

**Monica Walden**

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**Sent:** Friday, November 15, 2024 4:38 PM  
**To:** Kent Cooper; Joe D Mitchell; Jeff Parchman; Jimmy Parker; Dana Will Applewhite  
**Cc:** Monica Walden  
**Subject:** Employee Handbook  
**Attachments:** Do Not Reply\_20241115\_180500.pdf

To be discussed during Workshop on Monday.

We set down with TAC and these are the items they recommended to be changed in our Employee Handbook.

Use Gender-neutral pronouns (they/their/them) instead of his/her throughout handbook.

1. 1A-3 - Equal Employment Opportunity – add including lesbian, gay, bi-sexual, or transgender status
2. 1B-9 - Nursing mothers (no time frame) remove 1<sup>st</sup> year verbiage
3. 1D-6 - Add “Prohibited social media on county devices”
4. 2B-3 - Vacation – to be discussed
5. 2B-4 - Sick – to be discussed
6. 2B-9 - Retiree & dependent benefits
7. 2B-11 - Add Mental Health Leave(LE)

I have attached pages out of current handbook that these changes apply for your review.

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# TITUS COUNTY EMPLOYEE HANDBOOK

July 25, 2022  
CONTENTS

Employee Acknowledgement.....	i
County Resolution Pages.....	ii-iii
Introduction.....	iv
<b>SECTION 1: GENERAL POLICIES .....</b>	<b>1</b>
<b>A. COUNTY EMPLOYMENT.....</b>	<b>2</b>
1A-1 Employment at Will.....	2
1A-2 Employee Status Policy for Over 50 Employees .....	2
1A-3 Equal Employment Opportunity.....	3
1A-4 Americans with Disabilities Act Amendments Act.....	3
1A-5 Personnel Files.....	4
1A-6 Nepotism .....	4
1A-7 Job Announcements.....	7
<b>B. WORK RULES AND EMPLOYEE RESPONSIBILITY .....</b>	<b>7</b>
1B-1 Attendance.....	7
1B-2 Dress Code and Courtesy.....	8
1B-3 Tobacco/Smoke Free Workplace.....	8
1B-4 Conflict of Interest.....	8
1B-5 Harassment.....	9
1B-6 Sexual Harassment.....	10
1B-7 Political Activities.....	11
1B-8 Outside Employment.....	11
1B-9 Breaks.....	12
1B-10 Grievances .....	12
1B-11 Discipline.....	12
1B-12 Licenses and Certificates.....	13
1B-13 Weather Closing and Emergencies.....	13
1B-14 Confidentiality.....	14
1B-15 Whistleblower.....	14
1B-16 Animals .....	15
<b>C. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY.....</b>	<b>15</b>
1C-1 County Property Usage .....	15
1C-2 County Vehicle Usage.....	15
1C-3 Cell Phone Policy.....	16
1C-4 Computer and Internet Usage .....	17

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.

**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 twelve (12) months. If this project goes beyond twelve (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.

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

#### **1A-3 EQUAL EMPLOYMENT OPPORTUNITY**

Titus County is an equal opportunity employer. <sup>missing text</sup> The County will not discriminate on the basis of race, color, religion, national origin, sex, age, genetic information, pregnancy, veteran status, and disability, or any other condition or status protected by law in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by state or federal law or where a bona fide occupational qualification (BFOQ) exists. If an employee needs an accommodation as a result of a condition or status protected by law, please advise your elected official, appointed official, or department head. Who Will consult with the Titus County Attorney.

#### **1A-4 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT**

It is the policy of Titus County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels he or she has been subject to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, appointed official, department head or the County Attorney. All elected officials, appointed officials,

to provide a consent form from the CDL holder to conduct both Limited and Specific inquiries.

A detailed policy and procedure is available from the Commissioner who is responsible for this process.

#### 1D-5 WORKPLACE VIOLENCE

Titus County is committed to providing a workplace free of violence. Titus 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, including jokes. All threats will be taken seriously and will be investigated. Employees must refrain from any conduct or comments that are inappropriate or 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. Possession by an employee of any firearm or weapon other than those authorized for law enforcement employees, with or without permits is prohibited in all County offices, buildings and vehicles owned or used by Titus County. If employees believe that another employee is in possession of a weapon on County premises, they should immediately report this 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.

#### 1D-6 SOCIAL MEDIA

*add "prohibited social media on county devices"*

Titus 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 Titus County among the community at large.

Titus 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 professional 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.

For purposes of this policy "social media" includes, but is not limited to, forums, blogging and social networking sites such as Twitter, Facebook, LinkedIn, YouTube, MySpace, Instagram and Snap Chat.

If your post or social media mentions Titus County, make clear that you are an employee of Titus County and that the views posted are yours alone and do not represent the views of Titus County. Do not mention Titus County supervisors, employees, customers or vendors without their express consent. Do not pick fights. If you see a misrepresentation about Titus County, respond respectfully with factual information, not inflammatory comments. You are responsible for what you write or present on social media. You can be sued by other employees, supervisors, customers

Employees who have worked for less than 10 years in a position eligible to receive vacation shall earn vacation at a rate of 1.538 hours per week, which is equivalent to 80 hours per year.

