

MADISON COUNTY EMPLOYEE PERSONNEL MANUAL

ACKNOWLEDGMENT

I will receive my copy of the **MADISON COUNTY PERSONNEL MANUAL** via email, which outlines my benefits and obligations as a Madison County Employee. I acknowledge that the provisions of these policies are part of the terms and conditions of my employment and I agree to abide by them. I accept responsibility for reading and familiarizing myself with the policies in this manual. I understand that it contains general personnel policies of the county. If I need clarification on any of the policies in this manual, I will contact my supervisor (or county personnel representative).

I understand that the Madison County Personnel Manual is not a contract of employment. I understand that I am an at-will employee and that my employment may be terminated by either myself or Madison County, at any time, with or without cause, and with or without notice.

I further understand that the personnel manual is intended to provide guidance in understanding Madison County's policies, practices and benefits. I understand that Madison County retains the right to change this manual at any time and to modify or cancel any of its employee benefits when the need for change is recognized.

I also acknowledge that as a county employee, I have a personal responsibility to provide quality service to the public, to achieve the highest degree of safety possible for my fellow workers and for myself, to continually make suggestions for improvement and to demonstrate a spirit of team work and cooperation. If at any time my immediate supervisor or my department head has reasonable suspicion that I am experiencing health problems, which may affect my ability to do my job which may endanger myself, my fellow workers, or the citizens of the county, then I agree to undergo a "fit for duty" physical at the county's expense.

It is further understood that I will be granted compensatory time off in lieu of payment of overtime to the extent provided by law and that I may use this time whenever I want, provided the time off requested would not cause a serious disruption in the work plans as determined by my supervisor.

I understand that I may be subject to reasonable suspicion or post-accident drug and alcohol testing. If I am required to have a Commercial Driver's License (CDL) for my county position, I will be subject to random, reasonable suspicion and post-accident drug and alcohol testing.

I agree that at the time I leave the employment of Madison County, any accumulated sick time will be placed in the sick pool program, up to the amount allowed by said program. I further understand that this sick pool agreement can be revoked at any time.

Signature of Employee_____

Printed Name of Employee_____

Date Signed_____

MADISON COUNTY



EMPLOYEE PERSONNEL MANUAL

TABLE OF CONTENTS

INTRODUCTION

1. PERSONNEL POLICIES

Implementation	1.01
Dissemination	1.02

2. EMPLOYMENT AND EMPLOYEE STANDARDS AND PRACTICES

Employment At-Will	2.00
Equal Employment Opportunity	2.01
Communication with Deaf/Blind Impaired	2.02
Employee Status	2.03
Nepotism	2.04
Recruitment and Selections	2.05
Training Period	2.06
Attendance and Timeliness	2.07
Outside Employment Activities	2.08
Responsibility of County Property	2.09
Telephone Use	2.10
Conflict of Interest	2.11
Political Activity	2.12
Harassment	2.13
Sexual Harassment	2.14
Smoking & Non-Smoking Tobacco	2.15
Drug & Alcohol	2.16
Drug & Alcohol (CDL Employees).....	2.17
Travel Expenses	2.18
Internet/E-Mail	2.19
Social Media	2.20
Personnel Records	2.21
Dress Code	2.22
Work Place Violence.....	2.23
Whistleblower	2.24
Licenses & Certificates	2.25
Retiree Rehires	2.26
Presence of Animals in and on County Property	2.27

3. BENEFITS AND LEAVE

Medical Insurance	3.00
Flexible Benefit Plan	3.01
Social Security	3.02
Worker's Compensation	3.03

TABLE OF CONTENTS

Return to Work	3.04
Employee Breaks	3.05
Holidays	3.06
Vacation	3.07
Sick Leave	3.08
Civil Leave	3.09
Military Leave	3.10
Leave Without Pay for Personal Reasons	3.11
Retirement Benefits	3.12
Family Medical Leave Act/Military Family Leave	3.13
Sick Leave Pool	3.14
Emergency Closings	3.15
 4. WAGE AND SALARY ADMINISTRATION	
Hours of Work, Workday, and Workweek	4.01
Pay Periods	4.02
Minimum Wage, Overtime Pay & Compensatory Time	4.03
Payroll Records	4.04
Payroll Reductions	4.05
Termination Pay	4.06
Compensation	4.07
Longevity Pay	4.08
Safe Harbor	4.09
IRS Fringe Benefits	4.10
 5. SEPARATION	
Separation	5.01
Layoffs	5.02
 6. DISCIPLINE	
Discipline	6.01
 7. GRIEVANCES	
Grievances	7.01

INTRODUCTION

Personnel policies in smaller local government jurisdictions frequently evolve through tradition and custom. Often, they are not even written into formal statements. As government grows and becomes more complex, even the very small jurisdiction finds that it must have clearly stated personnel policies for effective operation.

These personnel policies for Madison County have been developed to provide a better understanding of the relationship between the County and the citizens who serve the County as employees. This is done by:

- a. Defining the rights and privileges enjoyed by County employees;
- b. Stating the rules and regulations that apply to County employees;
- c. Outlining the expectations the County has of its employees;
- d. Providing a system of fair and consistent treatment for all employees; and
- e. Providing information and systems to increase the efficiency of the personnel management programs of the County.

Each of these policies and parts of policies are intended to stand independently. Therefore, if any policy or part of a policy becomes invalid because of federal or state law or other authority it shall not affect the validity or application of other policies or parts of policies.

Texas is an “employment at will” state and as an employee of Madison County, you have the right to terminate your employment at any time. Madison County retains the right to terminate your employment at any time, with or without notice, for any legal reason or no reason. The County also retains the right to change any terms, conditions, benefits or privileges of employment at any time without notice. No employment contract, either expressed or implied, shall exist between the County and any employee for duration, either specified or not specified.

INTRODUCTION

From time to time, it may be necessary to make changes in these policies as a result of changes in the County or its programs. When this occurs, all County employees shall be notified of the changes and the date the changes are to be effective.

The purpose of these policies is to serve the needs of both the employees and the County to the mutual benefit of both. Madison County is an equal opportunity employer. Madison County does not discriminate on the basis of disability. Any employee who has a question concerning any of Madison County's personnel policies is encouraged to discuss it with his or her elected official/department head.

This updated issue of the Madison County Personnel Policy Manual was adopted and signed by the Commissioners Court on the 25th day of September, 2017. This new manual supersedes all earlier manuals.

absent

C.E. McDaniel, Jr.
County Judge

Ricky Driskell

Ricky Driskell, Commissioner Precinct #1

Carl Cannon

Carl Cannon, Commissioner Precinct #3

Thomas Collard

Thomas Collard, Commissioner Precinct #2

Sam Cole

Sam Cole, Commissioner Precinct #4

Attest:

Susanne Morris

Susanne Morris, County Clerk



COUNTY OF MADISON
COMMISSIONERS COURT ORDER

WHEREAS the Madison County Commissioners Court desires to provide the employees of Madison County with a uniform format for dealing with various employment related issues; and

WHEREAS the Madison County Commissioners Court wishes to adequately communicate to employees the policies and procedures of the County:

THEREFORE, BE IT RESOLVED that the Madison County Commissioners Court hereby approves and adopts the MADISON COUNTY PERSONNEL MANUAL.

Adopted this 25th day of September, 2017.

absent

County Judge

Ricky Driskell
Ricky Driskell, Commissioner Pct. #1

Thomas Collard
Thomas Collard Commissioner Pct. # 2

Carl Cannon
Carl Cannon, Commissioner Pct. #3

Sam Cole
Sam Cole, Commissioner, Pct. #4

Witnessed and Attested By:

Susanne Morris
Susanne Morris, County Clerk



MADISON COUNTY PERSONNEL MANUAL

Welcome to Madison County!

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

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

This personnel manual contains some key policies, benefits, and expectations of Madison County, and other information you will need. Each elected or appointed official may have detailed policy and procedures manuals for their office.

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

Welcome aboard!

absent

C.E. McDaniel, Jr.
County Judge

Ricky Driskell

Ricky Driskell, Commissioner Precinct #1

Carl Cannon

Carl Cannon, Commissioner Precinct #3

Thomas Collard

Thomas Collard, Commissioner Precinct #2

Sam Cole

Sam Cole, Commissioner Precinct #4

Attest:

Susanne Morris

Susanne Morris, County Clerk



**IMPLEMENTATION AND ADMINISTRATION
OF PERSONNEL POLICIES**

IMPLEMENTATION:

Each elected official of Madison County shall be responsible for the administration and implementation of these personnel policies in all departments for which he/she has administrative, managerial or supervisory responsibility.

VIOLATION OF POLICIES:

Any employee who knowingly and intentionally violates any personnel policy of Madison County shall be subject to disciplinary measures.

DISSEMINATION OF PERSONNEL POLICIES

MASTER PERSONNEL MANUAL:

A master Personnel Manual, which contains the original of all personnel policies in effect for Madison County, shall be maintained in the Human Resource Department.

Copies of the complete Personnel Manual shall be maintained in each department. All new hires shall receive a copy of the complete Personnel Manual via email.

PERSONNEL POLICY COORDINATOR:

The Human Resource Department shall serve as the County's Personnel Policy Coordinator. The duties of the Personnel Policy Coordinator shall include:

- a. Maintaining the master Personnel Manual and updating the manual whenever a change, addition or deletion is made in the County's personnel policies;
- b. Providing each elected official/department head with copies of new or changed policies and information when policies are deleted so that the elected official/department head will be able to update the department's copy of the Personnel Manual when a change, addition or deletion is made;
- c. Coordinating recommendations for additions, deletions and changes in personnel policies;
- d. Developing and implementing a system for notifying all County employees whenever a change, addition or deletion is made in the County's personnel policies; and
- e. Conducting a periodic review of all personnel policies to determine if they are consistent with actual practices and in compliance with all legislation relating to the personnel function and the relationship between the employer and the employee.

DISSEMINATION OF PERSONNEL POLICIES

Each elected official/department head shall be responsible for:

- a. Telling each employee of his/her responsibility for being familiar with the policies; and
- b. Taking active steps to see that each employee becomes knowledgeable of the policies.

ACCESS TO POLICY MANUALS:

All employees shall have the right to review the master Personnel Manual or the copy of the Personnel Manual found in their departments at any time during the normal workday or at other times approved by the Human Resource Department or the employee's elected official/department head.

EMPLOYMENT AT-WILL

All employment with Madison County shall be considered “at will” employment. No contract of employment shall exist between any individual and Madison County for any duration, either specified or unspecified. No provision of this employee handbook shall be construed as modifying your employment at will status.

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

Madison County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice. Employees of Madison County shall have the right to leave their employment with the County at any time, with or without notice.

EQUAL EMPLOYMENT OPPORTUNITY & ADA

EQUAL EMPLOYMENT OPPORTUNITY:

Elected and appointed officials, department heads, supervisors, and employees of Madison County shall not discriminate on the basis of race, color, religion, political affiliation, disability, national origin, sex, age, veteran status, genetics, sexual orientation or any other category protected by law, in any aspect of employment, including but not limited to recruitment, selection, hiring, training, pay rates, promotions, termination, discipline, layoff, or use of employee facilities or programs, unless age or sex is a bona fide occupation qualification (BFOQ) or where it is required by state or federal law.

Any employee who believes that there has been a violation of this policy shall report the violation to their elected official/department head and/or a member of Commissioners Court, the County Judge or District Attorney immediately.

No employee of Madison County shall in any way be retaliated against for reporting discrimination in good faith or for participating and cooperating in good faith in the reporting or investigating of such a complaint.

REASONABLE ACCOMMODATION:

Reasonable accommodation shall be made for otherwise qualified individuals with disabilities when such accommodations do not impose undue hardship on Madison County, to afford them the same opportunities for selection and all conditions and privileges of employment as non-disabled applicants and employees.

Madison County will engage in an interactive dialogue under the Americans with Disabilities Act to identify potential accommodations, and determination of reasonable accommodation shall be made through consultation with the employee or applicant and when necessary through outside consultation. Any request for accommodation shall be made to the elected official/department head.

Madison County is also committed to compliance with Title II of the Americans with Disabilities Act Amendment Act, relating to the provision of public services to individuals with disabilities. All officials and employees shall comply with County policies relating to the provision of aids, auxiliary services, and other accommodations for individuals with disabilities.

**COMMUNICATION WITH PEOPLE WHO ARE
DEAF, HARD OF HEARING OR DEAF-BLIND**

It is the policy of Madison County, Texas (“County”) to ensure that a consistently high level of service is provided to all community members, including those who are deaf, hard of hearing or deaf-blind. The County has specific legal obligations under the Americans with Disabilities Act. To carry out these policies and legal obligations, the County instructs its employees as follows:

- (1) People who identify themselves as deaf, hard of hearing or deaf-blind are entitled to the same level of service provided to others.
- (2) The County will make every effort to ensure that its employees communicate effectively with people who have identified themselves as deaf, hard of hearing or deaf-blind.
- (3) Effective communication with a person who is deaf, hard of hearing or deaf-blind and who is involved in an incident—whether as a victim, witness, suspect, arrestee or otherwise—is essential in ascertaining what actually occurred, the urgency of the matter, and the specifics of the situation.
- (4) Various types of communication aids—known as “auxiliary aids and services”—are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication, exchange of written notes, use of a computer or typewriter, use of assistive listening devices (to amplify sound for persons who are hard of hearing), or use of qualified oral, sign language or tactile interpreters.
- (5) The type of aid that will be required for effective communication will depend on the individual’s usual method of communication, and the nature, importance, and duration of the communication at issue.
- (6) In many circumstances, oral communication supplemented by gestures and visual aids, and exchange of written notes, use of a computer or typewriter, or use of an assistive listening device may be effective. In other circumstances, qualified oral, sign language or tactile interpreters are needed to communicate effectively with persons who are deaf, hard of hearing or deaf-blind.

