

**PERSONNEL POLICY MANUAL
FOR
DICKENS COUNTY, TEXAS**

Adopted by Commissioners Court

December 10, 2007

Updates

September 2008

September 2010

October 2011

July 2012

Employee Manual Receipt

This is to acknowledge receipt of a copy of the Dickens County Personnel Policy Manual, Drug Abuse Policy, and Sexual Harassment Policy. I understand that it is my responsibility to read it and ask any questions about its contents in necessary. I understand that the manual is not a contract with me and is subject to constant review and may be updated or changed from time to time. I understand that my employment is "at-will" and I can resign at any time with or without notice and Dickens County has the right to terminate my employment at any time with or without notice. I further acknowledge that the *Employee Handbook* is not a contract of employment. I agree to abide by the policies and procedures of Dickens County and understand not doing so can result in termination.

Employee Name

Date

Table of Contents

	Page #	Section #
Employment At-Will Policy	1	
Implementation, Administration and Dissemination of Personnel Policies	2	1
Equal Employment Opportunity and Anti-Discrimination	2	2
Pre-Employment Requirements	3	3
Reasonable Accommodations	3	4
Working Schedule	3	5
Recruitment and Selection	3	6
Recruitment	3	6.01
Application	3	6.02
Disqualification	4	6.03
Selection	4	6.04
Retention of Applications	4	6.05
Unauthorized Absence	4	7
Performance Review	4	8
Reduction in Force	5	9
Responsibility for County Property	5	10
Assigned Property	5	10.01
Driver's License	5	10.02
Personal Use	5	10.03
Accident Reporting	5	10.04
Telephone Use	5	10.05
Travel Authorization and Expense Allowance	5	11
Advance Payment	6	11.01
Personal Vehicles	6	11.02
Lodging and Meals	6	11.03
Registration Fees	6	11.04
Other Expenses	6	11.05
Continuing Education Training	6	11.06
Work Period	6	12
Pay Day	6	13

Cont.	Page #	Section #
Overtime Pay	7	14
FLSA Compliance	7	14.01
Applicability	7	14.02
Overtime Computation	7	14.03
Executive, Administrative, or Professional Designation	7	15
Pay	7	16
Salaried Employees	7	16.01
Salary Amount Budgeted	7	16.02
Final Pay	7	16.03
Employee Benefit Programs	7	17
Social Security	7	17.01
Worker's Compensation	8	17.02
Applicability	8	17.02 (a)
Responsibility	8	17.02 (b)
Physicians Release	8	17.02 (c)
Unemployment Insurance	8	17.03
Retirement	8	17.04
Health Insurance Coverage	9	17.05
Change of Address	9	18
Holidays	9	19
Eligibility	9	19.01
Amount of Pay	9	19.02
Work on Holiday	9	19.03
Holiday on a Day Off	10	19.04
Holiday During Leave of Absence or Suspension	10	19.05
Types of Leave and Employee Benefits	10	20
Eligibility	10	20.01
Record Keeping	10	20.02
Vacation Leave	10	20.03
Sick Leave	11	20.04
Unused Sick Leave	11	20.05
Personal Days	11	20.06
Civil Leave	11	20.07
Military Leave	11	20.08
Using Leave in Combination	11	20.09
Injury Leave	11	20.10
Special Leave	12	20.11
Employee Responsibilities	12	21
General	12	21.01
Timelines	12	21.02
Conflict of Interest	12	21.03

Cont.	Page #	Section #
Political Activity	13	21.04
Resignations	13	21.05
Communications	13	21.06
Violation of Personnel Policies	13	21.07
Safety	13	21.08
Drug Abuse Policy	13	22
Statement of Purpose	13	22.01
Definitions	14	22.02
Statement of Policy	14	22.03
Testing of Employees	15	22.04
Consequences of a Positive Test Result	15	22.05
Sexual Harassment Policy	16	23
Questions	17	24

EMPLOYMENT AT-WILL POLICY

All employees of Dickens County are considered to be “at-will” employees and employee status shall not be considered a contract of employment or for any specified length of time. This means the employment relationship may be ended at the will of the employer, Dickens County or the employee. Also, employment may be terminated with or without cause and with or without notice at any time by the employer or the employee. Nothing in this manual or in any document or statement shall limit the right to terminate employment at-will. No Elected Official or Department head has the authority to enter into an agreement for employment other than at-will employment.

