering regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body disability, or appearance. Epithets, slurs, negative stereotyping.
- B. Non-Verbal: Distribution, display, or discussion any written or graphic material that ridicules, denigrates, insults, belittles, shows hostility, or aversion toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance disability, martial or other protected status.

## **ANTI-HARASSMENT POLICY CONTINUED**

### **Claims**

All claims of harassment shall be taken seriously and investigated. While all claims of harassment shall be handled with discretion, there can be no complete assurance of full confidentiality. No retaliation or other adverse action shall be taken against an employee who, in good faith, files a claim of anti-harassment.

### **Reporting**

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, another member of Commissioners Court, or to the County Attorney.

The official or department head to whom a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

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

### **Other Rights**

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 regarding anti-harassment charges.

## **DRESS CODE POLICY**

Goliad County expects all employees to be well groomed, clean, and neat at all times. Each department will determine the type of attire that is acceptable. It is just as essential that you act in a professional manner and extend the highest courtesy to co-workers and to the public being served. A cheerful and positive attitude is essential to our commitment to customer service.



## **DEMOTIONS, TRANSFERS, AND PROMOTIONS POLICY**

### **Demotions**

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

An employee's position with the County is a public trust. An employee can be demoted or terminated from their job for a variety of reasons. Some of the more critical are:

- Poor or incompetent performance
- Insubordination
- Deliberate or negligent abuse of County Property
- Abuse of benefits
- Unauthorized use or disclosure of official property
- Excessive or unauthorized absences
- Falsification of documents or records
- Theft of County Property or fellow employees
- Violence or threats of violence
- Harassment, sexual harassment, or discrimination

The above-mentioned reasons for disciplinary procedures are only a guideline, are not all inclusive, and are not intended to apply to every situation. These guidelines are not meant to change and do not change the employment at-will policy.

### **Transfers**

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

### **Promotions**

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

## **BREAKS POLICY**

Breaks are determined by each department head and are not required to be given. If your department provides you with a break, they may not be accumulated or used for time off. The Fair Labor Standards Act does not require any breaks other than for nursing mothers.

## **OUTSIDE EMPLOYMENT POLICY**

Goliad County employees are expected to give their full and undivided attention to their job duties. They should not use county facilities or equipment or their association with Goliad 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 Goliad County that interferes with the employees assigned duty.

## **CONFIDENTIALITY POLICY**

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

Regarding the personnel information on employees of Goliad County; the county will adhere to all open record requests and such requests will be reviewed and approved by the County Judge or the County Attorney. Information will be released in accordance with Texas State Law.

## **VIOLENCE IN THE WORKPLACE POLICY**

It is the goal of Goliad County to provide a safe and secure work environment for employees free of violence. Thus, acts of threats of violence by any employees against another person will not be tolerated while on duty. Employees should promptly report any such conduct or threats. (Further, any employees who engages in fighting, physical attacks, assaults, intimidation, or makes threats of physical violence or of an attack or assault will be subject to discipline up to and including immediate termination of employment). Employees are prohibited from stealing, damaging, or destroying property, and are also prohibited from threatening to steal, damage, or destroy property of others, including County property.

## **TELEPHONE USE POLICY**

County telephones shall be used for conducting the business of Goliad County.

Personal use of the County telephones by County employees shall be limited to situations where it is necessary for the employee to make a personal call.

Excessive personal use of County telephones may make an employee subject to disciplinary measures.

Long distance calls on County phones shall be made only by County employees authorized to make long distance calls and only for official County business.

**VIOLATION OF THIS POLICY WILL SUBJECT THE EMPLOYEE TO POSSIBLE DISCIPLINARY ACTIONS UP TO & INCLUDING TERMINATION OF EMPLOYMENT.**

## **CELLULAR PHONE USE POLICY**

### **County Provided Cell Phones**

Goliad County determines on a case-by-case basis the need for County provided cell phones. County cell phones are to be used for business purposes only. Goliad County follows all rules and regulations set forth by the IRS regarding use and taxation of County cell phones.

Employees in possession of Goliad County owned cellular phones are required to take appropriate precautions to prevent theft and vandalism of all County property.

### **Cellular Phones and Driving**

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

Goliad County bans all employees from texting while operating any County vehicle. County employees who are driving their own personal vehicle are also banned from texting while driving on County business. Federal law prohibits any CDL driver operating any vehicle over 10,000 GWR from texting with fines and penalties, up to including loss of CDL.

### **Personal Cell Phones**

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

## SOCIAL MEDIA POLICY

Goliad 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 employees' work.
- It is used to harass supervisors, co-workers, customers, or vendors.
- Creates a hostile work environment.
- Harms the goodwill and reputation of Goliad County among the community-at-large.

Goliad 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 professional judgement and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your IT Director or department head.

For purposes of this policy "social media" includes, but is not limited to, forums, blogging and social networking site, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, Tumblr, Snapchat, Vines, threads, TikTok, or any other form of media.

1. If an employee's posts on social media mention Goliad County, employees need to make clear that they are an employee of Goliad County and that the views posted are theirs alone and do not represent the views of Goliad County.
2. Employees are not to mention, post videos or pictures of Goliad County supervisors, employees, customers, or vendors without their express consent.
3. Employees are not to pick fights. If employees see a misrepresentation about Goliad County, respond respectfully with information, not inflammatory comments.
4. Employees are responsible for what they write or present on social media. They can be sued by other employees, supervisors, customers or vendors, and any individual that views their social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment.
5. Employees may not use Goliad County computer equipment for non-work-related activities without written permission. Social media activities should not interfere with an employee's duties at work. Goliad County monitors its computers to ensure compliance with this restriction.
6. Employees must comply with copyright laws and cite or reference sources accurately.
7. Employees are not to link to Goliad County website or post Goliad County material on social media without written permission from a supervisor.
8. All Goliad 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.
9. Any confidential information that employees obtained through their position at Goliad County must be kept confidential and should not be discussed through/ in a social media forum.
10. Violation of this policy may lead to discipline up to and including the immediate termination of employment.

