

# **Williamson County**

## **Employee Policy Manual**

### **Effective TBD**

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## **Policy Manual Disclaimer**

This employee policy manual constitutes the general personnel policies for all Williamson County employees. It does not constitute a contract or provide a guarantee of employment. Policies may be altered, deleted, or amended at any time by action of the Commissioners Court. If any provision or part of a provision of these policies is held invalid, unlawful, or unenforceable, it will not affect the validity of the remaining provisions or parts of provisions, which will remain in effect. In cases where federal or state laws or regulations supersede local guidelines, such laws or regulations will substitute for these personnel guidelines only insofar as necessary for compliance. Specific departments may have additional policies unique to their operations.

Elected official's rights and responsibilities as defined by Texas law supersede these policies where conflicts may occur. Elected officials are encouraged to follow all policies contained herein in order to provide uniform application across the County and to protect the County against potential employment related issues.

## **About Williamson County Government**

Williamson County's government organization is established by the Constitution of the State of Texas and by state statutes. Its operations are governed by state and federal law and by actions of the Commissioners Court.

### **Commissioners Court**

The Commissioners Court consists of four County Commissioners; each elected by the voters of a Commissioners precinct, and a County Judge, elected by all of the voters of the County. Officials are elected for a four-year term. The Commissioners Court is the chief policy, administrative, and executive branch of County government.

### **County Operations**

County operations are conducted through departments and offices; each administered by an elected public official or an appointed department head.

# Employment

## At Will Employment

Employment with Williamson County is on an at-will basis:

- An employee may resign at any time, with or without notice.
- Williamson County may terminate the employment relationship at any time, with or without cause or notice.
- Williamson County may change the terms and conditions of employment at any time, with or without notice.

## Equal Employment Opportunity & ADA Compliance

Williamson County is committed to providing a workplace free of discrimination. All employment decisions (hiring, compensation, promotions, terminations, etc.) are made without regard to any covered or protected class as defined by law and applicable statements of the law by the Equal Employment Opportunity Commission (EEOC) or disability as defined by the Americans with Disabilities Act and applicable state laws, including those enforced by the Texas Workforce Commission. If an employee requires an accommodation due to a disability, contact the Human Resources Department.

## Employment Status

- Full-time: Full-time positions are scheduled to work consistently 30 or more hours in a pay week.
- Part-time: Part-time positions are scheduled to work no more than 29 hours in a pay week and are not eligible for benefits or longevity pay.
- Temporary: Temporary employees are limited to working 130 days in a rolling calendar year. They are not eligible for TCDRS retirement, benefits, holidays, leave time, or County longevity pay.

If the temporary employee cannot be categorized as seasonal and customary, then the temporary employee can work no more than 29 hours in a pay week. Customary must meet the criteria: (i) by the nature of the position an employee typically works for a period of six months or less, and (ii) the period of employment should begin each calendar year in approximately the same part of the year, such as summer or winter. Please contact your HR Generalist to determine the parameters for any temporary employees.

## Position Classification

Positions are classified as exempt or non-exempt based on the definitions and requirements of the Federal Labor Standards Act (FLSA).

- Exempt: Exempt positions are salaried positions which are not eligible for overtime or compensatory time.
- Non-Exempt: Non-exempt positions are hourly positions which are eligible for overtime pay or compensatory time as determined by County policy.

\*All full-time, part-time, and temporary employees must reside within the State of Texas during the scope of their employment.

# Employment

Overtime		
Classification	Eligibility	Accrual
Exempt	NO	Exempt employees are not eligible for overtime compensation.
Non-Exempt	YES	<ul style="list-style-type: none"> <li>• Time-and-a-half pay or compensatory time after 40 hours actually worked in a work week.</li> <li>• Determination of pay vs. comp time is based on departmental budget.</li> </ul>
Non-Exempt: Department of Infrastructure	YES	<ul style="list-style-type: none"> <li>• Time-and-a-half compensatory time after 40 hours actually worked.</li> <li>• In the event of a public safety emergency, the Senior Director has the discretion to grant overtime pay at time and a half to those employees performing emergency response duties at the request of their supervisor.</li> </ul>
Non-Exempt: Public Safety Positions	YES	Time-and-a-half overtime pay or compensatory time after 40 hours actually worked.
Non-Exempt: Law Enforcement Positions	YES	Time-and-a-half overtime pay or compensatory time after 86 hours worked in a 14-day pay period. The hours worked between 80 and 86 hours, for this period, are compensated at straight overtime pay or compensatory time.
Non-Exempt: Catastrophic Event Pay	YES	Upon EOC activation and/or declaration of a local, state or federal disaster, non-exempt essential personnel (EP) may receive time and one-half pay in lieu of compensatory time, once the normal hours required before overtime eligibility have been exceeded.

All overtime must be preapproved by the Elected Official or Department Head. Policy infractions involving abuse of unapproved overtime may result in disciplinary action, up to and including termination. Only hours actually worked are included in the determination of overtime. Sick leave, vacation, holidays, bad weather, and other uses of accrued time off/leave accruals do not count toward the accrual of overtime and will be reduced to balance the timecard to 40 hours per week (or 80 hours per pay period for Law Enforcement employees).\* As used above, overtime may refer to accruals of compensatory time or payments.

Compensatory time is limited to 240 hours, all hours above this limit will be paid at time and one-half.

\*EMS and Emergency Communications use leave based on scheduled shift hours, rather than the pay period.

# Employment

## Recruitment

When a position becomes vacant, the position may be posted externally through Human Resources, internally (within the department) by the Elected Official or Department Head or the position may be filled by an applicant that has previously applied for a like position within the past 180 days. The Elected Official, Department Head or their designee will make the final selection in the recruitment process. The chart below generally defines the processes:

Job Posting Options			
Type	Description	Documentation	Process
<b>External Job Posting</b>	Vacant position is posted online through Human Resources.	A request to post must be sent to Human Resources.	Position will be posted through online hiring system for a minimum of five calendar days.
<b>Internal Job Posting</b>	Vacant position is posted internally through email or other written communication method within the hiring department only.	An email or manual written posting may be used to notify employees of the vacancy.	<ul style="list-style-type: none"><li>• Notify internal employees of the opportunity and provide instructions on how they must apply (i.e. via resume, email response, etc.).</li><li>• Applications should be accepted for a minimum of 5 calendar days.</li></ul>
<b>Applicant Pool</b>	Candidate applications submitted in response to job posting.	Contact Human Resources to request applications from a previous posting for a position with the same title and grade within the past 180 days.	Applications will be provided through the online hiring system for the hiring manager to review.

## Candidate Selection Process

All candidates being considered should meet the minimum requirements for the position and should go through a consistent screening and interviewing process. Once a candidate is selected, the hiring manager must notify Human Resources to complete the final steps in the hiring process.

## Nepotism

Nepotism is the hiring or influencing others to hire relatives without regard to merit. The County and the [Texas Government Code Chapter 573](#) outline specific rules prohibiting the appointment, confirmation of appointment, or voting for the appointment (or confirmation of appointment) of a relative. Refer to the Texas Government Code Chapter 573 (Relationships by Consanguinity or by Affinity) for additional clarification. The Commissioners Court will not affirm any employee who is related to another employee within their chain of command or reporting structure.

***Changes in relationships which may violate this policy must be immediately reported to Human Resources***

# Employment

## **Hiring Post TCDRS Retirement**

Williamson County elected officials, department heads, or other agents of the County may not make any prior commitments, agreements, or arrangements to rehire a Williamson County TCDRS retiree. Any retiree selected for a position with Williamson County will require pre-approval from the Human Resources Department due to TCDRS rules. If the retiree is on Williamson County retiree health benefits, the benefit-enrollment waiting period still applies.

## **Pre-Employment Screening**

Potential employees of Williamson County may be required to submit to a criminal history check, physical exam, drug screening or other job-specific screening prior to employment. Any job offer is contingent upon successfully completing and meeting the requirements of these screenings. If additional information is received after employment begins which fails to meet the screening requirements, the employment relationship may be terminated. False information provided by an applicant will disqualify the applicant from consideration, or if discovered after employment begins may result in termination.

## **Post Hire**

### **New Employee Orientation**

All new employees must complete new employee orientation before the end of the pay period in which they are hired.

### **Direct Deposit**

Direct Deposit is strongly recommended. The first paycheck will be mailed to the address of record, as could the first paycheck whenever changing banking institutions or account information. Pay remittance slips can be viewed and printed online located on the Wilco Self Service site in Oracle.

### **Texas County and District Retirement System (TCDRS) Contributions**

All officials, part-time and full-time employees are required to participate in the Texas County and District Retirement System ([TCDRS](#)) as a condition of employment. Temporary employees are exempt from participation as specified by Retirement System regulations. The required contribution is deducted from an employees pay each pay period.

# Employment

## Transfers

Employees transferring from one County office or department to another should give at least a two-week written notice to their current official/department head. The current official/department head may waive the two-week period. If an employee status changes from a non-exempt to an exempt position, the employee's current compensatory time balance will be paid out as of the last day in the non-exempt position and at the hourly rate for the non-exempt position. Compensatory time will also be paid out when a non-exempt employee transfers from one County department to another. If an employee transfers from a position that allows for a higher vacation or sick leave balance, the amount that is in excess of the limit for the new position will be forfeited.

Transfers to and from WCCHD, Museum or CSCD are considered employment separations.

## Separation of Employment

Employees are ~~required~~ encouraged to provide at least a two-week written notice in order to resign in good standing. The last day of employment is the last day the employee is present at work. Leave time cannot be used on the last day of employment, with the exception of USERRA leave, administrative leave or medical leave covered under or at the conclusion of FMLA. In some cases, the last day of employment may be adjusted after a review and approval process involving the department, Human Resources, and the County Auditor's Office. At the discretion of the Elected Official or Department Head, the resignation may be accepted immediately or at any time within the resignation notice period. In the event that an employee passes away, the last date of employment will be the last date worked or the last day on approved leave with the exception of vacation leave. Employees must return all Williamson County property immediately upon request or upon termination of employment. Any items not returned may be deducted from the final paycheck for certain eligible employees.

The following will be paid on the final paycheck or when County assets have been disabled/returned to the County:

- Eligible accrued vacation time
- Comp time
- Unused holiday time banked prior to October 1, 2014

## Adjusted Service Dates for Rehired Employees (Non-retirement)

Employees rehired into a full-time position within 90 days from his/her last employment within a full-time position, will be reinstated with service time based on a calculated adjusted service date. The adjusted service date is the original date of full-time employment minus the number of break in service days either not employed with the County or working in a part-time capacity. The adjusted service date will also be used for determining vacation and County longevity accrual rates. Employees rehired 91 or more days after separation of employment will not receive service credit for previous employment, unless a one-time exception, that cannot exceed a one-year break in service, is awarded based on review and approval by Human Resources (factors considered include high turnover positions, knowledge, skills and abilities of a former employee or other special circumstances). Request for the one-time exception must be received by Human Resources within 30 days following rehire date. Any resulting change to longevity amount paid will not be effective until budget funds are available. Retroactive payments will not be made for payments missed pending budget funds availability.

Refer to the [Uniformed Services Employment and Re-employment Rights Act \(USERRA\)](#) for reemployment rights if the break in service is related to active military leave. Contact the Human Resource Department for assistance.



# Work Environment

## Communications to Employees

All employees are assigned a County email address. County email is the official communication tool for employee communications. All employees are responsible for accessing and reviewing their County email on a regular basis.

PowerDMS, a document management system, will be utilized to disseminate County policy documents and informational memos. Employees will be responsible for the review and electronic receipt acknowledgement of County communications in PowerDMS.

## Breaks

Supervisors may schedule breaks to accommodate operating requirements. County offices are encouraged to stay open during the noon hour to better serve the public. Supervisors will inform employees of breaks, if any, and the break schedule. The Fair Labor Standards Act (FLSA) does not require employers to provide breaks or meal periods to employees.

- Breaks of less than 20 minutes will not require the employee to clock out and will be considered compensable time while on County property.
- Breaks of more than 20 minutes (i.e. errands) or offsite will require non-exempt employees to clock out and not perform any work during that time.
- Lunch breaks will be for a period of not less than 30 minutes, during which non-exempt employees clock out and may not perform any work.

## Lactation breaks

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed with the same rules for breaks. During lactation breaks in which non-exempt employees clock out, they may not perform any work. Williamson County has designated certain rooms for this purpose. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

## Reporting Time Worked and Leave Time

Timesheets must be approved and signed off, by the employee and department designee, on the day indicated on the payroll calendar by the time indicated by the Auditor Payroll Department. Employee timesheets must be balanced to their regularly scheduled hours for the work week.

- Nonexempt: Employees must report all hours worked and leave time taken in the timekeeping system.
- Exempt: Employees do not enter the hours worked, but must record leave time such as sick or vacation in the timekeeping system. Holiday time is preloaded for all exempt employees. Payroll must be contacted to adjust holiday time if an exempt employee works on the holiday.

***Time records are a governmental record and according to Texas Penal Code Section 37.10 you are tampering with a government record if you knowingly submit your time record inaccurately.***

## Employee Leave Policies

Employees accrue vacation and sick leave on the last day of each pay period. The leave accrual will be adjusted when employees have any unpaid leave, with the exception of workers compensation. The leave chart within this section provides the policies related to the various leave types authorized by the County.

### Leave Chart

Use of ~~accrued~~ leave accruals must be approved by the Elected Official or Department Head

*\*Employees are encouraged to take leave throughout the year,  
as business needs can change and leave approval is not guaranteed.*

Type	Rate of Accrual	Max Accrual / Payout	Policy
<b>VACATION</b>	< 5 years = 3 Hours 5 minutes per pay period	80 hours	<ul style="list-style-type: none"> <li>Changes in work schedules may result in adjustments to leave balances &amp; accruals.</li> <li>Part-time employees earn 1.5 hours per pay period with the same max accrual as full-time employees.</li> <li>Proration may occur for full-time employees who work less than 30 hours per week.</li> <li>Contact Human Resources for more information.</li> </ul>
	5 to < 10 Years = 4 hours 37 minutes per pay period	120 hours	
	10 + years = 6 Hours 10 minutes per pay period	160 hours	
<b>VACATION</b> (EMS Paramedics on 48-hour shifts)	< 10 years = 5 Hours 32 minutes per pay period	144 hours (6 shifts)	
	10+ years = 6 Hours 27 minutes per pay period	168 hours (7 shifts)	
<b>SICK LEAVE</b> 480 hours accrual max	4 hours per pay period	N/A (Not paid at termination)	<ul style="list-style-type: none"> <li>May only be used for illness, <u>or mental health</u>, <del>or</del> medical, and preventive appointments for employee or qualifying family member, as defined by FMLA.</li> <li>May not be used to care for a newborn child or the placement of a child with the employee for adoption or foster care without certification from the treating physician of the child having a serious medical condition.</li> <li>May be required to provide documentation.</li> <li>Not a substitute for vacation.</li> <li>Part-time employees earn 1.5 hours per pay period with the same max accrual as full-time employee (Effective 10/1/16).</li> </ul>
<b>SICK LEAVE</b> (EMS Paramedics on 48-hour Shifts) 672 hours accrual max	6 hours per pay period	N/A (Not paid at termination)	
<b>FLOATING HOLIDAY*</b>	2 (8-hour) days per fiscal year (Effective October 1, 2017) Does not roll over	N/A (Not paid at termination)	<ul style="list-style-type: none"> <li>Only available to full-time employees.</li> <li>Available to new hires as of start date.</li> <li>Must be used by end of fiscal year.</li> <li>EMS Paramedics will receive up to 12 hours per day based on regular shift assignment.</li> </ul>
<b>HOLIDAY*</b>	<ul style="list-style-type: none"> <li>Part-time employees receive 4 hours</li> <li>Full-time employees receive 8 hours</li> </ul>	N/A (Not paid at termination)	<ul style="list-style-type: none"> <li>Dates are established by Commissioners Court and are subject to change annually.</li> <li>Employee must work or be on approved paid leave the day before and after the holiday.</li> <li>EMS Paramedics will receive up to 12 hours per day based on regular shift assignment.</li> <li><u>Holiday hours may not be applied before earned on the actual holiday date.</u></li> <li><u>For information on application of holidays during FMLA leave, contact HR.</u></li> </ul>

\*Refer to Public Safety Adjustment policy details within this table.