**COMMUNICATION WITH PEOPLE WHO ARE
DEAF, HARD OF HEARING OR DEAF-BLIND**

- (7) To serve each individual effectively, primary consideration should be given to the communication aid or service that works best for that person. County employees may ask persons who appear to be deaf or hard of hearing whether they need any type of auxiliary aid or service. County employees will make the effort to defer to those expressed choices, unless there is another equally effective way of communicating, given the circumstances, length, time constraints, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing.
- (8) The County is not required to provide a particular auxiliary aid or service if doing so would fundamentally alter the nature of the service or activity in question, including law enforcement, or if would cause an undue administrative or financial burden. Only the County or its designee may make this determination.
- (9) The input of people who are deaf, hard of hearing or deaf-blind who are involved in incidents is just as important to the law enforcement process as the input of others.
- (10) Auxiliary aids or services are to be provided free of charge.

EMPLOYEE STATUS

Each county position has an employee status that identifies how the position is paid and how benefits are granted by Commissioners Court. This policy defines both health insurance and retirement benefits. The status of an employee cannot be changed without the approval of the Commissioners Court. Full time employees will be eligible for health insurance. All other classifications must be included in the county initial and/or standard measurement periods for the Affordable Care Act.

Regular Full Time: A full time employee shall be any employee in a position who has a normal work schedule of at least thirty (30) hours per week. Full time employees are eligible for county health insurance and retirement benefits. Other county policies will dictate eligibility for other benefits. Employees may be non-exempt, hourly employees or exempt employees. Non-exempt employees are eligible for overtime compensation. Exempt employees are not eligible for overtime compensation. Madison County makes exempt status determination based on the Fair Labor Standards Act.

Regular Part Time: A part time employee shall be any employee in a position who has a normal work schedule of less than thirty (30) hours per week. All regular part time employees must be placed on TCDRS retirement regardless of the number of hours worked per week. Other county policies will dictate eligibility for other benefits.

Temporary Seasonal: A seasonal employee shall be any employee who is hired into a position that lasts six (6) or less months and begins at approximately the same time each year. Examples may include, but are not limited to, lifeguards, summer mowers, and election workers. The county must define and document the season that the employee is being hired for. Seasonal employees can be either part time or full time, and they do not qualify for health insurance through the county under the Affordable Care Act. Temporary seasonal employees are not eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits.

Regular Variable Hour: A variable hour employee shall be any employee for whom the county cannot determine the average amount of hours that the employee will work each week – hours are variable or indeterminate at the time of the employee's start date. If the employee works an average of thirty (30) or more hours a week in the measurement period, the employee will be eligible for health insurance through the county under the Affordable Care Act. If an employee's schedule becomes regular, then the employee shall be reclassified as full or part time depending on the hours worked. Regular variable hour employees are eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits.

EMPLOYEE STATUS

Temporary Part Time: A temporary short term part time employee shall be any employee who is expected to work less than thirty (30) hours each week in a position that is expected to last for a specific period of time or until a specific project is completed, but no longer than 12 months. If this project goes beyond 12 months, the employee will move into a regular part time status. Temporary short term part time employees are not entitled to any benefits under the Affordable Care Act and are also not eligible for retirement benefits under TCDRS. Other county policies will dictate eligibility for other benefits.

NEPOTISM

HIRING OF RELATIVES:

Texas Government Code Chapter 573, a Public Official of Madison County is prohibited from hiring a relative related within the third degree of consanguinity (blood) or within the second degree of affinity (marriage) to work in a department that he or she supervises or exercises control over.

A degree of relationship is determined under Texas Government Code Chapter 573. (See the charts that follow.)

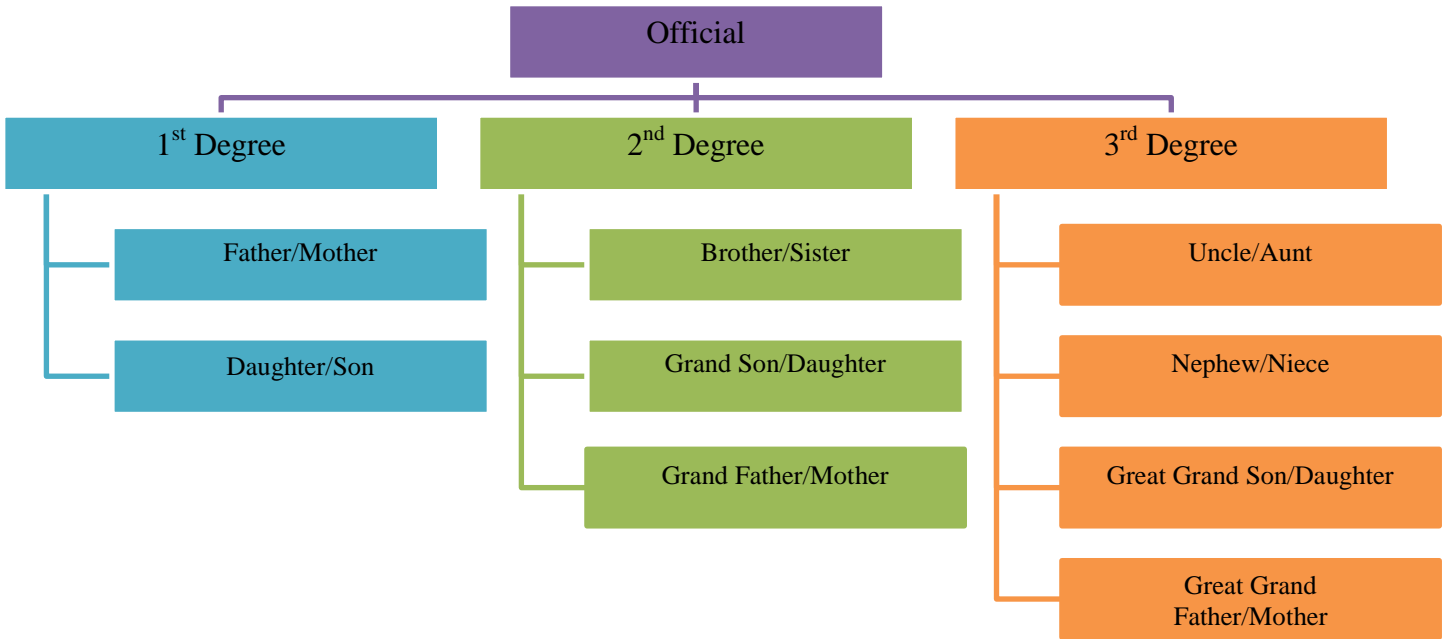
CONTRACT EMPLOYEES:

A relative of an elected or appointed official of Madison County shall not be hired on a contract basis unless the following criteria are met and the Commissioners Court gives approval:

- a. All reasonable efforts were made to get contract bids from other qualified individuals in the area;
- b. The cost/quality ratio of the work expected from the individual is the most favorable of all bidders; and
- c. The relationship created by the contract is not detrimental to the interest of the County and is, in fact, determined to be in the best interest of the County by the Commissioners Court.

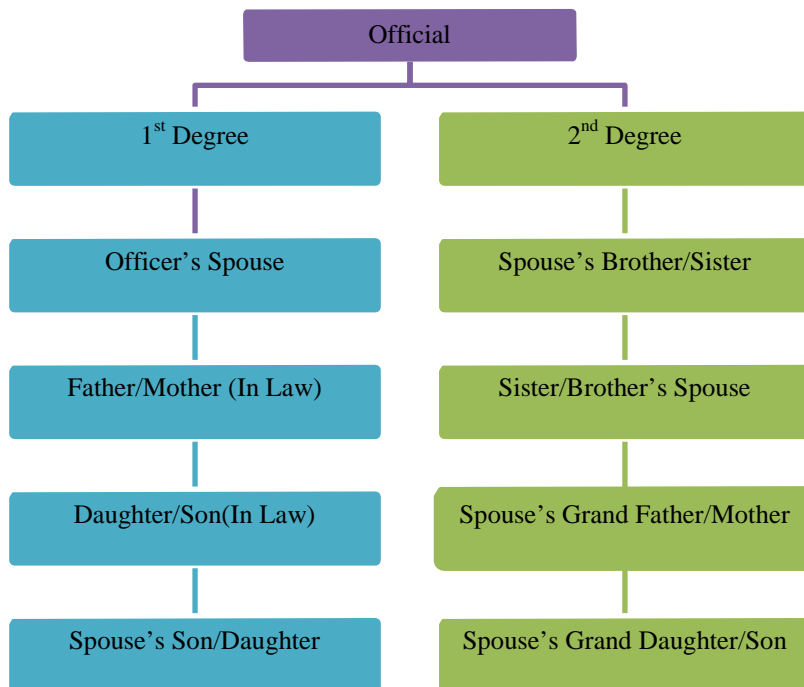
**CONSANGUINITY KINSHIP CHART
(Blood)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**



**AFFINITY KINSHIP CHART
(Marriage)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**



RECRUITMENT AND SELECTION

Recruitment of qualified applicants to fill openings on the staff of Madison County shall include, but not be limited to, public postings in the Madison County Courthouse.

Public postings shall be posted on the Courthouse bulletin board for a minimum of 24 hours. Posting shall be a notice of job title, office, brief description of the duties, experience and educational requirements, supervisor's name and the closing date of all newly created or vacated jobs.

APPLICATION:

An individual who is not a current employee of Madison County shall be required to fully complete an application for employment form provided by the County before he/she can be considered to be an applicant for any position in the County.

The personnel file of current County employees applying for open positions shall serve in lieu of having to complete a new application form.

Applications for any open position in the County may be made at the County Judge's office or at the office of the elected official/department head having the opening. The applications are considered active for one year, after which time, applicants would need to resubmit an application.

DISQUALIFICATION:

An applicant, if hired, shall be terminated if he/she:

- a. Has knowingly made a false statement on the application form or any other documents related to or which have bearing on the selection process;
- b. Has committed or attempted to commit a fraudulent act at any stage of the selection process; or
- c. Is not legally permitted to hold the position.

RECRUITMENT AND SELECTION

SELECTION:

It shall be the policy of Madison County to select the best qualified applicant to fill any open position as determined by the elected official/department head.

Steps in determining an applicant's overall suitability for a position shall include but not be limited to:

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

RETENTION OF APPLICATIONS:

Applications of individuals applying for employment with Madison County shall specify the type of job the applicant is seeking. All applications shall be maintained in the County Judge's office for a period of one year. At this time applicants need to re-apply.

The applications kept in the County Judge's office may be reviewed during normal working hours by any elected official/department head having an opening in his or her department. (2 year retention policy for applications for non-hired and 5 year retention for those hired)

PERSONNEL FILES

The Madison County Human Resource Department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, insurance applications, as well as, records concerning performance, discipline and compensation.

It is important that the personnel records of Madison County be accurate at all times. In order to avoid issues, compromising your benefit eligibility or having W2's returned, Madison County requests employees to promptly notify the appropriate personnel representative of any change in name, home address, telephone number, marital status, number of dependents, or of any other pertinent information.

The Public Information Act allows county employees to keep their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether you have family members confidential. You may keep this information private by requesting in writing not to allow this information to be released to the public no later than 14 days after your first day of employment.

TRAINING PERIOD

NEW EMPLOYEES:

Each new employee shall be subject to a training period of six months after being employed.

“NO FAULT” SEPARATION:

During the training period, if the elected official/department head decided, for any reason, that the new employee is not suited for the job or that the employee’s continued employment may not be in the best interest of the County, the elected official/department head may initiate an immediate “no fault” separation, which will not reflect negatively in the employee’s records.

During the training period, if the new employee, for any reason, feels that his/her employment with the County may not be in his/her best interest, the employee may initiate an immediate “no fault” resignation, which will not reflect negatively in the employee’s personnel records.

SALARY DURING TRAINING PERIOD:

During the training period, a new employee’s salary shall be the rate for the position in which employed, as set by the elected official/department head and approved by Commissioners Court.

RIGHT OF APPEAL:

A new employee who receives a “no fault” separation under the provisions of this policy shall have no right to appeal the separation except on the grounds of discrimination prohibited by law.

In cases of appeal on the basis of discrimination, the employee must submit his/her appeal to the Commissioners Court through the County Judge.

The Commissioners Court will review the facts of the situation and make recommendations to the elected official/department head involved if the Court feels that further action or consideration is necessary. The elected official’s decision is final.

EMPLOYEE ATTENDANCE AND TIMELINESS

ATTENDANCE:

Each employee shall report for work on each day he/she is scheduled to work unless proper approval is given by the employees elected official/department head or the employee is unable to report for work due to circumstances beyond the control of the employee.

TARDINESS:

Each employee shall be at his/her place of work in accordance with the starting time established for his/her position unless prior approval is given by the elected official or department head or the employee is unable to be at work for reasons beyond the control of the employee.

Each employee shall remain on the job until the normal quitting time for his/her job unless permission to leave early is given by the employee's elected official/department head.

NOTIFICATION:

If an employee is tardy or absent without prior approval, the employee shall be responsible for notifying his/her elected official/department head as soon as it is practical as to the circumstances causing the tardiness or absence.

EXCUSED AND UNEXCUSED:

In deciding whether a tardiness or absence without prior approval is to be classified as approved or unapproved, the elected official/department head shall be responsible for determining if the employee was tardy or absent due to circumstances beyond the reasonable control of the employee.

EXCESSIVE ABSENCE OR TARDINESS:

Frequent unexcused absences or tardiness shall make an employee subject to disciplinary measures.

OUTSIDE EMPLOYMENT AND ACTIVITIES

OUTSIDE ACTIVITIES:

Madison County employees are expected to give their full and undivided attention to their job duties. They should not use Madison County facilities or equipment or their association with Madison County to carry on a private business or profession. Unless express approval is obtained in advance and in writing from their immediate supervisor, county employees should not engage in a profit-making business nor become involved with a non-profit organization outside of their employment with Madison County that interferes with the employee's assigned duties with Madison County.

An employee of Madison County shall not engage in any activity or other employment, which will adversely affect his/her ability to effectively carry out the duties and responsibilities of his/her job.

All county employees must notify the elected official/department head of any and all outside employment.

