

# REFUGIO COUNTY



# PERSONNEL POLICY MANUAL

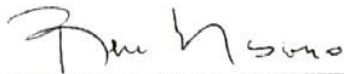
RESOLUTION 2013-R-10  
REFUGIO COUNTY COMMISSIONERS' COURT

WHEREAS, the Refugio County Commissioners' Court approved the new REFUGIO COUNTY PERSONNEL POLICY MANUAL on September 25, 2012, but failed to pass a Resolution to formally adopt it;

WHEREAS, the elected officials and employees of Refugio County have been operating under the terms and conditions of the Personnel Policy Manual since it was approved on September 25, 2012;

NOW THEREFORE, BE IT RESOLVED that the Refugio County Commissioners' Court hereby ADOPTS the REFUGIO COUNTY PERSONNEL POLICY MANUAL effective on September 25, 2012.

EXECUTED this 18th day of September, 2013.



Rene Mascorro, County Judge



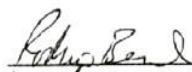
Ann Lopez, Commissioner Pct. 1

(Not Present)

Stanley Tuttle, Commissioner Pct. 2

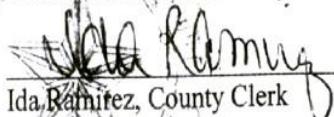
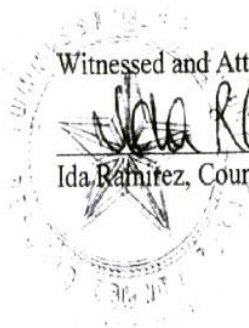


Gary Bourland, Commissioner Pct. 3



Rodrigo Bernal, Commissioner Pct. 4

Witnessed and Attested By:

  
Ida Ramirez, County Clerk

Refugio County  
Personnel Policy Tracking Log

<b>Policy Title</b>	<b>Section Number</b>	<b>Brief Description</b>	<b>CC Adoption Date</b>	<b>CC Resolution/Order Number/ Court Action</b>	<b>Amended OR Newly Created</b>
Refugio County Personnel Policy Manual	Manual	Presented for Approval	9/25/2012		New
Refugio County Personnel Policy Manual	Manual	Adopted	9/18/2013	2013-R-10	Approved
Acknowledgment	1.01	Manual Via County Website	12/22/2015		Amended
At Will	1.02.6	Combined #6 & #7	5/26/2015		Amended
Employee Status	1.04.13	Exempt Law Enforcement Eligible For Grant Funded Pay	5/26/2015		New
Employee Status	1.04.13	Exempt Employees	10/25/2016		Amended
Employee Status	1.04.12, .13, .14 1.04.15	Wording changed Added	1/14/2020		Amended New
Dissemination Of Policy	1.07.1	Coordinator – Treasurer	5/26/2015		Amended
Dissemination Of Policy	1.07.2	Illustration On Managing Process	5/26/2015		New
Dissemination Of Policy	1.07.4 D	Electronic Access Via County Web	5/26/2015		New
Dissemination Of Policy	1.07.4 E	Notification Of Changes	5/26/2015		New

Refugio County  
Personnel Policy Tracking Log

Policy Title	Section Number	Brief Description	CC Adoption Date	CC Resolution/Order Number/ Court Action	Amended OR Newly Created
Dissemination Of Policy	1.07.5 & .6	Acknowledgement Statement	5/26/2015		Amended
Dissemination Of Policy	1.07.6	Reread Manual & Sign Acknowledgement	01/22/2019		Amended
Implementation Of Policy	1.08.2	Changed Wording	5/26/2015		Amended
Recruitment & Selection	1.09.1 & .2	Advertising For Positions	5/26/2015		Amended
Recruitment & Selection	1.09.5	Promotions Within Department	5/27/2014		New
Recruitment & Selection	1.09.6.E	Disqualification Of Job	5/26/2015		New
Vacation Effective 1/1/2018	2.01.3	Vacation Eligibility Schedule	05/09/2017		Amended
Vacation	2.01.4	Accrual Period Changed	3/10/2015		Amended
Vacation Current	2.01.4	Transition Plan	05/09/2017 11/13/2018		New Deleted
Vacation Effective 1/1/2018	2.01.5	Vacation Schedule-Annual, Carry Over Hours and Max. Hrs. For Full/Part-time	05/09/2017		Amended
Vacation Effective 1/1/2018	2.01.5.a	Vacation Hours On Pay Stub	5/09/2017		Amended
Vacation Effective 1/1/2018	2.01.6	New Hire Waiting Period	05/09/2017		Amended

Refugio County  
Personnel Policy Tracking Log

Policy Title	Section Number	Brief Description	CC Adoption Date	CC Resolution/Order Number/ Court Action	Amended OR Newly Created
Vacation Effective 1/1/2018	2.01.7 2.01.7	Vacation Carryover Vac. Carryover Wording	05/09/2017 11/27/2018		New Amended
Vacation Effective 1/1/2018	2.01.14	Vacation Pay at Termination	05/09/2017		New
Vacation Effective 1/1/2018	2.01.15	Pay at Termination until 12/31/18	05/09/2017		Amended
Vacation	2.01.17	No Bridging Of Service	3/10/2015		Amended
Pay Periods	2.01.19	Twenty- Seven Pay Periods Accrual Schedule	7/26/2016		New
Vacation	2.01.20	Changed	3/10/2015		Amended
Sick Leave	2.02.7.D	Brother & Sister Removed As Immediate Family	3/10/2015		Amended
Sick Leave	2.02.7.D	Brother & Sister Added Back As Immediate Family	4/14/2015		Amended
Sick Leave	2.02.14	No Waiting Period On Accrued Sick Time	3/10/2015		Amended

Refugio County  
Personnel Policy Tracking Log

Policy Title	Section Number	Brief Description	CC Adoption Date	CC Resolution/Order Number/ Court Action	Amended OR Newly Created
Sick Leave	2.02.16	No Bridging Of Service	3/10/2015		Amended
Rest Periods	2.03.5	Rest Period Allowed Per Department Head	5/10/2016		Amended
Bereavement	2.04.2	Adding Grandparent As Immediate Family	5/26/2015		Amended
Holiday Pay	2.05.8	No Holiday Pay At Termination	11/25/2014		New
Workers' Compensation	2.09.10	Wording Changed	5/26/2015		Amended
Workers' Compensation	2.09.11	Added Wording	11/13/2018		Amended
Longevity Pay	2.12.2	Elected Officials And Hrly. Employees Added	5/26/2015		Amended
Longevity Pay	2.12.5	No Bridging Of Service	5/26/2015		Amended
FMLA	2.13.17 & 2.13.37	Remove Wording	11/13/2018		Amended
Neutral Absence Policy	2.14	Deleted	11/13/2018		Deleted
Group Medical, Dental, And Life Insurance	2.16	Added Insurance Section	9/24/2013		New
Group Medical, Dental, And Life Insurance	2.16.9	Health Care Reform & Amend Standard Adm. Period changed to (61) days	6/23/2015		New
Group Medical, Dental and Life Insurance	2.16.9	Standard Administration Period Changed to (61) days	11/24/2015		Amended

Refugio County  
Personnel Policy Tracking Log

Policy Title	Section Number	Brief Description	CC Adoption Date	CC Resolution/Order Number/ Court Action	Amended OR Newly Created
Attendance And Timeliness	3.01.8	Docked Time	5/26/2015		New
Drug & Alcohol Testing	3.04.19	Testing To Include More Than County Vehicles	2/12/2013		Amended
Credit Card Policy	3.08.1,.2,.3,.4,.5,.6, .8,.9,.10,.11,.12,.13	Credit Card changes	4/28/2020		Amended
Social Media	3.18.3.B	Networking Sites Added	5/26/2015		Amended
Personal Vehicle Use At Work	3.21	Guidelines For Personal Vehicle Use	5/10/2016		New
Pay Periods And Payroll Records	4.03.1 &.6 4.03.6	Bi-Weekly Pay Periods. Time Sheets due by 12:00 p.m. on the first business day following the pay end date	12/9/2014 3/8/2016		Amended Amended
Pay Periods And Payroll Records	4.03.4 & .8	Order of Taking Leave & Time Sheets; Twenty-Seven Pay Periods	7/26/2016		Amended, New
Pay Periods & Payroll Records	4.03.4	Order of Taking Leave	05/09/2017		Amended
Pay Periods and Payroll Records	4.03.4.a	Adding Exception	05/09/2017		New
Policy on Pay Roll Deductions	4.04.3a	Adding New Deduction	08/13/2019		New
Pay Period Workweek	4.05.6	12:00 AM Saturday To 12:00 PM Midnight Friday	12/9/2014		Amended

Refugio County  
Personnel Policy Tracking Log

Policy Title	Section Number	Brief Description	CC Adoption Date	CC Resolution/Order Number/ Court Action	Amended OR Newly Created
Rest Periods	4.05.8	Employees Allowed (15) Minute Paid Rest Periods	5/10/2016		Amended
Overtime Pay and Compensatory time	4.06.4 4.06.5	Wording Changed	10/25/2016		Amended
Overtime Pay and Compensatory	4.06.6	Overtime Considered Time And A Half With The Use Of Comp., Vacation, or Holiday Comp.	10/25/2016		Amended
Overtime Pay and Compensatory Time	4.06.7 4.06.8 4.06.9	Authorization for Working Overtime, Overtime	07/26/2016		Amended - 4.06.7 New - 4.06.8 & 4.06.9
Overtime Pay and Compensatory Time	4.06.16	Order of Taking Leave and Time Sheets	7/26/2016		New
Overtime Pay & Comp. Time	4.06.16	Order of Taking Leave	05/09/2017		Amended
Overtime Pay & Comp. Time	4.06.16.a	Adding Exception	05/09/2017		New
Overtime Pay And Compensatory Time	4.06.19	Outlines Compensatory Details Associated With Deputies & Jailers	2/25/2014		Amended
Overtime Pay And Compensatory Time	4.06.19	Comp Or Grant Funded Overtime Figured on 84 Hours in 14 Day Periods	11/25/2014		Amended



Refugio County  
Personnel Policy Tracking Log

<b>Policy Title</b>	<b>Section Number</b>	<b>Brief Description</b>	<b>CC Adoption Date</b>	<b>CC Resolution/Order Number/ Court Action</b>	<b>Amended OR Newly Created</b>
Overtime Pay and Compensatory Time	4.06.20	Notification of Comp. Time	7/26/2016		Amended
Overtime Pay and Compensatory	4.06.22	Wording Changed	10/25/2016		Amended
Comp. & Paid Time Off For Jailers & Deputies	4.07	Entire Section Amended	11/25/2014		New
Comp. & Paid Time Off For Jailers & Deputies	4.07.1	Wording Changed	10/25/2016		Amended
Comp. & Paid Time Off For Jailers & Deputies	4.07.3	Order of Taking Leave & Time Sheets	7/26/2016		Amended
Comp. & Paid Time Off For Jailers & Deputies	4.07.3	Order of Taking Leave	05/09/2017		Amended
Comp. & Paid Time Off For Jailers & Deputies	4.07.3.a	Adding Exception	05/09/2017		New
Comp. & Paid Time Off For Jailers & Deputies	4.07.4	Wording Changed	10/25/2016		Amended
Comp. & Paid Time Off For Jailers & Deputies	4.07.5	Removed	10/25/2016		Amended
Policy on Emergency Closing	5.02.4	Added regular part-time employees	11/28/2017		Amended
Policy on Emergency Closing	5.02.7	Addendum Regarding FFCRA	4/15/2020		Amended
Policy on Emergency Closing	5.02.7	Addendum to Extend FFCRA	1/12/2021		Amended
Policy on Emergency Closing	5.02.7	Addendum to Extend FFCRA	03/23/2021		Amended
Information Technology	5.03.3	Mobile Devices Added	5/26/2015		Amended
Information Technology	5.03.3B	Added High Level Physical Security	5/26/2015		New
Information Technology	5.03.8	Added County Email Issued	5/26/2015		New



## **REFUGIO COUNTY PERSONNEL POLICY MANUAL**

Welcome to Refugio County!

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

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

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

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

Welcome Aboard!

**REFUGIO COUNTY**  
**PERSONNEL POLICY MANUAL**  
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**1.01**  
**ACKNOWLEDGEMENT**

I have read the Refugio County Personnel Policy Manual on the County's website that outlines my privileges and obligations as an employee and includes a summary of my benefits. I acknowledge that the provisions of these policies are part of the terms and conditions of my employment and that I agree to abide by them. I accept responsibility for reading and familiarizing myself with the information in this manual and understand that it contains general personnel policies of the County. If I need clarification on any of the information in this manual, I will contact my supervisor or the County Treasurer.

Since this information is subject to change, it is understood that any changes will be communicated to me by my supervisor or through official notices.

I further understand that as a County Employee, I have a personal responsibility to provide quality service to the public, to achieve the highest degree of safety possible for any fellow workers and myself, to continually make suggestions for improvements, and to display a spirit of team work and cooperation.

I understand that I will be granted compensatory time off in lieu of payment of overtime to the extent provided by law.

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Printed Name of Supervisor

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**1.02**  
**REFUGIO COUNTY**  
**POLICY ON EMPLOYMENT “AT WILL”**

**EMPLOYMENT “AT WILL”**

1. All employment with Refugio County shall be considered “At Will” employment.
2. No contract of employment shall exist between any individual and Refugio County for any duration, either specified or unspecified.
3. Refugio County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time either with or without notice.
4. Refugio County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice.
5. Employees of Refugio County shall have the right to leave employment with the County at any time, with or without notice.
6. Employee and supervisor shall sign and return a Statement of Employment “At Will” within two (2) weeks of hire. Failure to sign and return the Statement shall be grounds for termination.

**1.03**  
**STATEMENT OF EMPLOYMENT “AT WILL”**

Employment with Refugio County is considered “at will”. That is, either the employer or employee can sever the employment relationship at any time without notice, for any legal reason, or for no reason at all. Employment “at will” supersedes all other policies contained in the Refugio County Personnel Policy Manual.

I \_\_\_\_\_, an employee of Refugio County, hereby disclose that I have read the above statement and understand that I have been employed “at will” by Refugio County and that my signature below affirms that understanding. My signature also confirms that I have read and understand the personnel policy manual and agree to follow and comply with the policies stated therein. My agreement to follow and comply with the personnel policy manual does not create an employment contract with Refugio County.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Official/Supervisor



**1.04**  
**REFUGIO COUNTY**  
**POLICY ON EMPLOYEE STATUS**

**FULL TIME**

1. A full-time employee shall be any employee in a position which has a normal work schedule of at least 40 hours per week.

**PART TIME**

2. A part-time employee shall be any employee in a position which has a normal work schedule of less than 30 hours per week.

**TEMPORARY**

3. A temporary employee shall be any employee who is hired into a position which is expected to last for a specific duration not to exceed 6 months, or until a specific project is completed.
4. Temporary employees may be either full-time or part-time.

**REGULAR**

5. A regular employee shall be any employee hired into a position which is not considered to be temporary.
6. Regular employees may be either full-time or part-time.

**HOURLY**

7. An employee who works part-time, and who is paid by the hour is classified as an hourly employee.

**EMPLOYMENT AT WILL**

8. All employees are considered to be "at-will" employees as defined in the POLICY ON EMPLOYMENT AT WILL and employee status shall not be considered a contract of employment.