# Leave Chart

Use of ~~accrued~~ leave accruals must be approved by the Elected Official or Department Head

*\*Employees are encouraged to take leave throughout the year,  
as business needs can change and leave approval is not guaranteed.*

Type	Rate of Accrual	Max Accrual	Policy
<b><u>BANKED HOLIDAY LEAVE*</u></b>	<u>Up to eight (8) hours per occurrence, determined by number of hours worked on the holiday.</u>	<u>200 hours</u>	<ul style="list-style-type: none"> <li>• <u>Holiday hours may be banked when an employee works on the actual holiday and will match the hours worked, up to a maximum of eight (8) hours.</u></li> <li>• <u>Will not be paid upon termination if earned after 10/1/14.</u></li> <li>• <u>Banked Holiday accruals earned before 10/1/14 will no longer be paid out upon termination after 10/1/24.</u></li> </ul>
<b>BEREAVEMENT LEAVE*</b>	2 (8-hour) days per fiscal year; does not roll over	N/A (Not paid at termination)	<ul style="list-style-type: none"> <li>• May be granted following the death of a friend or family member at the discretion of your department's leadership.</li> <li>• Documentation may be required.</li> <li>• EMS Paramedics will receive up to 12 hours per day based on regular shift assignment.</li> <li>• <u>Up to two (2) additional days may be approved by HR for the death of an immediate family member (spouse, child, <u>sibling</u>, parent, legal guardian, spouse's parent, <del>or</del> child's spouse, <u>or other individual for whom the employee stands "in loco parentis."</u> See Basic FMLA policy or contact HR for further information.).</u></li> <li>• <u>The additional bereavement leave may be requested via online form submission and upload of required documentation.</u></li> <li>• EMS Paramedics may be approved for up to 16 additional hours.</li> </ul>
<b>PUBLIC SAFETY ADJUSTMENT</b>	4 hours per paid holiday, floating holiday, and bereavement day allotted; does not roll over	N/A (Not paid at termination)	<ul style="list-style-type: none"> <li>• Includes positions in Law Enforcement, Corrections and Emergency Services with some exceptions.</li> <li>• Max of 4 hours per shift and must be used with 8 hours of holiday, floating holiday, or bereavement to cover shift as scheduled.</li> <li>• Contact Human Resources regarding application of Public Safety Adjustment accruals within FMLA.</li> </ul>
<b>CIVIL LEAVE</b>	Includes jury duty, voting, work related court summons, USERRA (Uniformed Services Employment & Re-employment Rights Act)	N/A	<ul style="list-style-type: none"> <li>• Employee must show jury duty summons to their supervisor and must return to work if time permits. County employees will be paid if they are required to miss their regularly scheduled work shift, in addition to the jury pay from the court.</li> <li>• Time off to vote may be approved due to unusual circumstances, please refer to <a href="#">State of Texas Regulations</a>.</li> <li>• Civil Leave may be approved when an employee is summoned to testify for a case that is work related only.</li> <li>• The first 15 business days (per fiscal year) of Military Leave (USERRA) will be paid without the requirement of leave usage by the employee. Beyond the first 15 business days the employee may choose to use vacation leave or be placed on leave without pay.</li> <li>• Up to seven additional paid military leave days may be applied in accordance with Government Code Section 437.202, as required relating to Emergency Orders issued by the Governor.</li> <li>• Contact HR for further information related to USERRA leave and benefit continuation.</li> </ul>

\*Refer to Public Safety Adjustment policy details within this table.

## Leave Chart

Use of ~~accrued~~ leave accruals must be approved by the Elected Official or Department Head

*\*Employees are encouraged to take leave throughout the year,  
as business needs can change and leave approval is not guaranteed.*

Type	Rate of Accrual	Max Accrual	Policy
<b>BAD WEATHER</b>	As determined by order of the County Judge	N/A	<ul style="list-style-type: none"> <li>Employee must be at work or scheduled and ready for work on the day of office closure.</li> <li>Employees on approved leave of any type are not eligible.</li> <li>If office closure continues beyond five (5) consecutive days, employees must use vacation pay, compensatory time, personal holiday or unpaid leave unless otherwise determined by Commissioners Court.</li> </ul>
<b>ESSENTIAL PERSONNEL LEAVE</b>	As determined by order of the County Judge	N/A	<ul style="list-style-type: none"> <li>Essential Personnel Leave is granted when exempt employees must work outside their regular schedule during an office closure that has been declared by the County Judge.</li> <li>FEMA reimbursement is possible.</li> <li>Essential Personnel leave must be used before the end of the current fiscal year.</li> </ul>
<b><del>BANKED HOLIDAY LEAVE</del> MOVED BELOW HOLIDAY</b>	<del>Determined by number of hours worked on the holiday.</del>	<del>200 hours</del>	<ul style="list-style-type: none"> <li><del>Will not be paid upon termination if earned after 10/1/14.</del></li> <li><del>Banked Holiday accruals earned before 10/1/14 will no longer be paid out upon termination after 10/1/24.</del></li> </ul>
<b>COMPENSATORY LEAVE</b>	Refer to Overtime Policies for accrual.	240 hours	<ul style="list-style-type: none"> <li>Must be used before vacation time.</li> </ul>
<b>PREGNANT WORKERS FAIRNESS ACT (PWFA)</b>	N/A	N/A	<ul style="list-style-type: none"> <li>PWFA, federal law effective 6/27/2023, outlines provision of reasonable accommodations for known limitations related to pregnancy, childbirth, or related medical conditions.</li> <li>Leave to recover from childbirth is covered as an accommodation under PWFA when an employee is not eligible for Family Medical Leave Act (FMLA).</li> <li>Contact Human Resources for more details.</li> </ul>
<b>PAID QUARANTINE LEAVE</b>	Used by eligible employees who are ordered by their supervisor or the Local Health Authority to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.	N/A	<ul style="list-style-type: none"> <li>As defined by HB 2073 eligible County employees include peace officers, corrections officers, paramedics, and emergency medical technicians employed by, appointed by, or elected for a political subdivision.</li> <li>Covers all employee benefits, including compensation for all regularly-scheduled shift hours, leave accruals, retirement benefits, and health plan benefits for the duration of the leave.</li> <li>Quarantine reimbursement requests may also be submitted for reasonable related costs.</li> <li>Contact HR for more information.</li> </ul>

**Wilco PTO leave time is applied in the following order:**

**1) Compensatory time 2) Vacation leave**

**Note:** All leave accruals are based on time actually worked by the employee. Leave accrues at the end of the pay period and will be adjusted or removed if the employee has any unpaid leave, other than workers compensation, in the pay week.

## Leave Chart

Use of ~~accrued~~ leave accruals must be approved by the Elected Official or Department Head

*\*Employees are encouraged to take leave throughout the year,  
as business needs can change and leave approval is not guaranteed.*

Type	Rate of Accrual	Max Accrual	Policy
<b>WORKERS COMPENSATION LEAVE</b>	Used by employees who must miss work due to an on-the-job injury.  Contact HR for more information	N/A	<ul style="list-style-type: none"> <li>Any on-the-job injury must be reported immediately. Failure to report within 30 days of the injury may result in a denial of benefits including leave (Texas labor code Sec.409.001).</li> <li>Workers' Compensation is administered by Risk Management. In cases requiring FMLA, leave time will be administered in Kronos by Human Resources.</li> <li>Medical expense coverage is dependent upon compliance with the contracted workers' compensation network of providers and facilities. A signed network acknowledgement is required at time of hire.</li> <li>FMLA can run concurrently with lost time under workers' compensation and may provide for medical insurance continuation if you are receiving workers' compensation income benefits.</li> </ul>

[Work Comp Informational Graphic inserted here on published version]

# Family Medical Leave Chart

As required by law, Williamson County will permit eligible employees to take family or medical leave ("FMLA leave"), in accordance with the terms of this policy. If this policy conflicts with the Family and Medical Leave Act (FMLA), eligible employees will be afforded the rights required by law.

## Eligibility

- Worked for the County for at least 12 months.
- Worked a minimum of 1250 hours in the last 12 months.

## Basic FMLA

The Family and Medical Leave Act (FMLA) entitles eligible employees to take job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

The FMLA only requires unpaid leave, however employees may use accrued paid leave, until accruals are exhausted, in accordance with this policy (see section on concurrent application of available leave accruals, below). Either continuous or intermittent FMLA leave may be granted to meet the needs of the employee, as medically certified by the healthcare provider. Employees are allotted a ~~21-day~~ period of 15 calendar days for completion of certification forms by the healthcare provider. Therefore, the certification may be received by Human Resources after an employee is already taking leave for an unscheduled medical necessity. Work shall not be performed during continuous FMLA leave. All time worked by non-exempt staff during intermittent leave shall be reported in Kronos. All unworked time during intermittent leave, for either exempt or non-exempt employees, shall be reported via online form and FMLA-coded leave entries will be administered by HR. FMLA fraud or abuse will be investigated and may result in disciplinary action, up to and including termination.

## Entitlement

## Qualifying Reasons/Policy

- 12 weeks (480 hours) job-protected leave per rolling calendar year; if eligibility and qualifying reasons are met, including relationship rules.

### Specified family and medical reasons:

- Employee's own serious health condition, defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. An FMLA serious health condition generally involves a period of incapacity.
- To care for employee's spouse, child, or parent who has a serious health condition.
  - Employees requesting leave to care for an immediate family member with a serious health condition may be required to submit proof of the familial relationship, such as a birth certificate or marriage license.
  - An affidavit will be required in cases when an employee stands "in loco parentis," acting in the role of a parent for a child under the age of 18, or 18 years-old or older and incapable of self-care because of a mental or physical disability.
- The birth of a child.
- To care for a newborn child within one year from birth. \*
- The placement of a child with the employee for adoption or foster care within one year of placement. \*

\*Employees are not eligible to utilize sick leave without certification of the child having a serious medical condition. See Baby Bonding policy for additional details.

### Concurrent application of available leave accruals:

- Eligible employees with accrued leave will have the leave applied in the following order when the leave is related to a serious medical condition: sick, PTO, essential pay, banked holiday, floating holiday.
- Eligible employees with accrued leave will have the leave applied in the following order when the leave is not related to a serious medical condition: PTO, essential pay, banked holiday, floating holiday.
- Holiday leave will not bank, it will be utilized in the week earned.
- In the event that all available time-off accruals become exhausted during FMLA leave, the employee will enter an unpaid leave status. Contact HR regarding possible Sick Leave Pool eligibility, benefit premium deduction repayment schedule, and any other leave questions.

# Family and Medical Leave Chart

As required by law, Williamson County will permit eligible employees to take family or medical leave ("FMLA Leave"), in accordance with the terms of this policy. If this policy conflicts with the Family and Medical Leave Act ("FMLA"), eligible employees will be afforded the rights required by law.

## Military Family Leave – Qualifying Exigency Leave

Eligible employees can take up to 12 weeks of FMLA Leave (with or without pay) for a "qualifying exigency" arising out of the deployment of the employee's spouse, son, daughter, or parent ("Military Member") who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty.

Williamson County requires eligible employees to use accrued paid leave concurrently with Qualifying Exigency Leave and it will be applied in the following order: PTO, essential pay, banked holiday, floating holiday.

### Military Member:

1. Employee's Spouse:
  - Includes husband or wife as defined or recognized in the state where the individual was married, including common law marriage or same-sex marriage.
2. Employee's Son or Daughter:
  - Includes biological, adoptive, step or foster child, a legal ward, or a child for whom you stood in loco parentis, and who is of any age.
3. Employee's Parent:
  - Includes biological, adoptive, step or foster parent or any other individual who stood in loco parentis to you when you were a child.
  - Excludes parents "in law."

### Covered Active Duty:

1. Regular Armed Forces:
  - Duty during deployment of the military member with the Armed Forces to a foreign country.
2. Reserved Components of Armed Forces (National Guard and Reserves):
  - Duty during deployment of the military member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.
3. "Foreign Country" means an area outside of the United States, the District of Columbia, or any Territory or possession of the United States. It also includes deployment to international waters.

### Qualifying Exigency Categories:

1. Short-notice deployment (limited to 7 days of leave),
2. Military events and related activities,
3. Childcare and related activities,
4. Financial and legal arrangements,
5. Counseling,
6. Rest and recuperation (limited to 15 days of leave),
7. Post-deployment activities,
8. Care for a military member's parent,
9. Additional activities that the County agrees are qualifying exigencies.

If you have any questions regarding whether your situation is a qualifying exigency under the FMLA, please contact Human Resources.

### Certification Requirements:

The County may require certification providing the appropriate facts related to the qualifying exigency sought, including, but not limited to:

- Military member's active-duty orders;
- Rest and Recuperation orders;
- Third-party contact information; and/or
- Other documentation confirming the dates of the military member's leave or support for the qualifying exigency sought.

The County may also contact the Department of Defense to verify a military member's active-duty status.

# Family and Medical Leave Chart

As required by law, Williamson County will permit eligible employees to take family or medical leave ("FMLA leave"), in accordance with the terms of this policy. If this policy conflicts with the Family and Medical Leave Act ("FMLA"), eligible employees will be afforded the rights required by law.

## Military Family Leave – Military Caregiver Leave

An eligible employee, who is the spouse, son, daughter, parent, or next of kin of a covered service member or covered veteran, can take up to 26 workweeks of FMLA Leave (with or without pay) to care for the covered service member's or covered veteran's serious injury or illness ("Military Caregiver Leave").

Williamson County requires eligible employees to use accrued paid leave concurrently with Military Caregiver Leave and have it applied in the following order: sick leave, PTO, essential pay, banked holiday, floating holiday.

Eligible spouses who both work for the County must split the 26 workweeks for a shared service member or veteran. If an eligible employee takes both Military Caregiver Leave and any other FMLA Leave, the total combined leave may not exceed 26 workweeks during a single 12-month period.

### Covered Service Member:

1. A "covered service member" is a current member of the Armed Forces (including the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
2. A "serious injury or illness" means an injury or illness that was incurred by the member in the line of duty on covered active duty in the Armed Forces (or existed before the beginning of the member's covered active duty and was aggravated by service in the line of duty on covered active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

### Covered Veteran:

- A "covered veteran" is 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 (including the National Guard or Reserves) who was discharged or released under conditions other than dishonorable and was discharged within the five-year period before the eligible employee takes Military Caregiver Leave.
- A "serious injury or illness" means an injury or illness that was incurred by the veteran in the line of duty or that existed before the veteran's active duty and was aggravated by service in the line of duty and that is either:
  - (1) a continuation of a serious injury or illness that rendered the service member unable to perform the member's military duties; or
  - (2) a physical or mental condition that qualifies the veteran for certain benefits from the Department of Veterans Affairs; or
  - (3) a physical or mental condition that substantially impairs the veteran's ability to work.

### Relationship to service member/veteran:

1. Spouse, Son, Daughter, Parent – see Qualified Exigency Leave Chart
2. Next of Kin:
  - Nearest blood relative, other than current spouse, parent, son, or daughter in following order of priority:
    - Blood relative designated in writing by service member/veteran as NOK for FMLA purposes;
    - Blood relative who has been granted legal custody of service member/veteran;
    - Brothers and sisters;
    - Grandparents;
    - Aunts and uncles;
    - First cousins.

### Certification Requirements:

Certification for the serious injury or illness of the covered service member or covered veteran may be required. The employee must respond to such request within 15 days or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Such certification must be supported and completed by (1) an authorized health care provider, or (2) for service members, by submitting a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), or (3) for veterans, by submitting a copy of a Veterans Affairs Service-Related Disability Rating (VASRD). In addition to the certification documents, the employee may be required to provide confirmation of family relationship and documentation of discharge date and status.



# Family and Medical Leave Chart

## Information and Resources

**Please contact Human Resources for additional information on the following:**

Since the laws and regulations governing basic FMLA, military leave, and military family leave frequently change, if you have any military related leave request, please check with Human Resources to determine eligibility under the then current applicable rules.

