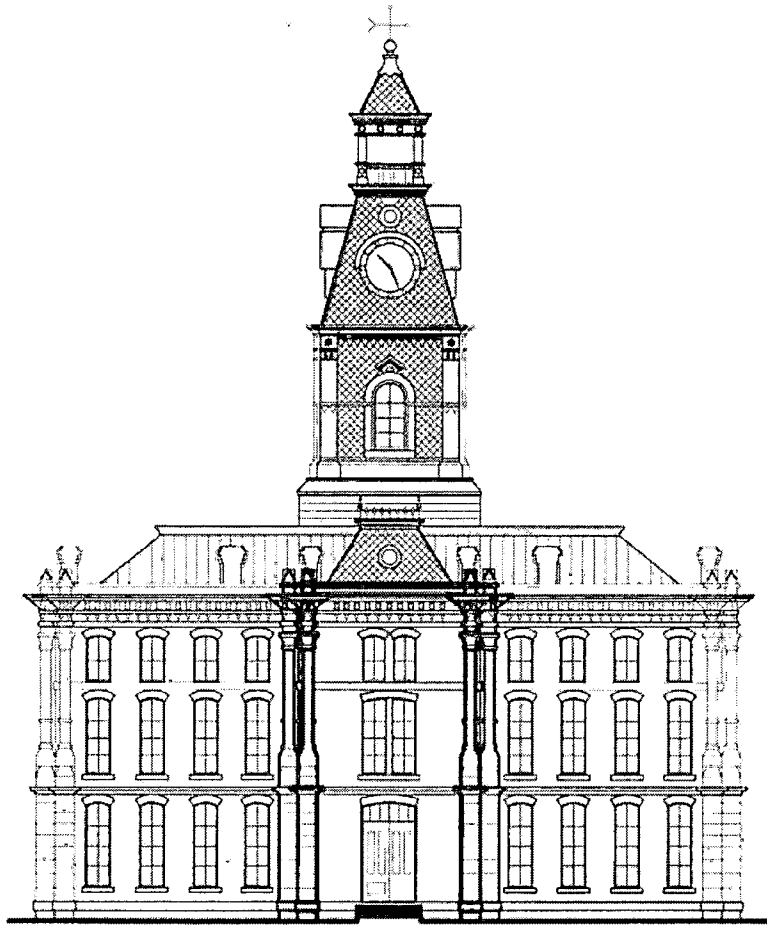


CLAY COUNTY POLICY MANUAL



CLAY COUNTY COURTHOUSE OF 1884
Henrietta, Texas

Revised May 2023

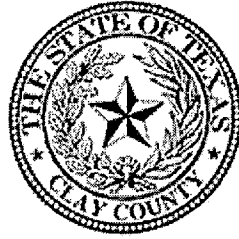


Table of Contents

EMPLOYEE STATUS	5
EQUAL OPPORTUNITY EMPLOYMENT	6
5 PERSONNEL FILES	6
CONFIDENTIALITY	7
WHISTLEBLOWER ACT	7
APPLICATION FOR EMPLOYMENT	8
NEPOTISM	9
AFFINITY KINSHIP CHART	11
VACATION ELIGIBILITY	11
SCHEDULING	12
BORROWING	12
SICK LEAVE ELIGIBILITY	13
HOLIDAYS	23
JURY DUTY LEAVE	24
MILITARY LEAVE	24
FUNERAL LEAVE	25
ADDITIONAL LEAVE	25
MEDICAL INSURANCE	26
NOTICE OF ALLIANCE PROGRAM REQUIREMENTS	28
RETIREMENT	30
ATTENDANCE AND TIMELINESS	31
DRESS CODE	31
COUNTY PROPERTY	32
CREDIT CARDS	33

INTERNET USAGE..... 34

CELL PHONE USAGE 35

CONFLICT OF INTEREST 35

POLITICAL ACTIVITY 36

SAFETY 36

WORKPLACE VIOLENCE..... 37

SOCIAL MEDIA 37

SEXUAL HARASSMENT 38

HARASSMENT..... 39

TIME SHEETS 40

FAIR LABOR STANDARDS ACT SAFE HARBOR 41

INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS 42

APPLICATION 43

LONGEVITY PAY..... 43

PAYROLL DEDUCTIONS 44

WORK SCHEDULE AND WORK WEEK 45

HOURS WORKED AND OVERTIME 45

BREAKS..... 45

OVERTIME COMPENSATION 46

DEMOTIONS 47

TRANSFERS..... 47

PROMOTIONS..... 48

SEPARATIONS..... 48

GRIEVANCES..... 49

DISCIPLINE..... 50

WEATHER CLOSING AND EMERGENCIES..... 50

INTRODUCTION

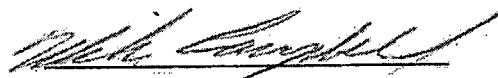
This booklet has been prepared for both current and new employees. It contains information about personnel policies and benefits and is designed to help answer questions about employment with Clay County. Clay County, through its departments and courts, provides services for all Clay County residents and is the primary governmental unit for citizens in unincorporated areas of the county. The Clay County Commissioners' Court, consisting of four County Commissioners elected by the county precinct and the County Judge, elected at large, is the county's governing body. Policies are established by orders of the Clay County Commissioners' Court. All Elected Officials and employees work together to provide service to the public.

Personnel policies generally apply to the entire organization. Of course, where elected officials have independent authority to make their own hiring and firing decisions under state law, policies adopted by the governmental entity do not bind such officials but may serve as recommended guidelines and may be adopted or utilized by the Officials.

Any policies created by other Elected Officials pertaining to their offices that are different from the Clay County Policy Handbook and not approved by the Commissioners' Court will be held harmless.

The Commissioner's Court may designate an elected official or employee as the Human Resource Officer. Any reference to Human Resource's or Human Resource Department shall mean the person designated by the Court.

I hope that each employee finds employment with Clay County rewarding and challenging. You will find the Officials of Clay County receptive and anxious to assist you in learning your duties.



Mike Campbell, Clay County Judge

EMPLOYMENT AT WILL

All employment with Clay County shall be considered "AT WILL" employment.

No employment contract shall exist between any individual and Clay County for any specified or unspecified duration. No provision of this employee handbook shall be construed as modifying your employment "AT WILL" status.

Commissioners' Court or Department Heads, as appropriate, shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time with or without notice.

Clay County shall also have the right to change any condition, benefit, policy, privilege, or employment at any time, with or without notice.

Employees of Clay County shall have the right to leave their employment with the County at any time, with or without notice.

EMPLOYEE STATUS

Each county position has an employment status that identifies how the position is paid and how the Clay County Commissioners' Court grants benefits.

REGULAR FULL-TIME:

A full-time employee shall be any employee in a position with a normal work schedule of 30 hours per week. Full-time employees are eligible for county benefits for which they are qualified. Employees may be non-exempt, hourly employees, or exempt employees. Non-exempt employees are eligible for overtime compensation. Clay County makes exempt status determinations based on the Fair Labor Standards Act. (Exempt employees are not eligible for overtime compensation. Clay County makes exempt status determinations based on the Fair Labor Standards Act.)