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

## **TOBACCO, DRUGS, INHALANTS, AND ALCOHOL POLICY**

The objective of this policy is to provide a drug-free and alcohol-free workplace to help ensure a safe and productive work setting at all Goliad County premises.

This policy shall apply to all employees of Goliad County regardless of title or position.

### **Illegal Drugs**

Goliad County employees are required to refrain from the use, manufacture, distribution, sale, dispensing or possession of illegal drugs. Engaging in any of the above-mentioned activities is contrary to the efficiency of employees' service to the County. Furthermore, person who use, manufacture, distribute, sell, dispense, or possess illegal drugs are not suitable for employment with Goliad County.

### **Exception**

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

### **Legal Drugs**

Goliad County employees are required to refrain from the misuse of legal drugs and to notify their supervisor if they are taking medication that would in any way impair their ability to perform their job.

### **Hazardous Materials**

County employees are required to refrain from the misuse of hazardous materials available in the workplace that may result in physical or mental impairment.

### **Alcohol**

Goliad County employees are required to refrain from the use of alcohol while on duty and for a sufficient time prior to reporting for duty assuring there is no impairment in the employees' ability to perform their job.

### **Testing**

If there is probable cause to believe that an employee has violated a provision of this policy, the employee may be required to submit to a professionally administered breath or urine test to determine the presence of drugs and/or alcohol. Refusal to cooperate or take any/or all such test is grounds for dismissal.

### **DOT**

Any employee who possesses a Commercial Driver's License (CDL) and who drives, or who may be required to drive a county vehicle (regular, periodically, or occasionally) is subject to drug and/or alcohol testing under Omnibus Transportation Employee Testing Act of 1991 as required by the Department of Transportation (DOT). Said employees will be given a copy of the (DOT) (See CDL Policy)



## **TOBACCO, DRUGS, INHALANTS, AND ALCOHOL POLICY CONTINUED**

### **Searches**

In furtherance of the objective of this policy, department heads may search all County owned, leased, or operated premises, vehicles, work areas, desks, lockers, etc. to detect violation of this policy.

### **Violation**

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

### **Tobacco**

The use of tobacco products is prohibited within the county building. The Commissioners' Court believes that its employees and the public are entitled to a smoke-free environment within county buildings. The court recognizes federal warnings on smoking and secondary smoke.

### **Under The Influence**

Under the influence shall be defined as having a blood alcohol concentration of 0.000 or more or failing a drug test.

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

This policy applies to all employees of Goliad 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 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 while on duty for the County in a manner other than that intended by the manufacturer or prescribed by a physician.

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

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

## **TOBACCO, DRUGS, INHALANTS, AND ALCOHOL POLICY CONTINUED**

### **Suspicion Based Testing**

If an employee is having work performance problems or displaying behavior that may be alcohol or drug related or is otherwise demonstrating conduct that may be in violation of this policy, where immediate action is necessary, the elected/appointed official or department head will require that employee to do a drug and alcohol test.

An elected/appointed official or department head must act if they have reason to believe that the substance abuse is affecting their employees job performance or behavior. The following steps will be taken:

1. Confront the employees involved and keep them under direct observation until the situation is resolved. Inform the employees of the problem with their job performance and specific violations of the County Policy.
2. If the supervisor believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a drug and alcohol test. If the employee refuses to submit to testing for any reason, the employee could be at risk of termination.
3. Employees will be asked to release any evidence, such as alcohol or drug paraphernalia, relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline, up to and including termination. All confiscated evidence will be received with signatures from the County Judge, department head, a law enforcement officer, and/or the employee.
4. The employee will be responsible for scheduling and paying for drug and alcohol testing the same day from an authorized testing facility.
5. Depending on the results of the testing, further action will be determined.

## **DRUG AND ALCOHOL FOR CDL EMPLOYEES' POLICY**

CDL Drivers are an extremely valuable resource for Goliad County's businesses. Their health and safety are a serious County concern. Drug or alcohol use may pose a serious threat to drivers' health and safety. It is, therefore, the policy of the County to prevent substance use or abuse from having an adverse effect on our drivers. The County maintains that the work environment is safer and more productive without the presence of alcohol, illegal or inappropriate drugs in the body or on County property.

The adverse impact of substance abuse by CDL drivers has been recognized by the federal government. 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 and is committed to maintaining a drug-free workplace. 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 Goliad County that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) 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. FHWA stated that 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. Goliad County will conduct pre-employment, random, reasonable suspicion, and post-accident drug testing in accordance with federal law.

## **CRIMINAL ACTIVITY POLICY**

County employees are public servants and, as such, will be held to a higher standard of ethics. This policy applies to all employees of Goliad County regardless of rank or position and shall include full-time, part-time, and temporary employees.

Any Goliad County employee who is arrested or convicted for a misdemeanor or felony must notify their elected/appointed official or department head of such arrest (including plea of guilty and nolo contendere) no later than 3 calendar days after the arrest or conviction.