I acknowledge that I have received and read a copy of the Dickens County Employment At-Will Policy.

Signature on file
Signature

Date

SECTION 1

**IMPLEMENTATION, ADMINISTRATION and
DISSEMINATION OF PERSONNEL POLICIES**

Each elected official of Dickens 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.

A Master Personnel Policy Manual, which contains the original of all personnel policies in effect for Dickens County, shall be maintained in the County Judge's office. Copies of the complete Personnel Policy manual shall be maintained in each department.

The County Judge will serve as the County's Personnel Policy Coordinator. The duties for the Coordinator shall include the following:

- a. Maintaining the Master Policy Manual and updating the manual whenever a change, addition, or deletion is made in the County's personnel policies:
- b. Providing each department head with copies of new or changed policies and information when policies are deleted so that the department administrator will be able to update the department's copy of the PPM when a change, addition or deletion is made.

DISSEMINATION

Each department head shall be responsible for:

- a. Providing a copy of the PPM to each employee; and
- b. Each department administrator shall take appropriate action to see that each employee reads and becomes familiar with the PPM.

SECTION 2

**EQUAL EMPLOYMENT OPPORTUNITY and
ANTI-DISCRIMINATION**

Dickens County is an equal opportunity employer. It is policy is to prohibit employment discrimination based on race, age, religion, color, handicap, national origin, sex, political affiliation or belief, or any other non-merit factors.

Personnel decisions shall be based upon an individual's skills and qualifications and not in such factors as age, sex, race religious preference, national origin, political preference, or disability. Fairness and merit shall be the standards for all personnel actions, including recruitment, examination, selection, appointment, compensation, training, promotion, retention, and discipline. Unlawful discrimination or harassment in the work place by supervisors, coworkers, or contractors is strictly prohibited.

**SECTION 3
PRE-EMPLOYMENT REQUIREMENTS**

Law Enforcement employees must be able to become TCLEOSE certified. Road and Bridge employees must be able to obtain a CDL license and pass a drug and alcohol prescreening test.

**SECTION 4
REASONABLE ACCOMMODATION**

Determination of reasonable accommodation for otherwise qualified handicapped employees or applicants shall be made in accordance with the provisions of the policy on EQUAL EMPLOYMENT OPPORTUNITY.

**SECTION 5
WORKING SCHEDULE**

Regular office hours are 8:00 a.m. until 12:00 p.m. break for a one (1) hour lunch, return back at 1:00 p.m. until 5:00 p.m.

Office may remain open during the noon hour and lunch periods may be alternated according to the requirements of the office and regulated by the department heads.

Those hours maybe modified for employees who provide services that must be available at other times. Employees are expected to observe their working hours punctually. When leaving a job during work hours and employee must notify his/her supervisor of the destination and expected time of return.

Each elected official may set other hours for his/her department if he/she deems necessary or desirable.

**SECTION 6
RECRUITMENT AND SELECTION**

Sec. 6.01 Recruitment

Recruitment of qualified applicants to fill openings on the staff of Dickens County may include, but not be limited to, public posting in the Dickens County Courthouse and/or advertising at least two (2) week in the newspaper serving Dickens County.

Sec. 6.02 Application

An individual who is not a current employee of Dickens county shall be required to file 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. Current County employees shall be given first consideration to fill current openings in the form of lateral transfers. First consideration does not mean to guarantee a job transfer. It includes first notification and first consideration only.

Application for any open position in the County may be made at the office of the department administrator having the opening. Applications for employment forms are available in the County Judge's office and are to be used in each department.

Sec. 6.03 Disqualification

An applicant shall be disqualified from consideration if he/she:

- a. Does not meet the minimum qualification necessary for the performance of the duties of the position for which he/she is applying;
- b. Has knowingly made a false statement on the application form or any other documents related to or which have bearing on the selection process;
- c. Has committed or attempted to commit a fraudulent act at any stage of the selection process; or
- d. Is not legally permitted to hold the position.

An applicant may be disqualified from consideration for employment for other reasonable grounds relating to job requirements.

Sec. 6.04 Selection

It shall be the policy of Dickens County to select the most qualified applicant to fill an open position. Selection is to be made by the official or department administrator having the opening.

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

- 1. A review of the application to determined basic qualifications;
- 2. A personal interview with the potential supervisor;
- 3. Reference and other background checks.