REGULAR PART-TIME:

A part-time employee shall be any employee in a position with a normal work schedule of less than 29 hours per week. All regular part-time employees must be placed on TCDRS Retirement regardless of the hours worked per week. The county will pay workers compensation and unemployment on all part-time employees.

TEMPORARY:

A temporary employee shall be any employee hired into a position expected to last for a specific duration or until a specific project is completed. Temporary employees may have work schedules assigned by their manager. Temporary employees are **NOT** entitled to any county benefits.

ALL EMPLOYEES ARE CONSIDERED TO BE "AT WILL" EMPLOYEES, AND EMPLOYEE STATUS SHALL NOT BE CONSIDERED A CONTRACT OF EMPLOYMENT.

EQUAL OPPORTUNITY EMPLOYMENT

Clay County is an equal-opportunity employer. The county will not discriminate based on race, color, religion, national origin, sex, sexual orientation, including lesbian, gay, bisexual, or transgender status, age, genetic information, pregnancy, veteran status, 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 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, department head, or the county attorney

5 PERSONNEL FILES

The County Human resources department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as a resume, application, payroll information, insurance, retirement, performance, discipline, and compensation records.

The personnel records of Clay County employees must be accurate at all times. To avoid issues, compromising your benefit eligibility or having W2s returned, Clay 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 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 the employee has family members confidential. Employees 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 their first day of employment.

AMERICANS WITH DISABILITIES ACT

Clay County's Policy prohibits harassment or discriminatory treatment of employees based on a disability or because an employee has requested a reasonable accommodation. Suppose an employee feels they have been subject to such treatment, or has witnessed such treatment. In

that case, the situation should be reported to your elected official, appointed official, department head, or the County Attorney. All elected officials, appointed officials, department heads, and employees with responsibilities requiring knowledge are instructed to treat the employee's disability with confidentiality.

It is Clay County's policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the county. In accordance with the Americans with Disabilities Act, as amended (ADAAA), reasonable accommodations may be provided to qualified individuals with disabilities when such accommodations are necessary to enable them to perform the essential functions of their jobs or to enjoy equal benefits and privileges of employment. This policy applies to all applicants for employment and all employees. Contact your elected official, appointed official, or department head if you require accommodation. Reasonable accommodations shall be determined through an interactive process of consultation.

CONFIDENTIALITY

Clay County is a public entity; however, some county employees acquire confidential (confidential, non-public) information as a result of their position with the county. This information must be protected. Employees who reveal confidential (confidential, non-public) information they have received as a result of their position may be subject to discipline up to and including termination.

Regarding the personnel information on employees of Clay County, much of the information in an employee's personnel file, including salary and job evaluations, is subject to disclosure under the Public Information Act. However, highly personal matters are typically not subject to disclosure. The county will adhere to the Public Information Act requirements.

WHISTLEBLOWER ACT

An employee may, in good faith, report an alleged violation of a Clay County Policy or federal or state law to their supervisor, department head, or County Judge unless all these persons are the alleged perpetrators of the alleged violation of policy or law. If all the listed persons are alleged to be involved in the violation, the employee may report the allegation to the county attorney, 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 they are being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact the county attorney, district attorney, or county judge.

An employee with a question regarding this policy should contact County Judge.

APPLICATION FOR EMPLOYMENT

JOB ANNOUNCEMENTS:

Announcements for job openings with Clay County may include, but are not limited to, advertisements in local newspapers, registration with the Texas Workforce Commission, or posting on Clay County Courthouse/Annex bulletin boards.

Each official having a job opening shall be responsible for determining how that opening will be announced.

APPLICATION PROCEDURE:

Before an individual can be an applicant for employment with Clay County, they shall be required to complete the steps outlined in the Clay County Application Form.

Copies of the Clay County Application Form are available from the County Treasurers' Office and/or the Office posting the job opening during normal working hours for that office.

SELECTION:

Each election or appointed official or their designee shall be responsible for the selection of the applicant who they feel best meets the qualifications for an open position in their department and return the successful application to the Treasurer's Office.

Employees who transfer from one department to another within the County must make sure the new department will be responsible for all accrued time the employee has earned in the past.

DISQUALIFICATION:

Reasons for which an applicant shall be disqualified for consideration for employment shall include, but not be limited to, the following:

1. The applicant does not meet the minimum qualifications necessary to perform the position duties they are applying for.
2. The applicant has made a false statement on the application form or any other document related to or which has a bearing on the selection process.
3. The applicant has committed or attempted to commit fraud at any stage of the application process.
4. The applicant is not legally permitted to hold the position.

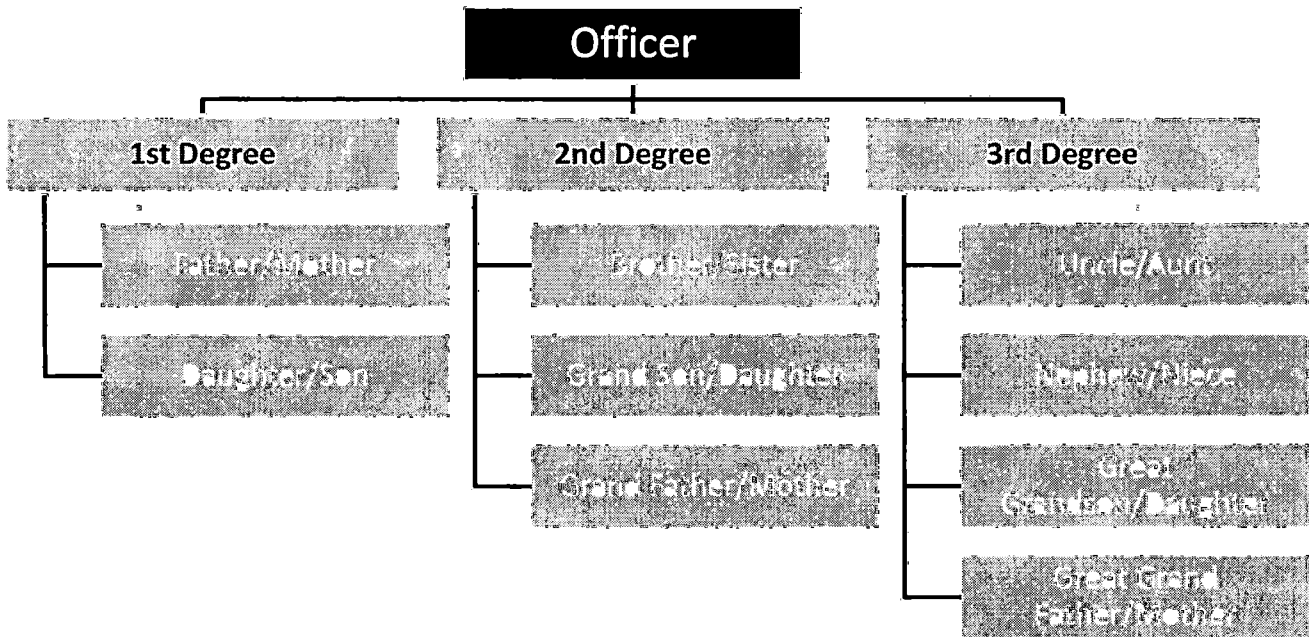
NEPOTISM

Texas Government Code Chapter 573, a Public Official of Clay 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 they supervise or exercise control over.