**BENEFITS**

9. Regular full-time and regular part-time employees shall be eligible for benefits in accordance with the eligibility requirements stated with each policy describing a benefit.
10. Temporary employees shall not be eligible for any benefits except those required by law.
11. Hourly employees shall not be eligible for any benefits except those required by law.

### **EXEMPT JOB POSITIONS**

12. Exempt job positions are those classified under the Fair Labor Standards Act as either administrative, supervisory or professional employees or those specifically exempted by the FLSA. Exempt job positions are not entitled to overtime compensation or compensatory time.
13. Exempt job positions are defined as County Auditor and Chief Juvenile Probation Officer.

### **NON-EXEMPT JOB POSITIONS**

14. Non-Exempt job positions are classified as all other employees that do not have an exempt status. Non-exempt job positions are entitled to overtime compensation or compensatory time that is earned according to the policy on compensatory time found in section 4.06 or 4.07 of this Manual.
15. The County can designate an exempt classified job position under the Fair Labor Standard Act (FLSA) as a non-exempt job position. The County cannot designate a non-exempt classified job position as an exempt job position. The non-exempt classified status is interpreted to be a “betterment” for the job position and entitled to provision’s in 14 above.

**1.05**  
**REFUGIO COUNTY**  
**POLICY ON EQUAL EMPLOYMENT OPPORTUNITY**

**EQUAL OPPORTUNITY EMPLOYER**

1. It shall be the policy of Refugio County to be an equal opportunity employer.
2. Race, color, religion, national origin, sex, age, veteran status, genetic information, pregnancy, disability, or any other condition or status protected by law shall not be factors 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 law or where a bona fide occupational qualification (BFOQ) exists.
3. The County shall make reasonable accommodation for otherwise qualified individuals with disabilities to afford them the same opportunities for employment and all other benefits and privileges of employment afforded to non-disabled individuals.
4. Reasonable accommodation shall be determined through consultation with the disabled individual and, where deemed necessary, through consultation with outside resources.

**1.06**  
**REFUGIO COUNTY**  
**POLICY ON AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT**

**AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT**

1. Refugio County is committed to the fair and equal employment of individuals with disabilities. It is Refugio County's policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the organization. In accordance with the Americans with Disabilities Act, as amended (ADAAA), reasonable accommodations will 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. An applicant or employee who requires accommodation should contact their elected official, appointed official, department head or the county attorney. Reasonable accommodation shall be determined through the interactive process of consultation with the disabled individual and, where deemed necessary, through consultation with outside resources.
  
2. It is the policy of Refugio County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels he or she has been subjected to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, appointed official, department head or the county attorney. All elected officials, appointed officials, department heads and employees with responsibilities requiring knowledge are instructed to treat the employee's disability with confidentiality.

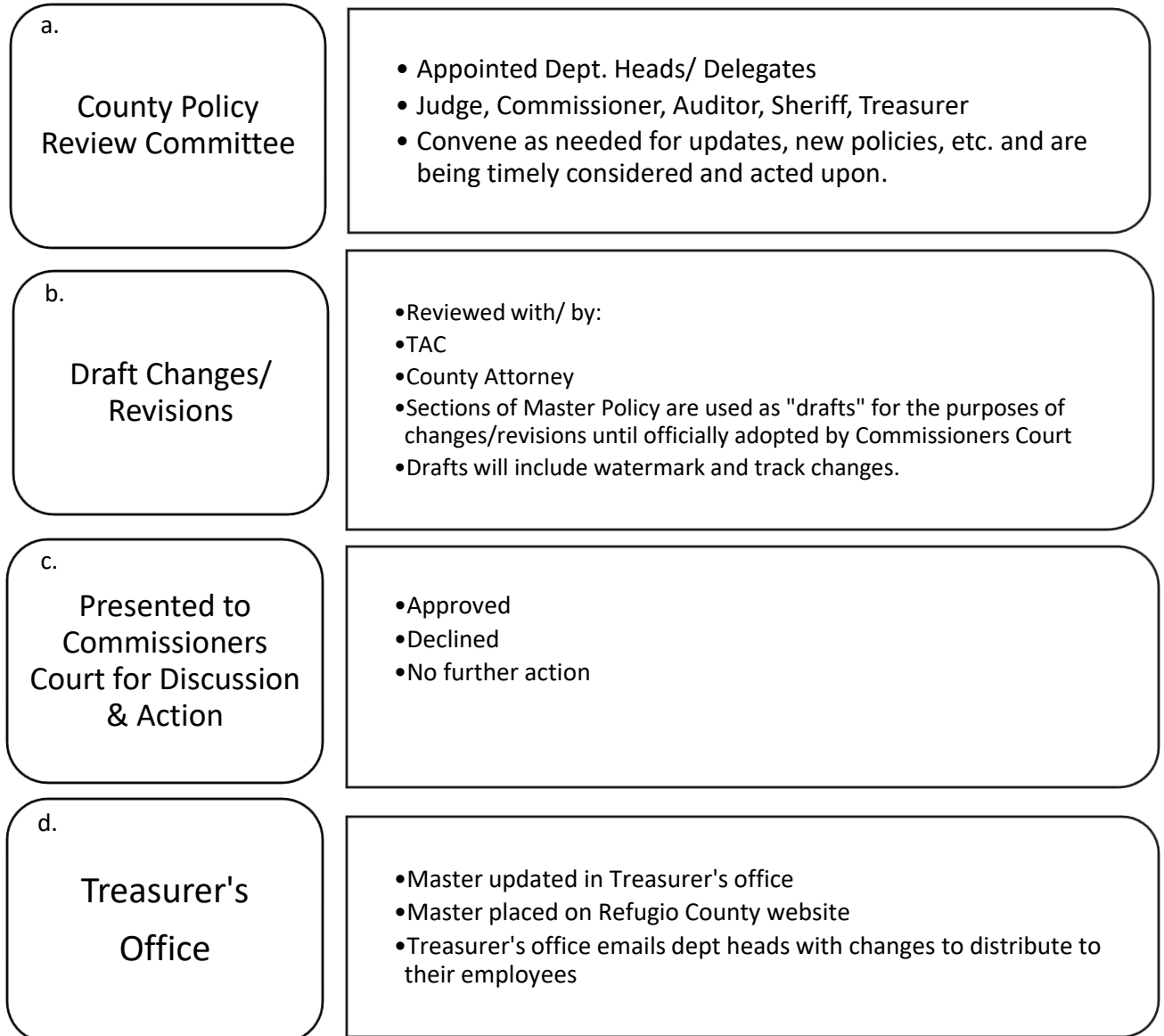
**1.07**  
**REFUGIO COUNTY**  
**POLICY ON DISSEMINATION OF PERSONNEL POLICIES**

**MASTER PERSONNEL POLICY MANUAL**

1. A Master Personnel Policy Manual, which contains the original of all personnel policies in effect for Refugio County shall be maintained in the County Treasurer's Office.

**ILLUSTRATION OF MANAGING PROCESS FOR PERSONNEL POLICY MANUAL**

2.



## **PERSONNEL POLICY COORDINATOR**

3. The County Treasurer shall serve as the County's Personnel Policy Coordinator.
4. The duties of the Personnel Policy Coordinator shall include:
  - a. Maintaining the Master Personnel Policy Manual and updating the manual whenever a change, addition, or deletion is made in the County's personnel policies;
  - b. Coordinating recommendations for additions, deletions, and changes in personnel policies;
  - c. Conducting reviews of all personnel policies to determine if they are consistent with actual practices and in compliance with all legislation relating to the personnel functions and the relationship between the employer and employee;
  - d. Providing an electronic access via County website of the Personnel Policy Manual to each employee; and
  - e. Developing and implementing a system for notifying all County employees whenever a change, addition, or deletion is made in the County's personnel policies.

## **ACKNOWLEDGMENT STATEMENT**

5. Each employee shall be required to sign an Acknowledgment Statement that the employee has read and understands the Personnel Policy Manual and agrees to abide by it. The Statement must be signed within two (2) weeks of employment or within two (2) weeks of reading the Manual on the County's website, whichever is later.
  - a. Any employee failing to sign the Acknowledgement Statement within two (2) weeks after having read it will be terminated.
6. Beginning in 2019, all employees are required to read and understand the content of the Personnel Policy Manual every 4 years. This requirement is to be completed during the month of February. The Acknowledgement Statement shall be completed demonstrating compliance.
7. The Department Head and the Employee have the shared responsibility to assure that the Employee understands all provisions of the Personnel Policy Manual, as evidenced by their signatures on the Acknowledgement page of the Manual.

**1.08**  
**REFUGIO COUNTY**  
**POLICY ON IMPLEMENTATION AND ADMINISTRATION**  
**OF PERSONNEL POLICIES**

**IMPLEMENTATION**

1. Each elected official shall be responsible for the administration and implementation of these personnel policies in all departments for which he/she has administrative, managerial or supervisory responsibility.
2. In all cases, the elected official is the supervisor in his or her office. The elected official may designate an employee such as a chief deputy or foreman to have supervisory responsibilities over other employees in that office.
3. If unique or unusual circumstances make it necessary to deviate from any of these personnel policies, the elected official responsible for overseeing the department involved shall see that the following written documentation is prepared and filed with the County Treasurer:
  - a. Details of the action taken which deviated from the existing policy;
  - b. A description of the circumstances requiring a deviation from the existing policy; and,
  - c. A statement of why the deviation was in the best interest of the County and other parties involved.

**1.09**  
**REFUGIO COUNTY**  
**POLICY ON RECRUITMENT AND SELECTION**

**RECRUITMENT**

1. Recruitment of qualified applicants for regular full-time or part-time positions shall include, but not be limited to public posting in the Refugio County Courthouse for a minimum of one (1) week and advertisement in the local newspaper for a minimum of one (1) week.
2. Temporary employees may be employed to fill regular employment positions without following the formal recruitment guidelines of this policy. However, if a temporary employee is being considered for a regular position then the recruiting process applies.

**APPLICATION**

3. Any individual applying for a position shall be required to fully complete an application for employment form provided by the County Treasurer before he/she can be considered to be an applicant for any position with the County. Current County employees shall complete a new application form to be considered for any other open position in the County.
4. A Department head may review original applications during working hours at County Treasurer's Office and request copies of same.

**PROMOTIONS**

5. Promotions are the movement of an employee from one position to another within the same department or office with an increased responsibility or complexity of job duties, and to a higher salary.  
(Advertising Not Required.)

**DISQUALIFICATION**

6. An applicant shall be disqualified from consideration if he/she:
  - a. Does not meet the minimum qualifications necessary for the performance of the duties of the position for which applying;
  - b. Has knowingly made a false statement on the application form or any other documents which have bearing on the selection process;
  - c. Has committed or attempted to commit a fraudulent act at any stage of the selection process;
  - d. Is not legally permitted to hold the position; or
  - e. For other reasonable grounds related to the job requirements.



## **SELECTION**

7. It shall be the policy of Refugio County to select the best qualified applicant to fill any open position. Selection is to be made by the official or department head having the opening.
8. Each elected or appointed official, or his/her designee, shall be responsible for selecting the applicant who he/she feels best meets the qualification for any open position in the department.

Selection methods may be as follows:

- a. A review of the application to determine basic qualifications;
- b. A personal interview with the potential supervisor;
- c. Reference and other background checks.

## **RETENTION OF APPLICATIONS**

9. Applications of individuals applying for employment with Refugio County shall be kept in the County Treasurer's Office for a minimum of two years after the initial date of the application.
10. The applications kept in the County Treasurer's Office may be reviewed during normal working hours by any supervisor having an opening in his or her department.

**1.10**  
**REFUGIO COUNTY**  
**POLICY ON PHYSICAL STANDARDS**

**BASIC STANDARDS**

1. Each current employee or job applicant of Refugio County shall be required to meet the basic physical standards for the job in which he/she is employed for or which he/she is applying.

**PHYSICAL EXAMINATION**

2. The County shall require applicants who receive a conditional offer of employment to take a physical examination to determine if he/she meets the basic physical standards and can perform the essential job functions with or without reasonable accommodation required for the job in which he/she is applying. All physical exams shall be at Refugio County's expense.

**DRUG TESTING**

3. All job applicants are required to take an initial drug screening test prior to beginning employment. Failure of the drug test will result in disqualification for employment. All drug tests shall be at Refugio County's expense.

**REASONABLE ACCOMMODATION**

4. The purpose of any physical examination conducted under the provisions of this policy, and the nature of any reports generated by such a physical examination, shall be to measure and show only physical standards and abilities that are specifically required for the job in which the individual is employed or for which he/she is applying.
5. Determination of reasonable accommodation for otherwise qualified disabled employees or applicants shall be made in accordance with the provisions of the POLICY ON EQUAL EMPLOYMENT OPPORTUNITY AND THE POLICY ON ADA.

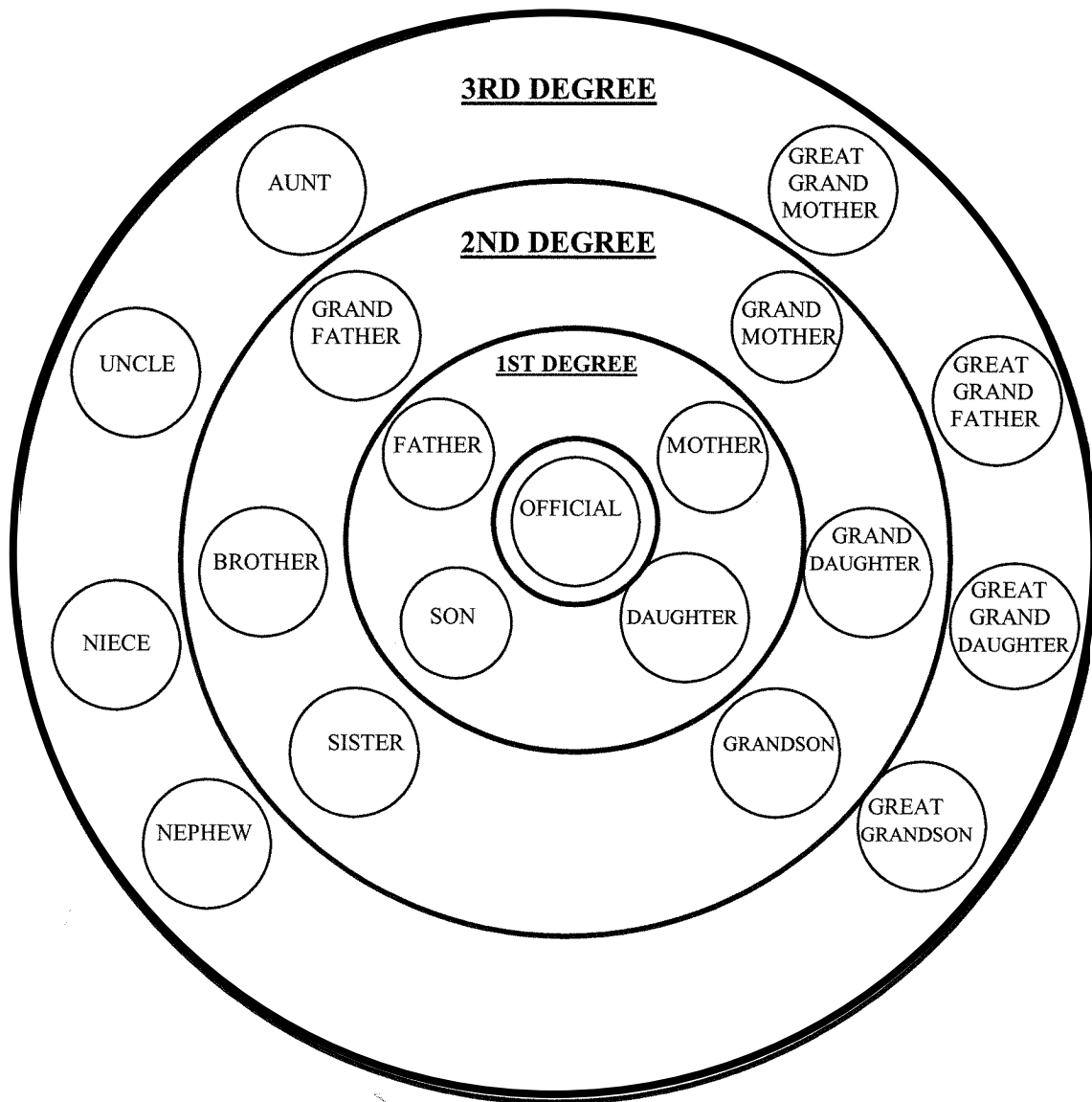
**1.11**  
**REFUGIO COUNTY**  
**POLICY ON NEPOTISM**

**HIRING OF RELATIVE**

1. An elected or appointed official of Refugio County shall not hire a person related within third degree of consanguinity (blood) or the second degree of affinity (related by marriage) to work in a department which he/she supervises. (See attached chart for Civil Law Method.)