RESPONSIBILITY OF COUNTY PROPERTY

COUNTY PROPERTY USAGE:

Each county employee shall be responsible for the care, maintenance, proper use, and upkeep of any County equipment assigned to him/her. County employees shall only use equipment, tools, and other County property that they are authorized to use. Personal use of county equipment, supplies, tools, and any other county property is not permitted and may result in discipline up to and including termination. Improper use may subject you to criminal prosecution.

COUNTY VEHICLE USAGE:

Some employees may be required to use county vehicles as a part of their job. Employees who are assigned county vehicles shall be responsible for the care, maintenance, proper use and upkeep of these vehicles. Employees may only use the vehicles they are authorized to use. Employees may not allow other individuals to operate the vehicles they have been assigned.

If personal use of a county vehicle is permitted the employee will be required to keep a log of all personal miles driven, including to and from work. These personal miles will be subject to payroll taxes at the current IRS rate in accordance with IRS rules and regulations.

Employees who operate vehicles must maintain a current active license for the operation of that vehicle. If they have any change in status of their license they must immediately notify their supervisor. An employee whose job involves operation of a vehicle requiring a license for its legal operation shall be subject to possible job change, demotion or termination if that license is suspended or revoked.

An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle liability carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change, demotion or termination.

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

TELEPHONE USE

COUNTY TELEPHONE:

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

PERSONAL USE:

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

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

LONG DISTANCE:

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

CELL PHONE USAGE:

Madison County determines on a case by case basis the need for county provided cell phones. County cell phones are to be used for business purposes only.

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

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

Employees in possession of a Madison County owned cellular phone are required to take appropriate precautions to prevent theft and vandalism.

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

CONFLICT OF INTEREST

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

Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination and these actions may have criminal consequences for employees.

Activities which constitute a conflict of interest shall include but not be limited to:

1. Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
2. Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
3. Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County;
4. Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and his or her duties for the County; or
5. Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

POLITICAL ACTIVITY

Employees of Madison County shall have the right to support candidates of their choice and to engage in political activity during their personal time.

County employees shall not:

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

HARASSMENT

Madison County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, race, color, religion, national origin, age, genetic information, pregnancy, disability, family or military leave status or veteran's status. Such conduct becomes harassment when:

1. the submission to the conduct is made a condition of employment;
2. the submission to, or rejection of, the conduct is used as the basis for an employment decision; or
3. the conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Madison County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the county does business.

Employees who feel they have been harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

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

Retaliation against an employee who reports harassment or who cooperates in the investigation is prohibited by law as well as this policy. Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Remedial action will be taken in accordance with the circumstances when the county determines unlawful harassment or retaliation has occurred, up to and including termination.

SEXUAL HARASSMENT

Sexual harassment is strictly prohibited by Madison County, whether committed by elected official, appointed official, department head, co-worker or non-employee the county does business with. It is the policy of Madison County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.

Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where:

1. the submission to such conduct is either an expressed or implied condition of employment; or
2. the submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
3. the conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

All claims of sexual harassment shall be taken seriously and investigated promptly and thoroughly. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.

Employees who feel they have been sexually harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

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

Use the following procedures so that your complaint maybe resolved quickly and fairly.

SEXUAL HARASSMENT

- a. When practical, confront the harasser and ask them to stop the unwanted behavior.
- b. Record the time, place and specifics of each incident, including any witnesses.
- c. Report continuing sexual harassment to the Elected Official or Appointed Official who is responsible for your department or to the County Judge or the County Attorney.
- d. If a thorough investigation reveals that unlawful sexual harassment has occurred, Madison County will take effective remedial action in accordance the circumstances, up to and including termination.

Retaliation against an employee who reports sexual harassment or who cooperates as a witness in the investigation is prohibited by law as well as this policy.

Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

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

SMOKING AND NON-SMOKING TOBACCO

In recognition of the of Madison County's responsibility to provide a safe and healthy work environment for all employees and visitors, smoking, E-cigarettes and any other tobacco products such as chewing tobacco are prohibited in all county facilities and vehicles.

Employees and visitors desiring to use tobacco products will be permitted to do so outside of county facilities. Smoking outside of county building must be done only in designated areas.

Absences from the worksite for smoking breaks should be kept to a minimum and work assignments always take priority over such absences.

DRUG AND ALCOHOL

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

This policy applies to all employees of Madison County regardless of rank or position and shall include full time, part time and temporary employees.

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

An employee may not unlawfully manufacture, distribute, dispense, possess, sell, purchase, or use a controlled substance or drug paraphernalia on Madison County property or while conducting Madison County business not on Madison County property.

An employee may not be under the influence of alcohol or illegal drugs while on Madison County property or while on duty for the Madison County.

An employee may not possess or use unauthorized prescription or over-the-counter drugs while on Madison County property or while on duty for the Madison County. An employee may not use prescription or over-the-counter drugs while on Madison County property or while on duty for the Madison County in a manner other than that intended by the manufacturer or prescribed by a physician.

An employee may use prescription and over-the-counter drugs in standard dosage or according to a physician's prescription if the use will not impair the employee's ability to do his or her job safely and effectively. An employee must keep prescription medications used at work in their original container.

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

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

A supervisor must treat any information related to an employee's authorized use of prescription medications and any other medical information provided by the employee as confidential information.

DRUG AND ALCOHOL

An employee having problems with drugs or alcohol is encouraged to seek treatment from a qualified professional. Information on benefits provided for treatment of alcohol and drug abuse problems provided by the County's health plan program is available in the employee's health plan booklet.

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

Any employee who admits to drug use may be terminated. An employee who voluntarily asks for time off to get treatment and recover from a drug or alcohol abuse problem will be given protections as required by law. Upon returning to work from a bona fide inpatient treatment facility, the employee will be subjected to a volunteer drug testing program as often as monthly until there is evidence the employee no longer uses. Failure to comply with the requirements of the post rehabilitative program including refusing the volunteer testing program will result in termination. The post rehabilitative program will last for as long as two years. If at any time the employee tests positive, or refuses the volunteer drug test during this post rehabilitative program the employee will be terminated.

DRUG AND ALCOHOL

DEFINITIONS:

COUNTY PREMISES: All County property including vehicles, lockers, and parking lots.

COUNTY PROPERTY: All County owned or leased real and personal property used by employees such as vehicles, lockers, desks, closets, etc.

CONTROLLED SUBSTANCE: Any substance listed in Schedule I-V of Section 202 of the Controlled Substance Act (21 U.S.C. S-812), as amended. Copies are maintained for employee review by the Madison County Safety Coordinator.

DRUGS: A drug is any chemical substance that produces a physical, mental, emotional or behavioral change in the user.

DRUG PARAPHERNALIA: Equipment, a product or material that is used or intended for use in concealing an illegal drug or for use in injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug or controlled substance.

EMPLOYEE: Any person employed either full-time, part-time or temporary by Madison County, including elected and appointed officials.

FITNESS FOR DUTY: To work in a manner suitable for the job. To determine “fitness”, a medical evaluation may include drug and/or alcohol testing.

ILLEGAL DRUGS: An illegal drug is any drug or derivative thereof which the use, possession, sale, transfer, attempted sale or transfer, manufacture or storage of is illegal or regulated under any federal, state or local law or regulation and any other drug, including a prescription drug, used for any reason other than a legitimate medical reason and inhalants used illegally. Included is marijuana or cannabis in all forms.

REASONABLE SUSPICION: Supported by evidence strong enough to establish that a policy violation has incurred.

TESTING: Is generally defined as a urine or breath testing to determine drug content. Any employee may be tested for drug or alcohol use when there is “reasonable suspicion” that:

1. Use of a substance is affecting performance; or
2. The employee is engaged in any of the prohibited acts/activities listed in this policy.

DRUG AND ALCOHOL

UNDER THE INFLUENCE: A state of having an alcohol concentration of 0.08 or more, where “alcohol concentration” has the meaning assigned to it in Texas Penal Code Chapter 49, Revised Statutes; or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of any alcoholic beverage or a controlled substance.

EMPLOYEE TESTING:

Madison County reserves the right under “reasonable suspicion” to require drug testing as a condition of their employment.

GENERAL POLICY PROVISIONS:

Any of the following actions constitutes a violation of the Policy and may subject an employee to disciplinary action to include immediate termination:

- A. Using, selling, purchasing, transferring, possessing, manufacturing or storing an illegal drug or drug paraphernalia, or attempting or assisting another to do so, while in the course of employment or engaged in a County sponsored activity, on premises, in owned, leased or rented vehicles, or on County business.
- B. Working or reporting to work, conducting County business or being on County premises or in a County-owned, leased or rented vehicle while under the influence of an illegal drug, alcohol or in an impaired condition.

SEARCH:

Search procedures, conducted under reasonable suspicion such as inspections of employee’s personal property including vehicles, briefcases, lunch boxes, or tool boxes, will be maintained as part of the County’s security measures. All employees will be expected to cooperate as a condition of continued employment with special drug/alcohol searches of personal vehicles on County property, purses, clothing, briefcases, or other employee personal property when there is reasonable suspicion to believe that an employee may be in possession of drugs or alcohol. Searches on County premises and County property can be conducted at any time. Said searches will be conducted by the Madison County Sheriff’s Department, or other persons so designated by the County Judge.

PRESCRIPTION DRUGS:

The County at all times reserves the right to have a licensed physician determine if use of a prescription drug or medication by an employee produces effects which may increase the risk of injury to the employee or others while working. If such a finding is made, the County reserves the right to limit or suspend the work activity of the employee during the period that the physician advises that the employee’s ability to perform his/her job safety may be adversely affected by the consumption of such medication.

DRUG AND ALCOHOL

CORRECTIVE ACT:

Any employee involved in a work related accident may be subject to urine or breath testing for drug or alcohol use or abuse.

COORDINATION WITH LAW ENFORCEMENT AGENCIES:

The sale, use, purchase, transfer or possession of any illegal drug or drug paraphernalia is a violation of the Law. The County will report information concerning possession, distribution, use of any illegal drugs to law enforcement officials and will turn over to the custody of law enforcement officials any such substances found during a search of an individual or property. Searches will only be conducted on individuals based on reasonable suspicion and of their vehicles, lockers, desks, or closets when based on reasonable cause. The County will cooperate in the prosecution and/or conviction of any violation of the law.

DRUG ABUSE ASSISTANCE PROGRAMS:

Presently the County has no Drug and Alcohol Abuse Rehabilitation Programs in effect. However, the employee should check with their medical insurance carrier (if applicable) to determine if substance abuse expenses are covered. Information can also be obtained from the Madison County Safety Coordinator. The employee's private physician can also provide information of available programs.

There is not available at this time a drug and alcohol abuse education and treatment program through Madison County. However, if an employee is found to be in violation of this policy, he or she may be required to seek substance abuse rehabilitation as a condition of their employment. If this should be required, the cost of the treatment is to be borne by the employee.

RESERVATION OF RIGHTS:

The County reserves the right to interpret, change, suspend, cancel or dispute, with or without notice, all or any part of this policy, procedures, and/or benefits discussed herein. Employees will be given 10 days notice before the implementation of any change.

Although adherence to this Policy is considered a condition of continued employment, nothing in this Policy alters an employee's status and shall not constitute nor be deemed a contract or promise of employment. Employees remain free to resign their employment at any time for any or no reason, and without notice. The County retains the right to terminate any employee at any time, after positive proof of drug or alcohol abuse upon violation of this substance abuse policy.

DRUG AND ALCOHOL
(CDL EMPLOYEES)

OTHER LAWS AND REGULATIONS:

- A. Under the Omnibus Transportation Employee Testing Act of 1991, the Department of Transportation (DOT) was given the responsibility of establishing regulations for drug and alcohol testing to comply with the Act. On February 15, 1994, final rules were issued by DOT (49 CFR Part 382), which became effective on March 17, 1994. These rules affected virtually every driver in a position requiring a commercial driver's license (CDL). Any driver in a position requiring a CDL and who operates a commercial motor vehicle, which meets the following definition is subject to the drug and alcohol regulations:
1. Has a gross combination rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
 2. Has a gross weight rating of 26,001 or more pounds;
 3. Is designed to transport 16 or more passengers including the driver; or
 4. Is any size transporting hazardous materials requiring placards.
- B. The provisions of this Policy shall apply in addition to, and shall be subordinated to, any requirements imposed by applicable federal, state or local laws, regulations or judicial decisions. Unenforceable provisions of this policy shall be deemed to be deleted.

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

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

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

A detailed policy and procedure is available at the Human Resource office.

TRAVEL EXPENSES

GENERAL:

Section 152.011 of the Texas Local Government Code gives the commissioners court the authority to set travel expenses and other allowances for all county officials and employees. The County Commissioners Court allows reimbursement of travel expenses for county officials and employees who travel on official county business when funds have been allocated in departmental budgets for that purpose.

OUT OF COUNTY TRAVEL WITH OVERNIGHT STAY:

An employee whose duties require travel outside the county for a period which does require an overnight stay shall receive a \$43.00 per diem per day allowance for meals. Per diem amount for the traveling day will be \$12.00 for breakfast, \$14.00 for lunch and \$17.00 for dinner dependent upon the time of arrival or departure. Arrival or departure times must be submitted with travel reimbursement request. (Example: If leaving Madison County at 11 am on Tuesday, gone for Wednesday and Thursday, return on Friday at 4 pm, would receive per diem of $14+17+43+43+12+14 = \$143.00$) Should meals be provided during the conference/meeting, the per diem rate will not be reduced. The rate for hotel parking is not to exceed \$20.00 per day or the self-parking rate at the conference hotel. The rate for car rentals is not to exceed \$40.00 per day inclusive of all fees and charges, plus insurance and taxes. All other expenses will be at actual costs.

OTHER REQUESTS FOR REIMBURSEMENT:

All other requests for reimbursement, including lodging, must have supporting documentation in order for the traveling employee to be reimbursed. If a receipt is lost, traveling county employee may turn in an affidavit declaring the expense was true and valid after every attempt to locate the receipt has been made. Madison County will not reimburse personal expense (i.e. phone calls, dry cleaning, movie rentals, etc). Madison County will not reimburse alcoholic beverage expenses.