Sec. 6.05 Retention of Applications

Applications of individuals applying for employment with Dickens County shall be kept for a minimum of one (1) year after the initial date of the application.

**SECTION 7
UNAUTHORIZED ABSENCE**

If you are unable to report for work for any reason, you must notify your supervisor as soon as possible. If you fail to report to work, leave work without authorization, or fail to return to work when approved leave has expired; you will be placed on leave without pay status.

Unauthorized absence is a basis for disciplinary action or dismissal. An employee who is absent without notification for two consecutive working days shall be considered to have abandoned his position. This absence may result in immediate discharge.

**SECTION 8
PERFORMANCE REVIEW**

His/her supervisor may review the work performance of each employee of Dickens County. The purpose of the review and evaluation is to help both employees and supervisors measure performance and to help make decisions about such matters as employee training needs, work assignments, promotions and retention of employees.

**SECTION 9
REDUCTION IN FORCE**

An employee shall be separated because of reduction in force when his/her position is abolished or when there is a lack of funds, lack of work, or the position does not receive budgetary funding.

**SECTION 10
RESPONSIBILITY FOR COUNTY PROPERTY**

Sec. 10.01 Assigned Property

All county employees shall be responsible for the proper use and maintenance of all tools, equipments or vehicles in their care, custody or control.

Sec. 10.02 Driver's License

All County employees who operate county vehicles or equipment shall have a valid State of Texas driver's license necessary for that vehicle or equipment.

As a County employee you are required to notify your supervisor of any change in the status of your DL.

Suspension or revocation of the DL of an employee, who is required to operate a vehicle or equipment as a normal part of his /her job, may result in a job change, demotion or discharge.

Sec. 10.03 Personal Use

Personal use of any county property, materials, supplies, tools, equipments or vehicles shall not be permitted.

Sec. 10.04 Accident reporting

Any employee operating county vehicle or equipment shall report all accidents and property damage to his/her supervisor and the proper law enforcement authority immediately.

A copy of all accident and incident reports completed by and employee of the county shall be sent to the supervisor of the employee involved, and to the County Judge.

Sec.10.05 Telephone Use

County telephones shall be used for conducting the business of Dickens County. 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. Personal use of county telephones long distance purposes is discouraged, but when necessary, that person shall pay the Treasurer's for charges when the office receives the itemized bill.

**SECTION 11
TRAVEL AUTHORIZATION and ALLOWED EXPENSES**

Dickens County pays reasonable expenses that are incurred from authorized official trips. The department administrator must approve all travel, on behalf of Dickens County. The following rules are hereby established to govern expense allowances to be granted to officials and employees who travel out of the county on county business. Travel expense forms are a part of this policy and are required to be used when requesting travel reimbursement or advance payment. Expense forms must be approved by the department head with an original signature.

Sec. 11.01 Advance Payment

If the judgment of the department administrator and Commissioners' Court, the estimated expense for the contemplated travel is too high to expect the official or employee to finance and be reimbursed upon their return, the Commissioners' Court may authorize advance payment of an estimated amount to the employee. All receipts and left over cash must be returned to the County Treasurer with in seven (7) working days of the completion of travel.

Sec. 11.02 Personal Vehicle (updated September 2008)

If the use of your private automobile is required, the county will pay using the Texas State Comptroller's Mileage Reimbursement upon the approval of the department supervisor. The mileage must be submitted to the Commissioners' Court on a mileage form with the signature of the supervisor's approval.

Sec. 11.03 Lodging and Meals (updated September 2008)

Expenses will be reimbursed for adequate lodging. Receipts will be required for lodging. Meals will be reimbursed at the rate of up to \$39.00 per day if an overnight stay is required. Meals will be reimbursed at a higher rate if the stay is at a high destination area. List of high destination cities are available at the County Treasurer's Office. No receipts required for meals. NO meal allowance will be paid for day meals without an overnight stay.

Sec. 11.04 Registration Fees

Fees charged for registration for any conference and or meetings are allowed for reimbursement. A receipt or copy of registration setting forth the fee rate, should be provided with expense report.

Sec. 11.05 Other Expenses

Reasonable expenses for car fare or airport parking shall be reimbursed provided receipts are attached to the travel expense form.

Sec. 11.06 Continuing Education Training

Expenses for continuing education will be paid only for training for your current position.

**SECTION 12
WORK PERIOD**

A work period consists of 40 hours for full-time employees of the County. Law Enforcement work period is based on an 86 hour, 14 day pay period.