- |   |   |   |
|---|---|---|
| <ul style="list-style-type: none"><li>• Restoration of Employment</li><li>• Employee Benefits</li><li>• Group Health Benefits</li></ul> | <ul style="list-style-type: none"><li>• Certification of Health</li><li>• Relationship to PTO</li><li>• Notification</li><li>• Status Reports</li></ul> | <ul style="list-style-type: none"><li>• Leave Without Pay (LWOP)</li><li>• Intermittent Leave</li><li>• Failure to Return from FMLA Leave</li><li>• Baby Bonding FMLA Leave</li></ul> |
|---|---|---|

**[Informational resource links inserted here in published version.]**

# Administrative Leave

Occurrences of administrative (admin) leave with or without pay are rare, but may be appropriate when the Department Head believes immediate action is necessary to protect an employee, the Department, the public, and/or needs additional time to investigate an employee's performance or behavior. Admin leave, with or without pay, temporarily suspends employees job duties.

Type	Department	Policy
<b>Administrative Leave</b> (with pay)	Non-Elected & Elected Offices	<ul style="list-style-type: none"> <li>May not be used during or to extend FMLA.</li> <li>Paid admin leave lasting more than ten days will require approval of the County Judge for non-elected offices only.</li> <li>If the County Judge denies a request to grant admin leave with pay in excess of ten days, the non-elected office may appeal such denial to Commissioners Court.</li> <li>The employee will be paid base wages, this will not count as hours worked for overtime purposes.</li> <li>Medical benefits will continue at active employee rates.</li> <li>The employee must contact his/her supervisor weekly and remain available to return to duty with 12 hours' notice.</li> <li>If the employee returns to work, he/she shall receive full credit for any suspended accruals/County longevity/supplemental pay, unless determined otherwise.</li> </ul>
<b>Administrative Leave</b> (without pay)	Non-Elected & Elected Offices	<ul style="list-style-type: none"> <li>Employees may only be placed on admin leave without pay for serious infractions of workplace conduct policies.</li> <li>Full days/full week periods are administered for exempt employees on admin leave without pay (partial days will not be granted).</li> <li>Employees may not substitute accrued paid leave during unpaid admin leave.</li> <li>Employees must coordinate payment of medical and dental benefits with the HR Department.</li> <li>Employees may be required to periodically contact their supervisor.</li> </ul>
<b>Administrative Leave</b> (with or without pay)	Non-Elected Offices	<ul style="list-style-type: none"> <li>Department heads and appointed positions who are direct reports to Commissioners Court may place an employee on admin leave with or without pay with HR consultation.</li> <li>Subject to the oversight of Commissioners Court.</li> <li>HR will provide proper notices/estimated time duration to the employee that is placed on admin leave with or without pay.</li> </ul>
<b>Administrative Leave</b> (with or without pay)	Elected Offices County Auditor's Office Juvenile Services	<ul style="list-style-type: none"> <li>Must provide the Senior Director of HR with written notice that sets forth: the name of the employee being placed on admin leave, whether admin leave is with pay or without pay, and the estimated duration of the leave.</li> <li>If the employee is reinstated or terminated the Elected Official/Appointed Official must provide the Sr. Director of HR with the time and date of the employee's reinstatement/termination.</li> </ul>
<b>Reinstatement</b>	Non-Elected & Elected Offices	<ul style="list-style-type: none"> <li>The County does not guarantee the reinstatement of an employee on admin leave, unless reinstatement is required by some other protected leave.</li> </ul>
<b>Other Information</b>	Non-Elected & Elected Offices	<ul style="list-style-type: none"> <li>Requests for admin leave with pay for any grant-funded position must be preapproved by HR and Audit prior to leave usage.</li> <li>Paid leave will not be accrued while employee is on any admin leave for one or more full pay periods.</li> <li>County longevity or supplemental pay shall not be paid while employee is on any admin leave for one or more pay periods.</li> <li>Supplemental pay is defined in the budget order.</li> <li>If paid or unpaid admin leave exceeds 13 weeks, the employee will no longer be eligible for county benefits under the Affordable Care Act (ACA).</li> </ul>

Elected Officials are strongly encouraged to comply with all administrative leave policies that are applicable to employees in non-elected offices. As a part of the Commissioners Court budgetary responsibilities and fiduciary oversight of public funds, the Commissioners Court will consider the amount of time that an Elected Official has granted in administrative leave during the prior fiscal year. Elected Officials will continue to maintain the right to terminate employees under their sphere of authority or provide harsher penalties, within applicable legal rules, than those that are set out and encouraged herein. Elected Officials are strongly encouraged to consult with the Sr. Director of the Williamson County Human Resources Department prior to placing employees on administrative leave and prior to making reinstatement and termination of employment decisions.

# Sick Leave Pool

Membership	Policy
<b>BENEFIT SUMMARY</b>	<ul style="list-style-type: none"> <li>Per Texas Local Government Code Sec.157.075: A participating enrolled employee is eligible to use time contributed to the County sick leave pool if: because of a catastrophic injury or illness and the employee has exhausted all the accrued paid leave and compensatory time to which the employee is otherwise entitled.</li> <li>Provides sick leave to an eligible employee once the employee has exhausted all accrued/ banked paid leave.</li> <li>The maximum amount of Sick Leave Pool (SLP) time that may be granted per benefit year will not exceed 1/3 of the total amount in the SLP, or 240 hours, whichever is less, at the time of the request for SLP.</li> </ul>
<b>ENROLLMENT</b>	<ul style="list-style-type: none"> <li>One continuous year of full-time employment must be completed as of first day of open enrollment.</li> <li>A minimum of 8 Hours and no more than 40 hours must be contributed.</li> <li>Must enroll each year during benefits open enrollment.</li> <li>Contributed sick leave hours will be deducted on the first day of the pay period which includes January 1<sup>st</sup>.</li> <li>Sick leave balance must meet or exceed employee's selected contribution amount.</li> </ul>
<b>QUALIFICATION</b>	<ul style="list-style-type: none"> <li>An employee with an illness or injury that makes them unable to perform their job while on approved FMLA for their own catastrophic injury or illness.</li> <li>SLP time will not be granted to an employee when they are receiving workers' compensation income benefits under the Texas Workers Compensation Act.</li> <li>SLP time will not be granted beyond the end date of approved FMLA leave (12 week max).</li> <li>There is no guarantee that an employee will receive or be eligible to be reimbursed for any time that they contribute.</li> <li>All withdrawal requests must go through an approval process.</li> <li>Employees cannot receive time from the SLP if they are placed on temporary suspension, administrative leave, authorized non-medical leave without pay or are otherwise terminated.</li> </ul>
<b>PROCEDURE</b>	<ul style="list-style-type: none"> <li>Employees must apply for permission to receive SLP benefits. (Contact the Human Resources Department for more information)</li> <li>Upon receipt of the completed SLP benefit request, Human Resources will review the request and FMLA documentation to determine whether the request is approved.</li> </ul>
<b>UTILIZATION</b>	<ul style="list-style-type: none"> <li>The number of hours granted through the SLP will be based on the FMLA documentation or report of catastrophic illness or injury.</li> <li>SLP time may only be used for approved workdays and for holidays.</li> <li>SLP time may not be used to supplement reduced work schedule during Light Duty Assignments outside of FMLA.</li> <li>SLP benefits end when the employee returns to work, exhausts the SLP benefit, exhausts eligible FMLA leave time, upon separation, suspension, or administrative leave.</li> </ul>
<b>CONTRIBUTIONS</b>	<ul style="list-style-type: none"> <li>Employee contributions of sick leave hours are irrevocable.</li> <li>Sick leave hours that are contributed become the property of the SLP and cannot be returned.</li> <li>Time contributed to the SLP cannot be designated to a particular employee.</li> <li>If, at any time, the SLP balance falls below two times the number of members, each member will be required to contribute eight additional hours to maintain membership.</li> <li>An employee separating from employment may contribute up to 80 hours of sick leave to the SLP.</li> <li>All unused time that was granted to an employee from the SLP shall be returned to the pool.</li> </ul>
<b>DISCLAIMER</b>	<ul style="list-style-type: none"> <li>The County may discontinue and/or terminate the SLP program without cause, legal repercussions, or ramifications with 120 day written notice to all participating employees.</li> <li>If any provision of this SLP is determined to be invalid or unenforceable, it is the intention of the County that the provision will be reformed to the best extent possible in its sole discretion.</li> <li>The guidelines, terms, and conditions of this SLP program may be amended at any time. The Commissioners Court must approve any recommended amendment.</li> </ul>

# Benefits

## Benefits

Williamson County offers an excellent comprehensive benefits package to all full-time employees. Benefits are administered by the Benefits Administration team, which is a division of the Human Resources Department. Benefit plans are reviewed annually by the Benefits Committee, which has the responsibility to make final recommendations to the Commissioners Court for approval. Additional benefit information is provided in the chart below. Click to see the [Benefit Guide](#) or go to the [Benefits Portal](#) for more details.

Benefits		
<ul style="list-style-type: none"> <li>Full-time employees are eligible for medical, vision, dental, group term life, voluntary term life, FSA and voluntary supplemental benefits coverage on the first of the month following the completion of 30 days of employment.</li> <li>The new-hire benefit enrollment period is 10 calendar days starting from the date of hire.</li> <li>Current employees can make changes to benefits only during open enrollment or due to a qualified life event.</li> <li>If an employee is on leave under USERRA, it is the employee's responsibility to cancel benefits if they are no longer needed.</li> </ul>		
Type	Policy	Premium Payment
<b>Medical, Vision, Dental</b>	<ul style="list-style-type: none"> <li>Full-time employees must enroll during new-hire enrollment period, open-enrollment period, or due to a qualified life event.</li> </ul>	<ul style="list-style-type: none"> <li>Employees are responsible for the employee portion of all benefit premiums. If an employee is on leave without pay (LWOP), for any reason, unpaid premiums must be paid through payroll deductions upon return to work.</li> <li>Employees who do not return to work, after LWOP, are responsible for unpaid premiums.</li> <li>Failure to pay premiums will result in termination of benefits. Benefits termination will be determined based on the last payroll deduction.</li> <li>Upon retirement, the retiree benefit premiums must be paid prior to the month of coverage.</li> </ul>
<b>Voluntary Term Life</b>	<ul style="list-style-type: none"> <li>Full-time employees may purchase additional voluntary life insurance for themselves and their dependents during the above-mentioned enrollment periods. If not selected during initial new-hire enrollment, or if there is a gap in coverage, Evidence of Insurability will be required by the insurance carrier at enrollment, and coverage will be dependent upon carrier approval.</li> </ul>	
<b>Short Term Long Term Disability (STD/LTD)</b>	<ul style="list-style-type: none"> <li>Full-time employees may select STD/LTD during the above-mentioned enrollment periods. If not selected during initial new-hire enrollment, or if there is a gap in coverage, Evidence of Insurability will be required by the insurance carrier at enrollment, and coverage will be dependent upon carrier approval.</li> </ul>	
<b>Flex Spending Account (FSA) Health &amp; Dependent Care</b>	<ul style="list-style-type: none"> <li>Full-time employees may elect FSA during the above-mentioned enrollment periods. Maximums may apply.</li> </ul>	<ul style="list-style-type: none"> <li>If an employee is on leave without pay, for any reason, the employee is responsible for the elected benefit deduction to be paid within the same elected tax plan year as the elected benefit.</li> <li>Upon return from leave, benefit deductions will be recalculated based upon the number of the remaining pay periods within the tax year.</li> <li>If contributions are unpaid, benefits may be terminated back to the last date of the pay period in which premiums are paid.</li> </ul>
<b>Health Spending Account (HSA)</b>	<ul style="list-style-type: none"> <li>May only be elected in conjunction with enrollment in the High Deductible Health Plan.</li> <li>Full-time employees may elect HSA during the above-mentioned enrollment periods.</li> <li>Maximums may apply.</li> </ul>	<ul style="list-style-type: none"> <li>Contributions may be made by both the County and the employee. See the benefit guide for details.</li> </ul>
<b>Group Term Life</b>	<ul style="list-style-type: none"> <li>Full-time employees receive group life insurance for themselves and covered spouse/children at no cost.</li> <li>Dependents must be added by employee at time of enrollment.</li> </ul>	<ul style="list-style-type: none"> <li>Premiums paid by employer regardless of active employee status.</li> </ul>
<b>Voluntary Supplemental Benefits</b>	<ul style="list-style-type: none"> <li>Full-time employees may purchase these additional offerings during the above-mentioned enrollment periods.</li> <li>Evidence of Insurability may be required. Coverage is dependent upon carrier approval.</li> </ul>	<ul style="list-style-type: none"> <li>If an employee is on leave without pay, premiums must be paid directly to vendors to avoid cancellation.</li> <li>Once the employee returns to work, premiums will be deducted from paycheck as previously scheduled</li> </ul>
<b>Employee Assistance Program (EAP)</b>	<ul style="list-style-type: none"> <li>EAP is provided to all full-time and part-time employees and offers 24/7/365 access to short-term counseling, WorkLife services, legal and financial consultations, ID theft and fraud resolution, wellness tools, and much more.</li> </ul>	<ul style="list-style-type: none"> <li>EAP is provided at no cost to all full-time and part-time employees regardless of enrollment status in medical benefits.</li> <li>EAP extends to household members.</li> <li>The benefit waiting period does not apply to EAP, which is available on start date.</li> </ul>

<b>Retirement</b>	<ul style="list-style-type: none"> <li>Williamson County has a very generous retirement plan which all full-time and part-time employees are required to contribute to every pay period.</li> </ul>	<ul style="list-style-type: none"> <li>See additional information on TCDRS in the Employment section.</li> <li>Visit TCDRS at <a href="http://www.tcdrs.org">www.tcdrs.org</a></li> </ul>
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## Expenditure Guidelines

Type	Policy
<b>General Travel Information</b>	<ul style="list-style-type: none"> <li>An advance will not be issued for travel expenditures.</li> <li>All travel expenses must be supported with an itemized receipt.</li> <li>All purchases for airfare, hotels, car rentals, and expense reimbursements require back-up documentation indicating the business purpose of the expense. Acceptable documentation must contain the dates, location, and purpose of the trip, which could include the following: training/meeting agenda, certificate of completion, conference registration, etc.</li> <li>Reimbursement for transportation costs will be at the most reasonable means of transport, such as purchasing Southwest Airlines tickets at the Wanna Get Away rate.</li> <li>Reasonable tips, not to exceed 20%, are allowed for alternate means of transportation, such as taxis, shuttles, and Uber rides.</li> <li>Additional expenses associated with the extended travel (such as a Saturday night stay) may be reimbursed when the cost of airfare would be less than the cost of additional expenses (lodging, meals). Documentation is required to justify the expense.</li> <li>The use of travel websites such as Expedia, Priceline, Travelocity, etc., are prohibited as these expenses and taxes are not itemized, and generally do not have cancellation policies. Rental cars may be an exception if an itemized receipt is available. Colwick Travel is available for booking airfare, and there is an account setup for the County.</li> <li>Cancellation fees and unused travel expenses are not reimbursable unless due to a business-related reason, or a personal emergency as approved by the County Auditor. Documentation for the change must be submitted for consideration. These include fees related to changing or canceling a flight, cancellation fees related to lodging, or unused travel arrangements.</li> <li>Personal purchases using a p-card are not allowed. If a charge is made on a p-card for a non-reimbursable expense or a personal purchase (by mistake), employees must send a check made payable to Williamson County to the Treasurer's Office, along with a completed revenue report. A copy of this revenue report should also be included with the p-card statement documentation when submitted to Accounts Payable.</li> <li>Expense reimbursements &amp; p-card statements both require their own backup documentation (who, what, when, where) as applicable.</li> </ul>
<b>Expense Reimbursement</b>	<ul style="list-style-type: none"> <li>With the exception of per diem and mileage, all requests for reimbursement require itemized receipts.</li> <li>Each expense reimbursement must have the employee signature and department head approval.</li> <li>All expense reimbursements must be received in the Auditor's Office within 60 days of the incurrence of the expense. Any items over the 60 days will be denied reimbursement, unless specifically approved by the County Judge.</li> <li>Tax for meals, airline tickets, hotel stays, and parking are normally the only taxes that will be reimbursed for purchases. The sales tax exemption form is available on the <a href="#">Auditor's Portal</a>.</li> <li>Employees are responsible for repayment of inappropriately reimbursed expenses whenever an audit or subsequent review of the travel expense reimbursement documentation finds an employee submitted reimbursement contrary to these guidelines.</li> <li>Expenses incurred due to an employee or an elected official serving on a board or committee of an association related to County employment will only be reimbursed to the extent that the association does not reimburse. Documentation of the request for reimbursement, will need to be provided from the association along with the association's denial of the request.</li> <li>The Auditor's Office may request additional documentation for any or all reimbursements.</li> <li>Reimbursements for business travel require documentation showing the purpose of the trip, the location, the dates, and the person attending. (Who, what, when, and where)</li> <li>Hotel folios shall be included as backup.</li> </ul>