TRAVEL EXPENSES

VEHICLE MILEAGE ALLOWANCE:

The County will pay the traveling county employee the current IRS published rate for each mile of use of personal automobile while traveling on official county business. The mileage payment will be based on the most direct route from the county to destination where county business takes place plus a reasonable reimbursement for business mileage traveled while at destination. No other automobile expense will be paid to the traveling county employee other than the fixed price per mile as approved by Commissioners Court.

REQUESTS FOR TRAVEL ADVANCE:

Madison County employees may request travel advances for meals, hotel, mileage or other transportation means. The travel advance must be accompanied by the appropriate form along with the conference/meeting agenda. The advance shall be requested at least by 10 a.m. on the Tuesday before the 2nd and 4th Mondays of each month to allow for Commissioners Court approval.

All travel advances must be cleared in the County Auditor's office within two (2) business days of return. If the advance is not cleared within two business days, no further advances will be paid to the employee. Madison County may advance expenses of conferences subject to reimbursement by the state or other agency. Employees who utilize Madison County advances in lieu of waiting for the reimbursement shall be required to sign over the entire reimbursement check to Madison County when it is received by the employee.

In the event the county employee fails to attend the out of county activity or fails to deliver to the County Auditor supporting documents for the advance and any excess funds to the County Treasurer within two business days of their return to work, the County Treasurer is authorized to obtain a signed authorization from the employee in order to deduct the advance request from the county employee's salary at the next available payday.

INTERNET/E-MAIL USAGE

Certain positions within the County Offices need access to the Internet in order to efficiently conduct business. Internet access is a tool and is not to be used for personal benefit. It should enhance productivity, not hinder it. Excessive use of the Internet with a corresponding drop in productivity will be subject to disciplinary action.

The Internet affords wide access to inappropriate materials and communication. Using County Internet for activities such as but not limited to the listing below will not be tolerated.

1. Accessing pornographic or sexually related materials.
2. Communicating or receiving inappropriate content such as disparaging ethnic or gender comment.
3. Facilitating participation or membership in organizations or gangs, which advocate illegal activities.
4. Conducting commercial enterprises or business for personal gain.
5. Viewing, downloading, printing, chatting or sending information, which would violate any of the general policies of Madison County.

Violations of this policy will result in disciplinary action up to and including termination.

As a government office, our e-mail addresses are susceptible to unwanted communication. If inappropriate materials are accidentally accessed or received, the employee shall immediately address a memorandum to the County Auditor for Systems Support with the following details:

1. Date of inadvertent access or receipt.
2. Website or e-mail address of the source.
3. Manner in which the inappropriate information was accessed.
4. Type of inappropriate information received.

All communication to and from this office, including those in electronic format, is subject to the provisions of the Texas Open Records Act. As such, reporting inappropriate communications serves to protect both this office and the employee from claims of misuse of government property.

INTERNET/E-MAIL USAGE

E-mail is an electronic form of correspondence. When using E-mail, you are representing your County in the same manner, as you would be putting it on letterhead stationery. It should be treated as such and communications should reflect this. There should be no inappropriate use of E-mail including but not limited to personal references, vulgarity, commercial use, and offensive references.

E-mail is subject to the same laws, policies, and restrictions as other types of communications. The confidentiality of E-mail communications cannot be guaranteed. For example, E-mail messages can be saved indefinitely on the receiving computer. Copies can be easily made and forwarded to others. Employees should apply the policy regarding confidentiality of documents and information when utilizing E-mail.

In accordance with the Open Records Act, electronic files may be treated in the same way as paper files. Therefore, any electronic mail may be considered to be a public document and may be subject to inspection.

E-mail is subject to the same records retention provisions as paper documents. Therefore, the same retention schedules apply. All county employees are responsible for retaining pertinent E-mail messages under the same retention schedules as they use for similar paper documents.

Like all county work-tools, E-mail is to be used to facilitate the business of this office. Unacceptable uses of E-mail include misrepresenting your identity in E-mail communications, using E-mail for any purpose that violates federal, state or local laws, using someone else's identity and password, and intercepting, disrupting or altering electronic communications packets.

Although it resides on an individually assigned computer, electronic mail belongs to Madison County. Madison County may conduct periodic, unannounced reviews of electronic mail to ensure compliance with this policy.

Violations of this policy can result in disciplinary action up to and including termination.

SOCIAL MEDIA

For purposes of this policy “social media” includes, but is not limited to, online forums, blogs and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Madison County recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee’s work; is used to harass supervisors, co-workers, customers or vendors; creates a hostile work environment; or harms the goodwill and reputation of Madison County among the community at large. Madison County encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

Where no policy or guideline exists, employees are expected to use their best judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.

If your posts on social media mention Madison County make clear that you are an employee of Madison County and that the views posted are yours alone and do not represent the views of Madison County.

Do not mention Madison County supervisors, employees, customers or vendors without their express consent.

Do not pick fights. If you see a misrepresentation about Madison County, respond respectfully with factual information, not inflammatory comments.

Remember, you are responsible for what you write or present on social media. You can be sued by other employees, supervisors, customers or vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees can be subject to disciplinary action, up to and including termination for what they post on social media platforms, even if the employee did not use a county computer or if the post did not occur during work hours or on county property.

Employees may not use Madison County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Madison County monitors its computers to ensure compliance with this restriction.

You must comply with copyright laws, and cite or reference sources accurately.

Do not link to Madison County’s website or post Madison County material on a social media site without written permission from your supervisor.

All Madison County policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment and code of conduct.

SOCIAL MEDIA

Any confidential information that you obtained through your position at Madison County must be kept confidential and should not be discussed through social media.

Violation of this policy may lead to discipline up to and including the immediate termination of employment.

PERSONNEL RECORDS

The Madison County Human Resource Department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents.

It is important that the personnel records of Madison County be accurate at all times. In order to avoid issues, compromising your benefit eligibility or having W2's returned, Madison County requests employees to promptly notify the appropriate personnel representative of any change in name, home address, telephone number, marital status, number of dependents, or of any other pertinent information.

The Public Information Act allows county employees to keep their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether you have family members confidential. You may keep this information private by requesting in writing not to allow this information to be released to the public no later than 14 days after your first day of employment.

DRESS CODE

Madison County expects all employees to be well groomed, clean, and neat at all times. Each elected official/department head will determine the type of attire that is acceptable.

You are required to act in a professional manner at all times and extend the highest courtesy to co-workers and to the public being served. A cheerful and positive attitude is essential to our commitment to customer service.

WORK PLACE VIOLENCE

Madison County is committed to providing a workplace free of violence. Madison County will not tolerate or condone violence of any kind in the workplace. The county will also not tolerate or condone any threats of violence, direct or indirect, this includes jokes. All threats will be taken seriously and will be investigated.

Employees must refrain from any conduct or comments that might make another employee suspicious or in fear for their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surroundings at all times and report any suspicious behavior from the public, former employees or current employees to their immediate supervisor or the Sheriff's Department.

No employee may possess a firearm or other weapon other than an authorized law enforcement official, with or without permits, in all county offices and buildings owned or used by Madison County, this also includes county owned vehicles. If employees believe that a person is violating this policy, they should immediately report to their immediate supervisor or the Sheriff's Department. Employees found in violation of this policy may be subject to discipline up to and including immediate termination.

WHISTLEBLOWER

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

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

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

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

LICENSES AND CERTIFICATES

Madison County has many positions that require licenses and certifications. It is the responsibility of each employee to maintain all required licenses and certifications. If an employee is unable to renew or loses a license or certification, they must immediately notify their supervisor. If this license is a requirement for the position, the employee may be demoted, transferred or terminated. Under no circumstances will the employee be allowed to continue in the position where a license or certification is required if failure to have such license or certification is illegal under either Federal or State Law.

RETIREE REHIRES

Retired employees shall be eligible to apply for open positions with Madison County as long as the following provisions are met: 1) The retiree has been retired for at least one calendar month, 2) No prior arrangement or agreement was made between Madison County and the retiree for re-employment, and 3) strict adherence to normal leaving employment procedures were followed at the time of the employee's retirement.

The retiree must have a bona fide separation of employment and have been retired for a minimum of one calendar month. A bona fide separation means there is no prior agreement or understanding between Madison County and the retiree that the retiree would be rehired after retirement. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Newly elected officials who have recently retired from the county cannot draw their retirement because they have an arrangement to return to work for the county. Employees also cannot retire with an agreement to go work in a different department or different position. Changing employee status does not matter when determining if someone is still working for the county. Also, an employee cannot retire from the county with an arrangement to begin work as an independent contractor either.

Rehired retirees who did not have a bona fide separation of employment may owe a 10 percent excise tax and be required to repay all of their monthly retirement payments. Abusing the retirement provisions in such a manner would violate a qualification requirement for retirement plans under Section 401(a) of the Internal Revenue Code, potentially resulting in significant tax consequences for the employer, its participating members and those retired employees.

Any retiree who meets all other TCDRS requirements, who is rehired consistent with this policy, must establish a new membership with TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selections.

PRESENCE OF ANIMALS
IN AND ON COUNTY PROPERTY

Pursuant to the Texas Local Government Code, including but not limited to sections 291.001 and 291.003, the County hereby adopts and establishes reasonable regulations regarding the presence of animals or pets in and on county property and buildings, including the County Courthouse.

The Commissioners Court hereby finds that, to maintain public safety and reasonable decorum in and on county property and buildings, including the County Courthouse:

1. No person, including any county officer or employee, may bring any animal or pet in or on county property and buildings, including the County Courthouse;
2. Provided, however, that service animals will be permitted as required by applicable laws, including but not limited to the Americans with Disabilities Act, the Rehabilitation Act, and the Texas Human Resources Act;
3. Provided, further, that animals trained in the detection of gas or water leaks, illegal drugs, explosives, poisons, weapons, or other dangerous materials may be allowed in and on county property and buildings, including the County Courthouse, but only when under the control of qualified handlers and under the supervision of the Sheriff.

If you have a question or concern regarding a pet or animal, please contact your supervisor and/or the County Judge's office.

MEDICAL INSURANCE

ELIGIBILITY:

All full time regular employees of Madison County shall be eligible for the group medical plan and dental plan benefits. Regular variable hour employees who work an average of thirty (30) or more hours a week in the measurement period will be eligible for health insurance after the measurement period. Regular part time, temporary seasonal, temporary short term part time, and regular variable hour employees who work an average of less than thirty (30) hours a week in the measurement period will not be eligible for health insurance.

Madison County shall pay the premium for coverage of eligible employees.

DEPENDENT COVERAGE:

Eligible employees may cover their qualified dependents by paying the full premium for the dependents. Deductions for dependent coverage shall be made through payroll deduction from the employee's paycheck each pay period.

BENEFITS:

Details of coverage under the group medical insurance plan and dental plan are available in the Madison County Human Resource Department and may be obtained during the normal working hours for that office.

Employees who leave the employment of Madison County or who lose their coverage eligibility may be eligible for an extension of the medical plan for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an employee is unable to return to work following FMLA leave, if eligible, they will be offered COBRA. Information on extension of benefits under COBRA is available in the Madison County Human Resource Department and may be obtained during the normal working hours for that office. COBRA notifications will be provided to all employees within 30 days of their hire date. All eligible employees and qualified dependents will be provided with COBRA information following their termination.

FLEXIBLE BENEFIT PLAN

FORWARD AND PURPOSE:

The Madison County Flexible Benefits Plan is a program that permits Participants to elect coverage for themselves and their eligible Dependents under various Component Plans, which provide various benefits.

The plan has been established by the County for the benefit of its full-time employees who are actively employed and, regularly scheduled to work at least 30 hours a week.

It is intended that this plan shall qualify under Section 125 of the Internal Revenue Code of 1954, as amended, as a “cafeteria plan.”

ELIGIBILITY:

An eligible employee shall commence (or recommence) participation in this Plan on the latest of the following dates: (1) the effective date of the plan; (2) the employee’s first day of his 2nd month of employment or reemployment (may not exceed 4 years) as an employee; or (3) the date (as determined by the plan administrator) that the election form is filed by the participation.

ENROLLMENT:

An eligible employee may enroll in the plan any or all of his or her dependents during his or her initial enrollment period, regular enrollment period, or special enrollment period.

FLEXIBLE BENEFIT PLAN

A participant who incurs a change in dependent status shall have a special enrollment period, which shall begin on the date of his or her dependent status changes and shall terminate 30 days thereafter.

LIMITATIONS:

A participant's right to elect certain benefit coverage shall be limited hereunder to the extent such rights are available in a component plan or in rules adopted by the plan administrator. Furthermore, a participant shall not be entitled to revoke an enrollment election after a period of coverage has commenced and to make a new enrollment election with respect to the remainder of the period of coverage unless both the revocation and the new election are on account of and consistent with a change in family status (e.g., marriage, divorce, death of spouse of child, birth or adoption of child, and termination of employment of spouse).

BENEFITS:

The benefits for this program shall be in accordance with the provisions of the master contract.

A copy of the master contract shall be kept in the Human Resource Office and may be reviewed by employees during normal working hours.

SOCIAL SECURITY/MEDICARE

PARTICIPATION:

All County employees shall participate in the Federal Social Security Program/Medicare program which provides certain retirement, disability, and other benefits. Deductions from these programs will be taken from each paycheck.

DEDUCTIONS:

Deductions shall be made from each employee's paycheck in accordance with the requirements of the Social Security Program.

COUNTY CONTRIBUTIONS:

The County shall pay an amount equal to the employee's Social Security deduction to each employee's Social Security account in accordance with the regulations of the program.

WORKERS COMPENSATION

APPLICABILITY:

All employees of Madison County shall be covered by the County's Workers Compensation program while on duty for the county.

BENEFITS:

All Madison County employees are covered by workers compensation coverage while on duty for the County. Workers compensation coverage pays for medical bills resulting from a covered injury or illness an employee incurs while carrying out the duties of his/her job. Workers compensation also pays Temporary Income Benefits (TIBS) for time lost from work in excess of seven calendar days as the result of eligible work related injuries or illnesses. Law enforcement deputies and jailers receive full salary from the first day of injury. An employee can choose to utilize sick, vacation, holiday or comp time for the first seven (7) days.