Hours worked must be recorded by the employee on time sheets and signed by the employee and his/her supervisor. Completed time sheets must be submitted to the County Treasurer's office the morning of pay day. Time sheets must be signed by the employee and supervisor. Original signatures are required. Time sheets stamped with a signature stamp will not be accepted. Your pay check can be picked up in the County Treasurer's office after 11:30 a.m. on pay day. Your time sheets must be on file. Failure to turn in your time sheet may delay your paycheck.

The County Treasurer is designated as the official keeper of all overtime, holiday time, sick leave time, and vacation time.

**SECTION 13
PAY DAY**

Employees of Dickens County are paid bi-weekly. Elected officials are paid once a month.

**SECTION 14
OVERTIME PAY (updated September 2010)**

Overtime Pay for non-exempt employees will be paid at 1.5 times the regular rate of pay for all hours actually worked over 40 hours in a work week for non-law enforcement employees.

Overtime pay for law enforcement 207k Exemption: Law enforcement will be paid 1.5 times their regular rate of pay for all hours worked over 86 hours in a 14 day work period.

Sec. 14.01 FLSA Compliance

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

Sec. 14.02 Applicability

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

Sec. 14.03 Overtime Computation

In calculation "hours worked" for purposes of overtime computation, hours worked shall include only hours spent in the services of the county (as defined in the FLSA) and its amendments as it applies to county governments.

**SECTION 15
EXECUTIVE, ADMINISTRATIVE OR PROFESSIONAL DESIGNATION (updated September 2010)**

Employees who meet the qualifications of the Fair Labor Standards Act of Executive, Administrative or Professional designation will be exempt from overtime.

**SECTION 16
PAY (updated September 2010)**

Sec. 16.01 Wages

All county non-exempt employees are paid by the hour.

Sec. 16.02 Wages Budgeted

Increases to the wage budget for each department will be set by the Commissioners' Court at budget time, and will be made available to each department at the beginning of the fiscal year. Each elected official may decide at what time any raise will be released to his/her employees. Raises may not exceed budgeted amounts.

Sec. 16.03 Final Pay

When an employee terminates his/her employment, the final pay that he/she will be issued at the next official payroll date.

**SECTION 17
EMPLOYEE BENEFIT PROGRAMS**

Sec 17.01 Social Security

Employees are covered by Social Security. The County matches each employee contribution to S.S.

Sec. 17.02 Workers Compensation

A. Applicability

All Dickens County employees are covered by the Texas Worker's Compensation Act and will receive all benefits prescribed by law. Premiums covering ALL employees are paid by the County and are based on gross wages paid.

B. Responsibility

An employee who suffers an on the job injury or job related illness shall notify his/her supervisor as soon as it is reasonably possible and will fill out the appropriate reporting forms within 24 hours. Claim forms may be obtained in the County Treasurer's office. Failure to report injuries or illnesses in a timely manner may affect in the employee's eligibility to receive workers' compensation benefits or may delay benefit payments. Employee must use an approved Doctor from the medical list unless it is an emergency.

C. Physicians 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.

At the termination of an injury leave period, an employee may use any accrued sick leave or vacation leave to pay the portion of his or her salary not paid by Worker's Comp.

Following the specified 180- days the disabled employee will receive:

- a. Worker's Compensation check only.
- b. No County check.
- c. No Vacation time accrual.
- d. No sick leave accrual.

Retirement cannot be withdrawn, unless the employee terminates.

Sec. 17.03 Unemployment Insurance

Employees are also covered by unemployment compensation insurance as required by law.

Sec. 17.04 Retirement

State and Federal law and regulations shall govern mandatory retirement with Dickens County.

Dickens County joined the County and District Retirement System on July 1, 1977. The employee contribution to this system is 7% of gross salary that is deducted from the employee's paycheck and is matched with County's rate of 150%.

Should an employee leave the employment of the county prior to qualifying for retirement benefits, that employee shall have the right to apply for a refund of the contribution to the system along with interest earned on his contribution. The employee shall not be entitled to the retirements benefits should he/she withdraw from the retirement system before becoming vested.

Any member, after one year from the effective date of his membership shall be eligible for services retirement system who: (1) Shall have attained the age of 60 years, and shall have completed at least 8 years of creditable service, (2) shall have completed 30 years of creditable service, (3) Rule of 75 (age plus years of service equals 75).