The arrest or conviction of a Goliad County employee, whether on or off County time, may result in corrective action. Corrective action depends upon a review of all factors involved including whether the employee's action was work related, the nature and severity of the act or any resultant circumstances that adversely affect the employee's attendance.

Corrective action, such as Investigative Leave, up to and including termination may be taken if the conduct for which the employee was arrested or convicted:

- Is relevant and makes the individual unfit for the position; or
- May impact the health or safety of the public or other County employees.

### **PDA AND CAMERA USAGE POLICY**

Goliad County prohibits the use or possession in the workplace of any type of camera phone, digital camera, video camera, or other form of image-recording device without the express permission of each department head and of each person whose image is recorded. Employees with such devices should leave them at home unless expressly permitted by their department head to do otherwise. This provision does not apply to designated Goliad County personnel who must use such devices in connection with their positions of employment. Employees should not bring personal computers to the workplace or connect them to Goliad County electronic systems, unless expressly permitted to do so by their supervisor and or the IT department. Violation of this policy may result in disciplinary action, up to and including termination of employment.

## **PAYDAYS AND TIME SHEETS POLICY**

### **Pay Period**

The pay period for Goliad County shall be a bi-weekly pay period with the pay period dates established by the Commissioners Court.

### **Payday**

Payday shall be the Friday following the end of a pay period. If a regular payday falls on a holiday, payday will be on the last workday immediately preceding the holiday.

### **Paychecks**

It is in the best interest of Goliad County to enact a mandatory direct deposit for both financial and administrative purposes. Direct deposit provides several benefits, such as avoiding lost checks, reduced potential for theft or forgery, and funds are deposited directly into employee's accounts on payday. All employees are required to use a direct deposit for payroll. A direct deposit form must be completed and turned into the County Treasurer's office along with a voided check, bank card with account and routing numbers, or a letter from your bank with account number and routing number. There are circumstances for which payment by check, rather than direct deposit, is necessary or suitable; for example, an employee's first and last paycheck will not be direct deposited. Direct deposit forms can be found on the County website or in the Treasurer's office.

### **Time Sheets**

Each employee is required to accurately fill out a time sheet electronically reflecting time worked, leave taken, and compensatory time used for the pay period. Time sheets will be approved and submitted by the employee's supervisor by the end of the last day of each pay period.

Supervisors shall total and verify time worked, leave taken, and compensatory time used for each employee. Supervisors will submit verified time sheets to the County Treasurer's office by 9 a.m. on the first working day (usually Tuesday) following the last day of the pay period. Failure to turn in timesheets by the deadline may result in delay of payment.

### **Pay Advances**

Advances in pay shall not be made to any employee for any reason.

## **LONGEVITY PAY POLICY**

The following employees are eligible for Longevity Pay

1. Regular full-time employees who receive county health insurance and retirement benefits.
2. Regular part-time employees who are regularly scheduled to work a minimum of 20 hours per week.

Elected officials shall not be eligible for the longevity pay benefit.

To be eligible for longevity pay, the employee must have been employed on or before January 1<sup>st</sup> of the current year. Employees beginning work before the 10<sup>th</sup> of any month will receive longevity pay for that month. Employees beginning work after the 10<sup>th</sup> of any month will begin longevity pay the next month.

Employees who terminate prior to December 1<sup>st</sup> of the current year are not eligible to receive longevity pay.

An approved leave of absence without pay does not constitute termination; but longevity compensation will not be paid for those months when no pay was drawn during such a leave of absence.

### **Amount**

All regular full-time employees shall receive longevity pay computed at the rate of five dollars (\$5.00) per month for each month of continuous (without termination) service as of December 31<sup>st</sup> of the current year.

All regular part-time employees shall receive longevity pay computed at the rate of 2 dollars and fifty cents (\$2.50) per month for each month of continuous (without termination) service as of December 31<sup>st</sup> of the current year.

### **Payment**

Longevity payments shall be made with the first payroll in December.

## **PAYROLL DEDUCTIONS POLICY**

### **Required**

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

### **Retirement**

Employees eligible for membership in the Texas County and District Retirement System shall have their contribution to that system deducted from each paycheck.

### **Optional Deductions**

Employees may participate in any optional deductions approved by the Commissioners Court by providing a written authorization to the County Treasurer's office.



## **WORK SCHEDULE, WORK WEEK, AND WORK PERIOD POLICY**

### **Hours**

Hours of work are established to meet the needs of the citizens of Goliad County and for the orderly conduct of the County's business.

### **Work Week**

The standard work week for most positions in the County consists of 168 consecutive hours beginning at 8:01 a.m. Saturday morning and ending at 8 a.m. the following Saturday.

The standard work period of jailers and deputies is a 14-day work period as established by the 207 (k) provision of the Fair Labor Standards Act.

In observation of the county's policy to hold overtime and or compensatory time to a minimum, a supervisor should plan his/her employees work schedule around the unique responsibilities of his/her department assuring each non-exempt employee that opportunity to work 40 hours during the 7-day work week.

Jailers are normally scheduled for 80-86 hours in the 14-day work period. Deputies are normally scheduled 80-86 hours in the 14-day work period.

EMS personnel are normally scheduled for 96-144 hours in the 14-day work period.

### **Attendance**

To properly serve the citizens of the County and conduct the County's business, it is very important for all employees to be:

- At Work
- On time
- Everyday

## **TRAVEL EXPENSES POLICY**

County officials and employees are eligible for reimbursement of travel expenses which are incurred in the performance of the county business.

Any travel should be approved in advance by the official or department head. Additionally, a "Request for Travel Costs" form showing actual costs must be submitted after each trip within five days of return. This form must be signed by the official or department head and then submitted to the County Auditor.