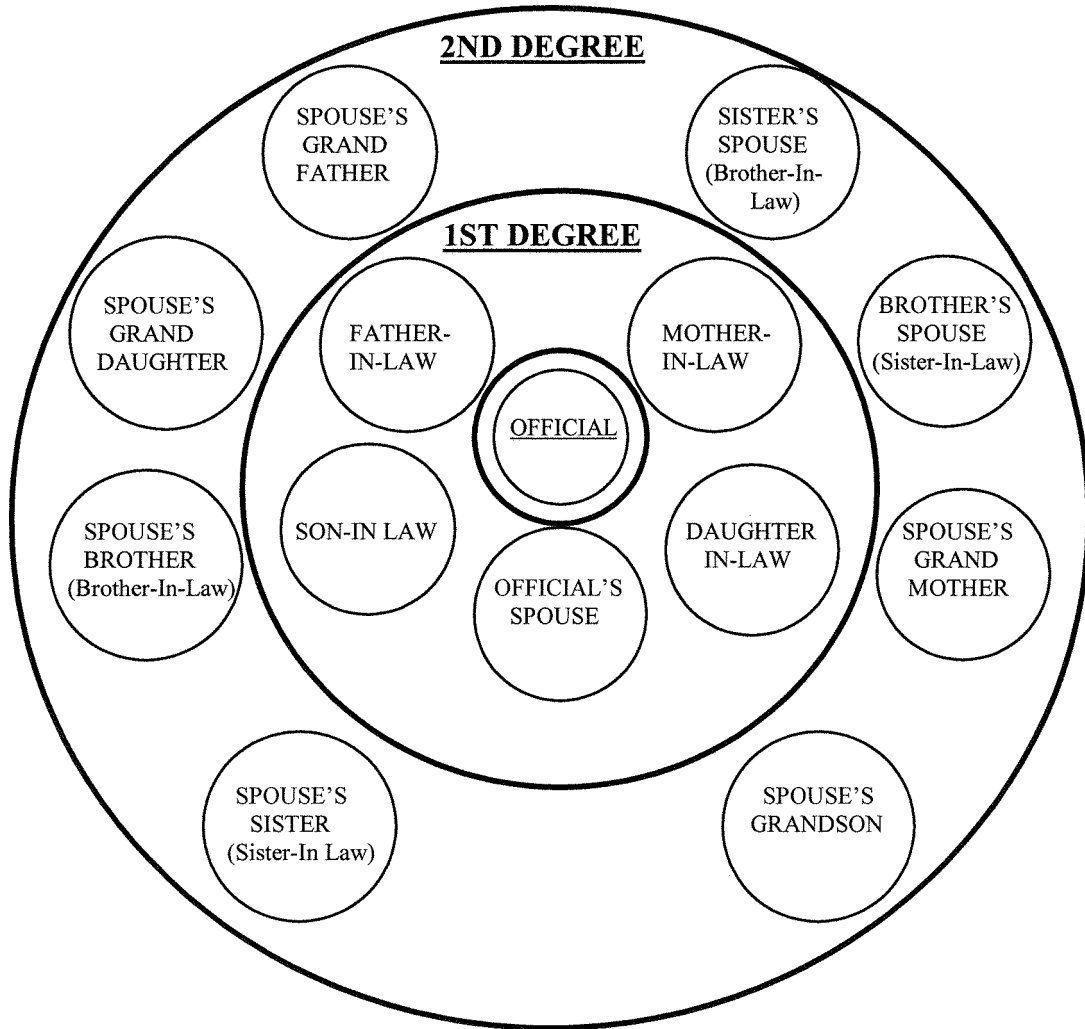
**CONTRACT EMPLOYEES**

2. A relative of an elected or appointed official of Refugio County shall not be hired on a contract basis unless the following criteria are met and the Commissioners' Court gives approval:
  - a. All reasonable efforts were made to get contract bids from other qualified individuals in the area;
  - b. The cost/quality ratio of work expected from the individual is the most favorable of all bidders; and,
  - c. The relationship created by the contract is not detrimental to the interests of the County and is, in fact, determined to be in the best interest of the Refugio County by the Commissioners' Court.



Consanguinity Kinship Chart (Blood)

**TEXAS NEPOTISM CHART CIVIL  
LAW METHOD**



**Affinity Kinship Chart (Marriage)**

**TEXAS NEPOTISM CHART CIVIL  
LAW METHOD**

**1.12**  
**REFUGIO COUNTY**  
**POLICY ON PERSONNEL FILES**

**PERSONNEL FILES**

1. The Refugio County Treasurer's Office will retain basic employee information in an individual personnel file. This file may include all pertinent employment documents such as resume, application, current address, correct and updated contact information, paperwork related to retirement and benefits, as well as records concerning performance, discipline and compensation. Personnel files will be separated into a basic file and a confidential file.
2. It is important that the personnel records of Refugio County be accurate at all times. In order to avoid issues, compromising your benefit eligibility or having W2's returned, Refugio County requests employees to promptly notify the appropriate personnel representative of any change in name, home address, telephone number, marital status, number of dependents, or of any other pertinent information.
3. Texas State Law requires that all governmental entities release the home address and telephone number of employees if requested to do so. You may keep this information private by requesting in writing not to allow this information to be released.

**2.01**  
**EFFECTIVE 1/1/2018**  
**REFUGIO COUNTY**  
**POLICY ON VACATION**

**ELIGIBILITY**

1. All regular full-time and regular part-time employees of Refugio County shall be eligible for paid vacation leave.
2. Temporary and hourly employees shall not be eligible for vacation benefits.

**VACATION ELIGIBILITY SCHEDULE**

3. Vacation eligibility is based on years of tenure and awarded in accordance with the following Vacation Schedule.
  - a. For purposes of this policy, a working day shall be defined as the regular number of hours that an employee would be expected to work on a day that he/she is scheduled to work.

**TRANSITION PLAN FROM ACCRUAL TO VACATION LUMP SUM**

4. Vacation accrual will be changed to lump sum effective 1/1/2018. Employees have until 12/31/2018 to use current vacation time before starting the 20/40 hour carryover. (Please refer to 2.01 effective 1/1/2018 for Vacation Changes.)
5. The Treasurer's office shall maintain on the payroll record on a bi-weekly basis a vacation record for each employee in his/her department which shows:
  - a. The hours of vacation earned for the calendar year will be indicated on employees pay stub the first payroll cycle of each year.
  - b. The hours of vacation used during the bi-weekly pay period; and,
  - c. The vacation balance at the end of the bi-weekly pay period.

**REFUGIO COUNTY**  
**VACATION SCHEDULE**

**FULL-TIME REGULAR EMPLOYEES**

<u>Years of Service</u>	<u>Annual Hours</u>	<u>Carryover Hours</u>	<u>Maximum</u>
6 Mos. thru 4	(80)	40	120
5 thru 9	(96)	40	136
10 thru 14	(120)	40	160
15 and over	(160)	40	200

## **PART-TIME REGULAR EMPLOYEES**

<u>Years of Service</u>	<u>Annual Hours</u>	<u>Carryover Hours</u>	<u>Maximum</u>
6 Mos. thru 4	(40)	20	60
5 thru 9	(48)	20	68
10 and over	(60)	20	80

\*For purposes of vacation, the normal workday for a part-time employee is defined as four (4) hours and the normal workweek is defined as twenty (20) hours.

### **INITIAL WAITING PERIOD**

6. Eligibility for vacation shall begin 6 months after an employee begins work in a position eligible for vacation. After the initial waiting period, if employee is hired between January and June, employee will be eligible for 20/40 hours of vacation during the remainder of that calendar year. If hired between July and December, employee will get 40/80 hours after the 6 month waiting period.

### **VACATION CARRYOVER**

7. The maximum amount of vacation that an employee shall be allowed to carry over to the next calendar year shall be 40 hours for full-time employees and 20 hours for part-time employees. Any excess unused vacation above 20/40 hours **WILL NOT** be carried over after December 31st of the given year. Under extraordinary circumstances beyond the control of the employee which prevents the use of all vacation leave within the 12-month period required and will cause undue hardship within employee's department, one extension not to exceed 90 days may be authorized by the employee's supervising Elected Official or Governing Board and documented per section 1.08, Policy On Implementation and Administration of Personnel Policies.

### **PAY IN LIEU OF VACATION**

8. An employee shall not be allowed to receive pay in lieu of taking time off for vacation.

### **POLICY ON VACATION SCHEDULE**

9. Scheduling of vacations shall be at the discretion of the supervisor.

### **MINIMUM USAGE**

10. The minimum amount of vacation used shall be regulated by supervisor.

### **BORROWING VACATION**

11. Employees shall not be allowed to borrow vacation against possible future vacation earnings.



### **HOLIDAYS DURING VACATION**

12. If a holiday falls during the period an employee is on vacation, the holiday shall be handled in accordance with the provisions of the Holiday Policy and will not be charged against the employee's vacation balance.

### **ILLNESS DURING VACATION**

13. If an employee becomes ill while taking vacation leave, the period of illness may be charged against the employee's sick leave balance and not vacation if:
  - a. The employee promptly notifies his/her supervisor of the illness;
  - b. The employee provides the supervisor with acceptable proof of the illness; and,
  - c. The supervisor gives permission to charge the period of illness to sick leave.

### **VACATION PAY AT TERMINATION**

14. (EFFECTIVE 1/1/2019)  
Employees who have been employed for six (6) or more months in a position which has earned vacation time shall be paid for their remaining unused vacation hours or no more than 40 hours full-time or 20 hours part-time, if unused vacation exceeds 40/20. Payouts will be calculated at their regular rate upon termination of employment. Lateral transfers do not affect vacation accumulation.
15. Employees who have been employed for six (6) or more months in a position which accrues vacation shall be paid for all unused vacation at their regular rate upon termination of employment until 12/31/2018. Lateral transfers do not affect vacation accumulation.

### **MAXIMUM AVAILABLE VACATION**

16. The maximum amount of vacation an employee shall have available for use at any given time is the amount of unused vacation the employee had at the end of the previous payroll period.

### **NO BRIDGING OF SERVICE**

17. If an employee leaves and is rehired, there shall be no crediting of prior service for the purpose of vacation accrual.

### **RECORD KEEPING**

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

### **TWENTY-SEVEN PAY PERIODS**

19. **Every 10 or 11 years there will be 27 pay periods within the budget year as opposed to the typical 26 pay periods. Employee's bi-weekly pay distribution during that 27 pay period budget year will be reduced to reflect the one additional pay period.**

**2.02**  
**REFUGIO COUNTY**  
**POLICY ON SICK LEAVE**

**ELIGIBILITY**

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

**ACCRUAL RATE**

2. Full-time regular employees shall accrue 3.69 hours per bi-weekly period.
3. Part-time regular employees shall accrue 1.85 hours per bi-weekly period.

**ACCUMULATION**

4. Any unused sick leave at the end of the calendar year shall be carried over into the next calendar year.

**MAXIMUM ACCRUAL**

5. The maximum accrual that can be carried over into a new calendar year is sixty (60) working days, which is equivalent to 480 hours for full-time employees. Maximum accrual that can be carried over for regular part-time employees is 60 one-half days which is the equivalent to 240 hours.

**MINIMUM USAGE**

6. The minimum amount of sick leave that may be used shall be regulated by the immediate supervisor.

**TYPES OF USAGE**

7. Eligible employees may use accrued sick leave for absence from work due to:
  - a. Personal illness or physical or mental incapacity;
  - b. Appointments with physicians, optometrists, dentists and other qualified medical professionals; and
  - c. Illness of a member of the employee's immediate family who requires the employee's personal care and attention.
  - d. For purposes of this policy, immediate family shall include the employee's spouse and the child, grandchild, parent, brother, or sister of the employee or the employee's spouse.

### **NOTIFICATION OF SICK LEAVE**

8. An employee shall be responsible for notifying his/her supervisor as early as is practical of the first day of the requested sick leave.
9. If more than one day of sick leave is needed, the employee shall be responsible for notifying his/her supervisor of the expected length of the absence on the first day of sick leave, or shall be required to notify his/her supervisor on a daily basis for each day he/she is unable to come to work.
10. An employee shall be required to request prior approval from his/her supervisor for sick leave to be used for non-emergency medical appointments.

### **DOCUMENTATION**

11. An employee's supervisor may request acceptable documentation of an employee's illness or injury where it is deemed necessary for approval of a sick leave request.

### **BORROWING**

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

### **MAXIMUM AVAILABLE**

13. The maximum amount of sick leave that an employee will have available at any given time is the unused balance at the end of the previous period payroll.

### **WAITING PERIOD**

14. There shall be no waiting period for using accrued sick time.

### **PAY AT TERMINATION**

15. An employee shall receive no pay for any unused sick leave balance at the time of termination of employment.

### **NO BRIDGING OF SERVICE**

16. If an employee leaves and is rehired, there shall be no crediting of prior sick leave.
17. Each employee shall be responsible for accurately recording all sick time used on his or her time sheet.

### **RECORD-KEEPING**

18. The Treasurer's Office shall maintain and update on a bi-weekly basis on the payroll record a sick leave record for each employee which shows:
  - a. The hours of sick leave earned during the bi-weekly pay period;

- b. The hours of sick leave used during the bi-weekly pay period; and
- c. The accrued sick leave balance at the end of the bi-weekly pay period.

## **RETURN TO WORK**

19. Return to work following hospitalization (for illness, injury on or off the job, or for a pregnancy) requires a written statement from the attending physician or medical provider certifying that the employee has been released to return to work and specifying the type(s) of work he or she is capable of performing as well as any limitation(s) must be received by the supervisor before an employee may return to work.