A member having 8 years or more of service with the county will have a vested interest in the Retirement System. (Should an employee leave the County employment after acquiring 12 years of service with the county, and that employee leaves his money in the system, at age of 60 that employee would be eligible to make application for retirement benefits from the system.)

Any member who has 12 or more years of service and is the age of 60 or older or has 20 or more years of service, regardless of age, will have the right to apply for deferred service retirement. This means that a member may remain in service and file a written statement of an optional allowance and in the event the member thereafter dies while in service with the county, he shall be considered to have retired effective as of the last day of the calendar month next proceeding the month in which death occurs and his beneficiaries will be eligible to receive his retirement benefits.

When a member is eligible for service retirement, he may select any one of several optional plans for retirement. He must make application for service retirement **at least 45 days before his effective date of retirement**. When his application is received, the various options for service retirement will be explained to him by the County Treasurer's office.

Sec. 17.05 Health Insurance Coverage

All full time employees will be provided health insurance. Insurance will begin on the 1st day of the following month in which employment begins. It will continue until the 1st day of the month following termination of employment. Insurance will continue as long as you are employed by Dickens County. An employee may be required to pay a portion of the premium.

SECTION 18 CHANGE OF ADDRESS

When there is a change in your address, phone number, last name, please notify the County Treasurer's office as soon as possible. This information is important for your tax return records.

SECTION 19 HOLIDAYS

Dickens County will observe holidays designated by the official action of the Dickens County Commissioners' Court. Generally, the holidays consist of the following and others that may be designated: New Year's Day, Martin Luther King Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and the day following, Christmas Day, and either the day before or after. Additional holidays will be subject to Supervisor's approval. Emergency work will take precedence over any holidays.

Sec. 19.01 Eligibility

All regular full-time of the County shall be eligible to receive a day off with pay for each official County Holiday as established annual by the Commissioners' Court.

Sec. 19.02 Amount of Pay

Regular full-time employees shall receive eight (8) hours pay for each official holiday.

Sec. 19.03 Work on a Holiday (updated July 9, 2012)

If an employee's job requires him/her to work on an official holiday, the employee shall be paid double time for the amount of hours worked not to exceed 8 hours.

Sec. 19.04 Holidays on Day Off

If a holiday during the week occurs on an employees regular day off, the employee shall be paid 8 hours holiday pay (straight time pay).

Sec. 19.05 Holidays During Leave of Absence or Suspension

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

**SECTION 20
TYPES OF LEAVE and EMPLOYEE BENEFITS**

Sec. 20.01 Eligibility

Regular full-time employees of Dickens County are eligible for the following benefits, subject to any limitations specified in this manual: **VACATION LEAVE, SICK LEAVE, EMERGENCY LEAVE, CIVIL LEAVE, MILITARY LEAVE, INJURY LEAVE, AND SPECIAL LEAVE.** Temporary employees do not receive leave benefits. Leave will not be carried over from year to year. You will automatically lose any unused leave as of December 31st.

The year begins January 1st.

Sec.20.02 Record Keeping

Record keeping forms are provided and made a part of this personnel policy. The County Treasurer is the official record keeper.

Sec. 20.03 Vacation Leave

All full-time County employees will be entitled a vacation with pay. Vacation time will accumulate in the following manner:

All County Employees with less than one year of service: .41 days per month, 5 working days each year or the equivalent to one week, with 8 hours considered a working day. All County employees with over one year of service: .833 days per month, 10 working days per year on the equivalent of two (2) weeks, with 8 hours considered a working day.

Employees may take their accrued vacation after 12 months of full-time service with the County. They may take their vacation time earned at one or more days at a time up to the total number of days accrued in their favor, provided each employee give notice to their request to their department administrator at least one week prior to the time they desire their vacation time to start. The final decision for vacation schedules will rest with each department administrator.

1. Employees are limited to two (2) weeks vacation per year except with advance permission form their supervisor.

Vacation days must be used in the calendar year. Vacation days will not roll over to the next year. Should any employee terminate employment with the county and should the employee have accrued vacation time to his credit, said employee shall be paid for accrued vacation time upon termination of his/her employment. Accrued vacation time start within the first month of employment of full-time employment.

ALL VACATION TIME WILL BE FIGURED IN A REGULAR CALENDAR YEAR.