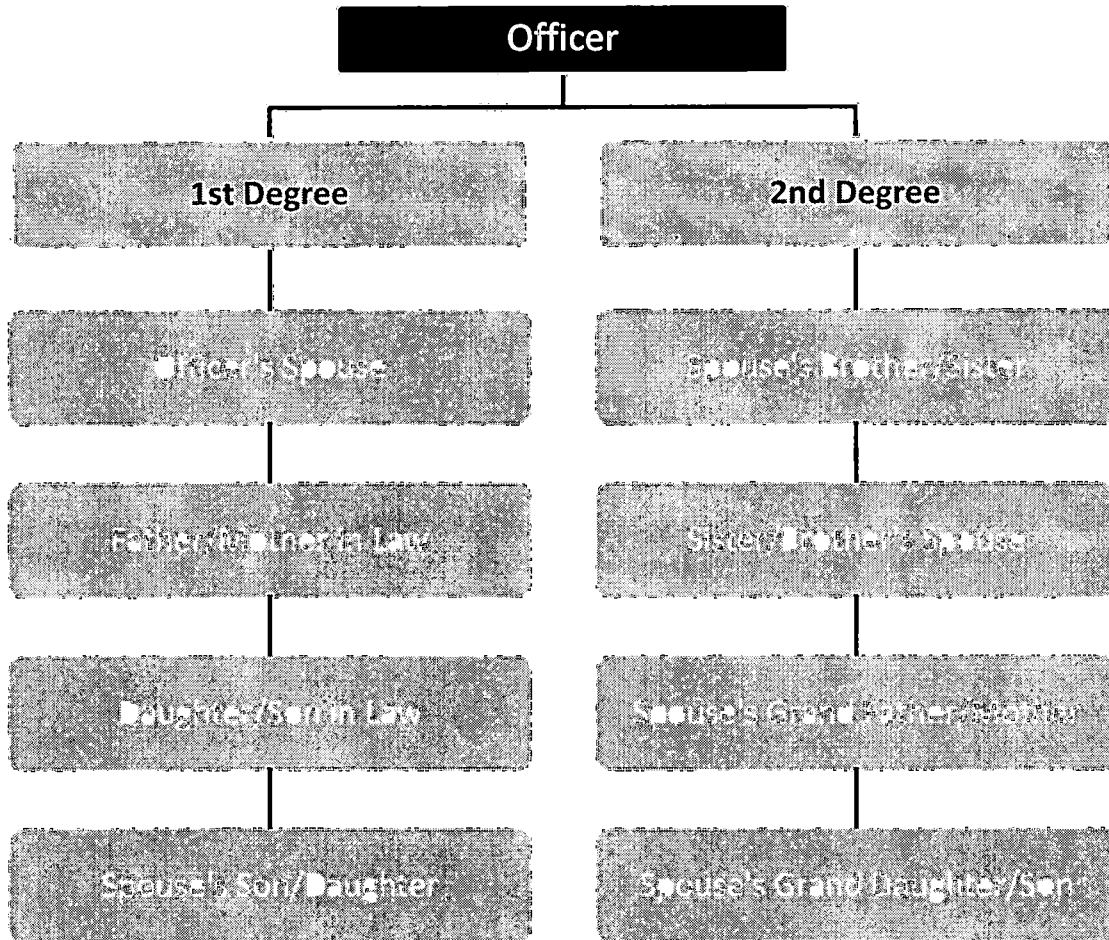
A degree of relationship is determined under Texas Government Code Chapter 573. (See the charts that follow.)

CONSANGUINITY KINSHIP CHART

(Relationship by Blood)



AFFINITY KINSHIP CHART (Relationship by Marriage)



VACATION ELIGIBILITY

(Full-Time Employee) regular employees shall be eligible for vacation benefits.

(Part-Time Employee)
Are not eligible for vacation benefits.

ACCRUAL RATE:

Employees shall earn vacation at the rate of seven (7) hours per month, equivalent to eighty-four (84) hours per year.

Vacation shall NOT be accrued while an employee is on leave without pay.

INITIAL ACCRUAL AND WAITING PERIOD:

Accrual of vacation shall begin when an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of six (6) consecutive months in such a position before being eligible to take any vacation.

MAXIMUM ACCRUAL:

Each full-time county employee who has worked six (6) consecutive months is credited with vacation leave of forty-two (42) hours, and each month thereafter accrues seven (7) hours of earned vacation leave per month. Vacation leave must be used within the year following its accrual; the allowable carry-over amount is eighty-four (84) hours per year.

Vacation leave unused over eighty-four (84) hours in the year following its accrual will be lost. Vacation leave cannot be advanced or taken during the first six (6) months of employment. Payment for accrued vacation leave in lieu of taking it is prohibited.

Accrual over the maximum may be allowed if an employee is unable to take a vacation because of the needs of the County and:

1. The employee's supervisor requests the accrual above the maximum, explaining why the employee could not take a vacation.
2. The Commissioners' Court approves the request
3. This time should be used within 90 days.

SCHEDULING:

Scheduling of vacation shall be at the discretion of the individual department heads.

BORROWING:

Employees shall only be able to use vacation accrued and shall not be allowed to borrow vacation against possible future accruals.

PAY IN LIEU OF VACATION:

Employees shall NOT be allowed to receive pay for vacation in lieu of taking time off.

HOLIDAY DURING VACATION:

If a holiday falls during an employee's vacation, the holiday shall be charged in accordance with the POLICY ON HOLIDAYS and shall not be charged against the employee's vacation balance.

PAY AT TERMINATION:

If an employee has worked for at least six (6) months in a position that accrues vacation when the employee resigns, is discharged, or is terminated for any reason, the employee shall receive pay for all unused vacation up to the maximum allowed under this policy. The maximum allowed is 168 hours.

An employee who has not worked for a minimum of six (6) months in a position that accrues vacation shall not be eligible for any vacation pay upon termination of employment.

RECORD KEEPING:

Each employee shall be responsible for accurately recording all vacation time used on their timesheet, which will be signed by the supervisor and turned into the County Treasurer at the end of each month. Time cards not received by the end of each month will be adjusted the following month.

SICK LEAVE ELIGIBILITY

All full-time regular employees shall be eligible for the paid sick leave benefit. Clay County shall follow Federal Law regarding allowable paid sick leave.