All employees who are placed on Workers Compensation leave will fall under the Family Medical Leave Act. Madison County runs FMLA and Workers Compensation concurrently.

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

RESPONSIBILITY FOR:

An employee who suffers an on the job injury or job related illness shall notify his/her elected official/department head immediately or as soon as is reasonably possible and will fill out the appropriate reporting forms, which should be turned in to the Human Resource office immediately.

Failure to report job related injuries or illnesses in a timely manner may affect an employee's eligibility to receive worker's compensation benefits or may delay benefit payments.

PHYSICIAN RELEASE:

An employee who has been receiving workers compensation benefits shall be required to provide a release from the attending physician before being allowed to return to work.

RETURN-TO-WORK

POLICY OVERVIEW:

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

COORDINATION WITH ATTENDING PHYSICIAN:

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

JOB DESCRIPTIONS:

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

RETURN-TO-WORK OPTIONS:

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

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

RETURN-TO-WORK

- b. **Light Duty.** Any employees who are not yet able to return to their former duties are offered (subject to the restrictions set out in restrictions on light-duty assignments of this policy) a temporary light-duty assignment that has been approved by the employee's attending physician. The Human Resource Office is responsible for working with the employee's supervisor, the elected official, and the employee's attending physician to develop and implement the light-duty assignment. The assignment can consist of the employee's regular job with reduced working hours and/or activities, or an alternative light-duty position.

RESTRICTIONS ON LIGHT-DUTY ASSIGNMENTS:

The following restrictions apply to light-duty assignments:

- a. **No guarantee of work.** As provided in the return-to-work options of this policy, Madison County must endeavor to return employees to gainful employment as soon as possible by exploring possible light-duty assignments. However, Madison County does not guarantee the availability of light-duty work.
- b. **Pay rates and workers compensation benefits.** Employees on light duty are not guaranteed the rate of pay they received for the position they held at the time they sustained their work-related injury or illness. Employees receive temporary income benefits from workers compensation to supplement this income to a pre-injury level. (Exception: Commissioned law enforcement officers are guaranteed 100% of salary by the State Constitution while incapacitated under workers compensation standards whether on light-duty assignment or not). The pay rate for a light-duty assignment is based on the knowledge, skills, and abilities required for the job as well as general market conditions. Employees who return to work in light-duty positions before they have reached maximum medical improvement are eligible for temporary partial disability benefits under Texas workers compensation program if they earn less than they earned in the position held at the time they sustained the work-related accident or illness. Employees in light-duty positions are not permitted to supplement their workers compensation benefits by using their accrued vacation, personal, or medical/sick leave.
- c. **12-Week limit.** Light-duty assignments are **temporary** arrangements intended to complement and facilitate the healing process. Light-duty assignments cannot exceed 12 weeks without approval from the department head/elected official.

RETURN-TO-WORK

EMPLOYEE REFUSAL OF WORK/TRAINING:

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

A written offer of employment must clearly state:

1. The position offered and the duties of the position;
2. Madison County's agreement to any limitations or conditions set out in the attending physician's certification of the employee's fitness to return to work;
3. The job's essential functions; and
4. The job's wage, working hours, and location.

PERMANENT DISABILITIES:

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

1. Securing vocational rehabilitation services from the Texas Department of Assistance and Rehabilitative Services or private consultants, as appropriate. Services can include assessment and testing, counseling, and training.
2. Finding an open position at Madison County commensurate with the employee's knowledge, skills and abilities.

Employees with permanent disabilities are paid partial or total permanent disability benefits as required under the Texas workers compensation regulations.

MEDICAL INFORMATION:

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

RETURN-TO-WORK

COORDINATION WITH FMLA:

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

It is Madison County's policy to designate an employee's leave due to a work-related injury or illness as FMLA leave.

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

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

EMPLOYEE BREAKS

MEAL PERIODS:

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

The normal length of the meal period shall be 30 minutes or one hour as designated by the elected official/department head.

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

BREAKS:

The Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk. The Texas Right to Express Breast Milk in the Workplace Act also imposes duties on public employers and, under other state law, is applicable for the duration of a nursing mother's need to express breast milk. Madison County supports the practice of expressing breast milk.

Madison County will provide the nursing mother with a private location, other than a bathroom. The location will be shielded from view and free from intrusion and appropriate for expressing breast milk. The specific location will be determined on a case by case basis.

Madison County does not allow any retaliation against a nursing mother for asking for this break. Nursing mothers are entitled to this break for the duration of the time they are expressing breast milk. A reasonable accommodation will be given for the needs of employees who express breast milk. Employees of the county who need to express breast milk may not be discriminated against.

All other employee breaks are determined by each elected official/department head and are not required to be given. If your department provides you with a break, it may not be accumulated or used for time off. The Fair Labor Standards Act does not require any breaks other than for a nursing mother; however, if paid breaks are provided for employees, a nursing mother must be given the same amount of paid break time.

HOLIDAYS

ELIGIBILITY:

All Madison County regular full-time employees working at least thirty (30) hours per week shall be eligible to receive a day off with pay for each official County Holiday. To receive the paid holiday benefit, an employee shall be required to work the day preceding the holiday and the day following the holiday in accordance with the employee's normal work schedule unless the absence is an excused absence approved by the employee's elected official/department head.

AMOUNT OF PAY:

Regular full-time employees working at least thirty (30) hours per week shall receive eight (8) hours pay for each official holiday.

HOLIDAYS:

At the regular session of Commissioners Court of Madison County, on the second Monday in December each year the Commissioners will set the holiday schedule for the county.

WORK ON A HOLIDAY:

If an employee's job requires him/her to work on an official holiday, the employee shall be paid for that day of work and shall be given another day off with pay within the next one hundred twenty (120) days.

WEEKEND HOLIDAYS:

If a holiday occurs on a Saturday, the preceding Friday shall be observed as the official holiday. If the holiday occurs on a Sunday, the following Monday shall be observed as the official holiday.

HOLIDAY ON DAY OFF:

If a holiday during the week occurs on an employee's regular day off, the employee shall be given another day off with pay within one hundred twenty (120) days. Employees out on leave utilizing sick, vacation or comp time will receive holiday pay.

HOLIDAYS DURING LEAVE OF ABSENCE:

An employee who is on a leave of absence without pay shall not be paid for any official holidays occurring during such leave.

PAY AT TERMINATION:

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

VACATION

ELIGIBILITY:

All regular full-time employees of Madison County working at least thirty (30) hours per week shall be eligible for paid vacation leave.

Vacation for all regular full-time employees shall be accrued at a rate of 3.08 hours per pay period.

Employees will be required to substitute paid vacation leave for FMLA leave to be credited against the FMLA twelve (12) week period.

WAITING PERIOD:

An employee shall be required to work for a minimum of six months in a position eligible to accrue vacation before he/she may take any vacation.

MAXIMUM ACCRUAL:

The maximum amount of unused vacation that an employee shall be allowed to have at any one time shall be 120 hours or three (3) weeks.

Accrual in excess of the maximum shall be allowed if:

- a. The employee is not able to take vacation because of the needs of the County;
- b. The elected official/department head requests in writing that the employee be allowed vacation accrual above the maximum and documents, in writing, the reason the employee was unable to take vacation in time to reduce his/her balance below the maximum; and
- c. The elected official/department head approved the requests for vacation accrual in excess of the maximum.

An employee who has been allowed to accrue vacation in excess of the maximum shall promptly take vacation to reduce the balance to or below the maximum as soon as circumstances and need in the County allow it.

VACATION

REQUEST FOR APPROVAL:

Employees shall submit their requests for annual vacation leave to their elected official or department head. Elected officials/department heads shall schedule the vacations of their employees with considerations being given to seniority, operating needs of the department, and employee requests. All requests for vacation leave during the year shall be subject to approval by the elected official/department head based on the timeliness of the request and the needs of the department.

MINIMUM USAGE:

The minimum amount of vacation that an employee shall be allowed to use at any one time is two (2) hours.

BORROWING VACATION:

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

HOLIDAYS DURING VACATION:

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

ILLNESS DURING VACATION:

If an employee becomes ill while taking vacation leave, the period of illness may be charged against the employee's sick leave balance and not vacation if:

- a. The employee promptly notifies his/her elected official/department head of the illness;
- b. The employee provides the elected official/department head with acceptable proof of the illness; and
- c. The elected official/department head gives permission to charge the period of illness to sick leave.

UNPAID STATUS AND ACCRUALS:

An employee on leave with an unpaid status will not earn vacation, sick or holiday accruals.

VACATION

VACATION PAY AT TERMINATION:

Employees who have been employed for less than six (6) months in a position which accrues vacation shall receive no pay for accrued vacation at the termination of employment.

Employees who have been employed for six (6) or more months in a position which accrues vacation shall be paid for all unused vacation at their regular rate upon termination of employment.

MAXIMUM AVAILABLE VACATION:

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

RECORD KEEPING:

The Payroll office, on a monthly basis, shall provide to each elected official/department head a vacation record for each employee which shows:

- a. The hours of vacation earned during the month;
- b. The vacation balance at the end of the month.

If more detailed information is needed, it can be provided by the Payroll office upon request during normal business hours.

ACCRUAL FOR NEW AND TERMINATING EMPLOYEES:

An employee hired on or prior to the 15th of the month or whose employment terminated on or after the 16th of the month shall earn a full month's vacation accrual for that month.

An employee hired on or after the 16th of the month or whose employment terminated on or before the 15th of the month shall earn one-half of a month vacation accrual for that month.

SICK LEAVE

ELIGIBILITY:

All regular full-time employees working at least thirty (30) hours per week shall be eligible for paid sick leave. Employees will be required to substitute paid sick leave for FMLA leave to be credited against the FMLA twelve (12) week period.

AMOUNT:

Full-time regular employees working at least thirty (30) hours per week shall accrue 3.69 hours sick leave per pay period.

ACCUMULATION:

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

MAXIMUM ACCRUAL:

The maximum accrual that can be carried over into a new calendar year is sixty (60) working days which is equivalent to 480 hours for full-time employees.

TYPES OF USAGE:

Eligible employees may use accrued sick leave for absence from work due to or involving:

- a. Personal illness or physical or mental incapacity;
- b. Medical, dental or optical examinations or treatment;
- c. Medical quarantine resulting from exposure to contagious disease;
- d. Illness of a family member of the employee's immediate household who required the employee's personal care and attention;
- e. Bereavement - up to five (5) days paid sick leave may be authorized by an elected official/department head in case of a death in the employee's immediate family. Immediate family shall be defines as parent, child, spouse, brother, sister, sister-in-law, grandparent, parent-in-law, brother-in-law, and grandchildren of either spouse.

SICK LEAVE

NOTIFICATION OF SICK LEAVE:

An employee shall be responsible for notifying his/her elected official/department head as early as is practical on the first day of sick leave absence and request that approved sick leave be granted.

If more than one day of sick leave is needed, the employee shall be responsible for notifying his/her elected official/department head of the expected length of the absence on the first day of sick leave or shall be required to notify his/her supervisor on a daily basis for each day he/she is unable to come to work.

An employee shall be required to request prior approval from his/her elected official/department head for sick leave to be used for non-emergency medical, dental and optical appointments.

FMLA:

The Department Head is to notify the Payroll office if an employee is out for more than five (5) days in order to start the FMLA administrative process. The employee will be placed on FMLA leave if the employee and event are eligible.

An employee on leave with an unpaid status will not earn vacation, sick or holiday accruals.

DOCUMENTATION:

An employee's elected official/department head may request acceptable documentation of any employee's illness or injury where it is deemed necessary for approval of a sick leave request.

BORROWING:

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

NEW EMPLOYEES:

An employee eligible to earn sick leave who begins employment on or prior to the 15th of the month shall earn eight (8) hours sick leave for the month if the employee is full-time.

An employee eligible to earn sick leave who begins employment on or after the 16th of the month shall earn four (4) hours sick leave for the month if the employee is full-time.

MAXIMUM AVAILABLE:

The maximum amount of sick leave that an employee will have available at any given time is the unused balance at the end of the preceding month.

SICK LEAVE

WAITING PERIOD:

There shall be no waiting period before an employee can use accrued sick leave.

PAY AT TERMINATION:

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

RECORD KEEPING:

The Payroll office, on a monthly basis, shall provide to each elected official/department head a vacation record for each employee which shows:

- a. The hours of sick leave earned during the month;
- b. The sick leave balance at the end of the month.

If more detailed information is needed, it can be provided by the Payroll office upon request during normal business hours.

CIVIL LEAVE

JURY DUTY:

All regular full-time and regular part-time County employees shall receive their normal pay for the period they are called for jury duty, which includes both the jury selection process and, if selected, the time the employee actually spends serving on the jury.

An employee receiving pay from the County while on jury duty leave shall retain all fees received as a juror.

OFFICIAL COURT ATTENDANCE:

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

Any fee paid for such service may be retained by the employee.

PRIVATE LITIGATION:

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

MILITARY LEAVE

ELIGIBILITY:

All Madison County employees who are members of the United States Army, Navy, Marine Corps, Air Force, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard, Air National Guard, the commissioned corps of the Public Health Service, or any other category of persons designated by the President in time of war or emergency are eligible for military leave for active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, or absence to determine the employee's fitness to serve in the Armed Forces.

LEAVE OF ABSENCE:

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

EXTENT OF LEAVE:

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

County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) working days off per year with pay to attend authorized training sessions and exercises. The fifteen (15) working days paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next calendar year. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule. An employee may use annual leave, earned compensatory time, or leave without pay if he/she must attend Reserve or National Guard Training sessions or exercises in excess of the 15-day maximum.