Sec. 20.04 Sick Leave

Sick leave will accrue at the rate of 12 hours per month while an employee is actually employed by the County on a full-time basis. Part-time employees shall not receive the benefits of sick leave.

The maximum number of days that shall accrue to the individual shall not exceed 30 days at any one time. Loss of work due to accident of injury received in the performance of duty shall not be charged against sick leave of any employee.

Sec. 20.05 Unused Sick Leave Upon Termination

The county will not pay the employee for unused sick leave at the time of termination. After total sick leave accumulated time is used by the employee, that employee will go on Time-off Without Pay status.

Your official and or department administrator will determine any office policy as verification of sick leave time taken.

Sec. 20.06 Personal Days (updated Oct. 1, 2011)

A supervisor is authorized to grant up to 3 personal days per year with pay. This replaces the emergency leave policy. The personal days are to be used at the discretion of employee and include any funeral leave. The supervisor may grant additional leave with out pay.

Sec. 20.07 Civil Leave

Employees will be granted civil leave with pay for jury duty, for serving as a subpoenaed witness in a court proceeding and for the purpose of voting. Any compensation for jury duty will go to the employee.

Sec. 20.08 Military Leave

A regular full-time employee engaged in obligatory training as a member of the National Guard, Armed Forces, or the Coast

Guard Reserve, will for this purpose be granted up to fifteen (15) calendar days leave, with pay, in any calendar year. Any such employee is required to furnish a certificate that he or she was ordered to such training duty by the proper authorities. This leave will be extended to members of the Texas State Guard and all others who might be called up for service in the event of a declared emergency. Approved military leave is counted as full service with Dickens County.

Sec. 20.09 Using Leave in Combination

Unless the employee requests leave without pay upon exhaustion of sick leave, he/she will automatically be placed on a vacation leave status until vacation leave is exhausted.

Sick leave cannot be used for vacation purposes when vacation leave is exhausted.

Sec. 20.10 Injury Leave

If you have an accident on any job, you must complete an "Employee's First Report of Injury" for within 24 hours, available at the County Treasure's office or from your supervisor. You must complete this report to receive any benefits involved. If medical attention is necessary, employee must go to a doctor on the approved

list, unless it is an emergency. Each Supervisor or County Treasurer will have the approved list.

The supervisor will require a physician's statement concerning the employee's inability to work, and will set the length of injury leave to be granted.

Determination that an employee is performing work for another employer during an injury leave period (other than any work approved by supervisor) is grounds for revoking the leave and instituting disciplinary action, including dismissal.

At the termination of any leave period, an employee may use any accrued sick leave or vacation leave to pay the portion of his/her salary not paid by Worker's Compensation.

Sec. 20.11 Special Leave

Special leave with pay - Department administrators may grant employees special leave with pay and actual expenses to attend professional conferences, conventions for continuing education training required in order to maintain certification for your current position.

**SECTION 21
EMPLOYEE RESPONSIBILITIES**

Sec. 21.01 General

Dickens County is a public tax-supported organization. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal and unethical conduct. Employees are expected to carry out efficiently the work programs items assigned as their responsibility, remain good moral conduct, and to do their part in maintaining good relationships with the public, their supervisors, and their fellow employees.

Sec. 21.02 Time Lines

Employees are expected to be punctual in maintaining work hours, keeping appointments, and meeting schedules for completion of work.

Sec. 21.03 Conflict of Interest

An employee shall not:

1. Solicit or accept a financial benefit, other than from the County, that might reasonable tend to influence his or her performance duties for the County or that he/she knows or should know is offered with the intent to influence the employees performance;
2. Accept employment or compensation that might reasonably induce him/her to disclose confidential information acquired in the performance to duties for the County;
3. Accept employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the County;
4. Make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the County; or
5. Solicit or accept a financial benefit from another person in exchange for having performed duties as County employee in favor of that person.

Sec. 21.04 Political Activity

The employees of Dickens County are free to engage in political activity to the widest extent consistent with County Policy.

A. County Employee may not:

1. Use his/her official authority to influence for the purpose of interfering with or affecting the result of an election or nomination for office; or
2. Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer employee to pay, lend, or contribute anything of value to a party committee, organization, agency, or other person for political purposes.

Sec. 21.05 Resignations

Employees must give their supervisor two (2) weeks notice in writing of planned resignation in order to be terminated in good standing.

