



## **CIVIL SERVICE COMMISSION RULES**

Includes All Revisions through June 26, 2003

## STATEMENT OF INTENT

JANUARY 9, 1995  
(Amended September 20, 1995)  
(Amended December 13, 2000)  
(Amended June 12, 2002)  
(Amended March 27, 2003)

The Rules supersede all County and District personnel policies in conflict with the Rules. The Hidalgo County Personnel Policy Manual, effective October 1, 1991, except as modified by the Rules, remains in effect. The Head Start Personnel Policies Manual is replaced by these Rules, effective as of September 20, 1995. (Amended September 20, 1995)

All benefits afforded to County and District personnel under the Manual are subject to change to the extent that the cost of all or portion of such benefits may be charged against County and District employees, subject to such employee's consent to pay for same, should the employee desire to continue such coverage. Benefits available under the Manual are also subject to approval of the Governing Authority, and are contingent on the availability of funds.

These Rules are subject to change at any time, by direction of the Commission, and to the extent applicable, are contingent upon the availability of funds and any required approval of the Governing Authority. The Rules shall govern and control the operation of a civil service system for County and District employees in Hidalgo County, Texas. The Commission may amend or repeal all or any portion of the Rules. The Rules, including all benefits available as provided in the Manual, are not contractual, and are subject to unilateral repeal or amendment by the Commission, or if applicable, the Governing Authority.

The Rules do not restrict County and District departments from establishing other departmental policies and procedures governing the operation of County and District departments so long as such policies and procedures are not in conflict with these Rules, are consistent with good employment practices and promote equal employment opportunity.

### HIDALGO COUNTY, TEXAS CIVIL SERVICE COMMISSION

Jaime Ortiz, Chairperson

Robert McGurk, Member

Reynolds Garcia, Member

**CHAPTER VI  
EMPLOYEE COMPLAINTS**

Availability of Complaint Process .....	<a href="#">6.00 – 6.01</a>
Group Written Complaint .....	<a href="#">6.02</a>
Filing Written Complaint.....	<a href="#">6.03 – 6.04</a>
Delay in Filing or Appealing Written Complaint .....	<a href="#">6.05</a>
Employee Representative .....	<a href="#">6.06</a>
Written Complaint Process .....	<a href="#">6.07 – 6.08</a>
Written Complaint Appealed to the Commission .....	<a href="#">6.09 – 6.10</a>
Presumption of Validity .....	<a href="#">6.11</a>
Commission Decision.....	<a href="#">6.12 – 6.13</a>

**CHAPTER VII  
WORK HOURS, LEAVE AND BENEFIT PROGRAMS**

Work Hours .....	<a href="#">7.00 – 7.08</a>
Fair Labor Standards Act (“FLSA”) .....	<a href="#">7.09 – 7.15</a>
Administration of Leave and Benefit Programs .....	<a href="#">7.16 – 7.34</a>
Administrative Leave.....	<a href="#">7.35 – 7.36</a>
Annual Leave .....	<a href="#">7.37 – 7.47A</a>
Compensatory Leave-FLSA Covered Employee .....	<a href="#">7.48 – 7.59</a>
Compensatory Leave-FLSA Non-Covered Employees .....	<a href="#">7.60 – 7.66</a>
Court Leave.....	<a href="#">7.67 - 7.71</a>
Family and Medical Leave .....	<a href="#">7.72 – 7.99</a>
Group Health and Life Insurance .....	<a href="#">7.100 – 7.107</a>
Holidays .....	<a href="#">7.108 – 7.112</a>
Leave without pay .....	<a href="#">7.113 – 7.121C</a>
Military Leave .....	<a href="#">7.122 – 7.124</a>
Optional Tax Method- Insurance Benefits (Cafeteria Plan) .....	<a href="#">7.125 - 7.126</a>
Religious Observances .....	<a href="#">7.127</a>
Retirement System.....	<a href="#">7.128 - 7.129</a>
Sick Leave.....	<a href="#">7.130 – 7.146</a>
Social Security (FICA Contributions) .....	<a href="#">7.147</a>
Travel Reimbursement.....	<a href="#">7.148 – 7.153</a>
Travel Reimbursement – Other than Head Start program employees .....	<a href="#">7.153A</a>
Travel Reimbursement – Head Start Program Employees.....	<a href="#">7.154 – 7.163</a>
Other Payroll Deductions – Head Start Program Employees .....	<a href="#">7.164 – 7.168</a>
Christmas Leave - Head Start Employee.....	<a href="#">7.169 – 7.172</a>
Educational Leave – Head Start Program Employees .....	<a href="#">7.173 – 7.177</a>

## CHAPTER VII

### WORK HOURS, LEAVE AND BENEFIT PROGRAMS

#### WORK HOURS

7.00 County and/or District work hours are scheduled so that all County and/or District offices are open by 8:00 a.m. and close no earlier than 5:00 p.m., Monday through Friday, except on official Holidays. Each Elected Official/Department Head establishes work hours for employees in his or her Department. In setting work hours, an Elected Official/Department Head considers the needs of the Department and the County and/or District, and ensures that any changes in work hours are in the County's and/or District's best interest.

