

Hamilton County Commissioner’s Court
Personnel Policy Workshop
Tuesday, April 7, 2015
10:00 A.M.



Hamilton County Commissioner’s Court met for a Personnel Policy Workshop on April 7, 2015 at 10:00 A.M. with the following members present: County Judge Mark Tynes, Commissioners Johnny Wagner, Lloyd Huggins and Dickie Clary. Commissioner Keith Allen Curry was absent. Others attending were Justice of the Peace, Pct. 1 James Lively, County Tax Assessor-Collector Terry Short, County Treasurer Shawna Dyer and County Clerk Debbie Rudolph.

Tynes called the workshop to order and the court began reviewing the draft that had been prepared.

HAMILTON COUNTY –POLICY ON EMPLOYEE STATUS

Page 1: **REGULAR PART TIME**

Leave-**Regular** part time employees may be eligible for certain Hamilton County benefits.

TEMPORARY

NOTE: Delete the word **in** that appears in the sentence before included

Page 2: **HAMILTON COUNTY POLICY ON EQUAL EMPLOYMENT OPPORTUNITY**

Delete-**paragraph II**

Add punctuation on **paragraph III**

**HAMILTON COUNTY POLICY ON APPLICATION FOR EMPLOYMENT
JOB ANNOUCEMENTS**

Paragraph I

Page 3:

Announcements for job openings with Hamilton County **may** include, **but are NOT limited to**, advertisements in local newspapers and/or postings on Hamilton County Courthouse bulletin boards

Change: may to shall

Delete: but are NOT limited to,

Delete: /or

It should read as follows:

Announcements for job openings with Hamilton County shall include advertisements in local newspapers and postings on Hamilton County Courthouse bulletin boards

Paragraph II

Delete the first sentence of the paragraph and leave the last sentence.
It should read as follows:

The announcements shall run and be posted for two (2) weeks.

VACATION POLICY (continued)

PAY UPON TERMINATION

Page 9:

Insert: Insert the word **is** -First sentence after employee resigns, **is** discharged, or is terminated for any reason,

RECORD KEEPING

Insert the word **or**- Each employee shall be responsible for accurately recording all time off **or** time used on his or her time sheet.

HAMILTON COUNTY POLICY FOR RETIREE HEALTH INSURANCE

Page 18:

Delete: **Effective October 1, 2007**

PREMIUMS (continued)

Page 19: Additional language added:

Eligible retired employees who choose to participate in the Retiree Health Insurance Benefit must pay the portion of monthly premiums that are above the maximum \$250.00 per month contribution made by the County.

To enroll in the retiree insurance program, qualified retirees must pre-pay two months premiums (retiree share) on or before the first day of retirement. These two premium payments will be used as first and last month's premium payments.

The retiree must continue to pay their monthly premiums on or before the first of each succeeding month. If the retiree fails to pay this premium on time, the last month's pre-paid premium will be used for payment.

If the retiree fails to make additional payments and the first and last premium pre-payments are exhausted, the retiree's health insurance will be cancelled and the retiree will be permanently barred from future participation in the Retiree Health Insurance Benefit Program.

INSURANCE

Page 24: Paragraph I

Additional language added to first sentence:

While on leave **with pay** under this policy, the County shall continue to pay the employees medical insurance premium at the same rate as if the employee had been actively at work.

Paragraph III and IV: Delete the wording under Section 16

POLICY ON FAMILY AND MEDICAL LEAVE (continued)

PHYSICIAN'S STATEMENT

Page 25: Paragraph I

Insert-by the attending physicians

The County shall have the right to ask for certification **by the attending physicians** of the serious health condition of the employee or the employee's eligible dependent when the employee requests or is using leave under this policy.

RETURN TO WORK POLICY (continued)

Employee Refusal of Work/Training

Page 29:

Change word from will to may

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 Hamilton County sent via certified mail, the employee is separated from Hamilton County and his/her position **may** be filled permanently.