**2.03**  
**REFUGIO COUNTY**  
**POLICY OF BREAKS**

**NURSING MOTHERS BREAKS**

1. The Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk during the first year following the birth of a child.
2. Refugio County will provide two paid 20 minute breaks daily for nursing mothers. The nursing mother will be allowed whatever time is needed to express breast milk, however, if the break is longer than 20 minutes in duration, the break time will be unpaid time off.
3. The mother will be given a private location, other than a bathroom. The location will be shielded from view and free from intrusion and appropriate for expressing breast milk. The specific location will be determined on a case by case basis.
4. Refugio County does not allow any retaliation against nursing mothers for asking for this break. Nursing mothers are entitled to this break for 1 year following the birth of their child.
5. All other employee breaks are determined by each department head and are not required to be given but are allowed per policy 4.05.8. If the department head provides employees 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, however if paid breaks are provided for employees, nursing mothers must be given the same amount of paid break time.

**MEAL PERIODS**

6. The scheduling of employee meal periods shall be determined by the department head or his/her designee to facilitate the serving of the public and permitting efficient department operations.
7. The normal length of the meal period shall be one hour.
8. For computation of hours worked, employees shall be considered to be off duty during meal periods unless circumstances require them to remain in an on duty status during the meal period as defined by the Fair Labor Standards Act.

**2.04**  
**REFUGIO COUNTY**  
**POLICY ON BEREAVEMENT LEAVE**

**FAMILY FUNERAL**

1. Employees shall be allowed up to three days leave with pay for a death in the immediate family.
2. For purposes of this policy, immediate family shall include the employee's spouse and the child, grandchild, parent, grandparent, brother, or sister of the employee or the employee's spouse.

**OTHER LEAVE**

3. Employees who need time off to attend the funeral of a relative who is not a member of the immediate family or the funeral of a friend may be allowed to use sick, vacation, compensatory time, or leave without pay.

**CLOSING COUNTY OFFICES**

4. Elected officials and supervisors have full discretionary authority to close their respective offices to allow employees to attend funerals of County employees, officials of Refugio County, spouses or relatives of County employees. Length of closing will be the appropriate amount of time to allow travel to and from funeral home and/or cemetery.

**ADDITIONAL LEAVE**

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

**2.05**  
**REFUGIO COUNTY**  
**POLICY ON HOLIDAYS**

**ELIGIBILITY**

1. All regular full time and regular part time employees of the County shall be eligible to receive time off with pay for each official County holiday as established annually by the Refugio County Commissioners' Court.

**AMOUNT TO PAY**

2. Regular full time employees shall receive eight (8) hours pay for each official holiday.
3. Regular part time employees shall receive their usual pay for each official holiday.

**WORK ON A HOLIDAY**

4. If an employee's job requires him/her to work on an official holiday, the employee shall be given other holiday time off equal to the amount of time worked.

**HOLIDAY ON DAY OFF**

5. If a holiday during the week occurs on an employee's regular day off, the employee shall be given another day off with pay.

**HOLIDAY DURING VACATION**

6. If a paid holiday occurs during the vacation of an eligible employee, that day shall be paid as a holiday and not be charged against the employee's vacation balance.

**HOLIDAYS DURING LEAVE OF ABSENCE OR SUSPENSION**

7. An employee who is on a leave of absence or suspension without pay shall not be paid for any official holidays occurring during such leave.
8. Employees shall receive no pay for accrued Holiday Time at the termination of employment with the County.

**2.06**  
**REFUGIO COUNTY**  
**POLICY ON JURY DUTY LEAVE**

**JURY DUTY**

1. All regular full time and regular part time County employees shall receive their normal pay for the period they are called for jury duty which includes both the jury selection process and, if selected, the time the employee actually spends serving on the jury.
2. An employee receiving pay from the County while on jury duty leave is entitled to all fees received from the County as a juror.
3. If an employee is called to jury duty, he/she must notify his/her supervisor immediately so appropriate arrangements can be made for the time off required.

**OFFICIAL COURT ATTENDANCE**

4. All regular employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the County shall be entitled to leave with pay for such period as his/her court attendance may require.
5. Any fee paid for such service may be retained by the employee.

**PRIVATE LITIGATION**

6. If an employee is absent from work to appear in private litigation in which he/she is a principal party, the time off shall be charged to vacation leave or leave without pay.



**2.07**  
**REFUGIO COUNTY**  
**POLICY ON STATE MILITARY LEAVE**

**GUARD AND RESERVE**

1. 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) working days off per year with pay to attend authorized training sessions and exercises.
2. The fifteen (15) working days paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next calendar year.
3. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule.
4. An employee may use annual leave, earned compensatory time, or leave without pay if he/she must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen working days maximum.

**ORDERS**

5. An employee going on military leave shall provide his or her supervisor with a set of orders within three (3) days after receiving them.

**ACTIVE MILITARY**

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

**2.08**  
**REFUGIO COUNTY**  
**POLICY ON FEDERAL MILITARY LEAVE**

**ELIGIBILITY**

1. All employees who are members of the United States Army, Navy, Marine Corps, Air Force, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard, Air National Guard, the commissioned corps of the Public Health Service, or any other category of persons 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 employee's fitness to serve in the Armed Forces.

**LEAVE OF ABSENCE**

2. 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.

**EXTENT OF LEAVE**

3. Employees will be granted leave as required to fulfill their military 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**

4. Employees on leave for military service are eligible for continued coverage for themselves and their dependents, if the county has group health insurance coverage, for up to 24 months. This continuation coverage will be discontinued if the employee fails to apply for or return to employment. The employee must pay the premiums for this coverage if it is in effect if he/she chooses to continue coverage under the 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 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**

5. An employee who is absent for military service is entitled to participate in any rights or benefits, not based on seniority, which are provided to other county employees on paid or unpaid leave-of-absence. The returning employee shall be entitled not only to non-seniority rights and benefits available at the time he/she left for military service, but also to those that became effective during his/her military service.

Employees must pay the employee 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.

### **RETURN FROM MILITARY SERVICE**

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

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

All of 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**

7. 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.

### **FORFEITURE OF RIGHTS**

8. (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 benefits not 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.

**2.09**  
**REFUGIO COUNTY**  
**POLICY ON WORKERS' COMPENSATION**

**ELIGIBILITY**

1. All Refugio County employees are covered by workers' compensation insurance while on duty for the County.

**BENEFITS**

2. Workers' compensation insurance pays for medical bills resulting from injury or illness an employee incurs while carrying out the duties of his/her job.
3. Workers' compensation also pays a partial salary continuation benefit for time lost from work in excess of seven calendar days as the result of eligible work related injuries or illnesses.

**ACCIDENT REPORTING**

4. Any employee who suffers a job related illness or injury shall be required to notify his/her supervisor and the County Treasurer's Office as soon as possible.
5. Failure to promptly report job related injuries or illnesses may affect an employee's eligibility for benefits or delay benefit payments which are due.
6. Any employee suffering any duty-related injury or illness which requires immediate or continued medical treatment shall immediately seek such treatment from a Worker's Compensation physician or medical facility. When the Worker's Compensation network is available, employees must seek treatment from an approved network provider.

**PHYSICIAN'S RELEASE**

7. 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 or medical provider before being allowed to return to work.

**CONTRIBUTORY FACTORS**

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

**COORDINATION WITH LEAVE**

9. Refugio County counts an employee's leave due to a work-related injury or illness toward the employee's 12-week leave entitlement under the Family Medical Leave Act. Because workers' compensation leave is designated as FMLA leave, benefits are governed by the applicable provisions of the FMLA policy contained herein.

## **COMPENSATION DURING LEAVE OF ABSENCE**

10. Any employee granted a leave of absence for work related accidents or illnesses may receive full salary from the County for the-duration of any such leave, as outlined in 10.a. below, provided that the County shall receive any temporary disability payments which are also received by the employee.
  - a. The total amount paid an employee while absent from work due to a job related injury or illness, which includes any combination of workers' compensation, sick leave pay, vacation, and compensatory time shall not exceed one hundred percent (100%) of the employee's normal gross pay.
  - b. After all sick leave, vacation and compensatory time is exhausted, employees shall receive a worker's compensation check only.
  - c. An employee with a physical injury who is able, as determined by the attending physician or medical provider, to perform light duty may be required to do so for a County department.
  - d. Deputies or jailers who sustain injuries while on the job will receive their full salary while incapacitated offset against any Worker's Compensation wages until the end of the Sheriff's term of office under which the injury occurred. Modified duty assignments will be made to injured employees in conjunction with the policy provisions found in the "Return To Work" Policy (see Policy 2.15).

## **SALARY CONTINUATION**

### **11. PAYMENT OF MEDICAL EXPENSES OF LAW ENFORCEMENT OFFICIALS**

Each county in the State of Texas is hereby authorized to pay all medical expenses, all doctor bills and all hospital bills for Sheriffs, Deputy Sheriffs, Constables, Deputy Constables and other county and precinct law enforcement officials who are injured in the course of their official duties; providing that while said Sheriff, Deputy Sheriff, Constable, Deputy Constable or other county or precinct law enforcement official is hospitalized or incapacitated that the county shall continue to pay his maximum salary; providing, however, that said payment of salary shall cease on the expiration of the term of office to which such official was elected or appointed. Provided, however, that no provision contained herein shall be construed to amend, modify, repeal or nullify Article 16, Section 31, of the Constitution of the State of Texas. (Added Nov. 11, 1967.)

**2.10**  
**REFUGIO COUNTY**  
**POLICY ON RETIREMENT BENEFITS**

**COUNTY RETIREMENT**

1. Refugio County shall participate in the Texas County and District Retirement System.

**ELIGIBILITY**

2. Details of eligibility for and benefits provided by the program shall be available for review at the County Treasurer's Office during normal work hours.

**CONTRIBUTIONS**

3. The employee's share (7%) of the retirement contribution shall be deducted from each paycheck.
4. Refugio County shall make a contribution to each eligible employee's retirement account based on a percentage determined each year by TCDRS.

**2.11**  
**REFUGIO COUNTY**  
**POLICY ON SOCIAL SECURITY**

**SOCIAL SECURITY**

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

**CONTRIBUTIONS**

2. Contributions to this program shall be made by deductions from each employee's paycheck in accordance with the requirements of this program.
3. The County shall contribute an amount equal to the employee's contribution in accordance with the requirements of this program.

**2.12**  
**REFUGIO COUNTY**  
**POLICY ON LONGEVITY PAY**

**ELIGIBILITY**

1. All elected officials, regular full time employees, regular part-time employees and hourly employees shall be eligible for the longevity pay benefit.
2. All elected officials, regular, full-time, part-time, or hourly employee must be employed continually for a minimum of 12 months as of June 30<sup>th</sup> each year.
3. Employees who terminate prior to October 31st of the current year are not eligible to receive longevity pay.

**AMOUNT**

4. Employees who change status from part-time to full-time or vice versa shall earn longevity credit according to their current status.

**PAYMENT**

5. Longevity payments shall be made with the first payroll in November. The current amount of longevity pay is \$5.00 per month of service for full-time employees and \$2.50 per month of service for part-time employees. **NO BRIDGING OF SERVICE:**  
If employee leaves and is rehired, there shall be no crediting prior services for the purposes of longevity pay.

**MAXIMUM**

6. There is no maximum amount of longevity pay for which an employee is eligible.

**APPROPRIATION FOR FUNDING**

7. Appropriations for the payment of longevity pay shall be considered during the budget process each year. The Commissioners' Court shall determine if the financial condition of the County will allow for the payment of longevity pay during the succeeding fiscal year.

## 2.13

### REFUGIO COUNTY

#### POLICY ON FAMILY AND MEDICAL LEAVE ACT AND MILITARY LEAVE ACT

The federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2009 requires employers 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 entitlements (Military Family Leave—MFL) described in this policy.

Employees with any questions about their eligibility for FMLA leave should contact the County Treasurer's office for more information.

#### ELIGIBILITY

1. To be eligible for benefits under this policy, an employee must:
  - a. Have worked for Refugio 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

2. Family or medical leave under this policy may be taken for following situations:
  - a. The birth of a child and in order to care for that child;
  - b. The placement of a child in the employee's home for adoption or foster care;
  - c. To care for a spouse, child, or parent with a serious health condition; or
  - d. The serious health condition of the employee.

#### SERIOUS HEALTH CONDITION

3. 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.
4. Serious health condition of a spouse, child, or 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

5. Up to 12 weeks leave per 12 month period may be used under this policy for reasons listed above in section (2).



6. The County will measure the 12 month period as a rolling 12 month period measured backward from the date an employee uses any leave under this policy for all FMLA and MFL leave (see below).
7. All leave taken under this policy during the prior 12 month period shall be subtracted from the employee's FMLA or MFL leave eligibility and the balance is the leave the employee is entitled to take at that time.
8. If a husband and wife both work for the County, the maximum combined leave they shall be allowed to take in any 12 month for the birth or placement of a child is 12 weeks.

### **MILITARY FAMILY LEAVE**

9. Under the MFL, there are two types of leave available: 1) a qualifying exigency leave; and 2) leave to care for a covered service member.
10. Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, in the Armed Forces (Regular, Reserves 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 for 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 member's active duty status);
  - h. other activities arising out of the covered military member's active duty or call to active duty in a foreign country and agreed upon by the county and the employee.
11. 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 retired 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**

12. If an employee has accrued leave, the employee shall be required to use appropriate paid leave for all FMLA or MFL leave.
13. The maximum amount of paid and unpaid leave that may be used under this policy in any 12 month period 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. In any 12 month period, all leaves combined cannot exceed 26 weeks in the 12 month period.

#### **INSURANCE**

14. While on leave under this policy, the County shall continue to pay the employee's 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.
15. 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 will be discontinued.
16. Payment for coverage under section 4.04 of this policy shall be made through regular payroll deduction while the employee is on leave with pay.
17. While on leave without pay, the employee shall be required to pay for premiums due to the County prior to 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**

18. 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 employer's operations.
19. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis.
20. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

21. All work time missed as the result of intermittent leave or a reduced work schedule under this policy shall be deducted from the employee's FMLA/MFL leave eligibility.

#### **PHYSICIAN'S STATEMENT AND CERTIFICATIONS**

22. The County shall have the right to ask for medical information and certification of the serious health condition, from the employee's physician or medical provider or the employee's eligible dependent's physician or medical provider when the employee requests or is using leave under this policy. The county can also ask for certification for MFL leave.
23. The employee should respond to the request within 15 days of the request or provide a reasonable explanation for the delay.
24. 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.
25. 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.
26. 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.
27. 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.

28. 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 the County, and this third opinion shall be considered final.

#### **REQUESTING LEAVE**

29. 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.
30. Where practicable, an employee should give his or her immediate supervisor at least 30 days notice before beginning leave under this policy.
31. Where it is not reasonably practicable to give 30 days notice before beginning leave, the employee shall be required to give as much notice as is reasonably practicable.
32. 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.

#### **REINSTATEMENT**

33. 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.
34. Where an employee is placed in another position, it will be one which has equivalent status, pay, benefits, and other employment terms and one which entails substantially equivalent skill, effort, responsibility, and authority.
35. 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**

36. 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**

37. While on leave 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**

38. Any area or issue regarding family and medical leave which is not addressed in this policy shall be subject to the basic requirements of the Federal Family and Medical Leave Act (FMLA) and the regulations issued to implement it.