Employees who have worked for 10 or more years in a position eligible to receive vacation shall accrue vacation at the rate of 2.308 hours per week which is equivalent to 120 hours per year.

Vacation shall not be accrued while an employee is on leave without pay. Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of 1 year in such a position before being eligible to take any vacation.

The maximum amount of unused vacation an employee shall be allowed to have at one time is 240 hours. When an employee reaches the maximum accrual, he/she shall not be allowed to accrue additional vacation time until the employee takes vacation hours to reduce the balance below the maximum allowed under this policy. Scheduling of vacations shall be at the discretion of the individual department heads.

Employees shall only be able to use vacation which has already been accrued and shall not be allowed to borrow vacation against possible future accruals. Employees shall not be allowed to receive pay for vacation in lieu of taking time off.

If a holiday falls during an employee's vacation, then the employee will not be charged against their vacation days for the holiday.

If an employee has worked for at least 12 months in a position which accrues vacation at the time the employee resigns, is discharged, or is terminated for any other reason, the employee shall receive pay for all unused vacation up to the maximum allowed under this policy.

Each employee shall be responsible for accurately recording all vacation time used on their time sheet.

#### **2B-4 SICK**

All regular full-time employees shall be eligible for the paid sick leave benefit.

Eligible employees shall accrue sick leave at a rate of 4 hours per month. Accrual of sick leave shall start at the time an individual begins work for the County in a position eligible for the sick leave benefit.

The maximum amount of unused sick leave an employee shall be allowed to have at any time is 480 hours.

Sick leave may be used for the following purposes:

- Illness or injury of the employee;

## TITUS COUNTY RETIREE HEALTH INSURANCE BENEFIT

Retirement from Titus County with Health Benefits – employees must meet rule of 75 with a minimum of 8 years of continuous service to Titus County. In such case the retired employee shall be covered by the Titus County Health Insurance Plan until age 65. Spouse and dependent coverage shall be available at the standard employee rate until age 65.

### CHANGES TO POLICY APPROVED August 21, 2014

Grandfather Clause. . .any employee that has met the rule of 75, and has 8 years of service as of December 31, 2014, will be unaffected by the August 21, 2014 policy changes to Retiree Health Benefits.

In addition to the rule of 75 and 8 years of service, a minimum retirement age of 60 now becomes a requirement. An employee must now have reached their 60th birthdate before being covered by the Titus County Health Insurance Plan until age 65. This minimum age is phased in as follows. .

During Calendar year 2014, no minimum age requirement  
During Calendar year 2015, minimum age of 55  
During Calendar year 2016, minimum age of 56  
During Calendar year 2017, minimum age of 57  
During Calendar year 2018, minimum age of 58  
During Calendar year 2019, minimum age of 59  
After Calendar year 2020, minimum age of 60

\* Spouse and dependent coverage as a retiree benefit will no longer be available for any employee hired on or after January 1, 2015. Any employee of the county as of December 31, 2014 will have spouse and dependent coverage under the prevailing terms, until age 65, assuming that the employee is covered as an eligible retiree per the new policy effective 8/21/14.

Grandfather Clause. . .any employee that has 8 years of continuous service to Titus County as of October 1, 2014, will NOT be required to have reached their 60th birthdate before being eligible for Retiree Health Benefits. This applies to the employee's insurance as well as dependent coverage (which will be paid by the employee at the prevailing dependent rate).

### 2B-10 SOCIAL SECURITY/MEDICARE

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

*add mental Health*

### (2B-11) FAMILY MEDICAL LEAVE ACT / MILITARY FAMILY LEAVE (FMLA/MFL) (LE)

The federal Family and Medical Leave Act of 1993 (FMLA) requires an employer to provide eligible employees with unpaid leave under certain circumstances. There are two types of leave available:

- 1) the basic 12-week FMLA entitlement; and

- 3) Any period of incapacitation 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 which is permanent or long term due to a condition that treatment is not effective; or
- 5) Any period of incapacity or absence to receive multiple treatments by a health care provider.

Eligible employees may take FMLA 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. The following qualify as exigency leave:

- 1) Leave may be taken to address any issue that arises because the covered military member was given seven or less days' notice for active-duty deployment in support of a contingency operation. Eligible employee may take up to 7 days beginning on the date the covered military member receives the call or order to active duty;
- 2) Leave may be taken to 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;
- 3) Leave may be taken to 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) Leave may be taken to 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) Leave may be taken to make or update financial or legal arrangements to address the covered members absence while on active duty or call to active-duty status in a foreign country;
- 6) Leave may be taken to act as the covered military member's representative before a governmental agency for obtaining, arranging or appealing military service benefits while the covered military member is on active duty or call to active-duty status in a foreign country and for a period of 90 days following the termination of the covered member's active-duty status;
- 7) Leave may be taken to attend counseling provided by someone other than a health care provider for oneself, for the covered military member or covered child provided 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) Leave may be taken to spend time with a covered military member who is on a short-term, temporary, rest and recuperation leave during the period of deployment. Eligible employees may take up to fifteen (15) days of leave for each instance of rest and recuperation;
- 9) Leave may be taken to 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;

An employee taking leave for the birth of a child shall be required to use paid sick leave first, then earned compensatory time, vacation and holiday leave for the recovery period after the birth of the child and prior to being on unpaid leave.