An employee using a personal vehicle for transportation shall be reimbursed at the rate adopted by Commissioners Court (usually the current IRS rate) or check with the County Auditor for reimbursement rate for mileage using the shortest route to and from his/her destination with a starting point of current location. When claiming mileage, a verification document such as a printout from MapQuest, Google Maps, or Yahoo Maps, must accompany the travel report. Elected officials who receive a vehicle allowance may receive mileage reimbursement for a nonrecurring business trip (example: A trip to San Antonio to pick up capital equipment) calculated with a starting point of their precinct barn.

Airfare will be reimbursed when original receipts are provided. Rental car expenses will only be reimbursed when the cost of other transportation exceeds the cost of a rental car. Mileage will not be provided when a county vehicle is used; however, out-of-pocket fuel expense will be reimbursed when original receipts are provided.

Reimbursement for lodging shall be paid for official county business when original receipts are provided. Department heads and employees should use discretion in the selection of rooms, keeping cost in mind.

Employees or officials traveling overnight on official county business will be eligible to receive the current per diem rate that has been adopted by the Commissioners Court.

If no overnight stay, meals will be reimbursed at the actual cost per receipts provided.

Elected/appointed officials may request a travel advance from the County Judge and County Auditor for themselves and/or their employees who are attending a seminar or training session that requires at least one overnight stay. This travel advance must be submitted at least three days prior to departure. Upon return (within five days), a "Request for Travel Costs" form, showing Funds Due County or Funds Due Employee, must be completed, and submitted to the County Judge and County Auditor with original receipts attached. Any amount due to the County must be paid at the time the report is submitted.

## **OVERTIME AND COMPENSATION POLICY**

Goliad County's policy is to give compensatory time off for overtime worked as allowed by the Fair Labor Standards Act (FLSA)

All non-exempt, non-law enforcement employees are on a 40-hour, 7-day work week. Each work week or work periods stand alone for the purpose of computing overtime hours.

1. Deputies are paid overtime after 86 hours in a 14-day work week period.
2. Jailers are paid overtime after 86 hours in a 14-day work week period.
3. Dispatchers are paid overtime after 40 hours in a 7-day work week period.
4. All full-time EMS employees are paid overtime after 40 hours.
5. All part-time EMS employees are paid their regular hourly wage and overtime after 40 hours.
6. The EMS director is salaried but in cases of emergency is also paid hourly.
7. Once First Responders (EMS, Sheriff's Office, Judge, and EMC) have been activated for disaster duty, they are paid hour for hour until deactivated.

When emergency circumstances necessitate overtime work, employees are compensated for the overtime worked by being given (listed in order of the County's policy preference)

1. Compensatory time off at one- and one-half times the number of overtime hours worked.
2. Payment at the rate of one- and one-half times the employee's regular rate.

Compensatory time off should be scheduled by the supervisor:

- a. At the employee's request.
- b. If asked within a reasonable time frame.
- c. And it does not create undue disruption of department operations.

Compensatory time may be accrued up to a maximum of:

1. 240 hours (160 overtime hours worked) for 40 hours, 7-day non-exempt employees.
2. 480 hours (320 overtime hours worked) for 86, 14-day jailers and deputies.

Upon termination of employment, an employee shall be paid for unused compensatory time in accordance with the requirements of the FLSA.

Each employee shall be responsible for recording compensatory time used on his/her time sheet for the pay period.

Any issues on overtime compensation not addressed in this policy shall at least meet the minimum requirements of the FLSA and the regulations issued by the Department of Labor administer that Act.

## **TIMEKEEPING POLICY**

Falsifying timekeeping records is a serious offense subject to disciplinary action up to and including termination.

Tampering or interfering with a Goliad County time clock and/or other Goliad County timekeeping equipment is considered a serious offense, subject to disciplinary action up to and including termination.

## **GRIEVANCES POLICY**

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

If the grievance is not resolved in the discussion with the immediate supervisor and 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 the elected or appointed official.

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

This policy does not restrict the right of an employee to have a name clearing hearing with the Commissioners Court.

## **DISCIPLINE POLICY**

Each supervisor shall have the authority to administer discipline to employees in his/her 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 employees' job or the best interest of the department or the County.

### **Types Of Discipline**

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

### **At Will Employment**

All County employees are "at-will" employees. 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.

The County retains the right to terminate 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.

## **IDENTITY THEFT POLICY**

### **Background**

The risk to the county, its employees and customers from data loss and identity theft is of significant concern to the county and can be reduced only through the combined efforts of every employee and contractor.

### **Purpose**

The county adopts this sensitive information policy to help protect employees, customers, contractors, and the municipality from damages related to the loss or misuse of sensitive information.

This policy will:

1. Define sensitive information
2. Describe the physical security of data when it is printed on paper
3. Describe the electronic security of data when stored and distributed
4. Place the municipality on compliance with state and federal law regarding identity theft protection.

This policy enables the county to protect existing customers, reducing risk from identity fraud, and minimize potential damage to the county from fraudulent new accounts. The program will help the county.

1. Identify risks that signify potentially fraudulent activity within new or existing covered accounts.
2. Detect risks when they occur in covered accounts.
3. Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed.
4. Update the program periodically, including reviewing the accounts that are covered by the identified risks that are part of the program

### **Scope**

This policy and protection program applies to employees, contractors, consultants, temporary workers, and other workers at the county, including personnel affiliated with third parties.