ACCRUAL RATE:

Eligible employees shall accrue sick leave at a rate of eight (8) hours per month, equivalent to ninety-six (96) hours a year.

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.

MAXIMUM:

The maximum amount of sick leave an employee shall be allowed to have at the end of each calendar year is four hundred and eighty (480) working hours. (Sick leave shall not be accrued while an employee is on leave without pay.)

USE OF SICK LEAVE:

Sick leave may be used for the following purposes:

1. Illness or injury of the employee.
2. Appointments with physicians, optometrists, dentist, and other qualified medical professionals.
3. To attend to the illness or injury of a member of the employee's immediate family.

For purposes of this policy, immediate family shall be defined as a spouse, child, parent, or other relative living in the employee's home who is dependent on the employee for care.

Sick leave may not be used as vacation or for any other reason not addressed in this policy.

NOTIFICATION:

When sick leave is to be used for medical appointments, an employee shall be required to notify their supervisor of the intent to use it as soon as the employee knows of the appointment.

Where sick leave is not known in advance, an employee shall notify their supervisor of the intent to use sick leave within fifteen (15) minutes of the normal starting time to begin work, when practicable.

Where it is not practicable to notify the supervisor within fifteen (15) minutes of the normal starting time, the employee should notify their supervisor as soon as is reasonably practicable. If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify their supervisor of the anticipated length of absence.

DOCUMENTATION:

If an employee uses three (3) or more consecutive days of sick leave, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness. A doctor's statement can be required for any absence due to illness if abuse is suspected.

Documentation requirements of this policy shall also apply when the absence is for the care of a member of the immediate family.

Once an employee tenders a resignation notice, any sick time requested will only be allowed with proper documentation.

BORROWING:

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

PAY AT TERMINATION:

Employees shall not be paid for unused sick leave at the termination of employment with the County.

SICK POOL MEMBERSHIP:

All regular full-time employees with twelve (12) or more months of continuous employment are eligible to join the sick leave pool.

Employees must contribute a minimum of 8 hours and not more than 40 hours to the sick pool to be eligible to use the sick pool.

Employees may use pool leave for their catastrophic illness or injury or catastrophic illness in their immediate family. A catastrophic injury or illness is defined as 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 that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the County for the employee.

To be eligible for pool sick leave, employees must exhaust all accrued leave granted to them.

Employees will accrue paid leave when using pool sick leave, provided the employee returns to work following the leave.

Employees who use pool leave are not required to pay back pool leave.

POOL ADMINISTRATOR:

The Commissioners' Court will appoint the head of personnel as pool administrator. The pool administrator will 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. In addition, the pool administrator will be responsible for receiving and reviewing all applications for use of leave from the pool. The pool administrator shall appoint a committee of three (3), and the committee of (3) shall determine the eligibility in uncertain eligibility.

CONTRIBUTING SICK LEAVE TO THE POOL:

Contributions to the pool are strictly voluntary. Active employees may contribute up to forty (40) hours of sick leave to the pool each fiscal year in eight (8) hour increments. If any active employee retires or changes employment and has a balance of sick leave, this may also be contributed to the sick pool, up to eighty (80) hours. (REF 157.074)

SICK LEAVE POOL REQUESTS:

Request for sick pool leave will be forwarded to the pool administrator through appropriate supervisory channels or directly to the pool administrator. It will be considered on a first-come, first-serve (basis). The pool administrator will have five (5) work days from the date a request is received in which to approve all or part of the request or deny the request.

The pool administrator shall recommend an amount of leave to be granted. The amount of leave given and used from the pool should not exceed 720 hours or one-third of the balance of hours in the pool, whichever is less. Leave time given from the sick leave pool must be so noted on timesheets when used

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.

An employee may request to use pool leave only once per calendar year (January 1-December 30) per catastrophic illness unless the employee does not use the maximum leave granted on the first request.FMLA/MFL

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

1. Have worked for Clay County for at least 12 months (it is not required that these 12 months be consecutive; however, a continuous break in service of 7 years or more will not be counted toward the 12 months)
2. Have worked at least 1250 hours during the previous 12 months.

Family or medical leave under this policy may be taken for the following situation;

1. The birth of a child and caring 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 disability), or parent with a serious health condition.
4. The serious health condition of the employee that makes the employee unable to perform the essential function 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 service member's spouse, child, parent or next of kin (nearest blood relative).
7. To care for a covered veteran who is undergoing medical treatment, recuperation, or therapy for 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.

The employee's serious health condition shall be 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.

The serious health condition of a spouse, child, or parent shall be defined as a condition that requires overnight inpatient care at a hospital, hospice, or residential care medical facility or requires continuing care by a licensed healthcare 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; and/or
 - b. Treatment by a health care provider on at least one occasion results in a regimen of continuing treatment by a health care provider. This treatment must occur within the first seven days of incapacity.
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 permanent or long-term incapacity due to a condition that treatment is ineffective.
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 employees 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 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 information briefings sponsored or promoted by the military, military serve organization 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 a routine), attend a school or daycare meeting, 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 member's 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 or 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;
10. Leave may be taken to address issues that arise from the death of a covered military member while on active duty status in a foreign country;
11. 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; or
12. Leave may be taken to 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, provided the County agrees the leave shall qualify as an exigency and agree to both the timing and the duration of such leave.

Up to 12 weeks of leave per 12-month period may be used under this policy. The County will measure the 12 months as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. All leave taken under this policy during the prior 12-month period shall be subtracted from the employee's 12-week leave eligibility. The balance is the leave the employee is entitled to take at that time.

If both spouses work for the County, the maximum combined leave they shall be allowed to take in any 12 months for the birth or placement of a child or care for a parent with a serious health condition is 12 weeks. The combined limit is 26 weeks in a single 12-month period if leave is to care for a covered service member or covered veteran with serious injury or illness.

An eligible employee is entitled up to 26 work weeks of leave to care for a covered service member or covered veteran with 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 MFL to care for a covered service member or a covered veteran and ends 12 months after that date; and**

2. If an eligible employee does not take all of their 26 work weeks during these 12 months, the remaining part of the 26 work weeks of leave if the leaves to care for different covered service members, covered veterans, or to care for the same covered service member or covered veteran with a subsequent serious illness or injury, except that no more than 26 work weeks may be taken within any single 12 month period.

If an employee has accrued leave, the employee shall be required to use the following paid leave as detailed: compensatory, vacation, holiday, and sick time. The remainder of the leave shall be unpaid.

An employee taking leave because of their serious health condition or the serious health condition of an eligible family member shall be required to use all earned compensatory time, then sick leave, vacation, and any other paid leave, with the remainder of the 12-week leave period being unpaid leave.