Sec. 21.06 Communications

Employees will be kept informed of policies and procedures that affect duties or conditions of employment and are encouraged to make constructive suggestions for work improvements.

Sec. 21.07 Violation of Personnel Policy

An employee who knowingly violates requirements of these personnel policies is subject to discipline including dismissal by his or her supervisor.

The following are examples of grounds for immediate dismissal (This list is not all inclusive.):

- use of intoxicants and or illegal drugs while on duty;
- falsification of official county records;
- theft;
- violence:
- willful damage; and or
- unauthorized use of County Property;

willful failure to follow these established safety guidelines which such failure could result in injury to the employee, a co-worker or other persons.

Sec. 21.08 Safety

We are concerned about the safety of each employee. The County makes every effort to maintain safe working equipment and facilities. In turn, we want you to follow safety instruction, perform your work with safety in mind, and make suggestions to your supervisor for safety improvements. Accidents, no matter how slight, must be reported immediately to your supervisor.

**SECTION 22
DRUG ABUSE POLICY**

Sec. 22.01 Statement of Purpose

Illegal drug usage in the work place is dangerous to us all. The safety, health and quality of work for all employees are impaired by the illegal drug usage of any one employee. Illegal drug usage by any Dickens County employee will not be tolerated in the work place.

In order to comply with the Texas Workers' Compensation Law, Senate Bill 1, effective January 1, 1991, the Dickens County Commissioners' Court hereby adopt the following policy subject to the following definitions:

Sec. 22.02 Definitions

1. An employee is considered “on the job” for purposes of this policy whenever he/she is:
 - a. On Dickens County Property or operating Dickens County vehicles or equipment; or
 - b. Acting on behalf of the County in his or her role as a Dickens County employee, whether on or off Dickens County property, at any time.
2. “Drug” includes alcoholic beverages, inhalants, illegal drugs, and prescription drugs unless taken as directed by the employee’s physician.
3. “Illegal drug” means any drug or chemical causing intoxication which:
 - a. Is not legally obtainable;
 - b. May be legally obtainable but was not legally obtained; or
 - c. Is being used in a manner other than as prescribed.
4. “Employee” means any person who performs services for Dickens County for compensation including elected officials or any contract for hire, either full or part-time.
5. “Drug test” means any test administered to determine the presence or absence of any drug or drug metabolite in a person’s urine or blood.

Sec. 22.03 Statement of Policy

Effective this 10th day of January 1994 any location, at which County business is conducted, whether at Dickens County Courthouse or any other site of work, is declared to be a drug-free work place. To insure a drug-free work place the following regulations are hereby adopted by the Dickens County Commissioners’ Court and shall be strictly enforced upon each and every employee of Dickens County.

1. Employees of Dickens County are absolutely prohibited from unlawful manufacturing, distributing, dispensing, possessing, or using controlled substances in the work place. The following is a partial list of controlled substances. A complete list will be provided upon request of an employee.
 - A. Narcotics (heroin, morphine, etc.)
 - B. Cannabis (marihuana, hashish)
 - C. Stimulants (cocaine)
 - D. Depressants
 - E. Hallucinogens (PCP, LSD, “designer drugs”)
2. Employees of Dickens County are absolutely prohibited from using any chemical causing intoxication or being intoxicated from the use of any alcohol or inhalants in the work place.
3. Any employee violating the above policy is subject to discipline, up to and including termination, for the first offense.
4. Any employee in this work place convicted on violating a criminal drug statue or convicted of a DWI (including pleas or guilty or nolo contendere) must inform their supervisor of such conviction within five (5) days of the conviction occurring. Failure to inform the County subjects the employee to disciplinary action, up to and including termination, for the first offense.
5. Any employee in this work place convicted of violating a criminal drug statue, or convicted of DWI, participation in an approved rehabilitation or drug and alcohol abuse assistance program as an alternative to discipline. If such a program is offered, and accepted by the employee, the employee must

satisfactorily participate in the program as a condition of continued employment.