## Expenditure Guidelines

Type	Policy
<b>Airfare</b>	<ul style="list-style-type: none"> <li>• Employees are responsible for excess cost and additional travel expenses resulting from taking an indirect route, an early departure, or a delayed return trip for personal preference or convenience. Supporting documentation showing the fee comparison at the time of reservation must be submitted with the expense.</li> <li>• Airfare must be paid directly to the airline or Colwick Travel, (i.e. no other travel agencies such as Expedia).</li> <li>• Airfare purchased on a personal credit card will be reimbursed after the trip has been completed.</li> <li>• Air travel delays which require an overnight stay may be reimbursed with documentation supporting the delay if the airline has refused to provide complimentary lodging.</li> <li>• The County will not issue reimbursements for tickets purchased with frequent flyer miles.</li> <li>• A maximum of 2 bags will be reimbursed. Excess baggage fees will not be reimbursed.</li> <li>• For out of state travel, the County will reimburse personal auto mileage not to exceed what would have been the applicable airfare (Southwest Wanna Get Away) plus estimated ancillary charges such as airport parking, rental car, etc.</li> <li>• Southwest early bird fees are allowed. Preferred seating fees will not be reimbursed.</li> </ul>
<b>Car Rental</b>	<ul style="list-style-type: none"> <li>• Travelers may rent a car at their destination when it is less expensive than other transportation modes such as taxis, airport shuttles or public transportation, or if there is a safety concern at the business travel location.</li> <li>• Cars rented should be economy or mid-sized (luxury vehicle rentals will not be reimbursed).</li> <li>• Renting cars for travel within the County is prohibited unless otherwise approved by the Auditor's Office.</li> <li>• An employee may rent a car to travel to the business destination outside the County, only if the total cost of the rental is less than the mileage reimbursement cost, documentation showing the cost comparison between the rental cost and mileage may be required.</li> <li>• The rental car must be returned with a full tank of gas unless it has been pre-paid. Please use the less expensive option.</li> <li>• Rental cars must be rented from a nationally recognized company (i.e. Hertz, Enterprise, etc.).</li> <li>• The rental agreement and the charge card receipt (if applicable) must be turned in with the expense request.</li> <li>• Insurance purchased when renting a vehicle may also be reimbursed.</li> <li>• The County has a government account with Enterprise, which includes insurance. Contact the Auditor's Office for the account number. It is strictly for business purposes.</li> <li>• A motor vehicle rental tax exemption certificate should be completed and turned in at the time of the rental for all vehicle rentals inside Texas (form located on the Auditor's Portal).</li> </ul>
<b>Personal Car Usage</b>	<ul style="list-style-type: none"> <li>• Any county official or employee who is authorized to use their personal vehicle to travel on official County business may be entitled to receive a reimbursement equal to the standard mileage rate allowed by the IRS.</li> <li>• For changes in work site, mileage is only reimbursed between County offices, it is not reimbursed when initially reporting to an alternate work location or returning home from the alternate work location.</li> <li>• Mileage will be reimbursed based on the most common route, including toll roads (if a detour, note the detour and the additional mileage due to the detour).</li> <li>• For out of state travel, the County will reimburse personal auto mileage not to exceed what would have been the applicable airfare (Southwest Wanna Get Away) plus estimated ancillary charges such as airport parking, rental car, etc.</li> <li>• Reimbursement for mileage is prohibited between place of residence and assigned place of work.</li> <li>• Mileage should be calculated from an employee's regular place of work or residence, whichever is the shorter distance when traveling to a meeting, conference, or seminar.</li> <li>• When more than one employee travels in the same vehicle, only the driver may claim mileage reimbursement.</li> <li>• To be reimbursed for the use of a personal vehicle, travelers must provide the following information on their expense report, per IRS guidelines: date, location traveled to and from, purpose of travel and number of miles traveled.</li> <li>• Airport parking fees are limited to \$15 per day (ABIA economy lots are least expensive).</li> <li>• Tolls and parking fees, if reasonable, are reimbursable. Receipts are required for reimbursement of parking fees. If a receipt is not obtainable, then written documentation of the expense must be submitted for reimbursement.</li> <li>• It is the responsibility of the employee to keep track of mileage.</li> <li>• Employees assigned to a County vehicle are not eligible for mileage reimbursement.</li> <li>• Operating and maintenance expenses, as well as other personal expenses (such as parking tickets, traffic violations, car repairs and collision damage) are not reimbursable.</li> </ul>

# Expenditure Guidelines

Type	Policy												
Lodging	<ul style="list-style-type: none"> <li>• Third party reservation sites are prohibited as these expenses and taxes are not itemized, may include hidden booking fees, and generally do not provide cancellation policies.</li> <li>• Lodging expenses are reimbursed only if travel is beyond a 45-mile radius from the Williamson County Courthouse, 710 Main Street, Georgetown, Texas 78626.</li> <li>• Government rate or least expensive rate should be requested at all times.</li> <li>• The group room rate for a conference is considered the least expensive rate. If the group room rate becomes unavailable, the employee must seek an alternate hotel which does not exceed this rate unless pre-approved by the County Auditor. Proof of the conference group rate must be submitted with the hotel charge, or the most the County will allow for a hotel stay is \$300.00/night without taxes and any excess must be paid back by the employee.</li> <li>• Hotel accommodations require an itemized hotel folio as a receipt.</li> <li>• When lodging is shared by two or more employees, the names of the authorized travelers should be noted on the receipt.</li> <li>• Personal telephone charges, whether local or long distance, are not reimbursable.</li> <li>• Single room rate charge plus any applicable tax is reimbursable, no exceptions.</li> <li>• Valet parking is not allowed when self-park is available and accessible at the hotel, unless safety is a concern.</li> <li>• When placing the reservation, only hotel required deposits may be placed on the p-card. The remainder must be paid at time of check out.</li> <li>• No food or beverage charges are allowed on the hotel folio.</li> </ul>												
Meals	<ul style="list-style-type: none"> <li>• Meals are reimbursable only for County business trips that are outside the County with the exception of: <ul style="list-style-type: none"> <li>• Commissioners Court meetings that extend beyond 1:00 p.m.</li> <li>• Off-site staff development opportunities that are held within the County.</li> </ul> </li> <li>• Meal reimbursements are limited as follows: <table border="1" data-bbox="344 1052 1432 1310"> <thead> <tr> <th>Travel Type</th><th>Daily Meal Reimbursement Maximum</th></tr> </thead> <tbody> <tr> <td>Day-trip (work concluded by 8:00 pm)</td><td>\$25</td></tr> <tr> <td>Day-trip (work extends beyond 8:00 pm)</td><td>\$59</td></tr> <tr> <td>Overnight travel (excluding return travel date, see below)</td><td>\$59</td></tr> <tr> <td>• Day of return (travel concluded by 8:00 pm)</td><td>\$25</td></tr> <tr> <td>• Day of return (travel extends beyond 8:00 pm)</td><td>\$59</td></tr> </tbody> </table> </li> <li>• The reimbursement of meal costs for day-trips will be reimbursed on the employee's paycheck and will be processed as taxable income.</li> <li>• All meals not associated with an overnight stay are taxable.</li> <li>• If an overnight stay occurs out of County, but the stay does not exceed a 45-mile radius from the Historic Courthouse, an employee may claim an amount up to the \$59.00 overnight allowance for meals, lodging will not be reimbursed.</li> <li>• Any meals related to business travel cannot be charged to the p-card except in certain cases, approved in advance by the Auditor.</li> <li>• Meal receipts are not required for per-diem.</li> <li>• Alcoholic beverages are not reimbursed.</li> <li>• If employment duties require traveling to alternate work locations within the County, meals are not reimbursable.</li> <li>• Meals purchased for entertainment/business purposes are not allowed.</li> <li>• Meal reimbursements are paid for County employees only.</li> </ul>	Travel Type	Daily Meal Reimbursement Maximum	Day-trip (work concluded by 8:00 pm)	\$25	Day-trip (work extends beyond 8:00 pm)	\$59	Overnight travel (excluding return travel date, see below)	\$59	• Day of return (travel concluded by 8:00 pm)	\$25	• Day of return (travel extends beyond 8:00 pm)	\$59
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## Expenditure Guidelines

Type	Policy
<b>Continuing Education &amp; Training</b>	<ul style="list-style-type: none"> <li>• If the County requires an employee to attend a training/certification program directly related to their job description, the County may pay for the full or partial cost of the program including any training materials, exam, or licensing fees.</li> <li>• If the County pays for any portion of the class/training program and other fees, the employee must complete the requirements of the program including passing any exams required or the employee may be required to reimburse the County.</li> <li>• Recertification of any required job-related certifications may be paid for by the County and are limited to two times for each renewal period.</li> <li>• The employee will be responsible for paying any further recertification costs if unsuccessful on the first two attempts and the employee will not be reimbursed.</li> <li>• Employees must have written approval from the Department Head/Elected Official for all second attempts for recertification.</li> <li>• The funds for these items must be available in the departments training budget.</li> </ul>
<b>Tuition Reimbursement</b>	<ul style="list-style-type: none"> <li>• The County may pay for tuition, related to obtaining a degree directly relevant to County business, as defined by the office or department involved, and pre-approved by the County Auditor for full-time employees.</li> <li>• The training course(s) must provide skills and/or knowledge directly related to the job description.</li> <li>• A copy of the job description and the course description must be submitted with the approval request.</li> <li>• The funds for these items must be available in the appropriate department's training budget</li> <li>• If approved, the County will reimburse only the actual number of credits per each course up to a total of 6 credit hours per fiscal year.</li> <li>• After completing the course(s)/testing and achieving a passing grade, per course requirements, employees may apply for reimbursement of 100% tuition or testing fees, not to exceed that which would be payable at a state supported college or university.</li> </ul>
<b>Off-Site Staff Development</b>	<ul style="list-style-type: none"> <li>• Off-site staff development is a period away from normal activities, for the entire department/division or a section of the department/division, to study and receive instruction under a professional trainer or a subject matter expert.</li> <li>• Off-site staff development is limited to twice per fiscal year, per department/division regardless of group selected to receive each training. At least one of the off-site trainings must be at a County facility (Conference Room, Park, etc.).</li> <li>• The total cost for off-site staff development should not exceed the normal and/or customary cost for individual employee training expenses and meal reimbursements should not exceed the daily per-diem rate (per employee).</li> <li>• A list of attendees must be submitted for documentation as required by IRS Publication #463 (a sign-in sheet is required).</li> <li>• An agenda must also be submitted with expenses.</li> </ul>
<b>Seminars &amp; Conferences</b>	<ul style="list-style-type: none"> <li>• All training should be obtained at the closest possible location.</li> <li>• If an employee is registered to attend a training opportunity and is subsequently not able to attend, a County substitute should attend in their place, or a refund shall be requested.</li> <li>• Only job-related training will be approved by the department involved.</li> <li>• An employee can request payment directly to the seminar/conference by submitting a check request form to the Accounts Payable department with proper backup documentation, may take up to 20 days for processing.</li> <li>• Employees will not be reimbursed for registration fees until after the conference/training has taken place.</li> <li>• A receipt is required for all fees related to the conference/training.</li> </ul>



# Expenditure Guidelines

## NON-REIMBURSABLE EXPENSES

Type	Examples
<b>Personal Purchases</b>	<ul style="list-style-type: none"> <li>• Damage to personal items (clothing, vehicle, etc.).</li> <li>• Personal phone calls.</li> <li>• Laundry services or personal clothing.</li> <li>• Personal doctor bills, prescriptions, and other medical services.</li> <li>• Entertainment, movie rentals, saunas, <del>massages</del>, or exercise facilities.</li> <li>• Baby-sitter fees, personal kennel costs, pet or house-sitting fees.</li> <li>• Expenses incurred by a spouse or other individual accompany you on a business trip.</li> </ul>
<b>Meals Food Drink</b>	<ul style="list-style-type: none"> <li>• Coffee, tea, and other related items used by employees while in the office.</li> <li>• Alcoholic beverages/tobacco products.</li> <li>• Drinking water services.</li> <li>• Refreshments for office parties, retirements, etc. (Excludes Employee Fund Allowable Events).</li> </ul>
<b>Travel</b>	<ul style="list-style-type: none"> <li>• Short-term or valet parking at the airport (other than short-term parking related to prison transports).</li> <li>• Airport parking should not exceed \$15 per day. Economy B-G lots are long-term parking lots at ABIA and are approved for County employee parking.</li> <li>• Non-Airport Parking: Valet service is not an option unless safety is a concern or self-park is not available.</li> <li>• Mileage to/from County functions not related to official County business (ex: retirement party).</li> <li>• Transportation to places of entertainment or similar personal activities.</li> <li>• Excessive weight baggage fees or cost associated with more than two airline bags.</li> <li>• Upgrades to airfare, hotel or car rental.</li> </ul>
<b>Miscellaneous</b>	<ul style="list-style-type: none"> <li>• Expenses related to County Government Week or holiday decorations.</li> <li>• Flowers/Plants.</li> <li>• Greeting, thank you, or holiday cards.</li> <li>• Fines and/or penalties.</li> <li>• Credit card delinquency or service fees.</li> <li>• Lifetime memberships to any association.</li> <li>• Donations to other entities.</li> <li>• Any items or fees that could be construed as campaigning, i.e., Chamber of Commerce or other civic organization dues, mileage, or meals; fees for parade entry; items with elected officials name (other than letterhead).</li> <li>• Sales tax on goods purchased.</li> <li>• Community outreach items exceeding \$5 per item.</li> <li>• Purchases or services directly related to weddings performed by a judge.</li> </ul>

Per section 52 of the Texas State Constitution, all items using County Funds must serve a direct benefit to the County. Any non-reimbursable expense or charge on the County Procurement Card must be reimbursed to the County as soon as possible.