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

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

The maximum amount of paid and unpaid leave used under this policy in any 12 months is 12 weeks, except for qualifying leave to care for a covered military member with a serious injury or illness. The maximum leave is 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 any other coverage for which the employee normally pays, or the coverage will be discontinued. Payment for coverage shall be made through regular payroll deduction while the employees are on paid leave. While on unpaid

leave, the employee shall be required to pay 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-week 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 necessary for the care and treatment of the employee's serious health condition, 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 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.

Any work missed due to 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.

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

The employee must respond to the request within 15 days of the request or provide a reasonable explanation for the delay. If an employee does not respond, leave may be denied.

Certification of the serious health condition of the employee shall include:

1. The date the condition began;
2. Its expected duration;
3. The diagnosis of the condition;
4. A brief statement of the treatment; and
5. A statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's job.

Certification of a serious health condition of an eligible family member shall include:

1. The date the condition began;
2. Its expected duration;
3. The diagnosis of the condition;
4. A brief statement of the treatment; and
5. A statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.

Certification for leave taken because of a qualifying exigency shall include:

1. A copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or called to active duty status in a foreign country;
2. The dates of the covered military member's active duty service;
3. A statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency sufficient to support the need for leave;
4. The approximate date on which the qualifying exigency will start and end;
5. If the request for an intermittent leave or reduced schedule basis an estimate of the frequency and duration of the qualifying exigency; and
6. If the qualifying exigency involves meeting with a third party, appropriate contact information such as name, title, organization, address, telephone number, fax number, email address, and a brief description of the purpose of the meeting.

Certification for leave taken for a serious injury or illness of a covered military member or covered veteran shall include:

1. If the injury or illness was incurred in the line of duty while on active duty;
2. The approximate date on which the illness or injury occurred and the probable duration;
3. A description of the medical facts regarding the covered military members 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 between the employee and the covered military service member or covered veteran; and
6. In lieu of certification, an TO (invitational travel order) or ITA (invitational travel authorization) issued is a sufficient certification for an eligible employee to be allowed to take FMLA to care for a covered military member. The employee may be required to confirm the family or next of kin relationship to the seriously injured or ill-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 six 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 ITO or 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, employees shall be required to submit a request for leave under this policy to their immediate supervisor in writing.

Where practicable, an employee should give their immediate supervisor at least a 30-day notice before beginning leave under this policy. Where it is not reasonably practicable to give a 30-day 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 for foreseeable leave, the leave request may be denied until at least 30 days from the date the County receives the 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 the employee held before 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.

The County shall have no obligation to reinstate an employee who takes leave under this policy and who is unable to return to work after using the maximum weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave; this included employees who may still have sick leave or vacation leave available.

Except in situations where the employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or other situations beyond the control of the employee, an employee who does not return to work after using the maximum leave allowed under this policy shall be required to reimburse the county back for all medical premiums paid by the county while the employee was on leave without pay.

While on leave without pay under this policy, an employee shall not earn vacation, sick leave, be eligible for holidays, or earn other benefits afforded to employees actively at work, except for those stated in this policy.

Employees out on approved FMLA may not take trips outside the County unless the travel is related to the employee's serious health condition, the serious health condition of the child, spouse, or parent of the employee, or to attend qualifying military events. Employees may ask for permission from their immediate supervisor to take other trips outside the County, and supervisors may grant employee requests at their discretion.

Any area or issue regarding family and medical leave which is not addressed in this policy shall be subject to the basic requirements of the Federal Family and Medical Leave Act (FMLA) and the regulations issued to implement it.

Upon notification from an elected official or department head, the County Human Resources Department shall send out a Notice of Eligibility and a Medical Certification to an employee who has been out for three or more days to determine the employee's FMLA eligibility. The employee should have their physician complete and return the certification within 15 days of the receipt to be eligible for FMLA. Failure to return the medical certification may result in denial of FMLA. Employees may be required to provide a Fitness-for-Duty certification prior to returning to work.

Work-Related Injury:

Clay County will always designate qualified work-related injuries or illnesses with lost time as FMLA. The employee will receive FMLA paperwork designating leave.

HOLIDAYS

ELIGIBILITY:

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

HOLIDAYS:

The Clay County Commissioners' Court shall determine the County Holidays for the following calendar year. Holiday hours are earned hour for hour.

HOLIDAY DURING VACATION:

If a paid holiday occurs during the vacation of an eligible employee, that day shall be paid as a holiday and not charged against the employee's vacation balance.

HOLIDAY ON DAY OFF:

If a designated holiday falls on an eligible employee's day off, the employee shall be allowed to take another day off with pay the following day or during the following thirty (30) days. An employee shall not be allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

EMERGENCIES:

If an eligible employee is called into work on a holiday because of an emergency, the employee shall be given paid time off the next working day or during the next thirty (30) days, equivalent to the amount of time worked on the holiday.

SPECIAL OBSERVANCES:

Special consideration shall be given to employees requesting time off for religious or other special observances not designated as paid holidays for the County.

Determination of granted leave under this policy shall be made by the department supervisor in which the employee works based on the department's needs.

Vacation, compensatory time, or leave without pay may be used for leave granted under this policy.

JURY DUTY LEAVE

JURY DUTY:

Employees of Clay County who are called for jury duty shall receive their regular pay for the period they are called for jury duty, which includes both the jury selection process and if selected, the time they serve on the jury.

Pay for serving on a jury shall only include the time the employee would have normally been scheduled to work and will not include extra pay if jury service involves time outside the employee's normal work schedule.

The employee may keep any fees paid for jury service.

OFFICIAL COURT ATTENDANCE:

Employees who are 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 their court attendance may require.

PRIVATE LITIGATION:

If an employee is absent from work to appear in a private litigation in which they are a principal party, the time shall be charged to vacation, other eligible paid leave, or leave without pay.

MILITARY LEAVE

GUARD AND RESERVE:

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) days off per federal fiscal year (10-1 thru 9-30) with pay to attend authorized training sessions and exercises.

The fifteen (15) day paid military leave shall apply to the federal fiscal calendar year, and any unused balance at the end of the year shall not be carried into the next federal fiscal year.

Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods that fall within the employee's normal work schedule. Employees may use annual leave, earned compensatory time, or leave without pay if they must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen (15) day maximum.

ORDERS:

Employees on military leave shall provide their supervisor with a set of orders within two (2) business days after receiving them.

ACTIVE MILITARY:

County employees who leave their positions due to being called to active military service or who voluntarily enter the Armed Forces of the United States shall be eligible for re-employment per the state and federal regulations in effect at the time of their release from duty.

FUNERAL LEAVE

FAMILY FUNERAL LEAVE:

Employees shall be allowed up to three (3) days leave with pay for a death in the immediate family.

For purposes of this policy, immediate family shall include the employee's spouse and the child, foster child, parent, brother or sister of the employee or the employee's spouse.

ADDITIONAL LEAVE:

If leave is needed beyond the limits set in this policy, it may be charged to available vacation or compensatory time or to leave without pay.

LEAVE OF ABSENCE - OTHER

Personal leaves of absence may include extended vacations, continuing education, extended bereavement, or other personal matters. Personal leaves of absence are granted solely at the discretion of the elected official, appointed official, or department head.