**2.15**  
**REFUGIO COUNTY**  
**RETURN-TO-WORK POLICY**

**POLICY OVERVIEW**

1. This policy covers employees who are on leave due to an occupational injury or illness. Because employees are our most valuable resource, Refugio County attempts to help employees return to work as soon as possible after their physician or medical provider certifies their fitness to do so.

**COORDINATION WITH ATTENDING PHYSICIAN OR MEDICAL PROVIDER**

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

**JOB DESCRIPTIONS**

3. 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 will work with the Treasurer's Office and medical consultants to analyze any new light-duty position and develop a job description describing the essential functions of that position.

**RETURN TO WORK OPTIONS**

4. Arrangements to facilitate an employee's early return to work will be made in consultation with the employee's attending physician and/or other qualified medical professionals retained by Refugio County or its insurance carrier. The following options may be explored:
  - a. Return to prior position. An employee is offered the opportunity to return to his or her prior position if the attending physician or medical provider certifies that the employee can perform the essential functions of the job with or without reasonable accommodations. The Treasurer's Office will be responsible for working with the employee's supervisor, the elected official, and attending physician or medical provider (and third party consultants, as necessary) to provide any reasonable accommodations.
  - b. Light duty. An employee who is not yet able to return to his former duties is offered (subject to the restrictions set out in section 5 of this policy) a temporary light-duty assignment that has been approved by the employee's attending physician or medical provider. The Treasurer's Office will be responsible for working with the employee's supervisor, the elected official, and the employee's attending physician or medical provider to develop and implement the light-duty

assignment. The assignment can consist of the employee's regular job with reduced working hours and/or activities, or an alternative light-duty position.

### **RESTRICTIONS ON LIGHT DUTY ASSIGNMENTS**

5. The following restrictions apply to light-duty assignments:

- a. No guarantee of work. As provided in section 4 of this policy, Refugio County must endeavor to return employees to gainful employment as soon as possible by exploring possible light-duty assignments. However, Refugio County does not guarantee the availability of light-duty work.
- b. Pay rates and Workers' Compensation benefits. Employees on light 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. (Exception: Deputies and jailers are guaranteed 100% salary continuation as guaranteed by the State Constitution). The pay rate for a light-duty assignment is based on the knowledge, skills, and abilities required for the job as well as general market conditions. Employees who return to work in light-duty positions before they have reached maximum medical improvement are eligible for temporary partial disability benefits under Texas's Workers' Compensation program if they earn less than they earned in the position held at the time they sustained the work-related accident or illness. Employees in light-duty positions are not permitted to supplement their Workers' Compensation benefits by using their accrued vacation, personal, or medical/sick leave.
- c. 4-Week limit. Light-duty assignments are temporary arrangements intended to complement and facilitate the healing process. Light-duty assignments cannot exceed 4 weeks without approval from employee's supervisor and elected official. Light-duty assignments are to comply with all reasonable accommodation efforts and provisions under the ADA.

### **EMPLOYEE REFUSAL OF WORK/TRAINING**

6. In the event that an employee refuses to return to regular or light duties in response to a written, bona fide offer of employment by Refugio County sent via certified mail, the employee is separated from Refugio County 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. (See section 9)). A written offer of employment must clearly state:
  - a. the position offered and the duties of the position;
  - b. Refugio County's agreement to any limitations or conditions set out in the attending physician or medical provider's certification of the employee's fitness to return to work;

- c. the job's essential functions; and
- d. the job's wage, working hours, and location.

### **PERMANENT DISABILITIES**

7. 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 or her regular position. Refugio County, in consultation with the employee's attending physician or medical provider and Texas's Workers' Compensation Department, must evaluate the following options:
  - a. Securing vocational rehabilitation services from the state's resources or private consultants, as appropriate. Services can include assessment and testing, counseling, and training.
  - b. Finding a position at Refugio County commensurate with the employee's knowledge, skills, and abilities.

Employees with permanent disabilities are paid partial or total permanent disability benefits as required under Texas's Workers' Compensation program.

### **MEDICAL INFORMATION**

8. All employee medical information is held in strict confidence in accordance with the Americans with Disabilities Act Amendments Act. Medical inquiries are limited to those permitted under Texas's Workers' Compensation statute and applicable federal law.

### **COORDINATION WITH FMLA**

9. 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 Refugio County's policy to designate an employee's leave due to a work-related injury or illness as FMLA leave if eligible. To the extent permitted by the FMLA, Refugio County counts the period of an employee's light-duty assignment toward the employee's FMLA entitlement.

Employees entitled to FMLA leave can voluntarily accept light-duty assignments while they are recuperating, but they cannot be required to do so. (Note: This refusal can result in the loss of Workers' Compensation income benefits.) Employees who lose their workers' compensation benefits as a result of declining a light-duty assignment are required to substitute any available paid leave, such as accrued vacation, compensatory, personal, or medical/sick leave, for unpaid FMLA leave. Until employees have exhausted their 12-week FMLA entitlement, they have the right to be reinstated in their original job or an equivalent job provided that they are able to perform the job's essential functions.



**2.16**  
**REFUGIO COUNTY**  
**POLICY ON GROUP MEDICAL, DENTAL AND LIFE INSURANCE**

**ELIGIBILITY**

1. All regular full-time employees of Refugio County, and all part-time employees of Refugio County working 30 hours or more per week shall be eligible for coverage under the group hospitalization, medical, dental and/or life insurance plans sponsored and provided by Refugio County.
2. Refugio County shall have and retain full control and discretion over the types, limits and coverage terms of the insurance plans selected for Refugio County employees.
3. The insurance plans provided by the County for eligible employees shall also be made available for eligible dependents of the employees.

**COST**

4. Refugio County may pay a portion of the premium, to be determined from time to time by the Commissioners' Court, for the eligible employees and/or dependents.
5. The County reserves the right at all times to elect not to pay any portion of the premiums for the eligible employees or their dependents.
6. All premiums payable by the employee shall be deducted from the employee's salary.

**BENEFITS**

7. The benefits of each type of insurance provided by the County shall be in accordance with the provisions of the Master Contracts between the County and the respective insurance carriers.
8. A copy of the Master Contracts shall be kept in the office of the Refugio County Treasurer and may be reviewed by employees during regular business hours.

## **HEALTH CARE REFORM**

### **9. POLICY ON AFFORDABLE CARE ACT EFFECTIVE 8/1/2014**

#### **NEW EMPLOYEE**

New employees fall into several categories:

- a) Reasonably expected to work full-time at hire date (do not need to measure)
- b) Reasonably expected not to work full-time at hire date (measure)
- c) Seasonal employees at hire date (measure)
- d) Variable hours employees at hire date (measure)

#### **NEW HIRES**

##### **INITIAL MEASUREMENT PERIOD (IMP)**

The Initial Measurement Period is the period that an employer chooses to apply to new hires. This period is used to determine whether newly hired variable hour and seasonal employees are full-time employees. The Initial Measurement Period and the Initial Administrative Period combined may not extend beyond 13 months and a fractional month.

The **Initial Measurement Period for REFUGIO COUNTY** begins on a new non full-time employee's hire date and will end 12 months later.

##### **INITIAL ADMINISTRATIVE PERIOD (IAP)**

The Initial Administrative Period is the period of time during which the employer performs measurement and determines whether health care coverage should be offered. This period begins immediately following the end of the Initial Measurement Period and ends immediately before the start of the Initial Stability Period.

The **Initial Administrative Period for REFUGIO COUNTY** begins immediately following the end of the Initial Measurement Period and ends immediately before the start of the Initial Stability Period but is no longer than 2 months plus a fractional month. During this period the REFUGIO COUNTY Treasurer's Office will determine if the employee is eligible for health care coverage. If eligible, the employee **must be** offered health care coverage.

## **INITIAL STABILITY PERIOD (ISP)**

The Initial Stability Period is the period of time lasting 12 months during which the employee is either:

- 1) Considered full-time and must be offered benefit coverage, or;
- 2) Is not considered full-time and no coverage must be offered (i.e. no penalties)

For new variable hour and seasonal employees, the ISP must begin after their IMP and any IAP. For those determined to be full-time employees, their ISP must be the same length as the Standard Stability Period.

The **Initial Stability Period for REFUGIO COUNTY** is 12 months beginning immediately after the Initial Administrative Period ends.

## **ONGOING EMPLOYEES**

An ongoing employee is one who has been employed by a large employer for at least one complete Standard Measurement Period.

## **STANDARD MEASUREMENT PERIOD (SMP)**

The Standard Measurement Period is the period that an employer chooses to apply to ongoing employees. This period is used to determine whether variable hour and seasonal employees are full-time employees.

The **Standard Measurement Period for REFUGIO COUNTY** begins August 1 each year and ends 12 months later on July 31.

## **STANDARD ADMINISTRATIVE PERIOD (SAP)**

The Standard Administrative Period is the period of time during which the employer performs measurement and determines whether health care coverage should be offered. This period begins immediately following the Standard Measurement Period and ends immediately before the Standard Stability Period, but is no longer than 2 months plus a fractional month.

The **Standard Administrative Period for REFUGIO COUNTY** begins the first day following the SMP and ends 61 days later, which is August 1 through September 30. If eligible, the employee **must be** offered health care coverage.

#### **STANDARD STABILITY PERIOD (SSP)**

If an employer determines that an employee averaged at least 30 hours per week during the SMP, the employer must treat an employee as a full-time employee during a subsequent Standard Stability Period. If an employee accepts the health care coverage, the Standard Stability Period is 12 months beginning immediately after the Standard Administrative Period ends regardless of the employee's number of hours of service during the SSP.

The **Standard Stability Period for REFUGIO COUNTY** begins October 1 each year and ends September 30.

**3.01**  
**REFUGIO COUNTY**  
**POLICY ON ATTENDANCE AND TIMELINESS**

**ATTENDANCE**

1. Each employee shall report to work on each day he or 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 of circumstances beyond the control of the employee.

**TARDINESS**

2. Each employee shall be at his or 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.
3. 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**

4. 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 as soon as is reasonably practicable of the circumstances causing the tardiness or absence.

**EXCUSED AND UNEXCUSED**

5. Each supervisor shall be responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness.
6. Frequent unexcused absences or tardiness shall make an employee subject to disciplinary measures, up to and including termination of employment.

**ABANDONMENT OF POSITION**

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

**DOCKED TIME**

8. If no other compensation available to employee, the employee shall be docked the hours missed from work.

**3.02**  
**REFUGIO COUNTY**  
**POLICY ON DRESS CODE AND PROFESSIONALISM**

1. Refugio 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.
  
2. 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.

**3.03**  
**REFUGIO COUNTY**  
**POLICY ON SMOKE FREE WORKPLACE**

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

**3.04**  
**REFUGIO COUNTY**  
**POLICY ON DRUGS AND ALCOHOL**

**PURPOSE**

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

**APPLICABILITY**

2. This policy shall apply to all employees of Refugio County regardless of rank or position and shall include temporary and part-time employees.
3. The only exception to this policy shall be the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

**POLICY**

4. The following shall be a violation of this policy:
  - a. The manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance or drug paraphernalia on County property.
  - b. Being under the influence of alcohol or illegal drugs while on County property or while on duty for the County.
  - c. The unauthorized possession or use of prescription or over-the-counter drugs while on County property or while on duty for the County.
  - d. The use of prescription or over-the-counter drugs, while on County property or while on duty for the County, in a manner other than that intended by the manufacturer or prescribed by a physician or medical provider.

**DEFINITIONS**

5. A controlled substance shall include any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act (21 U.S.C. S 812), as amended. (A copy of this information is available for review in the Treasurer's Office.)
6. County property shall include all County owned, rented or leased real property such as buildings, land, parking lots, etc. and property used by employees such as vehicles, lockers, desks, closets, storage areas, etc.
7. Drugs shall include any chemical substance that produces physical, mental, emotional, or behavioral change in the user.
8. Drug paraphernalia shall include equipment, a product, or material that is used or intended for use in concealing an illegal drug or for use injecting, ingesting, inhaling, or otherwise inducing into the human body an illegal drug or controlled substance.



9. Illegal drug shall include any drug or derivative thereof which the use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, used for any other than a legitimate medical reason, and inhalants used illegally. Included is marijuana or cannabis in all forms.
10. Under the influence shall be defined as a state of having blood alcohol concentration of 0.08 or more where “alcohol concentration” has the meaning assigned to it 49.01 Penal Code or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage or a controlled substance.

### **POLICY VIOLATIONS**

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

### **PRESCRIPTION DRUGS**

12. Employees taking prescription medications shall be required to notify their supervisor of any possible effects the medication might have regarding their job performance and physical/mental capacity.
13. Any information concerning prescription medications being used by an employee, and any other medical information of which the supervisor becomes aware, shall be treated as confidential information.
14. Prescription medications used at work are to be kept in the original container.

### **TREATMENT**

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

### **RESERVATION OF RIGHTS**

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

### **DRUG TESTING**

17. Pre-employment testing: Applicants who are conditionally offered a position with the county must undergo drug testing. A job offer will be rescinded to any applicant who has a positive test result from a controlled substance.
18. Reasonable Suspicion testing: In the event that the supervisor has reasonable suspicion to believe that the employee is under the influence of alcohol or controlled substances, in violation of this policy, **and upon approval of the elected official**, the employee may be required to take drug/alcohol test(s). Refusing to take required tests, not cooperating in

taking the test, and/or testing positive will result in the employee's immediate discharge from employment.

19. Post-accident testing: Any employee involved in a motor vehicle accident in any County vehicle, with or without injuries to any person, including but not limited to County automobiles, trucks, tractors, mowers, and other moving vehicles, shall immediately notify the employee's supervisor of the accident, who shall then immediately notify the County Treasurer. The employee shall also immediately submit to a post-accident alcohol and drug test.

Any employee involved in an accident involving injury to any person while using or operating any County equipment or tools shall also notify the employee's supervisor of the accident who shall then immediately notify the County Treasurer. The employee shall also immediately submit to a post-accident alcohol and drug test.

20. Return-to-Duty testing: In the event a non-CDL employee has a positive drug or alcohol test, the employee must undergo a return-to-duty alcohol test with a result of less than 0.02 or receive a confirmed negative result from a controlled substance urinalysis test.
21. CDL employees: Drug and alcohol testing for CDL employees are not a part of this policy. Those definitions and provisions for CDL drivers are found and defined in the Policy on "Alcohol and Drug Abuse for C.D.L. Drivers".

**3.05**  
**REFUGIO COUNTY**  
**POLICY ON DRUG AND ALCOHOL TESTING AND ABUSE FOR C.D.L. DRIVERS**

CDL Drivers are an extremely valuable resource for Refugio County's business. Their health and safety is a serious County concern. Drug or alcohol use may pose a serious threat to driver health and safety. It is, therefore, the policy of the County to 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 work place. 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 Refugio 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. Refugio County will conduct pre-employment, random, reasonable suspicion, post-accident, and return to work drug and alcohol testing in accordance with federal law.

