

TITUS COUNTY COMMISSIONERS' COURT

Public Participation Form

Instructions: Fill out all appropriate blanks. Please print or write legibly.

NAME: Eric Bruechner

ADDRESS: 343 CR 4218

Do you represent any particular group or organization? \_\_\_\_\_

If you do represent a group or organization, please state the name of such group or organization?

\_\_\_\_\_

Which agenda item (or items) do you wish to address? \_\_\_\_\_

Do you wish to make an inquiry under Section 551.042 of the Open Meetings Act?

\_\_\_\_\_

\_\_\_\_\_

Signature: Eric Bruechner Date: 4-8-13

Note: This Public Participation Form must be presented to the County Clerk prior to the time that the agenda item (or items) you wish to address are discussed before the Court.

Titus Co Commissioners Meeting

April 8, 2013

Commissioner Hockaday, your disparaging, some would say hateful, remarks directed at my wife at the last court meeting were disturbingly unprofessional for an elected official. The inexcusable behavior that you displayed toward a private citizen could even be interpreted by some as an abuse of power to suppress free speech before this court.

In addition, I believe that if you read your own Employee Handbook, you would find that you violated the code of conduct yourself. Section 1B-11 states that disciplinary action can be taken if "the employee has been discourteous, offensive or abusive, either by language or conduct, to the public or to fellow employees, while said employee is in work status". In your capacity as an elected leader in our county government, your recent remarks set a very poor example for other county employees to follow. At least one of them has already copied your remarks, with a sprinkle of profanity added, to a post on Facebook that attacked both my wife and myself. How can you hold county employees to a standard of conduct that you yourself, Commissioner Hockaday, fall well short of? Shouldn't elected officials be held to higher standards?

Aside from your offensive conduct, there is still the matter of over 5,000 gallons of gas unaccounted for between the years of 2006-2011. This has nothing to do with missing logs from 2012. Commissioner Hockaday, you have neither offered an explanation for the missing gas or assumed any responsibility. Who is responsible for almost \$20,000 of missing gas if not you? At the last meeting, you said something about answering to anybody but my wife. Well, Commissioner Hockaday, my wife and I represent hundreds of other Titus county residents that feel you have an official obligation to explain what happened to our 5,000 gallons of unaccounted for gas. We hold you accountable and we want answers.



Eric Bruechner

### **1B-9 BREAKS**

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

### **1B-10 GRIEVANCES**

Any employee having a grievance related to his or her job should discuss the grievance with his or her immediate supervisor.

If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected or appointed official with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that official.

The decision of the elected or appointed official with final responsibility for the employee's department shall be final in all grievances.

### **1B-11 DISCIPLINE**

Each supervisor shall have the authority to administer discipline to employees in their department for poor performance, violation of policies, disruptive behavior, or any other behavior or activity which the supervisor feels is not acceptable as it relates to the employee's job or the best interest of the department or County.

Depending on the severity of the situation, discipline may range from informal counseling up to and including immediate termination.

Examples of reasons for administering discipline shall include, but not be limited to:

- A. Insubordination;
- B. Absence without leave, including failure to notify a supervisor of your absence;
- C. Repeated tardiness or early departure;
- D. Endangering the safety of other persons;
- E. Use of drugs or alcohol during work hours;
- F. Violation of any of the personnel policies;
- G. Conviction of a felony;
- H. Falsification of documents or records;
- I. Incompetence or neglect of duty;
- J. Disruptive behavior which impairs your job performance or the performance of others;
- K. Bringing a firearm or illegal weapon on County property with the exception of law enforcement personnel;

- L. The employee has been discourteous, offensive or abusive, either by attitude, language or conduct, to the public or to fellow employees, while said employee is in a work status;
- M. The employee has some permanent or chronic physical or mental ailment, or defect which incapacitates her/him from proper performance of his or her duties and there are no other jobs available that he/she can perform with or without a reasonable accommodation;
- N. The employee is guilty of misappropriation, theft or conversion of County property.

All County employees are “at will” employees and nothing in this policy gives an employee any contract of employment, guarantee or any duration of employment, or any other property interest in his or her job.

Titus County retains the right to terminate the employment of any individual at any time for any legal reason, or no reason, with or without notice. The County also retains the right to change any condition, benefit, privilege, or policy of employment at any time, with or without notice.

#### **1B-12 LICENSE AND CERTIFICATES**

Titus County has many positions that require licenses and certificates. It is the responsibility of each employee to maintain all required licenses and certifications. If an employee is unable to renew or loses any licenses 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.

#### **1B-13 WEATHER CLOSINGS AND EMERGENCIES**

As a general practice, Titus County does not close unless the health, safety, or security of County employees are seriously at risk. When this does happen, either because of severe weather conditions or other emergencies, the County Judge is responsible for initiating the closing. The County Judge will notify the following entities for a public announcement: Local Newspaper and Radio Station. Announcements of an emergency closing will, to the extent possible, specify the starting and ending times of the closing.

If the County Judge does not declare the County Offices to be closed due to weather, it shall be up to each elected official to determine the operating hours of their office and their employees. Time off due to weather may be taken as compensatory time, or if the employee does not have available compensatory time, as vacation, but shall not be reported as regular hours worked.

Many County departments are continuous operating public safety and service departments. Many County personnel will be required to work during emergency closings. Each department head is responsible for designating their own employees and providing alternate information to personnel designated as essential during emergency closings. Public safety will be foremost in the development of departmental emergency action plans.