After the recovery period from giving birth to a child, the employee shall be required to first use all earned compensatory time, then vacation and other available paid leave, except for sick leave with the remainder of the 12 weeks leave period being unpaid leave.

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 first earned compensatory time, then vacation and other available paid leave, except for sick leave, with the remainder of the 12 weeks leave period being unpaid leave.

An employee taking leave for a qualifying exigency for a covered military member shall be required to use first earned compensatory time, then vacation and other available paid leave except for sick leave, with the remainder of the 12 weeks leave period being unpaid leave.

An employee taking leave for the care of a covered service member or covered veteran shall be required to first use all earned compensatory time, then sick leave, vacation and any other paid leave, with the remainder of the 26 weeks leave period being unpaid leave.

The maximum amount of paid and unpaid leave that may be used under this policy in any 12-month period is 12 weeks, except for qualifying leave to care for a covered military member with a serious injury or illness with the maximum leave being 26 weeks in a single 12-month period.

While on leave under this policy, the County shall continue to pay the employee's medical plan premium at the same rate as if the employee had been actively at work. The employee shall be required to pay for dependent coverage, and for any other coverage for which the employee would normally pay, or the coverage will be discontinued. Payment for coverage shall be made through regular payroll deduction while the employee is on paid leave. While on unpaid leave, the employee shall be required to pay for premiums due to the County no later than 30 days after the due date which the County sets or the coverage shall be discontinued.

At the end of the 12 weeks leave, all eligible employees will be offered COBRA if they are unable to return to work, except for the care of an injured covered military member where the eligible employee will be offered COBRA at the end of 26 weeks in a single 12-month period.

Intermittent leave under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee, the employee's eligible family member or the care of a covered military member or covered veteran.

A reduced schedule under this policy shall be allowed only where it is necessary for the care and treatment of the serious health condition of the employee, the employee's eligible family member, or the care of a covered military member or covered veteran.

All work time missed as the result of intermittent leave or a reduced work schedule under this policy shall be deducted from the employee's 12 week leave eligibility. If the time missed is for the care of a covered military member or covered veteran with a serious injury or illness, the time will be deducted from the employee's 26 week leave eligibility in a single 12-month period.



- 3) A description of the medical facts regarding the covered military member's or covered veteran's health condition, sufficient to support the need for care;
- 4) If the covered military member is a current member of the Regular Armed Forces, the National Guard or Reserves and the covered military member's branch, rank and unit currently assigned to;
- 5) The relationship of the employee to the covered military service member or covered veteran; or
- 6) In lieu of certification, an Invitational Travel Order (ITO) or an Invitational Travel Authorization (ITA) issued is sufficient certification for an eligible employee to be allowed to take Family Medical Leave Act (FMLA) to care for a covered military member. The employee may be required to provide confirmation of the family or next of kin relationship to the seriously injured or ill, covered military member or covered veteran.

If the employee plans to take intermittent leave or work a reduced schedule, the certification shall also include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. Certification for intermittent or reduced schedule leave may be requested every 6 months in connection with an eligible absence.

The County shall have the right to ask for a second opinion from a physician of the County's choice, at the expense of the County, if the County has reason to doubt the certification, except FMLA to care for a seriously injured or ill covered service member supported by an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA).

If there is a conflict between the first and second certifications, the County shall have the right to require a third certification, at the expense of the County, from a health care practitioner agreed upon by both the employee and the County, and this third opinion shall be considered final.

Except where leave is unforeseeable, an employee shall be required to submit, in writing, a request for leave under this policy to his or her immediate supervisor.

Where practicable, an employee should give his or her immediate supervisor at least 30 days' notice before beginning leave under this policy. Where it is not reasonably practicable to give 30 days' notice before beginning leave, the employee shall be required to give as much notice as is reasonably practicable. If an employee fails to provide 30 days' notice for foreseeable leave, the leave request may be denied until at least 30 days from the date the County receives notice.

Employees returning from leave under this policy, and who have not exceeded the 12-week maximum allowed under this policy, shall be returned to the same job or a job equivalent to that the employee held prior to going on leave. Employees who have not exceeded the 26-week maximum, in a single 12-month period, allowed to care for a seriously ill or injured covered military member, shall be returned to the same job or a job equivalent to the job they held prior to going on leave.

Where an employee is placed in another position, it will be one which has equivalent status, pay, benefits, and other employment terms and one which entails substantially equivalent skill, effort, responsibility, and authority.