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

**3.06**  
**REFUGIO COUNTY**  
**POLICY ON COUNTY TRAVEL**

**DEFINITIONS**

1. Educational Travel is defined as travel reimbursement paid to County Employees who travel out-of-county for official educational seminars, conferences, and meetings. A travel expense form must be submitted to claim reimbursement for educational travel.
2. Law Enforcement Travel is defined as travel by County law enforcement and personnel. These travel expenses are associated directly with the transporting of prisoners or probationers, investigations, etc.
3. Actual Expense is defined as the actual cost of any allowable travel expense supported by proper receipts or statements.
4. Per Diem allowance is defined as a fixed daily rate paid in lieu of actual expenses for meals.
5. Authorized Signature is defined as the actual signature of an employee, supervisor, or elected official.
6. Official County Business is defined as business which a County employee's participation is recognized by the County Commissioner's Court as being official business of the County.
7. Traveling County Employee is defined as the County official, supervisor, or employee traveling on official County business who accrues expenses to be reimbursed by the County.
8. Auditor is defined as the County Auditor and/or designated staff.
9. County Official or County Employee is defined as any County employee who is authorized to travel on official County business.
10. Travel Expense Form is defined as the expense form used to report all travel expense for official County business to be submitted to the County Auditor for reimbursement of travel expenses.

**RESPONSIBILITIES OF DEPARTMENT HEADS AND EMPLOYEES**

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

12. It is the responsibility of the County official, supervisor, or employee to see that the Travel Expense Form is properly completed and signed before being sent to the County Auditor.
13. It is the responsibility of the County official or supervisor to see that all reimbursement forms to the State of Texas, or any other reimbursing agency other than the County, are promptly submitted to the reimbursing agency. When reimbursements are received, those funds are to be promptly deposited with the County Treasurer and copies of receipts sent to the County Auditor.
14. It is the responsibility of the person traveling on official County business to keep all lodging invoices and vouchers to be submitted to the County Auditor. If the traveling employee requests to be reimbursed for actual expenses for meals and other travel related expenses, that employee must submit supporting invoices or statements to receive actual reimbursement. If no invoices or statements are submitted, the traveling will be reimbursed for meals at the per diem amount.
15. In the event an official or employee of the County received an overpayment for travel expenses, that overpayment must immediately be reimbursed to the County.

#### **PER DIEM ALLOWANCE**

16. Section 15.2011 of the Texas Local Government Code gives the Commissioners' Court the authority to set travel expenses, and other allowances for all County officials and employees. The County Commissioners' Court allows reimbursement of travel expenses for County Officials and employees who travel on official County business when funds have been allocated in departmental budgets for that purpose.
17. The traveling County Employee will be reimbursed for actual expenses incurred while traveling, provided the employee will keep invoices, receipts, and all other documentation supporting the actual expenditures and this documentation is submitted to the County Auditor.

18. The traveling County employee must submit receipts, invoices and documentation for the following in order to be reimbursed:
  - a. Airline tickets
  - b. Parking Garage charges
  - c. Lodging Statements
  - d. Taxi Fares
  - e. Automobile Rentals
  - f. Conference Registration and Fees
  - g. Automobile Expense Charges for County Vehicles
19. For those traveling County employees who do not wish to keep receipts and documentation for meals, a Per Diem has been approved by the County Commissioners' Court. Rates can be obtained from the County Auditor.
20. All other requests for reimbursement, including lodging, must have supporting documentation in order for the traveling employee to be reimbursed. If requests for reimbursement are not supported by documentation, the County Auditor will not honor the requests for reimbursement.

#### **MEALS**

21. The County will reimburse for County employee meals only. If the traveling County employee elects to purchase meals for friends or other County officials, that decision will be at the expense of the county employee and will not be reimbursed by the County.
22. The County will not reimburse the traveling County employee for meals that are included in the conference registration fees. If the County employee chooses to eat a meal other than the one provided for in the conference registration, that meal will be the personal expense of the employee and will not be reimbursed.
23. Requests for actual reimbursement for meals which cost more than the Per Diem meal maximum must be supported with restaurant receipts or statements. The maximum that will be paid a day for meals, even with receipts, is set by the Commissioners Court and can be obtained from the County Auditor.
24. The County does not reimburse the traveling County employee for any type of alcoholic beverage whether with a meal or not.

## **LODGING**

25. The County will reimburse the traveling County employee for the actual cost of lodging while traveling on official County business. The County employee will obtain a lodging statement which will be submitted to the County Auditor when the employee returns to the County.
  
26. Those items which will be reimbursed on the hotel statement are:
  - a. Daily Room Charges
  - b. Necessary Hotel Taxes
  - c. Business Telephone Calls
  - d. Hotel Parking Fees
  
27. Those items which **WILL NOT BE REIMBURSED** on the hotel statement are:
  - a. Personal expense items such as cleaning or laundry
  - b. Alcoholic beverage charges
  - c. Hotel Club charges
  - d. Recreation Facilities use charges
  - e. Movies and personal phone calls
  
28. Depending on travel arrangements, the County will reimburse the traveling County employee for a maximum of one-day lodging prior to the start of a conference or seminar in session, and a maximum of one-day lodging after the end of the conference or seminar. Any additional lodging will be at the expense of the County employee, unless proof is presented that the additional lodging is a result of extended County business.

## **TAXI, BUS, LIMOUSINE FARES**

29. The traveling County employee will obtain receipts for taxi, bus or limousine fares and will be reimbursed by the County for those fares relating to official County business. They will be accepted by the County Auditor after approval of the County Official for those fares relating to County business. If receipts for these services are lost, a sworn statement from the traveling County Employee relating to individual taxi, bus, or limousine fares in relating to official County business will be accepted by the County Auditor after approval of the County Official. Receipts or statements will be submitted to the County Auditor upon return to the County.

## **PERSONAL AUTOMOBILES**

30. The County will pay the traveling County employee a fixed rate set by the County Commissioners' Court for each mile of use of personal automobile while traveling in state or on out-of-County business. Rate can be obtained from the County Auditor. The mileage payment will be based on the most direct route from the County to destination where County business takes place plus a reasonable reimbursement for business mileage traveled while at destination. No other automobile expense will be paid to the traveling County employee other than the fixed price per mile as approved by the County Commissioners' Court. All out-of-state travel on official County business will be reimbursed at commercial airline rates.

## **COUNTY-OWNED AUTOS**

31. The County will only pay actual expenses, such as gas, oil or other such maintenance items. Receipts are required for all these items.
32. Bulk gasoline is to be used in all County-owned vehicles. Purchases of retail gasoline within the County will be charged to the employee making the purchase.



**3.07**  
**REFUGIO COUNTY**  
**POLICY ON COUNTY PROPERTY**

**RESPONSIBILITY**

1. Each County employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other County equipment assigned to him/her.
2. County employees shall only use equipment, vehicles, tools, and other County property that they are authorized to use.

**PERSONAL USE**

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

**LICENSES**

4. A County employee who operates any County equipment or vehicle which requires a license shall be required to have a current active license for that vehicle or equipment any time he/she operates it.
5. A County employee who operates a vehicle or equipment which requires a license for legal operation shall notify his or her supervisor of any change in the status of that license.
6. A County employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation shall be subject to possible job change or termination if that license is suspended or revoked.
7. A County employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle insurance carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination.

**ACCIDENTS**

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

**3.08**  
**REFUGIO COUNTY**  
**POLICY ON CREDIT**  
**CARD USE**

**ISSUANCE OF CARDS**

1. The cards are issued and account balances will be billed to County officials and employees individually under the blanket corporate account of the County. It is the card holder's responsibility to ensure that the card is used properly and that payments are made on a timely basis by the County. It is the cardholder's responsibility to safeguard the credit card and account number to the same degree that a cardholder safeguards his/her personal credit information. Card issuance to an employee must be approved and requested utilizing the enrollment request form by the employee's supervisor to the Auditor's office. The employee must sign an affidavit that states that 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 has been processed. A tax exemption form can be requested 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 CARD**

3. The Citibank credit cards are for business related expenses including travel and general purchases. 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.
4. All Citibank cardholders must setup access to the online credit management account before a purchase is made. Upon use of the credit card each cardholder must code per the budget line item and upload receipts/credit memos to each transaction within five (5) days. In the event a receipt has been misplaced, the employee and department head must sign an Affidavit form.
5. The fuel credit cards are for business related use only. A mileage log sheet must be filled out and turned in at the end of the month. All receipts must be turned in on a weekly basis. Along with the receipts please attach the reason for travel ie. (training, inmate transfer, conference)

## **REIMBURSEMENT FOR CARDS EXPENSES**

6. The County's current policy for travel and training expenses will remain in effect even with the use of cards. The use of our standard travel forms is still required and must be submitted to the Auditor's office to attach with the statement. There is no change in allowable expenditures or in the limits on per day meal expense. Per diem rates apply and meal purchases may not exceed the set rates. Also, all County purchasing policies will remain in effect, and reimbursements will not be made for unauthorized purchases.
7. Each employee who uses a card should retain receipts for all expenses. Detailed receipts are necessary to document spending when seeking reimbursement from the County Auditor's Office.

## **UNAUTHORIZED CREDIT CARD USE**

8. Employees may not be reimbursed for the following:
  - A purchase for personal use or any other purchase not connected with county business.
  - A cash advance
  - Purchases made in attempt to bypass the purchasing policy and/or procurement.

## **SALES TAX**

9. 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.
10. Refugio 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 employees pay.

## **DISPUTE A CHARGE**

11. 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 dispute.

## **VIOLATION OF POLICY**

12. Failure of a cardholder to submit receipts within five (5) days may cause 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.

## **SEPARATION OF EMPLOYMENT**

13. Cards should be returned to the County Auditor's Office upon termination of employment of the cardholder with proof that no debts are owing or outstanding. All receipts must be submitted with the card for any charges. All credit card charges will be reviewed prior to final paycheck to employees.

**3.09**  
**REFUGIO COUNTY**  
**POLICY ON CONFLICT OF INTEREST**

**CONFLICT OF INTEREST**

1. Employees of Refugio County shall not engage in any employment, relationship, or activity which could be viewed as a conflict of interest because of the potential or appearance of affecting the employee's job efficiency, or which would reduce his/her ability to make objective decisions in regard to his/her work and responsibility as a County Employee.
2. Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination.

**PROHIBITED**

3. Activities which constitute a conflict of interest shall include but not be limited to:
  - a. Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
  - b. Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
  - c. Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County;
  - d. Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and his or her duties for the County;
  - 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.

**3.10**  
**REFUGIO COUNTY**  
**POLICY ON POLITICAL ACTIVITY**

**POLITICAL ACTIVITY**

1. Employees of Refugio County shall have the right to support candidates of their choice and to engage in political activity during their personal time.
  
2. 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 or engage in political activity while on duty for the County.

**3.11**  
**REFUGIO COUNTY**  
**POLICY ON SAFETY**

**SAFETY STANDARDS**

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

**VIOLATIONS**

2. Failure to follow the safety standards set by the County shall make an employee subject to disciplinary action, up to and including termination.
3. An employee causing an accident resulting in major injury or death because of failure to follow safety standards shall be terminated.

**REPORTING**

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

**3.12**  
**REFUGIO COUNTY**  
**POLICY ON SEXUAL AND GENERAL HARASSMENT**

**POLICY**

1. It shall be the policy of Refugio County to provide a work place free from sexual and general harassment for all employees and to take active steps to eliminate any harassment of which the County becomes aware.
2. Employees engaging in harassment shall be subject to discipline, up to and including termination of employment.

**DEFINITION**

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 or her ability to perform his or her job. Harassment includes unlawful, unwelcome words, acts or displays based on sex, race, color, religion, national origin, age, genetic information, pregnancy, disability, family or military leave status or veteran's status.

3. Sexual harassment shall include, but not be 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.
4. General harassment shall include, but not be limited to, verbal or physical conduct of a nature where:
  - a. submission to such conduct is either an expressed or implied condition of an individual's employment;
  - b. submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting the harassed person; or
  - c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

## **CLAIM**

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

## **REPORTING**

8. 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.
9. 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.
10. The official or department head to whom a claim has been reported to shall be responsible for seeing that prompt action is taken to investigate the claim.
11. Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

## **OTHER RIGHTS**

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



**3.13**  
**REFUGIO COUNTY**  
**POLICY ON OUTSIDE EMPLOYMENT AND ACTIVITIES**

**OUTSIDE ACTIVITIES**

1. An employee of Refugio County shall not engage in any activity or other employment which will adversely affect his/her ability to effectively carry out the duties and responsibilities of his/her job.
2. An employee accepting other employment while still being employed by Refugio County shall notify his/her supervisor before beginning such work except in instances where the work may be occasional or casual.

**VOLUNTEER FIREMEN AND E.M.T.'S**

3. Refugio County employees are allowed to respond to emergency fire calls and emergency medical calls if they are active, participating members in good standing with a local volunteer organization. Employees shall notify his or her supervisor when leaving work to respond to an emergency and also report when they return back to work. Volunteer time may be utilized without loss of pay with final determinations concerning payroll decisions to be handled by the employee's supervisor.

**3.14**  
**REFUGIO COUNTY**  
**POLICY ON WORKPLACE VIOLENCE**

**WORKPLACE VIOLENCE**

1. Refugio County is committed to providing a workplace free of violence. Refugio County will not tolerate or condone violence of any kind in the workplace. The county will also not tolerate or condone any threats of violence, direct or indirect, this includes jokes. All threats will be taken seriously and will be investigated. Employees must refrain from any conduct or comments that are inappropriate or might make another employee suspicious or in fear for their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surroundings at all times and report any suspicious behavior from the public, former employees or current employees to their immediate supervisor or the sheriff's department. Possession of any firearm or weapon other than those authorized for law enforcement employees, with or without permits is prohibited in all county offices and buildings owned or used by Refugio County; this also includes county owned vehicles. Exceptions should be made for individuals with concealed weapons permits traveling outside of the county on official county business, such as attending workshops and conferences, for personal safety reasons. If employees believe that a weapon is on county premises they should immediately report this to their immediate supervisor or the sheriff's department.
  
2. Employees found in violation of this policy may be subject to discipline up to and including immediate termination.

**3.15**  
**REFUGIO COUNTY**  
**POLICY ON SEPARATIONS**

**DEFINITION**

1. A separation shall be defined as any situation in which the employer-employee relationship between the County and a County employee ends.

**TYPES OF SEPARATIONS**

2. All separations from Refugio County shall be designated as one of the following types:
  - a. Resignation
  - b. Retirement
  - c. Dismissal
  - d. Reduction in force (layoff)
  - e. Death
  - f. Disability
  - g. Other

**RESIGNATION**

3. A resignation shall be classified as any situation in which an employee voluntarily leaves his/her employment with Refugio County and the separation does not fall into one of the other categories.
4. Employees who are resigning should submit a written notice of resignation to his/her supervisor, preferably with a 2 weeks notice.

**RETIREMENT**

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

**DISMISSAL**

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

8. Refugio County is an “at-will” employer and a supervisor may dismiss an employee at any time for any legal reason or no reason.

### **REDUCTION IN FORCE**

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

### **DEATH**

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

### **DISABILITY**

12. A separation for disability shall be any situation in which the employee is unable to perform the essential functions of the job with or without reasonable accommodations. When the supervisor determines there is a need to fill the position, the employee may be separated from employment, after all leave entitlements have expired and when a reasonable accommodation cannot be made.

### **OTHER**

13. Any separation that does not fall into one of the categories outlined previously in this policy shall be designated as an “other” separation.
14. When a separation is designated as “other”, the supervisor shall provide details of the nature of the separation for the personnel records.

### **NOTIFICATION**

15. 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 Treasurer’s Office.

**3.16**  
**REFUGIO COUNTY**  
**POLICY ON DISCIPLINE**

**DISCIPLINE**

1. 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 employee's job or the best interest of the department or County.