MILITARY LEAVE

HEALTH BENEFITS WHILE ON LEAVE:

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

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

OTHER BENEFITS WHILE ON LEAVE:

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

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

RETURN FROM MILITARY SERVICE:

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

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

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

MILITARY LEAVE

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

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

BENEFITS ON RE-EMPLOYMENT:

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

FORFEITURE OF RIGHTS:

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

LEAVE WITHOUT PAY FOR PERSONAL REASONS

MAXIMUM:

Each elected official/department head shall have the authority to grant an employee up to ten (10) days leave without pay for personal reasons provided that no problems will be created by leaving the employee's job unfilled for the period of the requested leave. This leave is in addition to any other protected leave provided by FMLA and the ADAAA and is not intended for any protected leave purpose.

Upon recommendation of the elected official/department head, Commissioners Court may grant an employee personal leave without pay for a period of up to ninety (90) days provided the employee's position may be left unfilled for the period requested will not create an undue hardship for the department.

BENEFITS DURING PERSONAL LEAVE:

An employee on personal leave without pay shall not accrue vacation or sick leave during the period of personal leave.

An employee on personal leave without pay may continue medical insurance coverage on him/herself and, if applicable, coverage on eligible dependents by paying the premium for such coverage on or before the due date set by the County.

USE OF PAID LEAVE:

Leave without pay for personal reasons shall only be granted after all paid and compensatory leave is used.

RETIREMENT BENEFITS

TEXAS STATE RETIREMENT SYSTEM:

Madison County participates in the Texas State Retirement System Program of the Texas County & District Retirement System.

All regular employees (full time, part time, and regular variable hour) shall be eligible for the retirement benefit offered through the Texas County and District Retirement System. Temporary seasonal and temporary short term part time employees will not be eligible for retirement benefits. Eligible employees shall make contributions to the retirement program through a system of payroll deduction. Madison County shall make a contribution to each eligible employee's retirement account according to requirements of TCDRS.

PROGRAM DETAILS:

Details of eligibility for and benefits provided by the program shall be available for review at the Human Resource office during normal working hours.

PAYROLL DEDUCTIONS:

The employee's share of the retirement contribution shall be deducted from each paycheck.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

ELIGIBILITY:

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

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

QUALIFYING EVENTS:

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

- 1) the birth of a child and in order to care for that child;
- 2) the placement of a child in the employee's home for adoption or foster care;
- 3) to care for a spouse, child (under the age of 18 or if over 18 incapable of self-care due to a disability), or parent with a serious health condition;
- 4) the serious health condition of the employee that make the employee unable to perform the essential functions of their job;
- 5) a qualifying exigency arising out of the fact that an employee's spouse, child or parent is a covered military member of the Armed Forces (Regular, Reserve or National Guard), deployed to a foreign country or has been notified of an impending call or order to active duty in a foreign country;
- 6) to care for a covered service member (Regular, Reserve or National Guard) with a serious injury or illness if the employee is the spouse, child, parent or next of kin (nearest blood relative) of the service member; or
- 7) to care for a covered veteran who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of 5 years preceding the date on which the veteran began that medical treatment, recuperation or therapy.

SERIOUS HEALTH CONDITION:

Serious health condition of the employee is defined as a health condition that requires overnight inpatient care at a hospital, hospice, or residential care medical facility or continuing treatment by a health care provider.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

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

A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- 1) a period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - a) Treatment two or more times within 30 days of incapacity; or
 - b) Treatment by a health care provider on at least one occasion within the first seven days of incapacity that results in a regimen of continuing treatment by a health care provider.
- 2) Any period of incapacity due to pregnancy or pre-natal care.
- 3) Any period of incapacity or treatment due to a chronic serious health condition that requires periodic visits to a health care provider and continues over an extended period of time.
- 4) Any period of incapacity that is permanent or long term due to a condition for which treatment is not effective.
- 5) Any period of incapacity or absence to receive multiple treatments by a health care provider.

QUALIFYING EXIGENCY LEAVE:

Eligible employees may take FMLA/MFL exigency leave when an employee's covered military member (spouse, child of any age or parent) is on active duty or called to active duty status in a foreign country. Leave may be taken to:

- 1) Address any issue that arises because the covered military member was given seven or fewer days notice for active duty deployment in support of a contingency operation. Eligible employee may take up to seven days beginning on the date the covered military member receives the call or order to active duty.
- 2) Attend any official ceremony, program or event sponsored by the military that is related to the active duty or call to active duty status in a foreign country of a covered military member.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

- 3) Attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations or the American Red Cross that are related to active duty or call to active duty status in a foreign country of a covered military member.
- 4) Arrange for alternative childcare, provide childcare on an urgent basis (not as routine), to attend school or daycare meetings, to enroll or transfer covered children under age 19 when it is necessitated by the active duty or call to active duty status of a covered military member.
- 5) Make or update financial or legal arrangements to address the covered member's absence while on active duty or call to active duty status in a foreign country.
- 6) Act as the covered military member's representative before a governmental agency to obtain, arrange or appeal military service benefits while the covered military member is on active duty or call to active duty status in a foreign country, for a period of 90 days following the termination of the covered member's active duty status.
- 7) Attend counseling provided by someone other than a health care provider for oneself, for the covered military member or covered child if the need for counseling arises from the active duty status or call to active duty status in a foreign country of a covered military member.
- 8) For a maximum of 15 days each occurrence, to spend time with a covered military member who is on a short-term, temporary, rest and recuperation leave during the period of deployment.
- 9) Attend post-deployment activities for the covered military member for a period of 90 days following the termination of the covered member's active duty status.
- 10) Address issues that arise from the death of a covered military member while on active duty status in a foreign country;
- 11) Conduct certain activities related to the care of the military member's parent who is incapable of self-care where those activities arise from the military member's covered active duty.
- 12) Address any other additional events that may arise out of the covered military member's active duty or call to active duty status in a foreign country if the County agrees the leave qualifies as an exigency and to both the timing and the duration of the leave.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

LEAVE AMOUNT:

Up to 12 weeks leave per 12 month period may be used under this policy.

The County will measure the 12 month period as a rolling 12 month period measured backward from the date an employee uses any leave under this policy.

A married couple who both work for the county is entitled to a maximum combined leave of 12 weeks in any 12-month period for the birth or placement of a child, or care for a parent with a serious health condition. The combined limit for a married couple employed by the county is 26 weeks in a single 12-month period if leave is to care for a covered service member or veteran with a serious injury or illness.

An eligible employee is entitled up to 26 weeks of leave to care for a covered service member or covered veteran with a serious injury or illness during a single 12-month period:

- 1) The single 12-month period begins on the first day the eligible employee takes FMLA to care for covered service member or covered veteran and ends 12 months after that date.
- 2) An employee forfeits unused leave under this section if the eligible employee does not take all of their 26 weeks during this 12-month period to care for the covered service member or covered veteran is forfeited;
- 3) Leave entitlement under this section is applied on a per-injury basis. An eligible employee may be entitled to take more than one period of 26 weeks of leave if the leave is to care for different covered service member or veteran or to care for the same covered service member or veteran with a subsequent serious illness or injury. An employee may not take more than 26 weeks in any single 12-month period.

WORK RELATED INJURY:

Madison County will always designate work related injuries with lost time as FMLA qualifying.

PAID AND UNPAID LEAVE:

An employee who has accrued paid vacation, sick and holiday time shall be required to substitute paid leave for FMLA leave to be credited against the twelve (12) week FMLA leave period with the remainder of twelve weeks as unpaid leave.

An employee who is taking leave because of the employee's own serious health condition, or the serious health condition of an eligible family member, shall be required to first use all paid vacation, sick leave, and any other paid leave, with the rest of the 12 week leave period being without pay.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

An employee taking leave for the birth of a child shall be required to take paid sick leave, and/or other paid leave for the recovery period, after the birth of the child prior to going on leave without pay.

After the recovery period from giving birth to a child, the employee shall be required to use vacation and other available paid leave, except for sick leave or FLSA compensatory time, prior to going on leave without pay.

An employee who is taking leave for the placement of a child in the employee's home for adoption or foster care shall be required to use all paid leave due, except for sick leave or FLSA compensatory time, prior to going on leave without pay.

The maximum amount of paid and unpaid leave that may be used under this policy in any 12 month period is 12 weeks.

INSURANCE:

While on leave under this policy, the County shall continue to pay the employee's medical insurance premium at the same rates as if the employee had been actively at work.

The employee shall be required to pay for dependent coverage, and for any other insurance coverage for which the employee would normally pay, or the coverage will be discontinued.

Payment for coverage under section 16 of this policy shall be made through regular payroll deduction while the employee is on leave with pay.

While on leave without pay, the employee shall be required to pay for premiums due to the county no later than 30 days after the date of the pay period in which the premium comes due. The county may cancel unpaid coverage by providing the employee advance written notice, not less than 15 days before the coverage will be cancelled for non-payment.

At the end of the 12 week leave period or the 26 week leave period in a single 12 month period to care for an injured covered military member, an employee will be:

1. Offered COBRA if they are unable to return to work; or
2. If approved by the commissioners court and made part of this policy, the county can choose to continue to pay for the employee's health insurance premiums.

INTERMITTENT LEAVE AND REDUCED SCHEDULE:

An employee may only take intermittent leave under this policy if it is necessary for the care and treatment of a serious health condition of the employee, the employee's eligible family member or the care of a covered military member or veteran.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

An employee may only work a reduced schedule under this policy if it is necessary for the care and treatment of a serious health condition of the employee, the employee's eligible family member, or the care of a covered military member or veteran.

All work time missed as the result of intermittent leave or a reduced work schedule under this policy will be deducted from the employee's 12-week or 26-week leave eligibility in a single 12 month period.

CERTIFICATION REQUIREMENTS:

The county has the right to ask for certification of the serious health condition of the employee or the employee's eligible family member when the employee requests or is using leave under this policy.

The county may send a request for medical certification to an employee who has been out of work for three or more days to determine the employee's FMLA eligibility. The employee is requested to have his or her physician complete and return the medical certification within 15 days of the employee's receipt of the form to be eligible for FMLA. An employee's failure to return the medical certification may result in denial of FMLA by the county.

The employee must respond to the county's request for certification within 15 days of receipt of the request or provide a reasonable explanation for the delay in writing before the 15th day after receipt of the request. If an employee does not provide certification or otherwise respond, the county may deny leave under this policy.

An employee is required to provide certification of his or her serious health condition of the employee by having the employee's treating health care provider complete and submit an FMLA form WH-380-E. Also included with this form is the Genetic Information Non-Discrimination statement to be given to any and all health care providers.

An employee is required to provide certification of the serious health condition of an eligible family member by having the family member's treating health care provider complete and submit an FMLA form WH-380-F. Also included with this form is the Genetic Information Non-Discrimination statement to be given to any and all health care providers.

An employee is required to provide certification for leave taken because of a qualifying exigency by having the employee complete and submit an FMLA form WH-384.

An employee is required to provide certification for leave taken for a serious injury or illness of a covered military member or veteran by having the member's or veteran's Department of Defense treating health care provider complete and submit an FMLA form WH-385. The employee may also be required to provide the county with confirmation of the family or next of kin relationship to the seriously injured or ill covered military member or veteran.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

If an employee requests intermittent leave or a reduced work schedule, the certification submitted must also include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. The county may request re-certification for intermittent or reduced schedule leave every six months in connection with an eligible absence.

The county may ask for a second opinion from a health care provider of the county's choice, at the expense of the county, if the county has reason to question the certification, unless the leave is necessary to care for a seriously injured or ill covered service member supported by an invitational travel order (ITO) or invitational travel authorization (ITA) to join an injured or ill service member at his or her bedside.

If there is a conflict between the certification submitted by the employee and the second certification obtained by the county, the county may require a third certification, at the expense of the county, from a health care provider agreed upon by both the employee and the county. The third opinion is final and binding on the county and the employee.

REQUESTING LEAVE:

Unless FMLA leave is unforeseeable, an employee is required to submit a written request for leave under this policy to his or her immediate supervisor.

Where reasonably practicable, an employee should give his or her immediate supervisor a minimum of 30-days' notice before beginning leave under this policy. Where it is not reasonably practicable to give 30-days' notice, the employee is required to give as much notice as possible.

REINSTATEMENT:

An employee returning from leave under this policy, and who has not exceeded the 12-week maximum leave period allowed, will be returned to the same job or a job equivalent to the job the employee held before going on FMLA leave. An employee who has not exceeded the 26-week maximum leave period in a single 12-month period, allowed to care for a seriously ill or injured covered military member, will be returned to the same job or a job equivalent to the job the employee held before going on leave.

If an employee is placed in a different position, it will be one with equivalent status, pay, benefits, and other employment terms and which entails substantially equivalent skill, effort, responsibility, and authority.

The county has no obligation to reinstate an employee who takes more than the 12 weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave allowed, including an employee with available sick or vacation leave.

FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE

REPAYMENT OF BENEFITS:

Unless an employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or another situation beyond the control of the employee, an employee who does not return to work after using the maximum leave allowed under this policy will be required to reimburse the county for all medical premiums and other benefits paid by the county while the employee was on leave without pay related to his or her FMLA leave.

OTHER BENEFITS:

While on leave without pay under this policy, an employee does not earn vacation or sick leave, is not eligible for holiday pay, and does not earn other benefits afforded to employees actively at work, except as stated in this policy, unless other employees who go on leave without pay are allowed to do so.

An employee who is out on approved FMLA leave may not take trips outside of the county unless the travel is related to the employee's own serious health condition, the serious health condition of the child, spouse or parent of the employee or to attend qualifying military events. An employee may ask his or her immediate supervisor for written permission to take other trips outside of the county which may be granted at the supervisor's sole discretion.

If the county has a policy forbidding employees from working other jobs, an employee on approved FMLA leave may also be forbidden from working another job while on FMLA leave from the county.

REGULATION:

Any area or issue regarding family and medical leave that is not addressed in this policy is subject to the basic requirements of the FMLA and the regulations issued to implement it.

RETURN-TO-WORK:

An employee is required to provide a fitness-for-duty certification before the employee returns to work.

ENFORCEMENT:

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer for unlawful discrimination under the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any federal or state law that provides greater family of medical leave rights.