7.01 Effective May 1, 1995, the County's (effective April 18, 2002, for the District) regular work period for all employees, except law enforcement personnel, is a seven day period which commences at 12:01 a.m. on Monday of each week and ends at 12:00 p.m. midnight on the following Sunday. The County's regular work period, effective May 1, 1995, for "law enforcement personnel," as such term is used in the federal Fair Labor Standards Act, is a fourteen day period which commences at 12:01 a.m., on Monday and ends at 12:00 p.m. midnight 14 days later.

7.02 There are 40 regular work hours in a seven day work period and 86 regular work hours in a fourteen day work period; however, the County schedules employees subject to a fourteen (14) day work period to work a minimum of 80 hours during such work period. In the event of a conflict between the work hours rules set forth in Sections 7.01 through 7.08 hereof for Head Start Program employees, the work hours set forth in the County's approved grant application for operation of the County's Head Start Program shall control. (Amended September 20, 1995)

7.03 An employee is required to be present at his or her duty station at the beginning of each workday.

7.04 Every employee is allowed one hour for lunch each workday.

7.05 Each Elected Official/Department Head should schedule his or her employees each workday for a fifteen (15) minute rest break in the morning and a fifteen (15) minute rest break in the afternoon.

7.06 An employee's time and attendance record (Form SFA-CA-008 for non-law enforcement personnel and Form SFA-CA-046 for law enforcement personnel) should coincide with an employee's work period. A completed time and attendance record is completed and turned in to the payroll section of the County Auditor's office and/or similar office in the District no later than 10:30 a.m. on the first employee work day following two seven day work periods or one fourteen day work period. Head Start Program employees shall follow procedures established by the Head Start Program Director for preparing and processing time and attendance records. (Amended September 20, 1995)

7.07 Effective May 1, 1995, all County employees (effective April 18, 2002, for District employees) are paid biweekly on the Friday following the end of two seven day work periods or one fourteen day work period. If that Friday is a holiday, employees will generally receive their pay checks on the last work day which precedes the holiday.

7.08 An employee's pay check is based on the hours worked by the employee during the applicable work period(s), plus any eligible hours of paid leave, all as shown on a signed time and attendance record.

#### FAIR LABOR STANDARDS ACT ("FLSA")

7.09 The Fair Labor Standards Act ("FLSA") is the federal law which governs overtime  
[\(Back to Table of Contents\)](#)

compensation for employees covered by the provisions of that Act. Most County and/or District non-management employees are covered by the overtime compensation requirements of the FLSA. An FLSA covered employee receives: (i) time and one-half compensation; or (ii) compensatory leave of one and one-half hours; for each hour physically worked in excess of 40 hours for employees with a seven (7) day work period and 86 hours for those employees with a fourteen (14) day work period. The County provides straight hourly pay or compensatory leave on an hour for hour basis for employees with a fourteen (14) day work period who work between 80 and 86 hours in such work period. Hours for which an employee receives pay, such as paid leave and holiday hours, but which are not physically worked, are not considered hours worked for purposes of calculating FLSA overtime.

7.10 Each Elected Official/Department Head must require that his or her employees keep daily records of time worked and leave taken. Each Elected Official/Department Head must report all additional time worked for FLSA covered employees.

7.11 Except in unusual circumstances, the Elected Official/Department Head must have requested and approved, in advance, that an employee work extra hours or overtime hours. An example of an unusual circumstance is when an off-duty worker responds to an emergency. In this case, the employee is required to report the emergency and its circumstances to the Elected Official/Department Head at the beginning of the employee's next workday.

7.12 An employee who works extra hours or overtime hours without supervisory approval shall be compensated for the extra or overtime hours, but such employee is subject to disciplinary action.

7.13 The Elected Official/Department Head tracks and reports hours worked and leave used using the following forms:

- a. Form SFA-CA-008, Time and Attendance Record - Non-Law Enforcement Personnel;
- b. Form SFA-CA-046, Time and Attendance Record - Law Enforcement Personnel;
- c. Form SFA-CA-044, Leave Request Form;
- d. Form P-2, Summary of Vacation and Sick Leave; and
- e. Form P-3, 12 Month Period Summary of Leave Taken under the Family and Medical Leave Act of 1993 (FMLA).

7.14 To minimize the County and/or District's liability under FLSA for overtime or extra work hours, each Elected Official/Department Head is expected to manage work hours efficiently and effectively. An Elected Official/Department Head may need to adjust work hours for an FLSA covered employee to accomplish work assignments. When an FLSA covered employee's time and attendance record reflects hours worked in excess of that employee's standard work period, the Elected Official/Department Head and the County Auditor and/or similar office for the District shall immediately notify the County Judge and/or similar office within the District of such fact by forwarding to such party a copy of the time and attendance record for such employee (Form SFA-CA-008 or Form SFA-CA-046).

7.15 When an Elected Official/Department Head allows or requires an FLSA covered employee to work extra hours or overtime hours, the Elected Official/Department Head should make every effort to adjust the work hours during the applicable work period so that the employee does not physically work in excess of 40 hours if the employee is on a seven day work period or in excess of 80 hours if the employee is on a fourteen (14) day work period.

#### ADMINISTRATION OF LEAVE AND BENEFIT PROGRAMS

7.16 The Governing Authority is solely responsible for authorizing compensated leave and

[\(Back to Table of Contents\)](#)