## **IDENTITY THEFT POLICY CONTINUED**

### **Policy**

#### 4.A: Sensitive Information Policy

##### 4.A.1: Definition of Sensitive Information

##### 4.A.1.a: Credit card information, including any of the following:

1. Credit card number (in part of whole)
2. Credit card expiration date
3. Cardholder name
4. Cardholder address

##### 4.A.1.b: Tax Identification numbers, including:

1. Social Security number
2. Business identification number
3. Employer identification number

##### 4.A.1.c: Payroll information, including among other information

1. Paychecks
2. Paystubs

##### 4.A.1.d: Cafeteria plan check requests and associated work

##### 4.A.1.e: Medical information for any employee or customer, including but not limited to:

1. Doctor names and claims
2. Insurance claims
3. Prescriptions
4. Any related personal medical information

##### 4.A.1.f: Other personal information belonging to any customer, employee, or contractor, examples or which include:

1. Date of birth
2. Address
3. Phone Numbers
4. Names
5. Maiden name
6. Customer number



## IDENTITY THEFT POLICY CONTINUED

4.A.1.g: County personnel are encouraged to use common sense judgement in securing confidential information to the proper extent. Furthermore, this section should be read in conjunction with the Texas Public Records Act. If an employee is uncertain of the sensitivity of a particular piece of information, he/she should contact their supervisor.

### 4.A.2: Hard Copy Distribution

4.A.2.a: Each employee and contractor performing work for the county will comply with the following policies:

1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with sensitive information will be locked when not in use.
2. Storage rooms containing documents with sensitive information and record retention areas will be locked at the end of each workday or when unsupervised.
3. Desks, workstations, work areas, printers, and fax machines, and common shared work areas will be cleared of all documents containing sensitive information when not in use.
4. Whiteboards, dry erase boards, writing tablets, etc, in common shared work areas will be erased, removed, or shredded when not in use.
5. When documents containing sensitive information are discarded they will be shredded. County records, however, may only be destroyed in accordance with each departments record retention policy.

### 4.A.3: Electronic Distribution

4.A.3.a: Each employee and contractor performing work for the county will comply with the following practices:

1. Internally, sensitive information may be transmitted using approved county e-mail. Additionally, the following statement should be included in the email: **“This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by other is strictly prohibited.”**

## **IDENTITY THEFT POLICY CONTINUED**

### **Additional Identity Theft Prevention Program**

#### **5.A: Covered Accounts**

A covered account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing customer account that meets the following criteria is covered by this program.

1. Business, personal, and household accounts for which there is reasonably foreseeable risk of identity theft.
2. Business, personal, and household accounts for which there is a reasonably foreseeable risk to the safety or soundness of the county from identity theft, including financial, operational compliance, reputation, or litigation risks.

#### **5.B: Suspicious Documents**

5.B.1: Documents provided for identification that appear to have been altered or forged.

5.B.2: The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

5.B.3: Other information on the identification is not consistent with the information provided by the person opening a new covered account of customer presenting the identification.

5.B.4: Other information in the identification is not consistent with readily accessible information that is on file with the county, such as a signature card or a recent check.

5.B.5: An application appears to have been altered, forged, or gives the appearance of having been destroyed and reassembled.

#### **5.C: Suspicious personal identifying information**

5.C.1: Personal identifying information provided is inconsistent when compared against external information sources used by the county. For example:

- The address does not match any address in the consumer reports.

## **IDENTITY THEFT POLICY CONTINUED**

- The social Security Number has not been issued or is listed on the Social Security Administrations Death Master File.
- Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the county. For example, there is a lack of correlation between the SSN range and date of birth.

5.C.2: Personal Identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the county. For example, the address on an application is the same as the address provided on a fraudulent application.

5.C.3: Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third party sources used by the municipality. For example,

- The address on an application is fictitious, a mail drop, or a prison.
- The phone number is invalid or is associated with a pager or answering service.

5.C.4: The address or telephone number provided is the same as or like the address or telephone number submitted by an unusually large number of other customers or other people opening accounts.

5.C.5: The customer or the person opening the covered account fails to provide all required personal identification that the application or in response to notification that the application is incomplete.

5.C.6: Personal identifying information provided is not consistent with personal identifying information tat is on file with the county.

5.C.7: When using security questions (mother maiden name, pets name, ect.), the person opening the covered account, or the customers cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

## **IDENTITY THEFT POLICY CONTINUED**

### **Responding to Red Flags**

6.A: Once potentially fraudulent activity is detected, an employee must act quickly as a rapid appropriate response can protect customers and the municipality from damages and loss.

6.A.1: Once potentially fraudulent activity is detected, gather all related documentation and write a description of the situation. Present this information to the designated authority for determination.

6.A.2: The designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

6.B: If a transaction is determined to be fraudulent, appropriate actions must be taken immediately.

6.B.1: Actions may include

- Cancelling the transaction
- Notifying and cooperating with appropriate law enforcement
- Determining the extent of liability of the municipality
- Notifying the actual customer that fraud has been attempted.

### **Periodic Updated to Plan**

7.A: At periodic intervals established in the program, or as required, the program will be reevaluated to determine whether all aspects of the program are up to date and applicable in the current business environment.

7.B: Periodic reviews will include an assessment of which accounts are covered by the program.

7.C: As part of the review, red flags may be revised, replaced, or eliminated. Defining new red flags may also be appropriate.

7.D: Actions to take if fraudulent activity is discovered may also require revision to reduce damage to the county and its customers.

## **SEPARATION POLICY**

### **Definition**

Separation shall be defined as any situation in which the employer and employee relationship between the County and a County employee end.