**TYPES OF DISCIPLINE**

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

**AT WILL EMPLOYMENT**

3. All County employees are "at will" employees and nothing in Refugio County's Policy Manual gives an employee any contract of employment, guarantee of any duration of employment, or any other property interest in his/her job.
4. The County retains the right to terminate the employment of any individual at any time for any legal reason, or no reason, with or without notice. The County also retains the right to change any condition, benefit, privilege, or policy of employment at any time, with or without notice.

**3.17**  
**REFUGIO COUNTY**  
**POLICY ON GRIEVANCES**

**PROCEDURE**

1. Any employee having a grievance related to his/her job should discuss the grievance with his/her immediate supervisor.
  
2. If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected or appointed official with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that official.
  
3. The decision of the elected or appointed official with final responsibility for the employee's department shall be final in all grievances.

**3.18**  
**REFUGIO COUNTY**  
**POLICY ON SOCIAL MEDIA**

**SOCIAL MEDIA**

1. Refugio County recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee's work; is used to harass supervisors, co-workers, customers or vendors; creates a hostile work environment; or harms the goodwill and reputation of Refugio County among the community-at-large. Refugio 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.
2. Where no policy or guideline exists, employees are expected to use their professional judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.
3. For purposes of this policy "social media" includes, but is not limited to, forums, blogging and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, Instagram, Tumblr, Snapchat, and Vine.
  - a. If employee's posts' on social media mention Refugio County, employees need to make clear that they are an employee of Refugio County and that the views posted are theirs alone and do not represent the views of Refugio County.
  - b. Employees are not to mention, post videos or pictures of Refugio County supervisors, employees, customers or vendors without their express consent.
  - c. Employees are not to pick fights. If employees see a misrepresentation about Refugio County, respond respectfully with factual information, not inflammatory comments.
  - d. 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.
  - e. Employees may not use Refugio County computer equipment for non-work related activities without written permission. Social media activities should not interfere with an employee's duties at work. Refugio County monitors its computers to ensure compliance with this restriction.
  - f. Employees must comply with copyright laws, and cite or reference sources accurately.

- g. Employees are not to link to Refugio County's website or post Refugio County material on a social media site without written permission from a supervisor.
  - h. All Refugio 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.
  - i. Any confidential information that employees obtained through their position at Refugio County must be kept confidential and should not be discussed through/in a social media forum.
  - j. Violation of this policy may lead to discipline up to and including the immediate termination of employment.
4. It is the policy of Refugio County that supervisors do not engage in social media activities with their employees.



**3.19**  
**REFUGIO COUNTY**  
**POLICY ON TELEPHONE USE**

**COUNTY TELEPHONES**

1. County telephones shall be used for conducting the business of Refugio County.

**PERSONAL USE**

2. Personal use of County telephones by County employees shall be limited to situations where it is necessary for the employee to make a personal call.
3. Excessive personal use of County telephones may make an employee subject to disciplinary measures.

**LONG DISTANCE**

4. 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.
5. Violation of policy will subject the employee to possible disciplinary actions.

**3.20**  
**REFUGIO COUNTY**  
**POLICY ON CELLULAR PHONE USE**

**COUNTY PROVIDED CELL PHONES**

1. Refugio 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. Refugio County follows all rules and regulations set forth by the IRS regarding use and taxation of county cell phones.
2. Employees in possession of Refugio County owned cellular phones are required to take appropriate precautions to prevent theft and vandalism of all county equipment.

**CELL PHONES AND DRIVING**

3. Refugio County strongly discourages the use of any cell phone while operating any vehicle. Employees should plan calls to allow placement of calls either prior to traveling or while on rest breaks.
4. Refugio 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**

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

**3.21**  
**REFUGIO COUNTY**  
**POLICY ON PERSONAL VEHICLE USE**

**PERSONAL VEHICLE USE AT WORK**

1. This policy establishes guidelines for personal vehicle use when conducting county business within the county. This policy is separate from the county's travel policy which provides guidelines for out of county travel. This policy is applicable to all county employees
  
2. During the course of employee's normal work schedule, there may be instances or situations when an employee will want or need to use their personal vehicle to conduct county business. Personal vehicles may be used at the discretion of the employee, with the approval of the employee's supervisor. The employee remains liable for the operation and maintenance of the privately owned vehicle. Liability of Refugio County will not be assumed or imputed. And, personal expenses associated with the operation and maintenance of the vehicle is not reimbursable.

**4.01**  
**REFUGIO COUNTY**  
**FAIR LABOR STANDARDS ACT SAFE**  
**HARBOR**

1. Refugio County makes every effort to pay its employees correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the Treasurer's attention, Refugio County will promptly make any corrections necessary. Employees are to view pay stubs to make sure they are correct. If employees believe a mistake has occurred or if they have any questions, they should use the reporting procedure outlined below.
2. Employees who are classified as non-exempt employees must maintain an accurate record of the total hours they work each day. It is the responsibility of each employee to verify that his/her time sheets are correct. An employee's time sheet must accurately reflect all regular and overtime hours worked; any absences, late arrivals, early departures, and meal breaks. Employees are not to sign a time sheet if it is not accurate. When employees receive each pay check, they should verify immediately that they were paid correctly for all regular and overtime hours worked each work week.
3. Unless employees are authorized by their supervisor, they should not work any hours that are not authorized. Employees should not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless authorized to do so. That time worked is to be recorded on an employee's time sheet. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work they may perform but fail to report on their time sheet. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination.
4. It is a violation of Refugio County policy for any employee to falsify a time sheet, or to alter another employee's time sheet. 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 sheet to under- or over-report hours worked. If anyone instructs an employee to (1) incorrectly or falsely under- or over- report their hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, the employee should report it immediately to the Treasurer.
5. If employees are classified as an "exempt salaried" employee, they will receive a salary which is intended to compensate them for all hours worked for the County. This salary will be established at the time of hire or when they 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 they perform.

6. An employee's salary may also be reduced for certain types of deductions such as their portion of health, dental or life insurance premiums (if in effect); state, federal or local taxes, social security, retirement; or, voluntary contributions to a deferred compensation plan. In any workweek in which exempt employees performed any work, their 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; or 2) full day disciplinary suspensions for infractions of our written policies and procedures; or 3) full day for violating safety rules of a major significance; or 4) Family and Medical Leave or Military Leave absences; or 5) to offset amounts received as payment for jury and witness fees or military pay; or 6) the first or last week of employment in the event they work less than a full week.
  
7. In any workweek in which an exempt employee performed any work, their salary will not be reduced for any of the following reasons: 1) partial day absences for personal reasons, sickness or disability; or 2) their absence because the facility is closed on a scheduled work day; or 3) their absence because of the County's operating requirements; or 4) absences for jury duty, attendance as a witness, or military leave in any week in which they have performed any work; or 5) any other deductions prohibited by state or federal law.

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

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

**4.02**  
**REFUGIO COUNTY**  
**IRS FRINGE BENEFITS**

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

**4.03**  
**REFUGIO COUNTY**  
**POLICY ON PAY PERIODS AND PAYROLL RECORDS**

**PAY PERIODS**

1. The pay period for Refugio County shall begin on Saturday at 12:00 o'clock a.m. and end 14 days later on Friday at 11:59 o'clock p.m. (Bi-Weekly Pay Cycle).
2. Payroll checks shall be issued on the following Friday. If a payday falls on a holiday paychecks shall be issued on the last workday immediately preceding the holiday.

**SALARY ADVANCES**

3. Salary advances shall not be made to any employee for any reason.

**TIME SHEETS**

4. Each employee shall be required to keep an accurate time sheet each pay period which shows all hours worked and all requests for paid leave used. In the event that the employee has not worked the minimum of 40 hours during a 7-day work period and the employee requests paid leave during that same period, the paid leave, if approved by the supervisor, shall be applied in the following order: A. earned compensatory time; B. vacation time; or holiday time (Employees assigned to a 12-hr. work schedule). Provided, that if the employee is ill, then sick time may be claimed in lieu of earned compensatory, vacation and holiday time. All employees shall use the Time Sheet Form provided by the Treasurer's Office or available on the County's website.
  - a. EXCEPTION: (THROUGH 12/31/2017)  
If employee is at their maximum on vacation and still has compensatory time available to take, employee may use enough vacation hours (1.55, 1.85, 2.31, 3.09, 3.69, 4.62 or 6.15) so as not to lose accrued vacation time. The difference shall be deducted from the employee's compensatory time bank.
5. On the last normal working day of each pay period, each employee shall be required to sign his/her completed time sheet and turn it in to his/her supervisor.
6. All employees' time sheets shall be reviewed and approved by the respective supervisor and submitted to the County Treasurer's office by 12:00 o'clock p.m. on the first business day following the pay period end date.

**RETENTION OF RECORDS**

7. The County Treasurer shall be required to keep copies of all time sheets for 4 years past the fiscal year in which they were created and other payroll records for a minimum of three (3 years).

**TWENTY-SEVEN PAY PERIODS**

8. **Every 10 or 11 years there will be 27 pay periods within the budget year as opposed to the typical 26 pay periods. Employee's bi-weekly pay distribution during that 27 pay period budget year will be reduced to reflect the one additional pay period.**

**4.04**  
**REFUGIO COUNTY**  
**POLICY ON PAYROLL DEDUCTIONS**

**REQUIRED DEDUCTIONS**

1. Deductions shall be made from each employee's paycheck for Federal withholding, Social Security, Medicare, and any other deductions required by law.

**RETIREMENT**

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

**OPTIONAL DEDUCTIONS**

3. Any optional deduction authorized by the Commissioners' Court and approved by the employee shall also be made from the employee's paycheck.
  - a. United Way of the Coastal Bend (authorized 8/13/19)
4. No optional deduction shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the Treasurer's Office.



**4.05**  
**REFUGIO COUNTY**  
**POLICY ON HOURS OF WORK, WORKDAY AND WORKWEEK**

**HOURS OF WORK**

1. The normal workday for most offices will consist of eight (8) hours with being 8:00 a.m. through 5:00 p.m., with one hour off for lunch. The scheduling of law enforcement personnel is subject to the policies of the sheriff's office.
2. The normal days of work for most employees shall be Monday through Friday except for official holidays.

**EXCEPTIONS**

3. In order to meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule of the County or they may be subject to call in case of emergency or special need.
4. The need for schedules that vary from the normal schedule shall be determined by each department head.

**WORKDAY**

5. A work day for the County shall be defined as the period beginning at midnight and ending exactly 24 consecutive hours later.

**WORKWEEK**

6. For purposes of record keeping and compliance with the Fair Labor Standards Act (FLSA), a workweek for Refugio County shall be defined as the period beginning at 12:00 a.m. on Saturday and ending at 12:00 Midnight on Friday (seven consecutive 24 hour periods later-168 hours).

**WORKPERIOD**

7. The work period for deputies and jailers is a 14-day work period as defined in the Fair Labor Standards Act for overtime purposes.

**REST PERIODS**

8. All employees are allowed a fifteen (15) minute paid rest period in the morning and afternoon at the discretion of their supervisor. If the department head provides employees with a break, they may not be accumulated or used for time off.

**SCHEDULING OF MEALS**

9. The scheduling of employee meal periods shall be determined the department head or his/her designee to facilitate the serving of the public and permitting efficient department operations.

**LENGTH**

10. The average length of the meal period shall be one hour.

**DUTY STATUS**

11. For computation of hours worked, employees shall be considered to be off duty during meal periods unless circumstances require them to remain in an on duty status during the meal period as defined by the Fair Labor Standards Act, usually less than 20 minutes.

**4.06**  
**REFUGIO COUNTY**  
**POLICY ON OVERTIME PAY AND COMPENSATORY TIME**

**FLSA COMPLIANCE**

1. In administering its wage and salary program, the minimum standards of Refugio County shall be the basic standards set forth in the Fair Labor Standards Act (FLSA) and its amendments as it applies to county governments.

**APPLICABILITY**

2. This policy shall apply to all employees of Refugio County who are not specifically exempt from the provisions of the FLSA.
3. The County Treasurer shall be responsible, with the assistance of other elected officials and department heads, for identifying the positions exempt under the FLSA.

**OVERTIME**

4. Hours worked shall include all time accumulated in the service of the County as defined in the Fair Labor Standards Act (FLSA) and its regulations.
5. Overtime for non-law enforcement employees and dispatchers, shall include all time accumulated for the County in excess of 40 hours in any 7-day workweek or work period (refer to Policy 4.07 for overtime for law enforcement).
6. In the event that the employee has taken days off using compensatory time, vacation time, or holiday time, and accrues more than 40 hours during a 7-day period, this overage time will be considered at time and a half (1 ½ x) the employees regular pay rate to be compensated for either compensatory time or externally-funded overtime pay.
7. Each employee shall be required to obtain authorization from the supervisor before working overtime, except in emergency situations. To the greatest extent possible the supervisor shall decide and communicate to the employees under his supervision in advance what constitutes an emergency situation.
8. The reason or justification for each instance of claimed non-emergency overtime must be explained on the employee's timesheet. Overtime deemed "convenience" is not authorized.
9. All attempts shall be made to manage overtime in the same 40 hour workweek so that 40 hours is not exceeded. When a supervisor or employee has prior or advance knowledge that overtime may be needed during the 40 hour workweek provisions should be made for the employee to take off time in lieu of logging overtime hours during the 40 hour workweek.

## **OVERTIME COMPENSATION**

10. A non-exempt employee who works overtime during a workweek shall:
  - a. Be given compensatory time at a rate of one and one-half (1½ ) hours compensatory time for each hour worked over forty (40) during the work week.
11. The maximum compensatory time accrual for any employee shall be the maximum allowed under the provision of the FLSA. (240-Regular Employee; 480-Law Enforcement)
12. When an employee has reached the maximum compensatory time accrual, he/she shall be compensated in wages at a rate of one and one half (1½) times his/her regular rate for any additional overtime hours worked.

## **EXEMPT OVERTIME**

13. Exempt employees do not earn overtime leave or pay, except in cases of emergencies or disaster as declared by Federal, State, or County governments. When a state of emergency or disaster is declared, an exempt employee's overtime for services rendered for Refugio County related to the declared emergency will be compensated in the same manner as non-exempt employees after overtime expenses are reimbursed to Refugio County by the entity requiring the overtime.

## **USE OF COMPENSATORY TIME**

14. Use of compensatory time shall be subject to approval by the employee's supervisor.
15. Compensatory time may be used as vacation, sick leave or for any other reason as desired by the employee.
16. In the event that the employee has not worked the minimum of 40 hours during a 7-day work period and the employee requests paid leave during that same period, the paid leave, if approved by the supervisor, shall be applied in the following order: A. earned compensatory time; B. vacation time; or holiday time (Employees assigned to a 12-hr. work schedule). Provided, that if the employee is ill, then sick time may be claimed in lieu of earned compensatory, vacation and holiday time. All employees shall use the Time Sheet Form provided by the Treasurer's Office or available on the County's website.
  - a. EXCEPTION: (THROUGH 12/31/2017)

If employee is at their maximum on vacation and still has compensatory time available to take, employee may use enough vacation hours (1.55, 1.85, 2.31, 3.09, 3.69, 4.62 or 6.15) so as not to lose accrued vacation time. The difference shall be deducted from the employee's compensatory time bank.