# Expenditure Guidelines

Type	Policy
<p><b>Uniforms</b></p>	<p>Uniform funding <b>may</b> be provided to serve a public purpose i.e. out in the field and for departments/individuals who a) require regular and recurring public contact b) require clear identification to the public or c) where a demonstrated need is created for distinct separation between staff and population i.e. deputy vs. inmate, detention officer vs. population, etc.</p> <p>The following uniform criteria must be met:</p> <ol style="list-style-type: none"> <li>1. The uniform item must be required daily wear by the elected official/department head.</li> <li>2. The uniform must be worn at all times while on duty, required by management as a condition of employment. The uniform may also be worn while traveling directly to or from a location where the uniform is required or while on an authorized meal or other break. The uniform may not be worn at any other time.</li> <li>3. All uniforms and other County property must be promptly returned if County employment ends.</li> <li>4. Uniforms are not permitted for employees whose positions do not require them to leave their office to perform their normal daily duties. Nametags are an alternative for times these individuals do need to go to a business function.</li> <li>5. A departmental uniform policy must be provided to the Budget Office at the time funding is requested to include (but not limited to) quantity of uniforms provided, positions requiring a uniform item, itemization of uniform items and on-going replacement of such items.             <ol style="list-style-type: none"> <li>a. If a department does not have a uniform budget, a line-item transfer cannot be made to the uniform line item (3311) without pre-approval from the Budget Office.</li> <li>b. The Commissioners Court must approve uniform funding for any official, employee, or reserve deputy.</li> </ol> </li> <li>6. Permissible uniform shirts and pants are polo shirts (short sleeve and long sleeve), industrial/uniform work shirts, and uniform/industrial/tactical pants. Anything outside of this style must be pre-approved by the Budget Office. Uniform items must not be easily converted to everyday wear i.e., jeans, t-shirts, blouses, dress shirts (a patch/emblem/logo on the uniform item does not necessarily prevent it from being easily converted).</li> <li>7. Footwear will only be funded if it is a specialty item required for health and safety i.e., boots for motor units.</li> <li>8. Funding for outerwear such as jackets and protective gear will only be recommended if an employee's job duties must be performed outdoors on a regular basis and the employee's personal outerwear is not permitted.</li> <li>9. Shotguns/Rifles will be funded for each deputy if funding is available. Personal glocks/handguns, as well as any associated add-ons to personal handguns, are to be funded/provided by the deputy.</li> </ol>
<p><b>Other Expenses</b></p>	<ul style="list-style-type: none"> <li>• A department may purchase small appliances (i.e. microwaves, refrigerators) for the convenience of their employees.</li> <li>• Bottled water and electrolytes may be purchased to provide hydration during hot months for employees working outdoors when it is needed but not accessible.</li> <li>• Only paid receipts will be reimbursed.</li> <li>• For additional details on ineligible expense items refer to the County Budget Order.</li> <li>• If a receipt is unattainable or is lost, a written statement must be submitted for the expense.</li> <li>• Detailed invoices are required for p-card charges. Order confirmations are not acceptable.</li> <li>• Credit card processing fees on p-card transactions shall not exceed \$20.00 per invoice. Any excess must be paid back by the cardholder unless pre-approved by the County Auditor.</li> </ul>

## Employee Recognition Expenses

- Employee recognition expenses should be nominal in nature and will only be reimbursed up to the amount designated in the Budget Order.
- Employees can be taxed for these items.
- In order to avoid an item being taxable, recognition items must clearly identify the purpose. The following purchases will be allowable:
- Employee Recognition:
  - Plaques, awards, or certificates of recognition for service
  - Plaques, awards, or certificates of recognition for retirement
  - Plaques, awards, or certificates of recognition for exemplary job performance
- Employee requirements:
  - ~~\$60-75~~ for employees with up to 15 years of service
  - ~~\$120-125~~ for employees with more than 15 years of service
  - No reimbursement of sales tax will be allowed.
  - Refer any questions to the Auditor's Office for clarification of purchases in this area prior to incurring expenses.
  - The purchase of gift cards, refreshments, except as indicated in the Budget Order (cakes, drinks, etc.), or meals is not allowable as they are taxable items.

# Compensation

## Compensation Philosophy

Williamson County strives to be an employer of choice and demonstrates the honor and value we place on working in public service. Accordingly, the County's total compensation policy is to be competitive within the relevant, comparable labor markets by:

- Basing our minimum salaries on the market median
- Recognizing outstanding performance and organizational contributions through the use of the merit pay policy
- Maintaining the public trust in the County's financial stewardship
- Ensuring accountability for compliance with all Federal, State, and local laws, as well as County policies

## Salary Study

It is the intention of the Commissioners Court that a comprehensive salary study be conducted for every position classification at least once every three fiscal years. Some positions may be reviewed externally or more often based on factors including high turnover, recruitment difficulty or market demand.

*\*Changes will not be made outside of the salary study process unless the position fits the reclassification/conversion criteria or there is a change in senior leadership.*

Participant	Role and Responsibility	Policy/Process
<b>Commissioners Court</b>	<ul style="list-style-type: none"> <li>• The Commissioners Court shall set the amount of compensation, office and travel expenses, and all other allowances for County and precinct offices and employees who are paid wholly from the County funds.</li> </ul>	<ul style="list-style-type: none"> <li>• Sec. 152.011, Texas Local Government Code</li> </ul>
<b>Human Resources</b>	<ul style="list-style-type: none"> <li>• Maintains all official job descriptions.</li> <li>• Works closely with departments/offices to clearly understand structure &amp; how each position fits within the organization.</li> <li>• Identifies positions to be reviewed during the current salary study.</li> <li>• Gathers &amp; analyzes market data.</li> <li>• Provides recommendations to the Commissioners Court.</li> </ul>	<ul style="list-style-type: none"> <li>• The position classifications that have been identified for the study will be presented to Commissioners Court.</li> <li>• An initial presentation &amp; other meetings, as necessary, will occur between HR &amp; participating departments/offices throughout the salary study.</li> <li>• Job descriptions &amp; job analysis tools will be reviewed and/or updated prior to data collection. Job Analysis Tools will only be required for conversions/reclasses. Minor updates may be made to existing job descriptions.</li> <li>• Requests will be sent to the identified market entities (see Market below).</li> <li>• Data received will be analyzed &amp; compiled.</li> <li>• Pre-recommendation meetings will occur between HR &amp; department/offices.</li> <li>• Recommendations will be presented to Commissioners Court.</li> <li>• Departments/offices that wish to address Commissioners Court would place an item on the agenda through the normal process.</li> <li>• Job descriptions will be finalized.</li> <li>• All changes will be effective in the new fiscal year following Commissioners Court approval.</li> </ul>
<b>Departments / Offices</b>	<ul style="list-style-type: none"> <li>• Each department/office will select a designated point of contact.</li> <li>• Works closely with HR to ensure that the organization structure and positions are fully understood.</li> </ul>	<ul style="list-style-type: none"> <li>• Attends meetings throughout the process.</li> <li>• Completes job analysis tools as needed.</li> </ul>
<b>Market</b> (Based on population, entity structure and/or geographic location)	<ul style="list-style-type: none"> <li>• Provides substantiated market data for the identified positions.</li> </ul>	<p><u>Counties used for the study will be:</u> Bell, Brazoria, Hays, Montgomery, Fort Bend, Denton, Collin &amp; Travis</p> <p><u>Cities used for the study will be:</u> Cedar Park, Georgetown &amp; Round Rock</p> <p>For L Chart only:</p>

		<p><u>Cities used will be:</u> Georgetown, Cedar Park, Round Rock, Leander, and Hutto.</p> <p>For C Chart only:</p> <p>Counties used will be: Hays, Travis, and Burnet.</p> <p>*This list may be amended as needed based on unique attributes of some position classifications</p>
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## Salary Study Findings

Human Resources is responsible for conducting the salary study and making recommendations to Commissioners Court based on the findings. Recommendations require Commissioners Court approval for implementation.

Recommendation	Policy/Process
<b>Title Change</b>	<ul style="list-style-type: none"> <li>• A title change may be recommended when it is determined that a new title would better reflect the required job duties, responsibilities and/or market standards.</li> <li>• Some job titles are unique and therefore can only exist in the departments/offices that manage the services of those position types (example: the position title "Corrections Deputy" can only exist within the Sheriff's Office).</li> </ul>
<b>Pay Grade Increase</b>	<ul style="list-style-type: none"> <li>• Pay grade increases may be recommended when the salary study data indicates that the current minimum salary is below market median.</li> <li>• Employees moving up in pay grade will be adjusted to the minimum of the new grade, if current salary is a lesser amount.</li> </ul>
<b>Pay Grade Decrease</b>	<ul style="list-style-type: none"> <li>• Pay grade decreases may be recommended when the salary study data indicates that the current minimum salary is above market median.</li> <li>• An employee with a current salary that is above the new pay grade maximum will not receive a reduction in pay, however, merit eligible positions will be limited to a lump-sum merit.</li> <li>• When the position is vacated, the new offer cannot exceed the pay grade maximum and other hiring policies apply.</li> </ul>
<b>FLSA Exemption Status</b>	<ul style="list-style-type: none"> <li>• Fair Labor Standards Act (FLSA) exemption status will be updated when it is determined that the position is currently misclassified, as required by law.</li> <li>• The update will occur at the beginning of the next pay period following the determination for any position that must be changed from exempt to non-exempt and as determined most appropriate for a change from non-exempt to exempt.</li> <li>• Compensatory time will be paid at the time of the update for positions changing status from non-exempt to exempt.</li> </ul>

# Compensation

## Pay Frequency and Work Week

- Payday is every other Friday, or the last business day prior to any holiday that falls on a Friday.
- A pay period consists of two weeks' pay ending on the Thursday of the week preceding pay day.
- The official work week for County departments is 12:00 a.m. Friday to 11:59 p.m. Thursday unless otherwise notified.
- The official work week for the 911 Emergency Communications Department is 6:00am Friday to 5:59am the following Friday.
- The payroll calendar is located on the Auditor's Portal.

## Payroll Corrections

Underpayment: Any underpayment in compensation for 16 hours of regular pay (excludes OT or supplemental pay) or less will be processed on the following pay cycle.

Overpayment: No employee is entitled to retain any pay in excess of the amount he or she has earned according to the agreed-upon rate of pay. If an employee has been paid in excess of what he or she has earned, the employee will need to return the overpayment to the County as soon as possible. Any overpayment will be regarded as an advance of future wages and absent repayment, will be offset in whole or in part from the next available paycheck(s) until the overpaid amount has been fully repaid. Each employee will be expected to sign a wage authorization agreement to acknowledge the amount and provide for the offset.

Deductions: Every effort is made to apply deductions accurately. If you have any questions about insurance/benefits deductions, contact the HR Benefits Department. If you have questions about any other deductions from your pay, please contact the Audit/Payroll Department immediately.

Discrepancies: If your pay does not accurately reflect all hours worked, you should report your concerns to Human Resources. Every report will be fully investigated and corrective action will be taken. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy.

## Pay Schedules (Pay Charts)

Williamson County has multiple pay schedules that cover all classified positions. These pay schedules are approved by the Commissioners Court. For more information on current pay schedules refer to the internal Human Resources website.

## Timeline for Compensation Changes

Salary study changes, approved COLA's, annual tenured based LE and C step increases, and any other compensation changes approved during the annual budget processes are effective the first full pay period in October each fiscal year.

If merit is allocated through HR driven bulk upload, reviews should be completed and merit keyed on the HR-provided spreadsheet. Merit can also be allocated through Oracle and entered by the department throughout the year after the bulk upload until early August.

# Compensation

## **Court Reporters**

### **Employment Status**

Court Reporters are non-exempt employees of the County who perform primary duties for the Court and also may have secondary independent contractor jobs preparing transcripts. In this second statutory role, who ordered the transcript and when the transcript is prepared dictates whether the Court Reporter is paid wages for time worked or paid by the page for producing the transcripts.

### **Work Hours**

When Court Reporters are working for the Court, recording and reading back court proceedings, attending court hearings, or preparing transcripts for the Court at work or on special assignment by the Court, these are hours worked that must be recorded. An example of “on assignment by the Court” includes instances where the Court Reporter is required to perform duties at the direction of the Court in another location, or when the Court instructs the Court Reporter to work away from the Court House to complete a transcript for the Court.

Court Reporters are required to accurately record actual time worked for the Court, including time when they are required to be at the Court or at any other designated place to perform work. Any hours worked beyond forty hours in the work week shall be compensated with compensatory leave, pursuant to the County’s policy. Vacation leave, sick leave, compensatory leave or holiday leave must be used for any scheduled work time missed during the pay period.

### **Transcripts Prepared For or Paid By the Court/State/or Local Government**

Transcripts (1) prepared for the Court, any judge, another court, County Attorney, District Attorney, Attorney General, State, State Agency, Public Defender, or any other public entity or person, or (2) paid for by the County for a public entity or private attorney, are subject to the following rules:

- **Transcripts Prepared During Working Hours**  
Transcripts prepared for the public entities and persons listed above as a part of the Court Reporter’s daily or assigned duties during work hours shall be paid their salary wages for all hours worked, but no additional pay per page of transcripts prepared at work.
- **Transcripts Prepared Outside of Hours Worked**  
Transcripts prepared for the public entities and persons listed above, by the Court Reporter on his or her own time and outside of any other work for the Court (i.e. attending, recording and reading back court proceedings), shall be paid the maximum established per page rate for transcripts established by the Court, or State, as may be applicable, for such transcripts prepared by the Court Reporter. Time spent preparing transcripts for these parties outside of work, on the Court Reporter’s own time, is not considered time worked and no salary wages or overtime will be paid in relation to this time.
- **Private Paid Transcripts**  
Private paid transcripts are ordered by third parties such as attorneys, media, etc. Preparation of transcripts, including any portion thereof, for private paid clients cannot be conducted during the normal work hours or utilizing County equipment, office space or supplies. This is an independent contractor relationship between the Court Reporter and the third-party client, and the production of the transcript must be performed outside of hours the Court Reporter performs work for the Court. The fees and collection of payment for these transcripts shall be freely negotiated between the Court Reporter and the third party client, and are not set by the judge who presided over the proceedings.



# Compensation

The chart below indicates the policies related to pay increases and decreases due to position changes, vacancies and/or merit. All changes are contingent on budgeted fund availability. Any funds remaining in a department's merit line item will roll over each budget year unless otherwise determined by the Court. Any request outside of these policies will require the approval of Commissioners Court. The effective date for salary and/or position changes ~~will should~~ be scheduled to align with the first day of the pay period. Contact Human Resources regarding ~~the recommended effective date for position changes~~ exceptions for further review.

## Salary/Position Changes

Type	Description/Policy	Pay +	Pay –	Approval Process	Additional Information
<b>Merit</b>	<ul style="list-style-type: none"> <li>Merit funding can only be used for performance pay increases.</li> <li>Merit is awarded based on job performance which is evaluated by the applicable department head or elected official. Therefore, an employee must receive a performance evaluation in order to be eligible for a merit increase.</li> <li>An employee is eligible for merit after 90 days in their current Position Control Number (PCN). <u>For cases involving unique circumstances, department leadership may contact HR to request approval.</u></li> </ul>	Max of 7% per employee, per budget year* authorized as a merit percentage amount and added to their annual salary. If an employee reaches the maximum of their grade, a lump sum may be issued.	N/A	<ul style="list-style-type: none"> <li>Oracle workflow required.</li> <li>Each processing period will have a cut-off date.</li> <li>Employee must have completed 90 days of employment by that date.</li> <li>A line-item transfer form must be submitted in addition to the workflow.</li> <li>Merit can only be transferred out of the merit line item.</li> <li>Merit is not transferrable between positions.</li> </ul>	<ul style="list-style-type: none"> <li>District Court Reporters, Elected Officials, Director of Juvenile Services, County Auditor, Positions on the LE and C Charts are not eligible for merit increases.</li> <li>Merit for small departments with 4 or fewer merit-eligible employees who do not roll up to a department with an 8000 account, will be granted merit at 1% higher than the amount approved by the Commissioners Court not to exceed 5%. (i.e. if the Court approves merit at 3%, the small departments will receive 4%)</li> <li>Verification of evaluation required.</li> </ul>
<b>Position Salary Surplus</b>	<ul style="list-style-type: none"> <li>Cannot be used for merit increases.</li> <li>Cannot be requested to be moved between positions outside of November 1 through February 15.</li> </ul>	Refer to filling a vacancy, promotion and/or reclassification policies.	N/A	Refer to filling a vacancy, promotion, and reclassification policies.	Contact HR for additional requirements.
<b>Filling a Vacancy</b>	When a current employee separates from employment or position. Applies to B Chart only.	A vacant position may be filled with a salary up to 15% above the minimum of the pay grade, See promotion for current employees	N/A	Oracle Workflow Required	The maximum salary for a position cannot exceed the budgeted annual salary even if the full amount may not be used during the budget year due to the position being vacant for part of the year (i.e. budgeted salary = \$30,000, position vacant 6 months = \$15,000 not used, when filled the maximum salary cannot exceed \$30,000 even though \$15,000 is unused).
<b>Retention</b>	An increase in pay that is awarded to an employee, as an incentive to retain them in their current position, when the employee has received a bona-fide job offer from another department or employer or there is a high risk that the employee will be recruited or seek employment for a similar position with another employer or department with a higher salary.	Maximum of 10% above the current salary*.	N/A	<ul style="list-style-type: none"> <li>Approval by Commissioners Court; public hearing required if additional funding is needed. Change will be effective on the first pay period after Court approval.</li> <li>Oracle workflow required.</li> <li>Verification required.</li> </ul>	Contact HR for additional requirements.