Employees on a personal leave of absence are converted to inactive status and do not accrue benefits. Employees may continue the county health plan, but they are responsible for the entire premium, including both their and county portions. The employee must pay the premium on the first of each month. Lack of payment will result in medical plan termination, and the employee will become eligible for COBRA. (Each county should check with their medical plan carrier to be certain this is acceptable per your contract.) Return to work on a personal leave of absence is not guaranteed and is subject to current business conditions and an appropriate job opening.

MEDICAL INSURANCE

ELIGIBILITY:

All elected officials of Clay County shall be eligible for group medical insurance benefits upon being sworn in. All full-time regular employees of Clay County shall be eligible for the group medical insurance benefit on the first of the month after sixty (60) days of employment. Regular part-time 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 and temporary employees who work an average of less than thirty (30) hours a week in the measurement period will not be eligible for health insurance.

The premium for the coverage for eligible employees shall be paid by the county as determined by Clay County Commissioners' Court.

DEPENDENT COVERAGE:

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

EXTENSION OF COVERAGE:

Employees who leave Clay County employment or lose their coverage eligibility may be eligible for an extension of medical coverage for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an employee cannot return to work following FMLA leave, they will be offered COBRA if eligible.

Information on an extension of benefits under COBRA is available in the County Treasurer's Office and may be obtained during the normal working hours of that office.

LIFE INSURANCE:

Employees shall have a limited amount of life insurance on themselves as determined by the Commissioners' Court.

INFORMATION:

Details of coverage under the group insurance plan are available in the County Treasurer's Office and may be obtained during the normal working hours for that office.

WORKER'S COMPENSATION ELIGIBILITY:

All Clay County employees are covered by worker's compensation insurance while on duty for the county.

BENEFITS:

Worker's compensation insurance pays for medical bills resulting from a covered injury or illness an employee incurs while carrying out their job duties.

Worker's compensation also pays a temporary income benefit (TIBS) for time lost from work in excess of seven (7) calendar days as a result of eligible work-related injuries or illness.

Employees may use paid leave for all workers comp time off less than eight (8) days.

ACCIDENT REPORTING:

Any employee who suffers a job-related illness or injury shall be required to notify their supervisor as soon as possible. Employee and/or employer will have only seven (7) days to make a report to the Auditor's Office.

Failure to promptly report job-related injuries or illness may affect an employee's eligibility for benefits or delay due benefits payments.

PHYSICIAN'S RELEASE:

An employee who has lost time because of a work-related accident or illness shall be required to provide a release from the attending physician before being allowed to return to work.

CONTRIBUTORY FACTORS:

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

COORDINATION WITH LEAVE POLICIES:

Clay County counts an employee's leave due to a work-related injury or illness as the employee's 12-week leave entitlement under the Family Medical Leave Act. Because worker's

compensation leave is designated as FMLA leave, benefits are governed by the applicable provisions of the FMLA policy contained herein.

NOTICE OF ALLIANCE PROGRAM REQUIREMENTS

INFORMATION, INSTRUCTION, AND YOUR RIGHTS AND OBLIGATIONS:

As your employer, Clay County has elected to utilize the Political Subdivision Workers Compensation Alliance to provide access to contracted physicians and healthcare providers for workers' compensation injuries.

If you are injured at work, tell your supervisor or manager immediately. This information will help you seek care for your injury. Also, your employer will help with any questions about how to get treatment. TAC RMP and your employer have formed a team to provide you with timely care and treatment for work-related injuries. The goal is to provide quality medical care and return you to work as soon as it is safe.

IMPORTANT CONTACT INFORMATION

Alliance
866-997-7922
www.pswca.org

TAC RMP WC Claims
P.O. Box 160120
Austin, Texas 78716
800-752-6301

INJURED EMPLOYEES RIGHTS AND OBLIGATIONS

WHAT TO DO IF YOU ARE INJURED WHILE ON THE JOB:

If you are injured while on the job, tell your employer as soon as possible. A list of Alliance treating physicians may be available from your employer. A complete list is also available online at www.pswca.org, or you may contact your adjuster directly: TAC RMP WC Claims at 800-752-6301.

IN CASE OF AN EMERGENCY:

If you are hurt at work, you should first notify your employer, and they will assist you in locating a provider or emergency care provider.

After you receive emergency care or treatment, you may require ongoing care. You will need to select a treating doctor from the Alliance provider list. This list is available at www.pswca.org. If

you do not have internet access, please call 800-725-6301 or contact your employer for a complete listing. The doctor you choose will oversee the care you receive for your work-related injury. Except for emergency care, you must obtain all health care and specialist referrals through your treating doctor.

CHOOSING A TREATING DOCTOR:

You must choose a treating doctor from the Alliance panel of providers if you are injured at work. This choice is **REQUIRED** for the cost of your medical care for covering your work-related injury. A provider listing is available through the Alliance website at www.pswca.org. It is updated weekly, identifies providers contracted with the Alliance, and accepts worker's compensation patients.

If your treating physician leaves the Alliance, you will be notified and have the right to choose another treating doctor from the list of providers. If your doctor leaves the Alliance and you suffer a life-threatening or acute condition for which disruption of care would be harmful, your doctor will contact your adjuster to request that you treat him/her for an additional 90 days.

CHANGING DOCTORS:

If you become dissatisfied with your initial choice of treating physician, you can complete a Change of Treating Doctor Form to select a new treating doctor from the list of Alliance providers. This form is available by contacting TAC RMP WC Claims at 800-752-6301 and should be completed and submitted to your adjuster for approval prior to changing doctors.

REFERRALS:

Referrals are not required for emergency care. Your treating doctor will refer you to other health care providers for your medical treatment if necessary.

PAYMENTS FOR HEALTH CARE:

Alliance providers have agreed to bill TAC RMP for payment to your health care. You should not be required to make payment at the time of your treatment. You may only access non-Alliance health care providers and remain eligible for coverage of your medical costs if one of the following situations occurs:

1. Emergency care is needed. You should go to the nearest hospital, urgent care, or emergency care facility
2. You do not live within 75 miles of a contracted provider
3. Your treating physician refers you to a non-Alliance provider or facility, **AND** your adjuster approves the referral before treatment.

NON-EMERGENCY:

Once you have selected your treating physician, your adjuster will be notified, and they will contact you if additional information is required.

COMPLAINTS:

You have the right to file a complaint with the Alliance. You may do this if you are dissatisfied with any aspect of the operation. This right includes a complaint about the Alliance or an Alliance treating physician or facility. It may also be a general complaint about the Alliance-PSWCA Direct Contracting Program.