Page 30:

Delete semicolon (;) after Texas workers;

Medical Information

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

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HAMILTON COUNTY SICK LEAVE POOL POLICY

Add the word **debilitating**

PURPOSE

The Sick Leave Pool Policy is to provide additional sick leave days to County employees in the event of a catastrophic/**debilitating** illness or injury, surgery, or disability that prevents an employee from active employment. Days may be applied from the pool only after the employee has exhausted all accrued sick leave and vacation leave.

DEFINITIONS

“Eligible Employee” means a Regular Full Time County employee with twelve (12) or more months of continuous employment with Hamilton County.

“Member” is an eligible employee who voluntarily contributes one (1) to five (5) days of accumulated sick leave per calendar year to the pool.

Catastrophic/debilitating illness or injury is defined as terminal, life-threatening, and/or severe condition or conditions affecting the physical/mental health of the member that prevents the employee from performing normal work related tasks, that requires the services of a licensed physician for a prolonged period of time and that forces the member to exhaust all of his/her accrued leave time (sick leave, and vacation leave) and to lose compensation from the County.

“Licensed Physician” as defined by the Texas Insurance Code, is one who is practicing within the scope of his/her license.

“Sick Leave Days from the Pool” are those days granted to a member who has a qualifying condition and is unable to perform the duties of his/her position.

Qualifying conditions are a catastrophic/**debilitating** condition or combination of severe conditions affecting the physical/mental health of a member as authenticated by a licensed physician.

“Unit of Sick Leave Days” is the number of sick days which are awarded from the pool and shall be, within the discretion of the Committee, up to ten (10) days per sick leave pool request.

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EXAMPLES

Qualifying catastrophic/**debilitating** illness/injuries or conditions generally considered include, but are **NOT** limited to:

- Stroke with residual paralyses or weakness
- Incapacitating heart attack

- Major surgery (hysterectomy, mastectomy, heart bypass, prostate surgery, knee and hip joint replacement).
- Cancer
- Hepatitis, broken hip, car wreck requiring hospitalization
- Other conditions that prevent an employee from performing normal work tasks and that require the ongoing care/treatment from licensed medical personnel.

Examples of illness/injuries that generally would not be considered severe enough to be catastrophic/**debilitating** include but would **NOT** be limited to:

- Certain broken bones
- Cold/flu/allergy
- Minor surgery with no complications such as appendectomy, tonsillectomy, day surgery
- Pregnancy with minor or no complications

Normal pregnancies without complications and routine surgeries without complications are not considered by the County to be catastrophic/debilitating illnesses.

ADMINISTRATOR

The Administrator shall be appointed by the Commissioners' Court. The Administrator will be responsible for developing forms for contributing leave to or using leave from the Hamilton County Sick Leave Pool.

The Pool Administrator will issue memos as necessary within the Departments to advise employees of how the Committee interprets or administers provisions of this policy.

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COMPOSITION OF COMMITTEE

The Committee shall be composed of seven (7) voting members: the County Judge, the Sheriff, the County Clerk, the County Attorney, the County Auditor, the County Treasurer, a member of the Commissioners Court; with the County Judge serving as chair. Plus, two (2) ex-officio members to be appointed by Commissioners Court.

The appointment to fill a vacancy shall be made from the group represented by the

vacating member.

COMMITTEE DUTIES RESPONSIBILITIES

At the initial yearly meeting, the Committee shall elect a vice-chairperson and a secretary.

Request for sick leave pool days shall be confidentially and individually reviewed by the Committee in a called meeting. A member may be required to appear before the Committee to substantiate a request.

The Committee reserves the right to approve, disapprove, or modify the number of days requested from the pool.

The decision of the Committee shall be based on a majority vote of the quorum. A quorum shall be based on at least **four (4)** Committee representatives.

Delete: The Committee Chairperson shall forward all Department head approved sick leave request to the County Treasurer's Office. All Department Head approved Sick Leave requests SHALL be delivered to the County Treasurers Office.

The Committee reserves the right to modify or waive any requirement, with the approval of the Commissioners Court.