# Compensation

## Salary/Position Changes

Type	Description/Policy	Pay +	Pay –	Approval Process	Additional Information
<b>Certification Pay</b>	Certification pay will be paid to eligible Telecommunicators who hold a full-time position in the Communications department with the County. Payment for an entire fiscal year beginning on October 1st will be based on the level of certification held as of September 15th of the preceding fiscal year. For new hires, certification pay will be paid based on certification level at the date of hire. Certification pay does not transfer with an individual employee who leaves a Telecommunications position to accept another position.	<ul style="list-style-type: none"> <li>\$50 per month for Intermediate Certification;</li> <li>\$100 per month for Advanced Certification.</li> <li>\$150 per month for Masters Certification</li> <li>This pay must be added into the regular rate of pay when calculating overtime.</li> <li>Certification pay may move with the employee to accommodate promotions/ position changes within the department.</li> </ul>	N/A	Oracle Workflow Required	Must submit a TCOLE document to the Human Resources Department. Funding must be available.
<b>Career Ladder Advancement</b>	A department with an approved career ladder may advance employees according to the parameters established in the career ladder documentation. Must be approved during the annual budget process, or between November 1 and February 15.	<ul style="list-style-type: none"> <li>Based on the steps in the chart or career ladder approved by Commissioners Court.</li> <li>No additional funding is allocated for career ladders. Surplus salary dollars must exist within the departmental budget.</li> <li>Maximum 10% above current salary.</li> </ul>	Based on the steps (when appropriate)	<ul style="list-style-type: none"> <li>Submission of request through budget software or during Nov 1 - Feb 15 timeline, with backup documentation.</li> </ul>	Documentation of each position that will advance along with the approved career ladder plan <u>is required at the time of request submission</u> . Contact the HR department for additional rules.
<b>Promotion</b>	<ul style="list-style-type: none"> <li>When a current employee is hired into a different position with a higher pay grade.</li> <li>No additional pay increases in the first 12 months with the exception of merit, <u>retention</u>, or <u>additional promotion</u>.</li> </ul>	Max 15% above minimum of the pay grade, or 10% above current salary, including overtime average, whichever is greater (Cannot exceed maximum of pay grade or budgeted amount for position)	N/A	<ul style="list-style-type: none"> <li>Oracle workflow required.</li> <li>HR will partner with Payroll and provide an overtime rate.</li> </ul>	Promotions and Merit cannot be processed during the same pay period.
<b>Demotion</b>	When a current employee is hired into a position with a lower pay grade or is demoted to a lower pay grade.	N/A	Maximum decrease to the minimum of the new pay grade.	Oracle workflow required.	<ul style="list-style-type: none"> <li>Written justification required.</li> <li>Salary may remain the same if within the new pay grade.</li> <li>Demotions within 90 days in Position Control Number (PCN) will revert to prior pay rate.</li> <li>Contact Human Resources for further information.</li> </ul>
<b>Lateral Moves</b>	When an employee moves to <u>another new or like</u> position with the same grade.	Can utilize money on <u>a new-vacant</u> position up to 15% over minimum of the grade or employee's current salary, if higher.	Can utilize money on new position up to 15% over minimum of the grade or employee's current salary, if higher.	Oracle workflow required.	Contact HR for additional requirements.

# Compensation

## Salary/Position Changes

Type	Description/Policy	Pay +	Pay –	Approval Process	Additional Information
<b>Shift Transfer</b>	<ul style="list-style-type: none"> <li>Current employee is transferred to a different shift with a higher pay grade.</li> <li>Viewed as lateral move.</li> </ul>	Cannot exceed max of pay grade or budgeted amount on the position.	N/A	Oracle workflow required.	
<b>Reclassification</b>	<p>A change in one or more positions which impacts the organization chart of the department or elected office as a result of one of the following:</p> <ol style="list-style-type: none"> <li>A position conversion is a significant change (defined as 40% or more) to the job description that includes the addition or deletion of significant duties and/or responsibilities. Will include title, grade, and/or FLSA status change. If the conversion results in a position change that is not consistent with the original intent of the position, it will be reviewed by the Budget Office.</li> <li>A minor reclassification (less than 40%) cannot occur outside of the Salary Study process, with the exception of changes that are due to turnover in a key position (elected/appointed official, department head or director) or a change to FLSA status as determined by HR.</li> <li>Submission of reclassification request through the budget software or HR Sharepoint, as determined by the type of request with back-up documentation.</li> </ol> <p>A position can only be reviewed for reclassifications during the annual budget, or between November 1st and February 15th.</p>	<p>Civilian positions: Minimum of the pay grade or up to 10% above current salary as determined appropriate during the approval process.</p> <p>L and C chart: Minimum of the pay grade or up to same step of current employee's tenure if slot is filled.</p>	Maximum decrease to the minimum of the new pay grade.	<p>Human Resources will review all reclassification requests and recommended changes will be placed on the Commissioners Court agenda for approval.</p> <p>*May require a public hearing</p>	<p>Support documentation required:</p> <ul style="list-style-type: none"> <li>Current job description(s), current ORG chart, proposed job description, proposed ORG chart and justification for review (i.e. turnover, added duties, etc.).</li> </ul>
<p>*15% maximum annual (budget year) increase per employee (includes retention, merit, re-organization, and reclassification; does not include promotions, career ladder advancements or salary study changes). Multiple pay changes cannot be processed within the same pay period.</p>					

## **County Longevity Pay**

(Excludes Sheriff's Office Commissioned Deputies – Law Enforcement and Corrections)

County longevity pay is based on an individual employee's length of service with Williamson County. Service time with other entities is not recognized.

- County longevity is paid biweekly and begins with the pay period following the completion of five years of employment.
- Full-time employees will accrue the following per pay period:
  - \$24.00 per pay period after five years of employment
  - \$48.00 per pay period after ten years of employment
  - \$72.00 per pay period after fifteen years of employment
  - \$96.00 per pay period after twenty years of employment
  - \$120.00 per pay period after twenty-five years of employment
- Part-time employees will no longer be eligible for County longevity effective November 18, 2016.

## **Statutory Peace Officer Longevity Pay**

### **Exclusive to Sheriff's Office Commissioned Deputies – Law Enforcement and Corrections**

Section 152.074, Texas Local Government Code, provides for longevity pay to eligible commissioned deputies of the Williamson County Sheriff's Office ("the Sheriff's Office"). Commissioned deputies of the Sheriff's Office accrue longevity in accordance with Section 152.074(a), Texas Local Government Code, at the rate of \$5 per month for each year of service with the Sheriff's Office (up to a maximum of 25 years). Statutory Peace Officer Longevity Pay only applies to commissioned deputies in both the law enforcement and corrections bureaus of the Sheriff's Office. Calculation of years of service includes all years of service as a commissioned deputy with the Sheriff's Office regardless of any gaps in service.

Statutory Peace Officer Longevity Pay begins following the completion of one year of employment with the Sheriff's Office as a commissioned deputy.

The provisions for Sheriff's Office Longevity Pay are set by state statute and are subject to change by legislative amendment. Should any terms in this section and Section 152.074, conflict, the provisions of Section 152.074, Texas Local Government Code, shall control.

Statutory Peace Officer Longevity Pay is paid bi-weekly. Unless otherwise specified, any provisions in this manual pertaining to County Longevity Pay are not applicable to Statutory Peace Officer Longevity Pay.

## **Statutory Prosecutor Longevity Pay**

Chapter 41, Texas Government Code, provides for longevity pay to eligible assistant district attorneys and assistant county attorneys ("assistant prosecutors"). Prosecutor Longevity Pay is available only to the extent the County receives funding from the state comptroller, as provided by Section 41.255(d), Texas Government Code. See Chapter 41 for the complete terms and conditions for Prosecutor Longevity Pay.

Assistant prosecutors are eligible for Prosecutor Longevity Pay if the assistant prosecutor:

1. is a full-time employee on the last day of the state fiscal quarter;
2. is not on leave without pay on the last day of the state fiscal quarter; and
3. has accrued at least four (4) years of lifetime credit not later than the last day of the month preceding the last month of the state fiscal quarter.

The provisions for Prosecutor Longevity Pay are set by state statute and are subject to change by legislative amendment. Should any terms in this section and Chapter 41 conflict, the provisions of Chapter 41, Texas Government Code, shall control.

Prosecutor Longevity Pay is paid quarterly, subject to receipt of the funds from the state comptroller. Employees receiving Prosecutor Longevity Pay may also be eligible for County Longevity Pay based on its requirements.

# Compensation

## Tenure Pay Scale Compensation Policies

Positions will be included on the Tenure Pay Scale as determined appropriate by the Human Resources Department and the Elected/Appointed Official. Approval by Commissioners Court is required. All policies below are contingent on available budget or available position budget, depending on the time of year. Years of service are based on continuous service (with no break of more than 90 days as a regular employee in an approved tenure pay scale position in the Sheriff's office, the offices of the County Attorney or District Attorney, or in any Constable's office. Employees transferring between these departments may receive credit for their current step based on available budget and the approval of the hiring department and/or Commissioners.

## Tenure Salary/Position Changes

- Funding is approved by the Commissioners Court during the annual budget process.

Type	Policy	Pay + Pay –	Approval Process	Additional Documentation
<b>Annual Step/Tenure Progression</b>	<p>Employees in tenure positions move from one step to the next on the first day of the first full pay period in October of each year, subject to funding by the Commissioners Court.</p> <p>Employees with less than six (6) months of service as of the first full pay period in October will advance to the next step after six (6) months of service at Williamson County.</p> <p>Step/tenure progression ends at the top step of each position rank.</p>	See Tenured Pay Chart	Oracle workflow required	May be required
<b>Promotion</b>	When a current employee is promoted to a higher-ranking position, the tenured grade step is based on years of service, provided budget availability.	See Tenured Pay Chart	Oracle workflow required	May be required
<b>Demotion</b>	When a current employee is demoted to a lower ranking position, the tenured grade step is based on years of service.	See Tenured Pay Chart	Oracle workflow required	May be required

# Compensation

## Tenure Salary/Position Changes

- Funding is approved by the Commissioners Court during the annual budget process.

Type	Policy	Pay + Pay –	Approval Process	Additional Documentation
<b>Certification Pay</b>	Certification pay will be paid to non-elected commissioned peace officers and eligible corrections officer (County Jail) who hold a full-time active-duty position in a law enforcement or corrections capacity with the County. Payment for an entire fiscal year beginning on October 1st will be based on the level of certification held as of September 15th of the preceding fiscal year. For new hires, certification pay will be paid based on certification level at the date of hire. Certification pay does not transfer with an individual employee who leaves a corrections officer position to accept a law enforcement position, nor does it transfer with an individual employee who leaves a law enforcement position to accept a corrections officer position except when the corrections officer position is that of a Bailiff.	<ul style="list-style-type: none"> <li>Law enforcement officers: \$50 per month for Intermediate Certification; \$100 per month for Advanced Certification; \$150 per month for Masters Certification. This pay must be added into the regular rate of pay when calculating overtime.</li> <li>Corrections officers: \$50 per month for intermediate certification; \$100 per month for Advanced Certification; \$150 per month for Masters Certification.</li> <li>This pay must be added into the regular rate of pay when calculating overtime.</li> <li>Certification pay may move with the employee to accommodate promotions/position changes within the department.</li> </ul>	Oracle workflow required	Must submit a TCOLE document to the Human Resources Department. Funding must be available.
<b>Filling a Vacancy</b>	All personnel newly hired from outside Williamson County for positions subject to tenure chart at the first pay increment for the position for which they are hired, unless they qualify for a prior service credit.	Credits for Prior Service may apply. See Prior Service Credit.	Oracle workflow required	Must submit a TCOLE document to the Human Resources Department. Funding must be available.
<b>Prior Service Credit</b>	Qualified law enforcement applicants and current officers can receive prior service credit.	<ul style="list-style-type: none"> <li>Maximum amount for external hire is current funding on vacant position.</li> <li>Prior service credit is only granted at original date of hire or when an existing employee receives a promotion.</li> </ul>	TCOLE service verification must be submitted.	TCOLE Service Verification required.
<b>Transfer from Law Enforcement to Corrections</b>	Law enforcement officers who transfer from the law enforcement division to the corrections division will be placed at the pay increment corresponding to their time of continuous tenured service (with no break of more than 90 days in both corrections and law enforcement with Williamson County, if the proper Corrections certification is obtained.)			

# Non-Discrimination and Anti-Harassment

Williamson County strives to be an employer of choice and endeavors to provide an optimal work environment and experience for County employees, free of discrimination and harassment.

## Non-Discrimination

Protections against discrimination provided to employees under state and federal law are detailed in the table below. These protections and the expectation of compliance apply to all employees and officials, regardless of their position. Contact Human Resources for more information.

Employment Law	Coverage	References
<b>Title VII, Civil Rights Act (1963)</b>	Prohibits employment discrimination based on race, color, religion, sex or national origin.	<ul style="list-style-type: none"> <li>View EEOC Know Your Rights: Workplace Discrimination is Illegal poster <a href="#">here</a></li> </ul>
<b>Civil Rights Act (1991)</b>	Provides amendments to 1963 Act to strengthen civil rights laws and deter unlawful harassment and discrimination in the workplace.	
<b>Equal Pay Act (EPA)</b>	Protects against sex-based wage discrimination for performance of substantially the same work in the same establishment.	<ul style="list-style-type: none"> <li>The EPA is an amendment within the FLSA, under enforcement of the EEOC</li> <li>View EEOC information on Equal Pay and Compensation Discrimination <a href="#">here</a></li> <li>View FLSA Employee Rights poster <a href="#">here</a></li> <li>See related policies in Employment and Compensation sections within this policy manual</li> </ul>
<b>Fair Labor Standards Act (FLSA)</b>	Establishes minimum wage, overtime pay, recordkeeping, and youth employment standards.	
<b>Age Discrimination in Employment Act (ADEA)</b>	Provides protection against discrimination in employment for employees 40 years of age or older.	<ul style="list-style-type: none"> <li>See information on age discrimination on the Department of Labor (DOL) website <a href="#">here</a></li> </ul>
<b>Americans with Disabilities Act (ADA, 1990)</b>  <b>Americans with Disabilities Act Amendments Act (ADAAA, 2008)</b>	Prohibits discrimination in recruitment, hiring, training, promotion, and compensation based on candidate or employee disability. Requires employers make reasonable accommodation to the known limitations of otherwise qualified individuals with disabilities, unless the accommodation will cause the employer an undue hardship.	<ul style="list-style-type: none"> <li>Information and resources can also be found at ADA.gov</li> <li>A Reasonable Accommodation Request Form may be submitted online <a href="#">here</a></li> </ul>
<b>Pregnant Workers Fairness Act (PWFA)</b>	Requires employers to provide reasonable accommodations for limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship.	<ul style="list-style-type: none"> <li>View PWFA poster <a href="#">here</a></li> <li>View tips for Tips for Asking for Reasonable Accommodation <a href="#">here</a></li> <li>A Reasonable Accommodation Request Form may be submitted online <a href="#">here</a></li> </ul>
<b><u>Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act)</u></b>	<u>Under the FLSA, the Department of Labor (DOL) established that eligible nursing workers are entitled to reasonable break time and a private space to pump at work for up to one year after their child's birth. Protects the nursing worker from penalties in performance metrics and evaluations for lactation breaks.</u>	<ul style="list-style-type: none"> <li><u>Designated space may not be a bathroom, and must be shielded from view and free from intrusion</u></li> <li><u>Non-exempt employees may not perform work if clocked out for their break</u></li> <li><u>View PUMP Act Protections <a href="#">here</a></u></li> </ul>

Employment Law	Coverage	References
<b>Genetic Information Nondiscrimination Act (GINA)</b>	Protects individuals against employment discrimination based on genetic information, such as genetic test results and family medical history.	<ul style="list-style-type: none"> <li>View a fact sheet on GINA <a href="#">here</a></li> </ul>
<b>Creating a Respectful and Open World for Natural Hair (CROWN) Act</b>	Prohibits discrimination in employment, education, and housing based on hair texture or protective hairstyles associated with race.	<ul style="list-style-type: none"> <li>See information on the Crown Act at the Anti-Defamation League (ADL) website <a href="#">here</a></li> </ul>
<b>Uniformed Services Employment and Reemployment Act (USERRA)</b>	Protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service.	<ul style="list-style-type: none"> <li>View USERRA poster <a href="#">here</a></li> <li>See Civil Leave policy for guidance on military leave request</li> <li>See FMLA Military Exigency and Caregiver policy sections related to deployment or servicemember injury of a qualifying family member</li> </ul>
<b>The Texas Whistleblower Act</b>	Provides protection for public employees who report violations of law by their employer. An employer may not suspend, terminate, or take other adverse personnel action against a public employee in retaliation to a report under the Act.	<ul style="list-style-type: none"> <li>See Texas Legal Code, Chapter 554 Protection for Reporting Violations of Law</li> <li>Visit <a href="http://www.whistleblowers.gov">www.whistleblowers.gov</a></li> </ul>

## Anti-Harassment

Harassment is prohibited by law and is not tolerated by Williamson County. Prompt and appropriate action will be taken in response to complaints, reports or knowledge of violations of this policy.