SICK LEAVE POOL

PURPOSE:

To establish guidelines for the creation and operation of a sick leave pool to benefit Madison County eligible employees who suffer a catastrophic injury or illness. A catastrophic injury or illness is defined as:

1. A severe condition or combination of conditions affecting the mental or physical health of the employee or the employee's immediate family that requires the services of a Licensed Practitioner for a prolonged period of time and which forces the employee to exhaust all leave time accrued by the employee, causing loss of employee compensation from the county.
2. License Practitioner means a practitioner, as defined in the Texas Insurance Code, who is practicing within the scope of his/her license.
3. Immediate family is defined as an employee's spouse, mother, father, brother, sister, son or daughter.
4. Examples of illnesses or injuries generally considered severe enough to be catastrophic include but are not limited to:
 - a. Major surgery requiring long-term recuperation;
 - b. Severe stroke or heart attack;
 - c. Severe head or internal injuries requiring long-term recuperation;
 - d. Terminal or debilitating cancer, including debilitation caused by treatments;
 - e. Organ transplant;
 - f. Loss of limb;
 - g. Mental condition requiring commitment for some period of time and a regimen of intense treatment thereafter which prevents the employee from working.

These examples are by no means exhaustive. Rather they are merely illustrative of conditions that would be catastrophic. Obviously, other catastrophic conditions may be determined to exist. Each request is considered on a case-by-case basis.

SICK LEAVE POOL

ADMINISTRATION OF THE POOL:

The County Treasurer will serve as pool administrator as appointed by the Commissioners Court to be responsible for developing mechanisms to transfer accrued sick leave into and out of the pool, developing rules and procedures for the operation of the pool and developing forms for contributing leave to, or using leave from the pool.

A pool administrative committee will be composed of the Sick Leave Pool Administrator, County Auditor, County Clerk, District Clerk, Justice of Peace, Tax Assessor and the Sheriff. This committee will be responsible for receiving and reviewing all applications for use of leave from the pool.

GENERAL PROVISIONS:

After being a member of the Madison County Sick Leave Pool and contributing to the pool on an annual basis:

1. All full-time regular employees of Madison County with one year of service may apply to use sick leave from the sick leave pool.
2. Employees may use pool leave for their own catastrophic illness or injury or for a catastrophic illness or injury in their immediate family, as defined above.
3. Employees may also use “pool” sick leave if they contributed sick leave to the pool and then exhausted their sick leave balance in the same fiscal year. Such employees may receive only the number of hours they contributed to the pool that fiscal year unless they suffer a catastrophic illness or injury.
4. Employees must exhaust all accrued sick and compensatory leave granted them before they are eligible to use leave from the pool.
5. Employees on “pool” sick leave accrue paid leave when using “pool” sick leave, provided the employee returns to work following the leave.
6. Employees with catastrophic illnesses or injuries are required to participate in the program and to contribute to the pool before they can use pool leave.
7. Employees who use pool leave are not required to pay back pool leave.

SICK LEAVE POOL

CONTRIBUTING SICK LEAVE TO THE POOL:

Contributions to the pool are strictly voluntary.

Active employees may contribute up to five (5) days of sick leave to the pool at the beginning of each fiscal year in increments of eight (8) hours and must contribute to the pool on an annual basis.

Employees who make contributions to the pool may not stipulate who is to receive their contributions.

Employees who contribute leave to the pool cannot get it back unless they are eligible to use it.

An individual may donate up to ten (10) days to the pool at the time of termination of employment, if he or she has not donated within the fiscal year of the policy.

REQUESTING TO USE LEAVE FROM THE POOL:

Requests for pool leave will be forwarded to the pool administrator through appropriate supervisory channels and will be considered on a first-come, first-serve basis.

A pool administrative committee will be designated to review all requests for leave and will have five (5) working days from the date a request is received in which to approve all or part of the request or deny the request.

The pool administrative committee shall recommend to the administrator an amount of leave to be granted based on medical information reviewed.

Any unused balance of pool leave granted to an employee shall be returned to the pool. The estate of a deceased employee is not entitled to payment for unused pool leave.

Any employee may request to use pool leave only once per fiscal year, per catastrophic illness, unless the employee does not use the maximum leave granted on the first request.

GRANTED LEAVE:

The amount of leave given and used from the pool is not to exceed one-third (1/3) of the balance of hours in the pool or twelve (12) weeks, whichever is less.

Leave time given from the sick leave pool must be so noted on time sheets when used.

EMERGENCY CLOSINGS/INCLEMENT WEATHER

EMERGENCY CLOSINGS:

When adverse weathers conditions result in widespread hazardous travel conditions, the elected official/department head may grant administrative leave to employees. Administrative leave is defined as paid time off at the employee's regular pay rate.

TIME REPORTING:

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

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

ADMINISTRATIVE LEAVE FOR OFFICIALLY CLOSED ROADWAYS:

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

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

HOURS OF WORK, WORKDAY AND WORKWEEK

HOURS OF WORK:

The normal hours of work for most departments in Madison County shall be from 8:00 a.m. through 5:00 p.m.

The normal work days for most departments shall be Monday through Friday except for official holidays.

EXCEPTIONS:

In order to meet the needs of Madison County, certain departments or employees may be required to work a schedule that varies from the normal work schedule of the County or they may be subject to call in case of emergency or special needs.

The need for schedules that vary from the normal schedule shall be determined by each elected official/department head.

WORKDAY:

A workday for the County shall be defined as the period beginning at midnight and extending exactly 24 consecutive hours later.

WORKWEEK:

For purpose of recordkeeping and compliance with the Fair Labor Standards Act (FLSA), a workweek for Madison County shall be defined as the period beginning at midnight each Friday and ending seven consecutive 24 hour periods later (168 hours).

PAY PERIODS

The pay period for Madison County shall begin on the first day of each month and end on the last day of the same month, for appointed and elected officials. All other employees will be paid bi-weekly on Wednesday.

SALARY ADVANCES:

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

MINIMUM WAGE, OVERTIME PAY AND COMPENSATORY TIME

FLSA COMPLIANCE:

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

APPLICABILITY:

This policy shall apply to all employees of Madison County who are not specifically exempt from the provisions of the FLSA.

The Human Resource Department shall be responsible, with the assistance of other elected officials and department heads, for identifying the positions exempt under the FLSA.

OVERTIME:

In calculating "hours worked" for purposes of overtime computation, hours worked shall include only hours spent in the service of the county (as defined in the FLSA) and shall exclude all paid leave.

Overtime shall be all hours actually worked in excess of forty (40) during the workweek which is defined in the POLICY ON HOURS OF WORK, WORKDAY AND WORKWEEK.

Except in emergency situations, an employee shall be required to have authorization from his/her supervisor before working overtime. Overtime is discouraged in all non-emergency situations.

OVERTIME COMPENSATION:

All non-exempt employees who work overtime during a workweek shall:

- a. Receive comp time for all hours worked in excess of forty (40) hours in the work week; or
- b. Be compensated at a rate of one and one-half times his/her regular rate in cash at the discretion of Commissioners Court at any time they feel is appropriate.

MINIMUM WAGE, OVERTIME PAY AND COMPENSATORY TIME

MAXIMUM COMPENSATORY TIME:

The maximum compensatory time accrual for any employee shall be the maximum allowed under the provisions of the FLSA.

When an employee has reached the maximum compensatory time accrual, he/she shall be compensated in wages at a rate of one and one-half times his/her current regular rate for any additional overtime hours worked.

USE OF COMPENSATORY TIME:

Use of compensatory time shall be subject to approval by the employee's elected official/department head.

Compensatory time may be used as vacation, sick leave or for any other reason as leave with pay. Madison County reserves the right to buy back all or part of an employee's unused comp time.

If an individual's employment terminated before all of his/her earned compensatory time is used, he/she will be paid for all unused time at a rate of one and one-half times his/her regular rate on his/her final paycheck.

LAW ENFORCEMENT FLSA OVERTIME EXCEPTIONS:

Commissioners Court designated that FLSA overtime for law enforcement employees shall be all hours worked in excess of eighty-six (86) hours in a fourteen (14) day work schedule, as provided in Section 207 (k) of the Fair Labor Standards Act.

All non-exempt law enforcement personnel who work FLSA overtime during a fourteen (14) day work schedule as provided in Section 207(k) of the Fair Labor Standards Act shall receive comp time at a rate of one and one half hours (1 ½) for all hours worked in excess of eighty-six (86) hours. The maximum amount of FLSA compensatory time accrual for any law enforcement employees shall be the maximum allowed under the provisions of the FLSA.

MINIMUM WAGE, OVERTIME PAY AND COMPENSATORY TIME

LAW ENFORCEMENT NON-FLSA OVERTIME EXCEPTIONS:

The Madison County Commissioners Court has adopted the extended work period for law enforcement personnel authorized by the Fair Labor Standards Act §207(k). A law enforcement employee will be paid a salary based on a minimum of 80 hours reported and a maximum of 86 actual hours worked, plus overtime for any authorized hours worked over 86 during a (14) day work schedule. Overtime may be paid as compensatory time or paid time off as determined in the county's annual budget. An employee will be paid his or her full salary if the employee reports at least 80 hours during a work period. Overtime will not accrue in any work period during which an employee reports sick, vacation, or compensatory time until the number of actual hours worked reported during the work period exceeds 86.

A law enforcement employee must account for 80 hours during each work period, by reporting actual hours worked or sick, vacation or compensatory time. If an employee reports more than 80 actual hours worked during a work period he or she will receive no additional salary compensation for the actual hours worked between 80 hours and 86; however, the county will provide an hour-for-hour straight time-off benefit for actual hours worked up to 86 hours during a work period. The county will not pay an employee any monetary value for the hour-for-hour straight time-off benefit upon separation from employment by the employee.

Except in an emergency situation, as determined by the Commissioners Court or the Sheriff, an employee must obtain advanced authorization from his or her supervisor before working more than 86 hours in any work period to receive overtime compensation.

RECORDKEEPING:

Each employee shall be responsible for recording any compensatory time taken within a pay period on the time sheet for that pay period.

Each elected official/department head shall be responsible for notifying the Payroll office if overtime worked by his/her employees is to be paid in wages or accumulated as compensatory time.

The Payroll office shall be responsible for keeping records of all compensatory time earned and used by eligible County employees and shall update the balance due for each employee at the end of each pay period.

MINIMUM WAGE, OVERTIME PAY AND COMPENSATORY TIME

COMPENSATORY TIME - EMPLOYEE NOTIFICATION:

The Payroll office shall provide the Elected Official/Department head a monthly statement on each employee who earns compensatory time reflecting his/her compensatory time activity. This information is also on each check stub.

The compensatory time activity statements shall show:

- a. All compensatory time earned during the month;
- b. The compensatory time balance at the end of the month.

Employees may check their current compensatory time balance at the Payroll office at any time during normal working hours.

PAYROLL RECORDS

TIMESHEETS:

Each employee shall be required to keep an accurate timesheet each pay period, which shows all hours worked and all requests for paid leave used.

On the last Friday on each pay period, each employee shall be required to sign his/her completed timesheet and turn it into his/her elected official/department head.

When the elected official/department head receives the timesheets from his/her employees, the elected official/department head shall review the timesheets for completeness and accuracy and make any corrections, with the knowledge of the employee involved, which are necessary.

When the elected official/department head finishes reviewing the timesheets for accuracy, he/she shall sign them and submit them to the Payroll office by 10:00 a.m. on the Monday following the end of each pay period.

If an employee knowingly and intentionally falsifies information on a timesheet, he/she shall be subject to termination.

RETENTION OF RECORDS:

The Payroll office shall be required to keep copies of all timesheets and other payroll records for a minimum of four (4) years in accordance with FLSA.

PAY REDUCTIONS

REASONS:

An employee's pay may be reduced for disciplinary reasons or demotion.

DISCIPLINE:

The elected official/department head shall determine the amount of pay reduction when such a reduction is necessary for disciplinary reasons.

DEMOTION:

If any employee's salary is reduced because of demotion, the salary shall be reduced to the level of any employee in the same or a similar job who has equal experience.

If an employee is demoted to his/her former job after being promoted, the employee's rate of pay shall be the same as it was prior to the promotion.

TERMINATION PAY

If an employee leaves the service of the County, his/her final paycheck shall include the following:

- a. Pay for all hours worked but for which payment has not been received including, where applicable, time and one-half for overtime worked;
- b. Where applicable, pay for compensatory time which has been earned but not yet used at the regular rate;
- c. Pay for any leave time for which payment is due under the provisions of the Madison County Personnel Policy.

COMPENSATION

COMPLIANCE WITH LAWS AND REGULATIONS:

It is the intent of the County that the salary system complies with all federal statues such as the Fair Labor Standards Act, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act and the Equal Pay Act.

ADMINISTRATIVE EFFICIENCY:

As the County has limited resources, it is not the intent to spend excessive time and money in administration of the salary system. The goal is to keep the paperwork to a minimum and the system simple and flexible while obtaining the objectives.

COMPENSATION POLICY:

No starting salary, other than the minimum salary of the proposed grade, will be offered to prospective employees during interviews by the departmental personnel.

Any starting salary above the minimum must be cleared through the Salary Committee for compliance with compensation policies prior to an offer being made to the prospective employee.

All newly hired, promoted, reclassified, demoted and transferred employees will be placed in the salary range of their appropriate grade.

Employees may be eligible to receive a salary increase in accordance with the County Compensation policies **provided that funds are available.**

During the budget process, Commissioners Court determines the type of allocation, percentage or fixed amount and the amount of funds available for salary increase for each department.

NOTE: The resulting salary may not exceed the maximum of the pay grade.

COMPENSATION

PAY GRADES:

Pay grades should be reviewed annually by the salary committee to ensure that they are meeting the objectives of the compensation policy. Adjustment recommendations will be submitted to Commissioners Court for approval. Implementation of adjustments will be included in the subsequent budget.

PROMOTIONS:

A promotion is the advancement of an employee from a lower pay rate to a higher pay rate within the department.

It is the County's policy to give qualified employees advancement opportunities whenever possible.