### **RECORD-KEEPING**

17. If an individual's employment terminates before all of his/her earned compensatory time is used, he/she will be paid for all unused time at his/her regular rate on his/her final paycheck.
18. Each employee shall be responsible for recording any compensatory time taken within a pay period on the time sheet for that pay period.
19. The County Treasurer shall be responsible for keeping records of all compensatory time earned and used by eligible County employees and shall update the balance due for each employee at the end of each pay period.

### **COMPENSATORY TIME-EMPLOYEE NOTIFICATION**

20. The County Treasurer shall provide each employee who earns compensatory time with a statement of his/her compensatory time activity on each pay stub.
21. Employees may check their current compensatory time balance at the County Treasurer's Office at any time during normal working hours.

### **LAW ENFORCEMENT EMPLOYEES**

22. Overtime compensation in the form of compensatory time or externally-funded overtime pay, for law enforcement employees (deputies and jailers) shall be figured on 84 hours per 14-day pay period. (see Policy 4.07).

### **BALANCES**

23. The Commissioners' Court may elect to pay in part or in whole any compensatory balances for any employee at any time.

#### 4.07

### REFUGIO COUNTY

## POLICY ON COMPENSATION AND PAID TIME OFF FOR JAILERS AND DEPUTIES

1. The annual salary of jailers and sheriff's deputies is intended to compensate the employee for twenty-six (26) 14-day pay periods during the year. The salary is based on the deputies and jailers working 84 hours in a 14-day work period. All hours accumulated over 84 during that period will be considered overtime. The county will accrue the overtime in the form of compensatory time or externally-funded paid overtime at a rate of time and a half (1 ½ x) the employees regular pay rate.
2. Any adjustments to salary for overtime (either cash or compensatory time) for hours worked over 84 hours in the 14-day work period or any deductions (due to insufficient work hours and no comp, vacation, holiday or sick available) will be made on each paycheck.
3. In the event that the employee has not worked the minimum 84 hours during a 14-day work period and the employee requests paid leave during that same period, the paid leave, if approved by the supervisor, shall be applied in the following order: A. earned compensatory; B. vacation time; or holiday time (Employees assigned to a 12-hr. work schedule). Provided, that if the employee is ill, then sick time may be claimed in lieu of earned compensatory, vacation and holiday time.

- a. EXCEPTION: (THROUGH 12/31/2017)

If employee is at their maximum on vacation and still has compensatory time available to take, employee may use enough vacation hours (1.55, 1.85, 2.31, 3.09, 3.69, 4.62 or 6.15) so as not to lose accrued vacation time. The difference shall be deducted from the employee's compensatory time bank.

4. In the event that the employee has taken days off using compensatory time, vacation time, or holiday time, and accrues more than 84 hours during a 14-day period, this overage time will be considered at time and a half (1 ½ x) the employees regular pay rate to be compensated for either compensatory time or externally-funded overtime pay.

**4.08**  
**REFUGIO COUNTY**  
**POLICY ON TERMINATION**

**TERMINATION PAY**

1. If an employee leaves the service of the County, his/her final pay check shall include:
  - a. Pay for all hours worked but for which payment has not been received including, where applicable, time and one-half for overtime worked;
  - b. Where applicable, pay for compensatory time which has been earned but not yet used;
  - c. Pay for any leave time for which payment is due under the provisions of the Refugio County Personnel Policies;
  - d. With the employee's approval, deduction for any indebtedness to the County which the employee may have incurred but which has not been paid as long as the federal minimum wage is paid for all hours worked.

**FINAL PAYCHECK**

2. All terminated employees will receive their final paycheck at the next pay day, if reasonably possible.

**WITHHOLDING FROM FINAL PAYCHECK**

3. Upon termination - for ANY reason - an employee or official must relinquish the following items to Refugio County, or provide monetary compensation for same: such as keys, rental uniforms, credit cards, personal telephone calls, or reimbursement for any money due to the County.

**5.01**  
**REFUGIO COUNTY**  
**TAX EXEMPTION STATUS**

**TAX EXEMPTION STATUS**

1. Refugio County will save money by not paying sales tax. It is the policy of Refugio County to pay no sales tax on goods and/or services as authorized by the Tax Code.

**EXCEPTION TO NOT PAYING SALES TAX**

2. Officials and employees may pay tax on food and hotel/motel rooms.

**HOW TO AVOID PAYING SALES TAX**

3. Sales Tax Exemption Forms are available from the County Auditor's Office and will be supplied to anyone needing them.
4. All purchases from vendors that have not established credit for Refugio County should be given an exemption certificate and no sales tax should be charged to the county.
5. Vendors that refuse to honor the County Sales Tax Exemption Certificate should be asked to call the County Auditor's Office to clarify the situation.



**5.02**  
**Refugio County**  
**Policy On Emergency Closing**

**EMERGENCY CLOSING**

1. Whenever a Refugio County Commissioner, the County Judge or Emergency Management Coordinator has reason to believe that an emergency situation exists (or is imminent) necessitating closure of County facilities, if time permits, an emergency meeting of the Refugio County Commissioners' Court shall be held to consider official action.
2. If, in the opinion of the County Judge, or, in his absence, of the senior available County Commissioner, insufficient time exists to hold an emergency meeting of the Commissioners' Court, then that individual shall, based on concern over safety of County Employees and other citizens as well as interest in the availability of governmental services, determine whether to close buildings in whole or in part.
3. Once a decision has been made to close any governmental building, the County Judge or County Commissioner making the decision or his staff shall make every attempt to notify local media to inform citizens of such closure. Affected supervisors will also be notified of the closure.
4. In the event that an emergency closing is ordered by Commissioners' Court, regular full-time and regular part-time employees will be paid their regular wage and the day will be recorded as an official closed day. This time off is not considered time worked and will not be used to determine eligibility for overtime. Any employee who is off or scheduled to be off on sick leave, vacation, holiday, compensatory time, personal leave, FMLA or leave without pay during a period of emergency closure shall have their leave recorded as an official closed day.
5. An elected official may choose to close his or her office at any time; however, until the County Judge or Commissioners' Court has officially closed County operation(s), employees shall use accrued leave (vacation, compensatory time) or time without pay.
6. Whenever there is an official emergency closure of all County operations, any non-exempt and exempt essential personnel who are required to work will be compensated at 1½ times their hourly rate or awarded compensatory time. Essential personnel may include Corrections Officers, Deputy Sheriffs, Roads & Bridges crews, Emergency Management personnel, Residential Supervisors, Detention Officers and/or other personnel designated by the County Judge, County Commissioners, Sheriff or other Supervisors.

There may be instances when only certain buildings/offices are closed. In these instances the affected employees will be compensated in accordance with Paragraph 4 of this policy, and all unaffected employees' compensation will be the same as during regular working conditions.

## 7. ADDENDUM REGARDING FFCRA

Addendum is effective from 04/01/2020 thru 12/31/2020

The provisions of the Families First Coronavirus Response Act (FFCRA) is applicable to Refugio County employees for the period of April 1, 2020 through December 31, 2020. This is an expanded family and medical leave (EFMLA) for specified reasons related to COVID-19. The following weblink provides more details:

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>

Employees will follow the provisions of the County's existing FMLA unless superseded by this temporary FFCRA for FMLA benefits.

During this period of time, the Refugio County response to PAID LEAVE ENTITLEMENTS provisions in the FFCRA will be as follows:

- Paid sick leave at 100% of scheduled pay for up to 2 weeks (80 hours, or a part-time employee's two-week equivalent). This paid leave is in addition to the employee's accrued sick leave.
- For all qualifying reasons under the FFCRA for leave related to COVID-19 where an employee is unable to work, including unable to "telework", the employee will be paid at 100% of their scheduled pay.

(A) Addendum is extended from March 31, 2021 thru June 30, 2021.

**5.03**  
**REFUGIO COUNTY**  
**INFORMATION TECHNOLOGY POLICY**

**GENERAL**

1. Refugio County provides computers and Internet connections to further its official County business, interests and purposes. 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 authorities. 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**

2. This policy defines the acceptable use of products and services provided by Refugio County to all of 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.
3. 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 Refugio County network.
  - a. 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.
  - b. 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**

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

## **AUTHORIZATION FOR USE OF E-MAIL**

6. As determined by the Official or Department Head, employees may be authorized to use the e-mail system. Such authorization allows for the non-official use of e-mail, provided such communication does not disrupt or interfere with official County business and is kept to a minimum during business hours.
7. Employees are strictly prohibited from sending e-mail or otherwise using the e-mail system in connection with any of the following:
  - a. engaging in illegal, fraudulent, or malicious activities;
  - b. engaging in activities on behalf of organizations with no professional or official affiliation with Refugio County;
  - c. sending or storing offensive, obscene, or defamatory material;
  - d. annoying or harassing other individuals;
  - e. using another individual's account without explicit authorization;
  - f. attempting to test, circumvent, or defeat security or auditing systems, without prior authorization;
  - g. permitting any unauthorized access to Refugio County's network;
  - h. 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.
  - i. Posting the same or similar unsolicited e-mail messages, bulk commercial advertising or information announcements to one or more groups is prohibited.

8. If needed, employees will be issued a county email. Employees that have already been using another email before this time are suggested to move to the county email system. New employees or those that now need a work email must use the secure email service for official county business.

## **NETWORK SECURITY**

9. 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:
  - a. accessing data not intended for the employee;
  - b. logging into a server or account that the employee is not authorized to use;
  - c. attempting to probe, scan or test the vulnerability of the Network;
  - d. breaching any security measure without proper authorization;
  - e. attempting to interfere with service to any user, host or network;
  - f. taking any action in order to obtain services to which the employee is not entitled or sharing information about the network.
10. All employees are expected and required to protect Refugio County's confidential information. Confidential information should never be transmitted or forwarded to outside individuals or companies not authorized to receive the information.
11. The employee is responsible for all contents hosted by Refugio 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 employee's own risk.

## **POLICY VIOLATIONS**

13. Refugio 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 employee may be subject to discipline, up to and including termination. Employees who use the e-mail 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.

**5.04**  
**REFUGIO COUNTY**  
**FRAUD POLICY**

**PURPOSE**

Refugio County has been created to support Refugio 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 Refugio County Fraud Policy applies to all employees of Refugio County and includes all full-time, part-time, seasonal, volunteer, and other temporary employees.

**DEFINITION**

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:

- a. Misappropriation of Assets
  1. Forgery, alteration or misappropriation of checks, drafts, or securities
  2. Unauthorized, non-business acquisition, use, or disposition of funds, inventory, furniture, fixtures, equipment, records, or other assets
  3. Embezzlement
  4. Theft
  5. Falsifying time sheets or payroll records
  6. Falsifying travel and expenses and/or utilizing company funds to pay for personal expenses
  7. Misappropriation of County-owned computer hardware, software, data, or other records including company intangibles (e.g. proprietary information, trade secrets, patents, etc.)

b. Expenditures and Liabilities for Improper Purposes

1. Bribery
2. Kickbacks

**GENERAL POLICY AND RESPONSIBILITIES**

1. It is the County's intent to investigate any suspected acts of fraud, misappropriation or other similar irregularity. An objective and impartial investigation, as deemed necessary, will be conducted regardless of the position, title, office, length of service or relationship with the County of any party who might be or becomes involved in or becomes/is 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, misappropriations and other irregularities. Management 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 as deemed appropriate.
4. Upon conclusion of the investigation, the results will be reported to the appropriate representatives.
5. Where there are reasonable grounds to indicate that a fraud may have occurred, the County may report the incident to the appropriate authorities in order 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.

**PROCEDURES FOR REPORTING FOR ALL EMPLOYEES**

6. 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 employee's supervisor may be involved, the employee shall immediately notify the County Auditor, an appropriate Elected Official, or the County Treasurer.

**PROCEDURES FOR REPORTING FOR SUPERVISORS**

7. Upon notification from an employee of suspected fraud, or if the manager has reason to suspect that a fraud has occurred, the manager shall immediately notify the County Auditor, an appropriate Elected Official, or the County Treasurer.

## **INVESTIGATION**

8. Upon notification or discovery of a suspected fraud, the 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 Commissioners' Court and the appropriate Elected Official, 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 Auditor's Department. An example of this would be an employee taking home office supplies or other minor items purchased with County funds.

## **SECURITY OF EVIDENCE**

9. Once a suspected fraud is reported, immediate action to prevent the theft, alteration, or destruction of relevant records needs to occur. Such actions include, but are not necessarily limited to, removing the records and placing them in a secure location, limiting access to the location where the records currently exist, and preventing the individual suspected of committing the fraud from having access to the records. The records must be adequately secured until the Auditor obtains the records to begin the audit investigation.

## **CONFIDENTIALITY**

10. 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**

11. 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.

## **WHISTLE-BLOWER PROTECTION**

12. No employee of the County, or person acting on behalf of the County in attempting to comply with this policy shall:
  - a. be dismissed or threatened to be dismissed;
  - b. be disciplined or suspended or threatened to be disciplined or suspended;
  - c. be penalized or any other retribution imposed, or
  - d. 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 considered against the individual making the allegation.

**5.05**  
**REFUGIO COUNTY**  
**PURCHASING AND SALES TAX REIMBURSEMENT POLICY**

**PURPOSE**

1. The purpose of this section is to establish uniform policies and procedures for the procurement of materials and services that are consistent with Vernon's Texas Codes Annotated (Sec. 262.00), a.k.a. Texas Local Government Code, and is the policy of Refugio County to follow.

**PURCHASING OF OFFICE SUPPLIES**

2. Whenever the commissioners' court awards an office supply bid, it shall be the policy of Refugio County to purchase all items from the winning vendor at the approved discounts.

**EXCEPTIONS TO OFFICE SUPPLY BID**

3. Purchasing may be made from other vendors when:
  - (a). Out of stock condition exists and the items are needed immediately.
  - (b). Items are considered to be capital outlay and are available elsewhere at substantial savings (capital outlay items are items costing over \$100.00).
  - (c). Due to particular office needs, the supplying vendor's item will not perform or function in a manner acceptable to the purchaser.
  - (d). Items are available at an auction or going out of business sale at substantial savings.
  - (e). Debarment - If making a purchase from other than a cooperative purchasing contract, and using Homeland Security Grant Funds, the Purchasing Office shall first check the GSA excluded Parties List System website [www.epls.gov](http://www.epls.gov) to verify that the vendor to be used by the County is not on the excluded parties list.

**TAX EXEMPTION STATUS**

4. Refugio County will save money by not paying sales tax. It is the policy of Refugio County to pay no sales tax on goods and/or services as authorized by the Tax Code.

**EXCEPTION TO NOT PAYING SALES TAX**

5. Officials and employees may pay tax on food and hotel/motel rooms.

**HOW TO AVOID PAYING SALES TAX**

6. Sales Tax Exemption Forms are available from the Auditor's Office and will be supplied to anyone needing them.
7. All purchases from vendors that have not established credit for Refugio County should be given an exemption certificate and no sales tax should be charged to the county.
8. Vendors that refuse to honor the County Sales Tax Exemption Certificate should be asked to call the County Auditor's Office to clarify the situation

9. If an employee or official purchases items by credit card or other method of payment and sales tax is charged to the county, then the employee/official will be billed for the tax paid. However, if an employee or official purchases less than \$50.00 and the sales tax is charged to the county, then the employee/official will be reimbursed.