Complaints should be addressed to the Alliance PSWCA Direct Contracting Program Grievance Coordinator by phone or in writing via email or fax. Complaints should be sent to:

PSWCA Direct Contracting Program
Attention: Grievance Coordinator
P.O. Box 203065
Austin, Texas 78720-3065
866-997-7922
providerrelations@

RETIREMENT

ELIGIBILITY:

All part-time and regular employees who work a normal schedule shall be eligible for the retirement benefit through the Texas County and District Retirement System. Temporary employees are not eligible.

CONTRIBUTIONS:

Eligible employees shall make contributions of 7% of their gross salary to the retirement program through a monthly payroll deduction system.

Clay County also contributes an amount to the employee's retirement account.

INFORMATION:

Information on the retirement program may be obtained at the County Treasurer's Office during the normal working hours of that office.

(TCDRS requires at least a full calendar month break in service with no pre-arranged return)

Retired employees shall be eligible to apply for open positions with Clay County as long as the following provisions are met: 1) The retiree has been retired for at least a full calendar month, 2) No prior arrangement or agreement was made between Clay 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 a full calendar month. A bona fide separation means there is no prior agreement or understanding between Clay 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 positions in the same or different departments, 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 work in a different department or 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, and 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.

CLAY COUNTY POLICY SOCIAL SECURITY

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.

ATTENDANCE AND TIMELINESS

ATTENDANCE:

Each employee shall report to work on each day they are scheduled to work unless prior approval for absence is given by the employee's supervisor or the employee is unable to work because of circumstances beyond the employee's control.

DRESS CODE

Clay County expects all employees to be well-groomed, clean, and neat at all times. Each official or department head will determine the type of attire that is acceptable. Employees are required to act professionally at all times and extend the highest courtesy to co-workers and the public being served. A cheerful and positive attitude is essential to our commitment to customer service

TARDINESS:

Each employee shall be at their place of work at the starting time set by their supervisor unless the supervisor or the employee gives prior approval and cannot be at work on time for reasons beyond the employee's control.

NOTIFICATION:

If an employee is unable to work at their normal reporting time, the employee shall be responsible for notifying their supervisor as soon as is reasonably practicable or the circumstances causing the tardiness or absence.

EXCUSED AND UN-EXCUSED:

Each supervisor shall be responsible for determining if an unscheduled absence or tardiness is to be classified as excused or un-excused based on the circumstance causing the absence or tardiness.

Frequent un-excused absences or tardiness, as determined by your immediate supervisor, may make an employee subject to disciplinary measures, up to and including termination of employment.

ABANDONMENT OF POSITION:

An employee who does not report for work three (3) consecutive scheduled workdays, and fails to notify his or her supervisor, shall be considered to have resigned from their position by abandonment.

TOBACCO/SMFREE WORKPLACE

Clay County endeavors to provide a healthy environment. Therefore, tobacco or vaping consumed in county buildings and county vehicles is strictly prohibited. Additionally, no smoking is allowed within ten (10) feet of the exterior entranceways.

COUNTY PROPERTY

RESPONSIBILITY:

Each Clay County employee shall be responsible for the care, maintenance, proper use, and upkeep of any vehicle, tool, or other County equipment assigned to them.

Clay County employees shall only use equipment, vehicles, tools, and other Clay County property they are authorized to use.

PERSONAL USE:

Personal use of Clay County Vehicles, equipment, supplies, tools and any other Clay County property shall not be permitted and may result in discipline up to and including termination and improper use may subject you to criminal prosecution.

LICENSES:

A Clay County Employee who operates any Clay County equipment or vehicle which requires a license shall be required to have a current active license for that vehicle or equipment any time they operate it.

Any employee who operates a vehicle or equipment requiring a license for legal operation shall notify their supervisor of any change in the license status.

An employee whose job involves the operation of a vehicle or equipment requiring a license for its legal operation shall be subject to possibly job change or termination if that license is suspended or revoked.

An employee whose job involves the operation of a vehicle or equipment requiring a license for its legal operation but who is deemed uninsurable by the County's vehicle insurance carrier, even though the employee's license has not been revoked or suspended, shall be subject to possible job change or termination. *(This will be clarified through TAC)*

ACCIDENTS:

Any employee involved in an accident while operating Clay County equipment or vehicles shall immediately report to their supervisor and the proper law enforcement or other authority.

CREDIT CARDS

Clay County offers credit cards to County employees specifically to make County purchases or for County travel. As a holder of a County credit card the employee should fully understand the credit card is a valuable tool and should only be used for making financial commitments on behalf of the County. Misuse or abuse of the credit card will result in revocation of the credit card.

Allowable uses and restrictions are outlined below:

Purchases

- **Official work-related purchases only**
- **Exclusions include (but are not limited to):**
 - **Purchases should not include Sales Tax**
 - **Purchases should not be made for personal, or non-business-related business purposes**
 - **Allowing anyone else to use the credit card for non-County related purchases.**

Travel

- **Official travel related purchase only**
 - **Hotel**

- **Parking**
- **Conference expense**
- **Any pre-approved expenses**
- **Fuel for County owned vehicles ONLY**
- **Travel related restrictions include (but are not limited to):**
 - **state hotel taxes for lodging within the state of Texas**
 - **meals**
 - **personal expenses such as alcoholic beverages, expenses for family members, entertainment, or personal travel expenses before or after the official travel dates.**
 - **Allowing someone else to use the credit card for non-County related purchases.**

All detailed original receipts should be returned to the Treasurer's office within 10 days of purchase or travel. Failure to turn in receipts will result in the card holder or whomever made the purchase reimbursing Clay County for the amount charged.

If the card is lost or stolen, the employee should notify the Treasurer's Office immediately, verbally and in writing.

INTERNET USAGE

In using the Clay County internet, Clay County employees must comply with all laws and regulations. Laws and regulations of Texas and the United States that are especially applicable include:

1. The downloading of technology and programs that are copyrighted. (Note that unless a specific exclusion applies, all internet content must be considered to be copyrighted and not available to use without specific permission);
2. The transmission of personal data;
3. Trademarks;
4. Sexual harassment; and/or
5. Sexual and racial discrimination.

Clay County expressly prohibits:

1. Using the Internet for commercial gain;
2. Using internet access for recreation (such as play games or sports);
3. Transmission of confidential information that is prohibited by the state or federal law;
4. Inappropriate and unprofessional behavior online, such as the use of threats, intimidation, or "flaming";
5. Viewing, downloading, or transmission of pornographic material; and/or
6. Use of internet access for not-business related activities (such as video, audio, or downloading large files).

Reasonable personal use of the internet is permitted, subject to the specific prohibitions above. Examples of reasonable personal use include:

1. Checking weather reports; and/or
2. Checking investments such as retirement plans or stocks.

CELL PHONE USAGE

Clay County shall provide cellphones to departments that the Clay County Commissioners' Court approves.

Elected officials and/or supervisors shall choose their provider and calling plan.

Clay County shall pay elected officials and other departments up to \$50.00 and up to \$25.00 on any other employees that Commissioner's Court has approved for personal cell phones. The only way for reimbursement is if the cellphone bill is turned in each month. Each person will be responsible for any cost above that rate.