Anti-Harassment	
<b>Definition of Harassment</b>	<p>Harassment is defined as repeated, unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, age (40 and older), disability, or genetic information (including family medical history), or in retaliation for filing a charge or participating in an investigation or proceeding under one of the above-mentioned employment laws.</p> <p>Actions that constitute harassment may include any unwelcome conduct that belittles, shows hostility, or ridicule, when such conduct is so severe or pervasive that it unreasonably interferes with an individual's work performance and creates an intimidating, hostile or offensive work environment.</p>
<b>Sexual Harassment</b>	<p>Sexual harassment is prohibited and is an unlawful employment practice in violation of Title VII of the Civil Rights Act of 1964. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:</p> <ul style="list-style-type: none"> <li>Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.</li> <li>Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive work environment.</li> <li>Off-duty actions may constitute sexual harassment.</li> </ul>



<b>Examples of Sexual Harassment</b>	<ul style="list-style-type: none"> <li>• Unwelcome sexual advances, propositions, sexual comments or suggestive or lewd remarks.</li> <li>• Physical assaults or other physical conduct of a sexual nature, including unwanted hugs or touches.</li> <li>• Sexual displays or publications anywhere in the workplace, including derogatory or pornographic posters, pictures or drawings.</li> </ul>
<b>Other Types of Harassment</b>	<ul style="list-style-type: none"> <li>• Verbal: includes insults, slurs, name-calling, offensive remarks, jokes, and profanity.</li> <li>• Visual: can consist of sending or displaying offensive images or messages.</li> <li>• Physical: blocking movement, threats of harm, intimidating gestures, or assault.</li> </ul>
<b>Employee Responsibility</b>	Each official, department head, supervisor, and employee has the responsibility to maintain a work environment free of such harassment and to report or file a complaint as soon as possible. Officials and employees involved in a <del>sexual</del> harassment situation are required to cooperate in any investigation that occurs.
<b>Harassment Reporting</b>	<p>Employees who believe they have been sexually harassed should report their complaint immediately. Verbally inform one of these individuals:</p> <ul style="list-style-type: none"> <li>• Their supervisor</li> <li>• The next level of management above their supervisor</li> <li>• The Human Resources Department</li> </ul> <p>All harassment complaints received by any elected official, department head, or supervisor must be immediately reported to Human Resources. All complaints will be investigated. Violations may result in disciplinary action up to and including termination of employment.</p>
<b>Disciplinary Measures</b>	Where an investigation reveals that allegations of unwelcome harassment are true, appropriate remedial action, including discipline, will be taken. All disciplinary measures will be implemented promptly and shall be commensurate with the person's conduct. The remedies vary depending on the entire facts and circumstances found by the investigation.
<b>Retaliation</b>	Retaliation against public employees who report official wrongdoing, including harassment, is prohibited. An employee who reports a violation of the law to an appropriate law enforcement authority cannot be wrongfully suspended or terminated, or otherwise discriminated against or harassed by the County or an Elected Official.

# Employee Responsibilities

<b><u>Personal</u> Professional Conduct</b>		
<b>Type</b>	<b>Policy</b>	
<b>Tobacco Free Workplace Policy</b>	Williamson County is a tobacco free workplace. The use of tobacco products (e.g., cigarettes, cigars, pipes, snuff, chew, etc.) and Electronic Nicotine Delivery Systems (ENDS) (e.g., vapor, e-cigarettes, etc.) is prohibited on all Williamson County premises <u>and vehicles</u> . Employees who violate this policy are subject to appropriate disciplinary action up to and including termination of employment.	
<b>Drug Free Workplace Policy</b>	<p>Williamson County is committed to <u>maintaining a safe, healthful, and productive workplace</u>. <u>The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illegal drug, or alcoholic beverage is prohibited in the workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify their elected official, appointed official, or department head and Human Resources no later than five (5) days after such conviction.</u></p> <p><u>Adherence to this policy is a condition of employment and employees who violates this policy may be subject to disciplinary action, up to and including termination of employment. Information regarding the available drug and alcohol counseling and rehabilitation can be obtained from the County's Employee Assistance Program (EAP).</u></p> <p>In compliance with Federal and State laws pre-employment, random and post-accident (or near accident) drug and/or alcohol testing may be required for potential or current employees in positions that are mandated by law. Additionally, drug and/or alcohol testing may be required for positions identified as safety sensitive or for reasonable suspicion. Reasonable suspicion includes the report of observation of drug/alcohol use or the suspicion of such, determined by the employee's supervisor. The supervisor must then consult with the Human Resources Department.</p> <p><u>Definitions:</u></p> <ul style="list-style-type: none"> <li><u>"Illegal drugs" include, but not limited to, marijuana, cocaine, phencyclidine (PCP), opioids, and amphetamines.</u></li> <li><u>"Controlled substances" include schedules I through V of 21 U.S.C. § 812.</u></li> </ul>	
<b>Drug and Alcohol Testing Policy</b>	<b>Refusal</b>	Refusal to submit to a drug <u>or alcohol</u> test, <u>failure to cooperate, or tampering or interfering with the collection process</u> may result in immediate termination of employment.
	<b>Positive Results</b>	
	<u>Employees with a positive test result shall be immediately removed from duty, suspended without pay, and may be subject to immediate termination, if determined appropriate based on factors related to the matter (i.e. safety concerns, job performance, etc.). A blood alcohol concentration (BAC) of 0.04 or greater is considered a positive alcohol test, however, employees may be prohibited from working if they have a BAC of 0.02 or greater.</u>	
	<b>Pre-Employment</b>	An applicant with a confirmed positive drug test will not be hired and cannot be considered for employment for a period of one year after the confirmed positive result.
	<b>Random</b>	<p><u>Positions that have an impact upon the safety of others, may be subject to random drug testing. Please contact the Human Resource Department for a list of safety impact positions subject to random drug testing.</u></p> <p><u>First Offense—An employee with a confirmed random positive drug/alcohol test will be required to attend drug/alcohol counseling/treatment at their own expense and provide documentation of completion. Failure to attend and complete counseling/treatment will result in immediate termination of employment. Once documentation is provided a determination of continued employment will be made by the Department and Human Resources.</u></p>

		<p><del>Subsequent Offenses—Any employee with a confirmed random positive drug/alcohol test will be subject to random testing on a frequent basis if re-instated after initial completion of treatment. Further positive test results will result in immediate termination.</del></p> <p><del>Post-Accident/Near Accident—Any employee with a confirmed post-accident drug/alcohol test will be terminated immediately.</del></p>
	<b>Reasonable Suspicion</b>	<p><u>Williamson County reserves the right to require an employee to undergo a drug and/or alcohol test if reasonable suspicion exists that the employee has unlawfully used a controlled substance, illegal drug, and/or is working while under the influence of alcohol.</u></p> <p><u>First Offense—An employee with a confirmed reasonable suspicion positive drug/alcohol test will be required to attend drug/alcohol counseling/treatment at their own expense and provide documentation of completion. Failure to attend and complete counseling/treatment will result in immediate termination of employment. Once documentation is provided a determination of continued employment will be made by the Department and Human Resources.</u></p> <p><del>Subsequent Offenses—Any employee with a confirmed reasonable suspicion positive drug/alcohol test will be subject to random testing on a frequent basis if re-instated after initial completion of treatment. Further positive test results will result in immediate termination.</del></p> <p><del>If an employee feels that they may have a drug or alcohol problem, they may contact Human Resources or the Employee Assistance Program for information on available resources.</del></p>
	<b><u>Second Chance Program</u></b>	<p><u>In limited circumstances, at the discretion of an Elected Official or Department Head and in consultation with the Human Resource Department, an employee may be granted the opportunity to maintain employment after a positive test result under the following restrictions:</u></p> <p><u>First Offense – An employee with a confirmed random or a confirmed reasonable suspicion positive drug/alcohol test will be immediately suspended without pay and will be required to attend drug/alcohol counseling/treatment at their own expense and provide documentation of completion. Failure to attend and successfully complete counseling/treatment will result in immediate termination of employment. Once documentation is provided, a determination of continued employment will be made by the Department and Human Resources. If re-instated, the employee will be subject to random testing on a frequent basis.</u></p> <p><u>Subsequent Offenses – Further positive test results will result in immediate termination.</u></p> <p><u>Post-Accident – Any employee with a confirmed post-accident drug/alcohol test will be terminated immediately and not eligible for the Second Change Program.</u></p>
	<p><b><i>If an employee feels that they may have a drug or alcohol problem, they may contact Human Resources or the Employee Assistance Program for information on available resources.</i></b></p>	

## **Personal-Professional Conduct**

Type	Policy
<b>Arrest/Criminal Conviction</b>	Employees are required to report arrests, convictions and changes in the status of any criminal proceedings immediately to their supervisor and department head or elected official. Failure to notify the appropriate authority may result in immediate termination.
<b>Political Activity</b>	<p>Employees are encouraged to vote and to exercise other responsibilities of citizenship consistent with state and federal law and these policies. Employees are not required to contribute to any political fund or render any political service to any person or party. Employees will not be dismissed, suspended, demoted, or otherwise prejudiced for refusing to do so. Employees may <u>not</u>:</p> <ul style="list-style-type: none"> <li>• Use official authority or influence to interfere with, or affect the result of, an election or nomination for office.</li> <li>• Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer (or employee) to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose.</li> </ul> <p>County employees, except elected officials, may not participate in political activities while on County duty. Employees are expected to remove County uniforms and identification, including rank and/or title, before participating in a political activity. In addition, no County-owned property, vehicle, building, and/ or office may be used for displaying campaign materials or for conducting any partisan political activity. This section does not apply to the use of the Courthouse, Courthouse grounds or County buildings when used for the purpose of political announcements approved by Commissioners Court.</p>
<b>Solicitation</b>	Persons not employed by Williamson County may not solicit or distribute literature in the workplace at any time for any purpose. Williamson County recognizes that employees may have interests in events and organizations outside the workplace; however, may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch breaks, or any other periods in which employees are not on duty.) In addition, the posting of written solicitations is limited to County bulletin boards. An employee should check with the department head or elected official for approval. Solicitations using electronic systems, including County email, are prohibited and subject to the <u>Electronic Systems Acceptable Use Policy</u> .
<b>Attendance</b>	Employees are expected to be at work, on time and to complete their scheduled shifts. Employees that miss three consecutive shifts without notification will be separated from employment and considered to have resigned without notice.
<b>Gifts/Gratuities</b>	<p>The Texas Penal Code Section 1.07(a)(41) and Texas Penal Code 36 include specific definitions and details regarding gifts, gratuities and bribery for public servants. A public servant means a person elected, selected, appointed, employed, or otherwise designated as one of the following (even if they have not yet qualified for office or assumed duties):</p> <ul style="list-style-type: none"> <li>• An officer, employee, or agent of government.</li> <li>• A juror or grand juror.</li> <li>• An arbitrator, referee, or other person who is authorized by law or private written agreement to hear or determine a cause or controversy.</li> <li>• An attorney at law or notary public when participating in the performance of a government function.</li> <li>• A candidate for nomination or election to public office.</li> <li>• A person who is performing a governmental function under a claim of right, although they are not legally qualified to do so.</li> </ul> <p>It is the responsibility of the employee, officer, or agent of the government to read and understand all aspects of the Texas Penal Code Section 1.07 and Texas Penal Code 36 that relate to gifts, bribery and acceptance of honorarium.</p>
<b>Outside Employment</b>	Outside employment is acceptable, as long as it is outside the hours they are scheduled to work for the County. Also, as long as such employment does not violate state laws concerning abuse of office or employment, interfere with normal duties, and does not constitute a breach of ethics or conflict of interest.
<b><u>Intimate and Personal Relationships</u></b>	<u>Intimate and Personal Relationships between a Supervisor and a Supervisee are at high risk of being or becoming unwelcomed and perceived or experienced by the Supervisee and other subordinate employees as harassment, bullying, favoritism, or unfavorable actions. Such relationships are addressed in the Standards for Professional Conduct: Intimate and Personal Relationships policy.</u>

# Employee Responsibilities

## Discipline

Discipline may include both corrective action and more conclusive measures, up to and including termination. The appropriate level of discipline will be determined based on the facts of the disciplinary violations. Below are some examples of violations of workplace conduct:

- Insubordination
- Conduct unbecoming of a County employee
- Abuse of sick leave
- Violence in the workplace
- Poor attendance
- Theft
- Falsification of records
- Harassment
- Discrimination
- Retaliation
- Conflict of interest
- Infraction of County or department policy
- Improper use of County technology

*This list is not all inclusive*

# Social Media

While Williamson County encourages employees to enjoy and make good use of your off-duty time, certain activities may become a problem if they affect their work. An employee's online presence can reflect on Williamson County. The lines between public and private, personal and professional information are blurred in this context. Be aware that comments, posts, or actions captured via digital or film images can affect the image of Williamson County. If an employee is posting to personal networking sites and speaking about job-related content or about the County, the employee should identify him/herself and use a disclaimer to make it clear that the views are not reflective of the views of County. Subject to the restrictions below, generally, employees may use personal social media any way they choose. With these goals in mind, employees must follow these rules in their use of social media, both on and off duty:

- Employees are prohibited from publishing any personal information about themselves, another employee of Williamson County, applicants, or an associate of Williamson County in any public medium (print, broadcast, digital, or online) in any format (written, video or image) that:
  - Has the potential or effect of involving themselves, co-workers, or Williamson County in any kind of dispute or conflict with other employees or third parties.
  - Interferes with the work of any employee.
  - May create a harassing, demeaning, or hostile working environment for any employee.
  - Disrupts the smooth and orderly flow of work within the office, or the delivery of services to Williamson County's taxpayers or customers.
  - Harms the reputation of Williamson County among its taxpayers or in the community at large.
  - States falsities or is defamatory of others and the County.
  - Reveals information that should be treated as confidential (by law) and/or information regarding the personal or private conduct, health information, and affairs of that person and interaction with other people that is unrelated to the person's job performance or official duties for Williamson County is personal information.
- Workplace personal conduct standards, including but not limited to equal opportunity, anti-harassment and anti-discrimination, apply at all times. This prohibits posts containing obscene or sexually explicit language, images, acts and statements. Other forms of postings that ridicule, malign, disparage or otherwise express bias against any race, religion, disability, ethnic origin, sexual orientation or any other protected class of individuals are also prohibited.
- Employees may not use County equipment or facilities for non-work-related activities or business including social media. Personal social media activities should not be conducted while working or on the clock.
- Conducting oneself in such a way that his/her actions and relationships with others could become the object of gossip in the office, or causing unfavorable publicity for Williamson County in the community, is prohibited.
- If an employee creates a personal blog, they must provide a clear disclaimer that the views expressed in the blog are theirs alone, and do not represent the views of Williamson County. All information published on any blog(s) or other posting(s) should comply with ~~Williamson County confidentiality and disclosure policies~~local, state, and federal law. This also applies to comments posted on other social networking sites, blogs and forums.
- The Commissioners Court strongly recommends all County Departments/Offices abide by the Social Media Policy above.
- Any violations of this policy are subject to disciplinary action, up to and including termination.