### **Types of Separation**

All separations from Goliad County shall be designated as one of the following:

- A. Resignation
- B. Retirement
- C. Dismissal
- D. Reduction in Force (layoff)
- E. Death
- F. Abandonment
- G. Other

### **Resignation**

A resignation shall be classified as any situation in which an employee voluntarily leaves his/her employment with Goliad County and the separation does not fall into one of the other categories.

Any employee who resigns is requested to submit a two-week written notice of resignation to his/her supervisor.

### **Retirement**

An employee who is retiring is requested to 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 full-time employee covered under the County's group insurance shall be eligible for continued group insurance coverage upon retirement from the county.

## SEPARATION POLICY CONTINUED

To be eligible for retirement benefits, a person must be a regular full-time employee of Goliad County for 8 years and must be eligible to retire from County service by meeting the County's and TCDRS eligibility requirements for retirement benefits. Those eligible shall include regular, full-time employees who are paid from the general fund of the County, from a special fund of the County, or from special grants paid through the County.

The retired employee is responsible for payment of the insurance premium until the retired employee reaches the age of sixty-five (65) and/or becomes eligible for Medicare benefits due to Medicare eligibility such as disability.

The county's group insurance will be the primary insurance until a retiree is eligible for Medicare and will cease when a retiree becomes Medicare eligible. At that time, Medicare will become the primary insurance for the retiree.

If dependent coverage is desired, the retiree will be responsible for one hundred percent (100%) of the premium. **Premiums for spouses and dependents cease at midnight on the last day of any month in which the premium is not received in the Treasurer's office when due.**

The retiree health insurance benefit will cease if the covered retiree enrolls in another group health plan. **Once the retiree's health insurance coverage is terminated, a retiree may not re-enroll in the program.**

Goliad County reserves the right at any time to change, delete, or add to any benefits, and/or policies which have been adopted previously while at the same time following Chapter 175 of the Local Government Code, State of Texas.

Employees who retire with the County are not eligible to rehire for a period of one full calendar month. **There shall be no prior agreements or collusions between the County, and department head and/or supervisor, and an employee to rehire the employee after retirement.**

### **Dismissal**

A dismissal shall be any voluntary/involuntary separation of employment that does not fall into one of the other categories of separation.

Goliad 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.

### **Benefits Upon Separation of Employment**

Any accumulated and payable benefits will be paid out to an employee if the employee does not leave employment under extreme gross misconduct conditions.

### **Reduction In Force**

Any 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.

## **SEPARATION POLICY CONTINUED**

### **Death**

A separation by death shall occur when an individual dies while currently employed by the County. If an employee dies while still employed by the County, his/her estate shall receive all earned pay and payable benefits.

### **Abandonment**

Any employee who does not report to work for three consecutive scheduled workdays, and who fails to notify his/her supervisor, shall be considered to have resigned his/her position by abandonment.

### **Rehire**

A full/part time employee who withdraws his/her retirement funds shall not be eligible for rehire for one full year.

### **Other**

Any separation that does not fall into one of the categorized outlined previously in this policy shall be designated as another separation.

When a separation is designated as "other", the supervisor shall provide the details of the nature of the separation for the personnel records.

### **Notification**

As soon as a supervisor becomes aware of separation from employment, or the intent to separate employment, by an employee, the supervisor shall be responsible for immediately notifying the County Judge and sending a payroll Status Change form indicating the last day the employee worked and reason for the separation to the Treasurer's office.

## **FRAUD POLICY**

### **Purpose**

The Goliad County Fraud Policy has been created to support Goliad County's commitment to protecting County revenue, property, reputation and other assets; to emphasize clearly the need for accurate financial reporting; and to define guidelines for the investigation and handling of fraud, should it occur.

### **Applicability**

The Goliad County Fraud Policy applies to all employees of Goliad County and includes full-time, part-time, seasonal, volunteer, and other temporary employees.

### **Definition of Fraud**

In law, "fraud" generally involves an act of deception, bribery, forgery, extortion, theft, misappropriation, false representation, conspiracy, corruption, collusion, embezzlement, or concealment of material facts. Fraud may be committed by an individual, a group of individuals, or by one or more organizations. Fraud is a violation of trust that, in general, refers to an intentional act committed to secure personal or business advantage. While fraud can cover many activities, this policy is directed primarily at financial matters that could be legally defined as fraud. Examples of "Financial Fraud" generally fall into two broad categories and may include, but are not limited to:

1. Misappropriation of Assets
  - a. Forgery, alteration or misappropriation of checks, drafts, or securities.
  - b. Unauthorized, non-business acquisition, use or disposition of funds, inventory, fixtures, furniture, equipment, records, or other assets.
  - c. Embezzlement
  - d. Theft
  - e. Falsifying time sheets or payroll records
  - f. Falsifying travel and expense and/or utilizing company funds to pay for personal expenses.
  - g. Misappropriation of County-owned computer hardware, software, data or other records including company intangibles



## **FRAUD POLICY CONTINUED**

2. Expenditures and Liabilities for Improper Purposes
  - a. Bribery
  - b. Kickbacks

### **General Policy & Responsibilities**

1. It is the County's intent to investigate any suspected acts of fraud, misappropriation or other similar irregularities. An objective and impartial investigation, as deemed necessary will be conducted regardless of the position, title, office, and length of services or relationship with the County of any part who might be or become involved in or becomes the subject of such investigation.
2. Each elected official/department head/supervisor is responsible for instituting and maintaining a system of internal control to provide reasonable assurance for the prevention and detection of fraud, misappropriation and other irregularities. Supervisors should be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indications of such conduct.
3. The County Auditor, with consultation and support from the appropriate supervisor, has the primary responsibility for overseeing the investigation of all activity as defined in this policy. The Auditor will immediately notify the Commissioners Court of any significant fraud investigation. Also, the Auditor will involve others including personnel department, legal counsel, or supervisors, as deemed appropriate.
4. Upon conclusion of the investigation, the results of the investigation will be reported to the appropriate Supervisor and Elected Official.
5. Where there are reasonable grounds to indicate that a fraud may have occurred, the County may report the incident to the appropriate authorities to pursue all legal remedies. Also, the County will pursue every reasonable effort, including court ordered restitution, to obtain recovery of the losses from the offender.