An employee receiving a promotion will be compensated in accordance with the Compensation Policy. An employee who is promoted to a higher pay rate must satisfactorily demonstrate his/her ability to perform the duties of the new position. The immediate supervisor will periodically advise the employee of his/her progress and ensure that the employee receives any necessary training to successfully perform the job duties. The supervisor may evaluate the employee's performance immediately preceding the completion of six months. Failure of the employee to perform satisfactorily at the promoted position may result in demotion or termination.

TRANSFERS:

A lateral transfer is defined as the movement of an employee within a department to a position that has the same pay grade as the employee's previous position. An employee transferring laterally shall not receive a salary increase or decrease.

Any employee that is accepted for a transfer between departments should provide his/her department head two weeks written notice before transferring between departments, unless a mutual agreement of less or greater notice is made between the affected department heads.

COMPENSATION

DEMOTIONS:

A demotion is defined as the movement of an employee from a higher pay grade to a lower pay grade as a result of:

- * The inability of an employee to fulfill the functions of the position.
- * The employee's request for such change; or
- * Disciplinary action.

An elected official/department head has the authority to demote employees.

In all demotions, the employee maintains the same relative wage position within the new respective pay grade. The employee's reduced salary may not fall below the minimum or above the maximum for the new grade.

RECLASSIFICATION:

Reclassification is a significant change in job duties, including responsibilities, level of knowledge and accountability.

Since job grade assignments are correlated to other grades and similar jobs, changes in job duties may or may not result in reassignment of a position to another pay grade unless there is a significant increase or decrease in job duties. All requests for reclassification will be reviewed at mid-year for implementation during the budget process. Exceptions to this policy will be evaluated on an as needed basis upon the recommendation of the Salary Committee.

Reclassification requests shall be submitted to the Salary Committee Chair by March 31st to be considered by the Salary Committee. All requests for reclassification consideration should be a result of business necessity without consideration of the performance or merit of the incumbent in the position at the time of the request.

Employees who occupy a position, which is being reclassified will be subject to meeting the minimum qualifications of the new job classification in order to remain in said position.

An employee who is an incumbent in a position that is reclassified into a lower pay grade shall not receive a salary decrease because of the reclassification.

An employee who is an incumbent in a position that is reclassified into a higher pay grade shall not receive a salary increase, unless the current salary falls below the minimum of the new grade. The employee's salary shall not fall below the minimum or above the maximum of the new pay grade.

Reclassification recommendations from the Salary Committee will be subject to Commissioners Court approval during the normal budget procedure for the following fiscal year.

COMPENSATION

SALARY COMMITTEE:

County Judge
County Sheriff
One Commissioner
Tax Assessor/Collector
County Treasurer
County Clerk
District Clerk
County Auditor
One Justice of the Peace

The County Judge will serve as Chairperson and vote only to break a tie-vote. Three-fourths (3/4) of the committee-voting members must be present in order for any issue to be considered. To approve a recommendation to Commissioners Court, a two-thirds vote is required. Any elected official/department head serving as a committee member shall abstain from voting on any item(s) directly affecting that elected official/department head's office.

The Salary Committee shall meet at least once a year in April to consider Review Requests. The County Judge may call a meeting as needed to consider requested changes to the Compensation Policy and any other salary administration items.

MADISON COUNTY COMPENSATION POLICY
FY-September 30, 2018

PAY GRADES	MINIMUM SALARY	MAXIMUM SALARY	TITLES
Grade 1 <i>hourly rate</i>	\$17,680.00 8.50	\$29,598.00 14.23 67%	Driver Veteran's Services Coordinator Clerk 1 (Temps) Road Hand - General Laborer 1 Transfer Station Employees
Grade 2 <i>hourly rate</i>	\$21,445.00 10.31	\$36,587.00 17.59 71%	Custodian Secretary (DPS Office) Secretary (Ag Extension Office)
Grade 3 <i>hourly rate</i>	\$22,402.00 10.77	\$36,920.00 17.75 65%	Clerk 2 (Justice of the Peace Office) Clerk 2 Road Hand - General Laborer 2
Grade 4 <i>hourly rate</i>	\$23,130.00 11.12	\$43,264.00 20.80 87%	Administrative Assistant 1 Assistant Librarian Clerk 3 (Justice of the Peace Office) Secretary (Rural Addressing Office) Deputy Clerk I (Treasurer Office) Deputy Clerk 1 (Tax A/C Office) Deputy Clerk 1 (District Clerk Office) Deputy Clerk 1 (County Clerk Office) Road Hand - General Laborer 3
Grade 5 <i>hourly rate</i>	\$24,336.00 11.70	\$44,928.00 21.60 85%	Jailer Dispatcher Transport Officer
Grade 6 <i>hourly rate</i>	\$29,890.00 14.37	\$46,675.00 22.44 56%	Administrative Assistant 2 Assistant County Agent Bailiff Communications Supervisor Deputy Clerk 2 Elections Administrator Jail Administrator Maintenance Supervisor
Grade 7 <i>hourly rate</i>	\$32,323.00 15.54	\$49,795.00 23.94 54%	Administrative Assistant 3 Sheriff Deputy - Basic Peace Officer Certificate Road Hand - Heavy Equipment Operator District Attorney Investigator 1
Grade 8 <i>hourly rate</i>	\$34,757.00 16.71	\$50,357.00 24.21 45%	Deputy Clerk 3 Sheriff Deputy - Intermediate Certificate
Grade 9 <i>hourly rate</i>	\$35,755.00 17.19	\$52,291.00 25.14 46%	Deputy Sergeant Emergency Mgt. Coordinator/Grants/Rural Add Librarian Sheriff Deputy - Advanced Certificate
Grade 10 <i>hourly rate</i>	\$40,206.00 19.33	\$60,840.00 29.25 51%	Chief Investigator Chief Deputy District Attorney Investigator 2 Assistant District Attorney Sheriff Deputy - Masters Certificate

LONGEVITY PAY

PURPOSE:

The purpose of this policy/procedure is to establish guidelines for longevity pay for county employees for long term employment and service to Madison County.

APPLICATION:

This policy applies to all regular full-time employees and those appointed by Commissioners Court after one (1) year of continuous service and as approved by Commissioners Court each Fiscal Year.

STATEMENT OF PROCEDURES:

1. Months of service will be calculated and adjusted annually from the date of hire to October 1 of the Fiscal Year, minus months where a break in service occurred.
2. Employees on approved leave of absence will not receive longevity benefits for the months on leave of absence.
3. Employees who terminate employment with the County prior to the last regular pay day in November will not receive longevity.
4. Part time and/or temporary employees will not receive longevity. If a part time or temporary employee becomes a full time employee, the longevity benefit will be calculated from the day the employment became full time.
5. The maximum number of months for which an employee is eligible for longevity pay will be 240, or 20 years.
6. Longevity pay is related solely to length of total service with the county. An employee's longevity pay shall remain unaffected by any transfer, promotion or demotion.
7. An employee who terminates employment with Madison County and is rehired within one year of termination will be reinstated with longevity at the rate they would receive had they never left employment, less the months of break in service.
8. An employee whose hire date is on or before the 15th of the month will receive credit for that month. If the hire date is after the 15th of the month, credit will start the first of the following month.
9. Longevity pay will be subject to all taxes and withholding, same as regular salary.

LONGEVITY PAY

10. Longevity pay will be paid annually in December of each year or a date established by Commissioners Court.

AUTHORIZED LONGEVITY PAY:

1. 12 months up to 60 months (1 year up to 5 years) = \$3.00 per month
2. 61 months up to 120 months (over 5 up to 10 years) = \$5.00 per month
3. 121 months up to 240 months (over 10 up to 20 years) = \$10.00 per month
4. Examples:
 - a. Employee hired on April 7, 2004 – calculated to October 1, 2007 – would be 42 months – therefore $42 * 3 = \$126$ paid December 7, 2007.
 - b. Employee hired on October 27, 2000 – calculated to October 1, 2007 – would be 83 months – therefore $83 * 5 = \$415$ paid December 7, 2007.
 - c. Employee hired on September 3, 1986 – calculated to October 1, 2007 – would be 253 months – but maximum months is 240 – therefore $240 * \$10 = \$2,400$ paid December 7, 2007.

SAFE HARBOR

Madison County makes every effort to pay its employees correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the attention of the Payroll office, necessary corrections will be promptly made. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below. If you are overpaid the county will make the necessary corrections at the next payroll.

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

Non-exempt employees, unless authorized by your supervisor, should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so. That time worked is to be recorded on your time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination. If anyone directs you to work without documenting your time worked, you must tell the Payroll office

It is a violation of Madison County policy for any employee to falsify a time card, or to alter another employee's time card. It is also a serious violation of County policy for any employee, supervisor or official to instruct another employee to incorrectly or falsely report hours worked, or to alter another employee's time card to under- or over-report hours worked. If anyone instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to the Payroll Office, 103 W. Trinity, Suite 115, Madisonville, Texas 77864, 936-348-5141.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours worked for the County. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a pre-determined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

SAFE HARBOR

For exempt employees, your salary may also be reduced for certain types of deductions such as your portion of health, dental or life premiums; state, federal or local taxes, social security, retirement; or, voluntary contributions to a deferred compensation plan. In any workweek in which you performed any work, your wages may be reduced for any of the following reasons: 1) absence from work for one or more full days for personal reasons, other than sickness or disability; or 2) full day disciplinary suspensions for infractions of our written policies and procedures; or 3) full day for violating safety rules of a major significance; or 4) Family and Medical Leave or Military Leave absences; or 5) to offset amounts received as payment for jury and witness fees or military pay; or 6) the first or last week of employment in the event you work less than a full week.

If you are an exempt employee, in any workweek in which you performed any work, your salary will not be reduced for any of the following reasons: 1) partial day absences for personal reasons, sickness or disability; or 2) your absence because the facility is closed on a scheduled work day; or 3) your absence because of the County's operating requirements; or 4) absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or 5) any other deductions prohibited by state or federal law.

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

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to Payroll Office, 103 W. Trinity, Suite 115, Madisonville, Texas 77864, 936-348-5141. If you are unsure of who to contact or if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the District Attorney, 101 W. Main, Madisonville, Texas 77864, 936-348-7049. Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including termination.

IRS FRINGE BENEFITS

Madison County will comply with the IRS with regard to fringe benefits such as county uniforms, county vehicle usage and day-trip meals. You may be responsible for paying payroll taxes on such fringe benefits.

SEPARATION

TYPES:

All separations from employment with the County shall be designated as one of the following types:

- a. Resignation;
- b. Retirement;
- c. No Fault;
- d. Dismissal;
- e. Disability;
- f. Reduction in Force (layoff); or
- g. Death

RESIGNATION:

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

The employee is encouraged to notify his/her elected official/department head of the intent to resign at least ten (10) working days prior to the last day of work.

An elected official/department head shall be responsible for notifying the Payroll office as soon as an employee announces his/her intent to resign.

A dismissal shall be any involuntary separation from employment, which does not fall into one of the other categories of separation.

An elected official/department head may terminate an employee with or without notice for any legal reason or no reason at all just as any employee may resign at any time giving notice or no notice at all.

A separation for disability shall be any situation in which the employee is unable to perform the duties of his/her job for physical or mental reasons and after review of reasonable accommodations, no suitable accommodations were found, and after no other job within the County is available for which the employee is qualified to perform with or without a reasonable accommodation.

SEPARATION

REDUCTION IN FORCE:

An employee shall be separated because of reduction in force when his/her position is abolished or when there is lack of funds or work.

Separation for reductions in force are subject to the provisions of the POLICY ON LAYOFFS.

DEATH:

If any employee dies while in the service of the County, his/her designated beneficiary or estate shall receive all earned pay and payable benefits.

LAYOFFS

REASONS:

While such action is avoided whenever possible, employees of Madison County may be laid off where an elected official/department head deems it necessary because of shortages of funds or work, the abolition of a job or jobs, other material changes in the organization or for other reasons which are beyond the control of the employees.

A layoff shall not reflect discredit on an employee or on his/her ability to do the job in which he/she was employed.

TRANSFERS:

Whenever possible, employees who are laid off in one department shall be integrated into other departments by transfer.

SEQUENCE:

If layoffs are required, they shall be at the discretion of the elected official/department head based first on demonstrated job performance and efficiency and, secondly, on length of service.

RE-EMPLOYMENT:

Employees who have been laid off shall be given preferential consideration for future job openings in their previous job position for a period of six (6) months.

DISCIPLINE

AUTHORITY:

Employees may be disciplined at any time the elected official/department head of the employee's department feels that discipline is warranted.

REASONS:

Discipline shall normally result from activities which the elected official/department head feels is not consistent with the best interest of the department or county.

Reasons for discipline include, but are not limited, to the following:

- a. Insubordination;
- b. Unexcused absence;
- c. Excessive absenteeism;
- d. Use of drugs or alcohol while on duty or reporting for work under the influence of drugs or alcohol;
- e. Violation of county or department policies;
- f. Abuse of benefits;
- g. Personal use of county property;
- h. Gross or repeated neglect of duties;
- i. Violation of safety policies; or
- j. Any other reason deemed appropriate by the elected official/department head.

DISCIPLINE:

Discipline may include, but not be limited to, any of the following:

- a. Verbal warning;
- b. Written reprimand;
- c. Demotion;
- d. Suspension without pay; or
- e. Termination.

DISCIPLINE

TERMINATION:

Madison County is an at-will employer and termination is not always a disciplinary matter. Madison County retains the right to terminate an employee at any time, with or without reason.

Elected officials/department heads are not required to follow a specific progressive disciplinary procedure, and any level of discipline may be initiated at any time, including termination, that the elected official/department head deems appropriate.

Disciplinary action does not automatically or permanently disqualify an employee from consideration from promotions, pay increases, commendations, or other future beneficial personnel action.

GRIEVANCES

GRIEVANCES PROCEDURE:

It is the policy of Madison County insofar as possible to prevent the occurrence of employee grievances and to deal promptly with those that occur.

An employee having a grievance relating to his/her employment, working atmosphere, employee relations or similar work related issues should present the grievance to his/her elected official/department head.

The decision of the elected official/department head shall be final and the employee shall not have any further internal course of appeal.