# Employee Responsibilities

## Grievance Policy and Procedure

### Summary

This guidance does not alter the employment-at-will relationship in any way. Final decisions on grievances will not be precedent setting or binding on future grievances, unless they are officially stated as County policy. When appropriate, the decisions will be retroactive to the date of the employee's original grievance.

### Procedure for Employees in Elected Office Departments

For employees in offices of Elected Officials, the grievance process defined by the Elected Official should be followed. Elected Officials are the final appeal level for their respective departments.

For procedures to follow in the event of a grievance by an elected official, see:

- Chapter 152, Sec. 152.014 Local Government Code Informal Grievances

### Procedures for Employees in Non-Elected Office Departments

Employees may file a grievance at any time and cannot be retaliated against for the filing of the grievance. Employees are encouraged to discuss any issues with their supervisors/managers prior to filing a grievance.

An informal grievance is presented verbally. The first step in the informal grievance procedure:

- Attempt to resolve the grievance by an informal conference with the Supervisor.
- However, if the official or department head is the wrongdoer in instances of harassment, retaliation, or potential whistle blower activity the employee should immediately contact the Human Resource department.
- If the informal conference does not result in a satisfactory resolution of the problem, the formal grievance steps should be followed.

# Employee Responsibilities

## Grievance Policy and Procedure

### Formal Grievances

The steps for a formal grievance are as follows:

1. Must be in writing, signed and presented to the supervisor of the employee submitting the grievance, within 20 business days after the alleged issue occurred. A statement of the specific corrective action requested must be included in the written grievance. Grievance may be emailed to their supervisor, however, a copy must be printed, signed, and dated and given to their supervisor.
  - In the event that it would be inappropriate to address the grievance with said supervisor, such as when the supervisor is the wrongdoer, the employee should go to the Appointed Official/Department Head.
2. If the Appointed Official/Department Head is the wrongdoer in instances of harassment, retaliation, or potential whistleblower activity, the employee should contact Human Resources. The grievance will be investigated by Human Resources and they will meet with the parties involved, and propose a resolution to the employee within 20 business days. After being presented with a written and signed grievance, the supervisor will:
  - Immediately notify the Department Head and the Human Resource Department.
  - Meet with the employees involved and other people necessary to gather the facts.
  - Attempt to resolve the grievance with the employee.
  - Communicate the proposed resolution in writing to the employee and copy the Appointed Official/Department Head and Human Resources within 20 business days after the receipt of the grievance.
3. If the employee filing the grievance does not receive a written resolution from the supervisor within 20 business days, from the date the grievance was filed or is not satisfied with the proposed resolution, then:
  - They must file a written appeal, within ten business days, with the Appointed Official/Department Head along with a copy to the Human Resource Department.
4. The Appointed Official/Department Head will review the facts and the file, and may investigate the charges personally or through a designee.
  - The person(s) conducting the investigation may meet with the parties involved.
  - The Appointed Official/Department Head will respond in writing to the employee within 20 business days of the date the appeal was received.
5. If the Appointed Official/Department Head is appointed by the Commissioners Court, Juvenile Probation Board, or District Judges, and the employee who submitted the grievance does not receive a written resolution from the Appointed Official/Department Head within 20 business days of the date the grievance was appealed, (or if unsatisfied with the Appointed Official's/Department Head's proposed resolution)
  - A written appeal must be filed within ten business days, with the appropriate appointing authority (i.e., Commissioners Court, Juvenile Probation Board, Elections Board, Animal Shelter Board, or District Judges) through the Human Resource Department.
6. The appropriate appointing authority will then review the facts and the file and conduct an investigation, if deemed appropriate, before deciding. The appropriate appointing authority's decision is final. Longer intervals to facilitate investigation or fact-finding on behalf of the County may be appropriate depending upon the grievance and may increase the 20 business days response time, accordingly.



# DOT Regulated Drug & Alcohol Testing

## Introduction

This policy outlines the responsibilities of employees, supervisors and managers with regard to drug and alcohol testing of employees in safety-sensitive positions in accordance with U.S. Department of Transportation regulations, issued under the Omnibus Transportation Employee Testing Act of 1991.

## Policy Statement

It is the policy of the County to comply fully with the regulations mandating pre-use, random, reasonable suspicion and post-accident drug and alcohol testing in accordance with regulations issued by the U.S. Department of Transportation. This policy applies to employees whose job requires them to obtain and retain a Commercial Driver's License (CDL) and operate a Commercial Motor Vehicle (CMV) and/or perform safety-sensitive functions.

## Designated Employer Representative:

Human Resource Generalist

Servicing the Departments of Infrastructure, Unified Road Systems and Fleet Services.

512-943-1533, [humanresources@wilco.org](mailto:humanresources@wilco.org)

## Definitions

**Performing a Safety-Sensitive Function:** Any period in which the employee is actually performing, ready to perform, or immediately able to perform any safety-sensitive functions.

**Safety-Sensitive Function:** Any of the on-duty functions set forth in 49 CFR 395.2, and on-duty time.

**On Duty Time:** All the time from the time a driver begins work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. On-duty time shall include:

- All time at the County or shipper plant, terminal, facility, or other property of the County or shipper, or on public property, waiting to be dispatched, unless the driver has been relieved from duty by the County.
- All time inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle.
- All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- All time spent performing the driver requirements associated with an accident.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
- All time spent providing a breath sample or urine specimen, including travel time to and from the collections site, to comply with the random, reasonable suspicion, post-accident, or follow up testing required by 49 CFR 385.2.
- Performing any other work in the capacity, employ, or service of the County.
- Performing any compensated work for a person who is not the County.

# DOT Regulated Drug & Alcohol Testing

## **Prohibited Conduct**

### Alcohol Concentration

No employee shall report for duty or remain on duty requiring the performance of a safety-sensitive functions while having an alcohol concentration of 0.02 or greater, or perform or continue to perform safety-sensitive functions.

### On-Duty Use

No employee shall use alcohol while performing safety-sensitive functions.

### Pre-Duty Use

No employee shall perform safety-sensitive functions within four hours after using alcohol.

### Use following an accident

No employee required to take a post-accident alcohol test, shall use alcohol for eight hours following the accident, or until the employee undergoes a post-accident alcohol test, whichever occurs first.

### Refusal to Submit a Required Alcohol or Controlled Substance Test

No applicant shall refuse to submit to a pre-employment controlled substance test required under 382.301. No employee shall refuse to submit to a post-accident alcohol or controlled substance test required under 382.303, a random alcohol or controlled substances test under 382.305, a reasonable suspicion alcohol or controlled substance test required under 382.307, a return-to-duty alcohol or controlled substances test required under 382.309, or a follow-up alcohol or controlled substance test required under 382.311. No employee shall perform or continue to perform safety-sensitive functions, who refuses to submit to such tests.

### Controlled Substance Use

No employee shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any drugs or substances identified in 21 CFR 1308.11 Schedule I.

No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-schedule I drug or substance that is identified in the other schedules in 21 CFR part 1308 except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in 382.107, who is familiar with the employees medical history and has advised the driver that the substance will not adversely affect the employees ability to safely operate a commercial motor vehicle. Employees that perform safety-sensitive functions are required to inform Human Resources of any therapeutic drug use.

### Controlled Substance Testing

No employee shall report for duty, remain on duty or perform a safety-sensitive function, if the employee tests positive or has adulterated or substituted a test specimen for controlled substances.

Employees in violation of prohibited conduct are not authorized by Williamson County to operate a commercial motor vehicle or perform any safety-sensitive functions.

# DOT Regulated Drug & Alcohol Testing

## Circumstances for Testing

**Types of Tests:** To the extent practicable, all tests will be conducted during employees' normally scheduled work hours. All testing required by this policy will be conducted in accordance with the Omnibus Transportation Employee Testing Act of 1991 and drug testing guidelines and regulations issued by the Department of Transportation. The following tests are performed by 3rd party medical personnel and are required:

- **Pre-employment:** All applicants with a bona-fide job offer for employment in CDL positions or that perform safety-sensitive functions, candidates for transfer or promotion to such positions are subject to screening for improper use of alcohol or controlled substances.
- **Post-Accident:** Conducted following an occurrence involving a County owned commercial motor vehicle, while performing a safety-sensitive function, whose performance could have contributed to the accident, as determined by a citation for a moving traffic violation, or resulted in bodily injury to any person, or disables one or more motor vehicles as a result of the accident, and for all fatal accidents even if the driver is not cited for a moving traffic violation. Employee must remain available for such testing or will be deemed a refusal.
  - Alcohol tests should be conducted within 2 hours, but in no case more than 8 hours, after the accident.
  - Any Employee required to be tested but needs medical assistance, must get the needed medical assistance first.
  - CDL employees must refrain from all alcohol use until the test is complete.
  - Post-accident drug tests must be conducted within 32 hours.
  - Employee is placed on paid administrative leave until the results are confirmed.
- **Reasonable Suspicion:** Conducted when a trained supervisor or manager observes behavior or appearance that is characteristic of alcohol or illicit drug misuse.
  - If a CDL employee's behavior or appearance suggests alcohol or drug misuse, a reasonable suspicion test must be conducted.
  - If a test cannot be administered, the employee must be removed from performing safety-sensitive duties for at least 24 hours.
  - Testing for alcohol abuse must be based upon suspicion which arises just before, during or just after the time when the employee is performing safety-sensitive duties.
  - Testing for substance abuse may occur at any time upon suspicion.
  - Reasonable suspicion testing may only be conducted after consultation with the Senior Director of Human Resources and/or DER.
- **Random:** Conducted on a random, unannounced basis just before, during or after performance of safety-sensitive functions for alcohol or at any time for drugs.
  - Each year, the number of random alcohol tests conducted by the County must equal at least 25% of all the safety-sensitive CDL employees.
  - Random drug tests conducted by the County must equal at least 50% of all employees that require a CDL or perform safety-sensitive functions.
- **Return to Duty:** Conducted when an individual who has violated the prohibited alcohol or drug standards returns to performing safety-sensitive duties after successful complying with the recommended treatment and education, verified by the 3rd party substance abuse professional (SAP).
  - The SAP will develop the employees follow-up testing plan; outlining for the County the number and frequency of follow-up testing that will take place. Follow-up tests are random within the follow up period.
  - Must test negative for Drug and Alcohol prior to returning to duty.
  - Follow-up testing may be extended for up to sixty (60) months following the return to duty, determined by the SAP.

# DOT Regulated Drug & Alcohol Testing

## Testing Procedures

- **Alcohol:** DOT rules require breath testing using evidential breath testing (EBT) devices.
  - Two breath tests are required to determine if a person has a prohibited alcohol concentration.
  - A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. Therefore, any result with a 0.02 alcohol concentration or greater is considered a "positive" test. If the alcohol concentration is 0.02 or greater, a second, confirmation test must be conducted.
- **Drugs:** Drug testing is conducted by analyzing a employee's urine specimen, and must be conducted through a U.S. Department of Health and Human Services certified facility, which may conduct onsite collections.
  - Specimen collection procedures and chain of custody requirements ensure that the specimen's security, proper identification and integrity are not compromised.

### **DOT rules require a split specimen procedure.**

- Each urine specimen is subdivided into two bottles labeled as primary and split.
- Both bottles are sent to the laboratory.
- Only the primary specimen is opened and used for the urinalysis.
- The split specimen remains sealed at the laboratory.
- If the analysis of the primary specimen confirms the presence of illegal controlled substances, the employee has 72 hours to request that the split specimen be sent to another DHHS certified laboratory for analysis.

### **All urine specimens are currently analyzed for the following drugs:**

Marijuana (THC), Amphetamines, Opioids, Phencyclidine (PCP) and Cocaine.

## **Testing is conducted using a two-stage process.**

- First, a screening test is performed.
- If the test is positive for one or more of the drugs, a confirmation test is performed for each identified drug.
- Sophisticated testing requirements ensure that over-the-counter medications or preparations are not reported as positive results.

All drug tests are reviewed and interpreted by a 3rd party physician designated as a Medical Review Officer (MRO) before they are reported to the County.

- If the laboratory reports a positive result to the MRO, the MRO will contact the driver and conduct an interview to determine if there is an alternative medical explanation for the drugs found in the urine specimen.
- For all the drugs listed above, except PCP, there are some limited, legitimate medical uses that may explain a positive test result. The MRO will take into consideration when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
- If the MRO determines that the drug use is legitimate, the test will be reported to the Designated Employer Representative and the Senior Director of Human Resources as a negative result.
- Failure to cooperate with MRO requests will be considered a positive result.

# DOT Regulated Drug & Alcohol Testing

## Refusal to Submit to an Alcohol or Drug Test

Refusal to submit to an alcohol or controlled substances test means that a CDL employee:

- Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this policy.
- Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this policy.
- Refuses to wash his or her hands after being directed to do so during collection of a urine sample.
- Admits to the collector of a urine sample that he or she has adulterated or substituted their specimen.
- An observed collection of a urine sample, fails to follow the observer's instructions to raise his or her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he or she has any type of prosthetic or other device that could be used to interfere with the collection process.
- Possesses or wears a prosthetic or other device that could be used to interfere with the collection process.
- Behaves in a confrontational way that disrupts the collection process or otherwise engages in conduct that clearly obstructs the testing process.

The examples above are not all inclusive as there are other acts and circumstances that may be deemed as a refusal under Part 40 and DOT regulations. Refusal to test is considered a positive result. Employees who refuse to submit to an alcohol or drug test are prohibited from performing safety-sensitive functions and will be placed on unpaid administrative leave.

## Consequences of Alcohol/Drug Misuse and Refusals

Employees who perform safety-sensitive function that violate any of the prohibited conduct under the DOT Regulated Drug & Alcohol Testing policy or violates any other provisions of the DOT testing rules, the employee will be immediately removed from performing such duties.

- Disciplinary action, up to and including termination, may be imposed upon an employee who performs safety-sensitive functions that engages in prohibited alcohol or drug conduct or refuses to test.
  - A positive post-accident alcohol or drug test will result in termination.
  - The first time an employee alcohol test result is 0.02 or greater, but less than 0.04 will be placed on unpaid administrative leave for a minimum of 24 hours.
  - A second alcohol test with a result of 0.02 or greater, but less than 0.04 must be evaluated by a DOT approved substance abuse professional, and comply with any treatment recommendations to assist the employee with their alcohol or drug problem, at the employees expense, prior to returning to a safety-sensitive function.
- The first time a safety-sensitive employee tests positive for alcohol use greater than 0.04 or drug use, or refuses to test, and is not terminated, they must be evaluated by an DOT approved substance abuse professional (SAP), and comply with any treatment recommendations to assist the employee with their alcohol or drug problem, at the employees expense, prior to returning to a safety-sensitive function.
  - If this employee has agreed to participate in the SAP program and Return-to-Duty testing, he/she will be placed on unpaid administrative leave, unless FMLA qualifications are met, until the SAP program has been deemed successfully completed by the substance abuse professional.
  - After successfully completing the SAP requirements, the employee may be eligible to return to work.
  - If this employee tests positive for alcohol greater than 0.02 or drug use, a second time during the return to duty testing or after successful completion of the SAP/Return to Duty program, will be terminated.

# DOT Regulated Drug & Alcohol Testing

## Information/Training

- All personnel responsible for supervising and managing CDL employees must attend at least two hours of training on alcohol and drug misuse symptoms and indicators used in making determinations for reasonable suspicion testing.
  - Supervisors and managers will be instructed on the detection of abuse problems and the enforcement of the testing policy.
  - Educational information will be made available on Wilco 365 which will focus on the potentially dangerous effects of drug and alcohol use and abuse, the effects on job performance measured in loss of productivity, and the potential safety hazards presented to the individual employee, other employees and the public.

## Employee Assistance Program (EAP)

- All employees have access to Williamson County's EAP where they may receive assistance for alcohol or drug misuse.

*This Policy is a summary of the various rules and requirements that apply under the DOT and Federal Motor Carrier Act to certain employees. In all circumstances the applicable federal rules and regulations, as they may appear from time to time, control over any contrary, ambiguous, or omission related to the County Policy. Employees with questions about any issues related to the County's Policy or applicable rules should consult with the Designated Employer Representative or the Senior Director of Human Resources.*

For additional policy information contact the Human Resources Department  
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512-943-1533