The Committee Chairperson shall notify the Department Head of any approved sick leave request for an employee of that Department.

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PROCEDURES FOR JOINING

Eligible employees may join by contributing one (1) to five (5) days of accumulated sick leave per year. Application for membership must be submitted to the Pool Administrator for approval by the Committee.

After approval from the Committee, applications for membership will be given to the County Treasurer's Office for adjustment of sick leave on the members' records. Open enrollment will be during the month of December each year.

CONTRIBUTION OF DAYS

To maintain eligibility, a participating member must contribute at least one (1) day, but **NOT** more than five (5) days, from his/her accumulated sick leave per year. The day(s) donated will be subtracted from the member's accumulated sick leave record by the County Treasurer's office.

The donated sick leave day(s) will become property of the pool and **CANNOT** be returned. If the pool falls below thirty (30) days, the Committee shall request that membership contribute extra day(s), up to five (5) days.

If the sick leave pool accumulates a reasonable level of sick days, as determined by the Committee, the Committee may decide to not accept additional donations of sick leave and all current members (**Insert**) shall remain eligible for withdrawals from the pool until the next signup period.

GENERAL PROVISIONS

Members who terminate employment with Hamilton County or who are terminated forfeit membership in the pool at the effective date of their termination.

Members on approved leave of absence shall retain membership in the pool during the year in which they contributed.

An employee who voluntarily terminates his/her employment with Hamilton County may donate up to ten (10) days of his/her accumulated sick leave days to the pool regardless of membership in the pool. The Committee may accept or reject the donated days based on the "reasonable level" of the pool considerations.

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GENERAL PROVISIONS (continued)

Employees who make contributions to the pool **MAY NOT** stipulate who is to receive their contributions.

Members who use the Sick Leave Pool are **NOT** required to pay back Sick Leave Days from the Pool.

Employees shall not accrue vacation or additional sick leave while using approved sick leave from the Pool.

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**HAMILTON COUNTY
POLICY ON ATTENDANCE AND TIMELINESS
ATTENDANCE**

Change the to their

Each employee shall report to work on each day he/she is scheduled to work unless prior approval for absence is given by the employees supervisor/elected official or the employee is unable to report for work because of circumstances beyond **their** control.

NOTIFICATION

If an employee is unable to be at work at his/her normal reporting time, the employee shall be responsible for notifying his/her supervisor/elected official on or before 9:00 a.m.

Delete wording after 9:00 a.m.-of the circumstances causing the tardiness or absence.

**HAMILTON COUNTY
POLICY ON GRIEVANCES**

Pg. 53- New language

CONFIDENTIALITY

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

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

WHISTLEBLOWER

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

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

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

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

An employee with a question regarding this policy should contact his/her Department Head or the County Judge.

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DRUG AND ALCOHOL- CDL EMPLOYEES

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

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

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

Any employee during working hours at any time shall upon request of the Elected Official/Supervisor be subject to an alcohol or drug test.

Further, ALL Hamilton County employees who may drive county vehicles and/or operate county equipment while performing their duties WILL be subject to random drug and alcohol testing. The cost of which will be borne by Hamilton County. (new language) A detailed policy and procedure is available at the Treasurer's office.

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**HAMILTON COUNTY
POLICY ON TRAVEL AND EDUCATION EXPENSES**

MEALS

Employees on travel who are required to stay overnight shall be reimbursed for meals not to exceed **\$40.00 per day** for each full day they are required to be away from home. Original receipts must be turned in before meal expenses will be reimbursed. **(new figure)**

LAW

Law enforcement personnel, when the travel does not involve ENFORCEMENT overnight stay, shall be reimbursed for actual meal expenses (not to exceed **\$15.00 per meal**).

These were the changes addressed in the personnel policy. The final draft will be prepared for approval.

It was suggested that we adopt the policy that Cass County has on the Affordable Care Act.

Clary stated that he would have an acknowledgement to add for the Drug and Alcohol (CDL) drivers.

The court adjourned.

County Judge

Attest: _____
County Clerk