## **FRAUD POLICY CONTINUED**

### **Procedures For Reporting**

All employees- Any employee who has knowledge of an occurrence of fraudulent conduct or has reason to suspect that a fraud has occurred, shall immediately notify their supervisor. If the employee has reason to believe that the employees' supervisor may be involved, the employee shall immediately notify the County Auditor, the County Treasurer, the County Judge, or the Appropriate Elected Official.

### **Investigation**

Upon notification or discovery of a suspected fraud, the County Auditor will promptly investigate the fraud. The Auditor will make every effort to keep the investigation confidential; however, from time-to-time key personnel will need to be consulted in conjunction with the investigation. After an initial review and a determination that the suspected fraud warrants additional investigation, the Auditor will notify the County Judge, Commissioners Court and the appropriate Elected Officials, Department Head, or Supervisor as required to deal with the findings. When deemed necessary, the Auditor shall coordinate the investigation with the appropriate law enforcement officials internal or external; counsel will be involved in the process as deemed appropriate.

It should be noted that there may be certain instances of fraud that will be handled in the normal course of business that will not result in a separate "investigation" by the Auditors Department. An example of this would be an employee taking home office supplies or other minor items purchased with County funds.

### **Confidentiality**

All participants in a fraud investigation shall keep the details and results of the investigation confidential. However, as noted above, from time-to-time other members of the department will need to be consulted in conjunction with the investigation.

### **Personnel Actions**

If a suspicion of fraud is substantiated by the investigation, disciplinary action, up to and including dismissal, shall be taken by the appropriate Elected Official, in consultation with the treasurer's office and legal counsel.

## **FRAUD POLICY CONTINUED**

### **Whistleblower Protection**

No Employee of the County or person acting on behalf of the County in attempting to comply with this policy shall:

- Be dismissed or threatened to be dismissed.
- Be disciplined or suspended or threatened to be disciplined or suspended.
- Be penalized or any other retribution imposed; or
- Be intimidated or coerced

Based to any extent upon the fact that the employee has reported an incident or participated in an investigation in accordance with the requirements of this Policy. Violation of this section of the Policy will result in disciplinary action, up to and including dismissal. If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the originator, if however, individuals make malicious allegations, action may be taken against the individual making the allegations.

## **LICENSE AND CERTIFICATIONS POLICY**

Goliad 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 has a loss of any licenses or certification, they must immediately notify their supervisor. If this license is a requirement for the positions, 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 a license or certification is illegal under Federal or State Law.

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

Goliad County makes every effort to pay its employees correctly. Occasionally, however, inadvertently mistakes happen. When mistakes do happen and are called to the County Treasurers' attention, Goliad County will 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.

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

Unless you are authorized by your supervisor, you 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 timecard. 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 timecard. Any employee who fails to report or inaccurately report any hour's work will be subject to disciplinary action, up to and including termination.

It is a violation of the Goliad County policy for any employee to falsify a timecard, or to alter another employee's timecard. 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 time card to under-or over-report your hours worked. If anyone instructs you to:

1. Incorrectly or falsely under-or over-report your hours worked, or
2. Alter another employee's time records to inaccurately or falsely report that employees' hours worked.

You should report it immediately to the County Judge at 127 N Courthouse Square, Goliad Texas. The office phone number is 361-645-3337.

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

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours worked for the County. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, 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.

Your salary may also be reduced for certain types of deductions such as your portion of health, dental, or life insurance premiums; state, federal or local taxes, social security, retirement, or voluntary contributions to a deferred compensation plan, in any work week in which you performed any work, your salary 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.
2. Full day disciplinary suspensions for infractions of our written policies and procedures.
3. Full day for violating safety rules of a major significance.
4. Family and Medical Leave or Military Leave absences.
5. To offset amounts received as payment for jury and witness fees or military pay.
6. The first or last week of employment in the event you work less than a full week.

In any work week 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.
2. You're absent because the facility is closed on a scheduled workday.
3. You're absent because of the County's operating requirements.
4. Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
5. Any other deductions are prohibited by state or federal law.

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

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to the Treasurer's office at 361-645-3551. 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 Judge at 361-645-3337.

Every report will be fully investigated, and corrective action will be taken where appropriate, up to and including discharge for any employee 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 investigations of such reports. Retaliation is unacceptable and any form of retaliation policy will result in disciplinary action, up to and including termination.

## **INFORMATION TECHNOLOGY POLICY**

Goliad County provides computers and Internet connections to further its official County business, interests, and purpose. The County has the right to monitor all communications and downloads which pass through its facilities, at its sole discretion. Any information retained on the County's facilities may be disclosed to outside parties or to law enforcement officers. The following procedures apply to all electronic media and services that are:

- A. Accessed on or from county premises.
- B. Accessed using County computer equipment or via County-paid access methods; or
- C. Used in a manner that identifies the employee with the County.