Sec. 22.04 Testing of Employees

1. The County reserves the right to perform drug testing of employee under the following conditions:
 - A. The County contracts with an outside agency to perform random drug and or alcohol test without cause; for
CDL holders only.
 - B. When there is reasonable suspicion that an employee is under the influence of drugs or alcohol. "Reasonable suspicion" is satisfied when the employee:
 1. Is observed using alcohol and or drugs on the job;
 2. Is in an apparent state of physical impairment;
 3. Is in an incoherent state;
 4. Exhibits marked changes in personal behavior that are otherwise unexplainable, or;
 5. Exhibits deteriorating work performance that is not attributable to other factors.
 - C. When an employee found in possession of alcohol, drugs, or drug paraphernalia in violation of this policy, or when such alcohol, drug, or paraphernalia are found in an area controlled by the employee (e.g., employee's desk) or;
 - D. Following an accident or other action whose nature indicates possible impairment or ability or judgment reasonably believed to have been caused by alcohol or drugs.
2. The County will, under no circumstances, perform a drug test on an employee without first obtaining the employee's signed consent. Signed consent will also be obtained for the release of the test results. Should an employee refuse to submit to a drug test or authorize release of the test results, the employee shall be informed that such refusal constitutes grounds for disciplinary action, which may include termination of employment. The consent form will be designed to allow the employee or applicant to indicate any type of medication they may be on, or otherwise provide information that might be relevant to the reliability of test.
3. Any drug test is performed on an employee will be performed utilizing the services of a test laboratory, and shall consist of an initial screening test, and a confirmatory test on any sample taken from an employee that produces a positive test result on the initial screening.
4. If an employee states on the consent form that he/she is taking medication prescribed by a physician, the employee will be asked to take the test anyway. If the test reveals the presence of a prescribed drug, the employee will not be subject to discipline unless the levels of the drug show purposeful abuse. Even in the absence of purposeful abuse, the prescribed drug may make the employee unfit for work, in which case the employee maybe asked to go home and will not be allowed to report for work when under the influence of the prescribed drug. Such absence will be treated as sick leave.
5. The fact of the test, and any results, will be kept strictly confidential. The County Judge or in his absence the Sheriff of Dickens County will be designated to receive test results and will notify the appropriate Dickens County Officials of drug test results on a need-to-know basis.

Sec. 22.05 Consequences of a Positive Test Result

Should an employee have a test result confirmed positive, which indicated the presence of drugs or alcohol, the following consequences may result:

- A. The employee is subject to disciplinary measures which may include termination of employment; or
- B. The employee may be required to participate in drug or alcohol abuse education, treatment, or a rehabilitation program designated by the Dickens County Commissioners' Court.

In the event of a confirmed positive test result, the employee will be given an opportunity to explain the results of the drug test, prior to the commencement of any disciplinary measures resulting from the drug test.

SECTION 23 SEXUAL HARASSMENT POLICY

POLICY

1. Sexual harassment is strictly prohibited by Dickens County, whether committed by an elected official, department head, or co-worker. Dickens County does not tolerate harassment in the workplace of its employees by non-employees. It shall be the policy of Dickens 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.
2. Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment.

DEFINITION

3. Sexual harassment shall include, but not 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:
 - a. Submission to such conduct is either an expressed or implied condition of employment;
 - b. Submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or
 - c. The conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

CLAIMS

4. All claims of sexual harassment shall be taken seriously and investigated promptly, thoroughly and as is consistent with the investigation; confidentially.
5. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.
6. No retaliation or other adverse action shall be taken against an employee who, in good faith, files a claim of sexual harassment or those employees who cooperate in the investigation of a complaint.

REPORTING

7. 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.
8. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the County Judge, another member of the Commissioners' Court, or the County Attorney.

9. The official or department head to whom a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.
10. 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 may be resolved quickly and fairly.

- 1) When practical, confront the harasser and ask them to stop the unwanted behavior.
- 2) Record the time, place, and specifics of each incident, including any witnesses.
- 3) Report continuing harassment to the Elected Official or Appointed Official who is responsible for your department or the County Judge, another member of Commissioners' Court, County Attorney or Human Resource Manager.
- 4) If a thorough investigation reveals that unlawful harassment has occurred, Dickens County will take effective remedial action in accordance with the circumstances up to and including termination.

- OTHER RIGHTS**
11. Reporting of 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.

SECTION 24 QUESTIONS

We have tried to answer many of the most important questions about employment with Dickens County. You will find that your supervisor and department head will usually be able to answer your questions or refer you to the proper person for the answer. On matters concerning pay calculation, fringe benefit programs, and personnel records, the County Treasurer's office will often be able to provide the most detailed answer.

You will find the various departments of the county will follow these guidelines almost exclusively, however, if there are extenuating circumstances, the final decision will be with the elected official.