### **Acceptable Use**

This policy defines the acceptable use of products and services provided by Goliad County and to all its employees. This policy will ensure the integrity, security, reliability and privacy of the network, systems, products, services, and data contained within the network. The employee is responsible for continual compliance with this policy. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other employees to access and use the system.

Each department and each user must maintain a high level of physical security for each tablet, mobile phone, computer, or laptop entrusted to the care of that department and must prevent unauthorized access to the Goliad County Network.

- The use of each computer system is restricted to authorized users only. Unauthorized access, use, or modification of County computer systems or of the data contained therein or in transit to/from County systems constitutes a violation of Title 18, United States Code, Section 1030 and state criminal and civil laws. The County systems and equipment are subject to monitoring to ensure proper performance of applicable security features or procedures. Such monitoring may result in the acquisition, recording and analysis of all data being communicated, transmitted, processed, or stored in the system by a user. If monitoring reveals possible evidence of criminal activity, such evidence may be provided to law enforcement personnel.
- High Level of Physical Security is defined here as ensuring that access to the network and the data on the network is not easily accessed by unauthorized users. This can be accomplished with two ideas, Obstacles and Monitoring. Obstacles such as locking or shutting down devices when away from them. Also, keeping passwords that are complex enough that unauthorized users cannot guess passwords and not writing passwords down. Monitoring can be done by knowing where your equipment is and who has access to it at any given time.

### **Internet Access**

Goliad County provides Internet access to certain individuals, Officials, Department Heads, and their designated personnel. This internet access is provided for County business purposes. At no time is any employee authorized to use this access for personal financial gain, commercial or profit-making gain, political purposes, dissemination of unsolicited information regarding religious beliefs, access of

## **INFORMATION TECHNOLOGY POLICY CONTINUED**

pornographic sites, or any other sites which could compromise the ethics of Goliad County. Authorized users may not use the County's facilities for personal or commercial advertisements, solicitations, or promotions.

County employees may not load or download any unauthorized software or material from the internet in violation of software licenses, or the copyright trademark and patent laws. In addition, County employees may not add any unauthorized hardware on any County computer. Requests for any additional software and/or hardware should be made to the Goliad County Information Technology Department.

### **Authorization For Use of E-Mail**

As determined by the Official or Department Head, employees may be authorized to use the email system. Such authorization allows for the non-official use of email, provided such communication does not disrupt or interfere with official County business and it kept to a minimum during business hours.

Employees are strictly prohibited from sending email or otherwise using the email system in connection with any of the following:

1. Engaging in illegal, fraudulent, or malicious activities.
2. Engaging in activities on behalf of organizations with no professional or official affiliation with Goliad County.
3. Sending or storing offensive, obscene, or defamatory material.
4. Annoying or harassing other individuals.
5. Using another individual's account without explicit authorization.
6. Attempting to test, circumvent, or defeat security or auditing systems, without prior authorization.
7. Permitting any unauthorized access to Goliad County's network
8. Distributing or storing chain letters, jokes, solicitation or offers to buy or sell goods, or other non-business material of a trivial or frivolous nature.
9. Posting the same or similar unsolicited email messages, bulk commercial advertising, or information announcement to one or more groups is prohibited.

### **Network Security**

The employee is prohibited from violating, or attempting to violate, the security of the Network. Examples of violations of the security of the Network include, but may not be limited to:

1. Accessing data not intended for the employee.
2. Logging into a server or account that the employee is not authorized to use.
3. Attempting to probe, scan or test the vulnerability of the Network.
4. Breaching any security measure without proper authorization.
5. Taking any action to obtain services to which the employee is not entitled or sharing information about the network.

All employees are expected and required to protect Goliad County's confidential information. Confidential information should never be transmitted or forwarded to outside individuals or companies not authorized to receive the information.



## **INFORMATION TECHNOLOGY POLICY CONTINUED**

The employee is responsible for all content hosted by Goliad County. The County accepts no responsibility for the content of the information passing through the Network. Use of any information obtained via the Network is at the Employees' own risk.

Goliad County reserves the right to suspend or terminate access to the Network. Direct, indirect, attempted, or repeated violations of this policy may be considered violations and employees may be subject to discipline, up to and including termination. Employees who use the email system for defamatory, illegal, or fraudulent purposes are also subject to civil liability and criminal prosecution. Any violation may result in criminal and civil liabilities to the employee.

### **Cybersecurity Training**

Texas House Bill 3834, effective June 14, 2019, requires all elected officials and most local government employees to complete an annual cybersecurity training program that has been certified through the Texas Department of Information (DIR). House Bill 1118, effective May 18<sup>th</sup>, 2021, adds a penalty for noncompliance with the training requirements.

## **BLOOD SPILLS POLICY**

With the potential spread of blood borne diseases, it is important that employees use care when handling blood spills in the workplace. Employees should make sure to take precautions against contact with blood or internal body fluids. Make sure to wear sanitary gloves which are available in every building. Immediately after handling blood spills, remove gloves and wash hands thoroughly for 60 seconds with soap and water.

All department heads or county employees that will be active in the EOC will be required to take a blood borne pathogens class.

## **INDEBTEDNESS TO THE COUNTY POLICY**

If at any time, an employee becomes indebted to the county, wages will be paid at minimum wage (unless a court order is issued) until the debt has been fulfilled.

## **GRANTS POLICY**

All Grants being sought by entities within Goliad County must be approved through the County Judges Office. This will help prioritize the needs of the county and reduce the work for the foundation/receiver. A decision will be made after a meeting has been held between the County Judge and the requesting party.