No texting will be allowed while driving any Clay County Vehicle or equipment.

CONFLICT OF INTEREST

CONFLICT OF INTEREST:

Employees of Clay 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 their ability to make objective decisions regarding their work and responsibility as a Clay 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.

PROHIBITED:

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 the independence of judgment in the performance of duties for the County
4. Making any personal investment that might reasonably be expected to create a substantial conflict between private interest and their duties; and/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 Clay County shall have the right to support candidates of their choice and to engage in political activity during **THEIR PERSONAL TIME**.

Clay 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; and/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.

SAFETY

SAFETY STANDARDS:

Each Clay County Employee shall be required to adhere to the general safety standards established by their elected official or department head for all employees and to all additional safety standards for their job or the department in which they work.

VIOLATIONS:

Failure to follow the safety standards set by the County shall make an employee subject to disciplinary action, up to and including termination.

REPORTING:

Employees seeing unsafe working conditions shall either take steps to correct those conditions or report the unsafe conditions to the department head.

The department head should note the disciplinary taken, which the employee and employer both sign and put in the employee's personal file.

WORKPLACE VIOLENCE

Clay County is committed to providing a workplace free of violence. Clay 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 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 weapon other than an authorized law enforcement official, with or without permits, in all county offices and buildings owned or used by Clay County, including 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 violating this policy may be subject to discipline up to and including immediate 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 Instagram. Clay County recognizes the importance of social media for its employees. However, the 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 Clay County among the community at large. Clay 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 Clay County, make clear that you are an employee of Clay County and that the views posted are yours alone and do not represent the views of Clay County.
- Do not mention Clay County supervisors, employees, customers, or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Clay 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 they did not use a county computer or if the post did not occur during work hours or on county property.

- **Without written permission, employees may not use Clay County computer equipment for non-work-related activities. Social media activities should not interfere with your duties at work. Clay 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 Clay County’s website or post Clay County material on a social media site without written permission from your supervisor.**
- **All Clay County policies that regulate off-duty conduct apply to social media activity, including policies related to illegal harassment and a code of conduct.**
- **Any confidential information obtained through your position at Clay County must be kept confidential and should not be discussed through social media.**
- **Violating this policy may lead to discipline up to and including the immediate termination of employment.**

SEXUAL HARASSMENT

Sexual harassment is strictly prohibited by Clay County, whether committed by an elected official, an appointed official, a department head, a co-worker, or a non-employee the county does business with. Clay County's policy is to provide a workplace 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 official, appointed official, or department head responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the official or department head may not be the best course of action, the report should be made to the County Judge or 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.

- 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, Appointed Official, or Department Head 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, Clay County will take effective remedial action in accordance with 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 official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the official or 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.

HARASSMENT

Clay County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, including lesbian, gay, bi-sexual or transgender status, sexual orientation or gender identity, 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 Clay 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 official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the official or 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. While all claims of harassment shall be handled with discretion, there can be no complete assurance of full confidentiality. 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 official, appointed official, or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the official or 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.

TIME SHEETS

PAY PERIOD:

The payday for Clay County shall be the last working day of the month.

If a payday falls on a holiday or weekend, paychecks shall be issued on the last workday immediately preceding the holiday or weekend.

TIMESHEETS:

Each employee shall be required to fill out a time sheet to be turned in to their supervisor on the last day of each pay period. The supervisor has to turn in all timesheets monthly to County Treasurer.

The time sheet prepared by the employee shall show an accurate record of all time worked and leave taken, whether paid or unpaid, for the pay period.

Upon termination of an employee, any vacation may not be paid until the following month. The reason is to allow plenty of time for calculating hours owed to the employee.

PAY ADVANCES:

Advances in pay shall not be made to any employee for any reason.

If you DO NOT have direct deposit set up and you receive a paper check, you will receive your check on the last working day of the month, NOT ANYTIME BEFORE.

FAIR LABOR STANDARDS ACT SAFE HARBOR

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

Employees classified as non-exempt must maintain an accurate record of the total hours they work each day. Each employee is responsible for verifying that their timesheets are correct. Your timecard must accurately reflect all regular and overtime hours worked, any absences, late arrivals, early departures, and meal breaks. Do not sign your timecard if it is not accurate. When you receive each paycheck, please immediately verify that you were paid correctly for all regular and overtime hours worked each 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 Human Resources Department.

It violates Clay County policy for any employee to falsify a timecard or alter another employee's timecard. 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 timecard 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 County Judge, 214 North Main, Henrietta, TX 940-538-4651 or County Attorney).

If you are classified as an exempt salaried employee, you will receive a salary 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 exempt. 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.

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 Human Resources, 214 North Main, Henrietta, TX, 940-538-5911. If you are unsure who to contact or have not received a satisfactory response within five business days after reporting the incident, please immediately contact the County Attorney at 214 North Main, Henrietta, TX, 940-538-4651. Every report will be fully investigated. 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 cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation violating this policy may result in disciplinary action, up to and including termination.

INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS

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

COMPENSATION

APPLICATION:

This policy shall apply to all Clay County Employees except law enforcement employees.

Compensation for law enforcement employees shall be handled in accordance with policies established in the Sheriff's Department with the approval of the Commissioners' Court.

SALARIED EMPLOYEES:

Clay County Commissioners Court annually sets the maximum compensation for each employee in accordance with Texas State Law.

Clay County complies with the Fair Labor Standards Act as outlined in the Fair Labor Standards Safe Harbor policy.

Law Enforcement personnel are treated in accordance with the 207(k) exemption under the Fair Labor Standards Act. The Commissioners Court has adopted this exemption. *(See Policy Below)*

Some employees may have the classification of hourly employees paid on a salary basis, but they remain non-exempt for FLSA purposes. For full-time non-exempt employees, the monthly salary compensates the employee for all hours worked up to 40 in each workweek of the month.

In the event of a major disaster where the County Judge has issued a disaster declaration and it has been extended by the Commissioners' Court, in order for the County to be reimbursed by FEMA, all salaried employees will be calculated in the same manner as hourly employees for the duration of the disaster incident, and the disaster declaration is rescinded or allowed to expire.

Part-Time/TEMPORARY RELIEF:

Part-Time/Temporary employees shall be paid hourly at a rate determined by the Clay County Commissioners' Court, not being less than the minimum wage established by the Fair Labor Standards Act, as amended. These timesheets will be turned in to the payroll department by the 22nd of each month for time worked from the 21st of the previous month to the 20th of the current month.

LONGEVITY PAY

ELIGIBILITY:

All regular full-time employees shall be eligible for longevity pay for each full fiscal year of continuous service. A full fiscal year of service is defined as beginning October 1 of each year and ending September 30 of the following year. If the service for a year begins on the first

working day after October 1 and/or ends on the first working day before September 30, it shall be considered a full employment year

Each year the Clay County Commissioners' Court shall determine:

1. If longevity pay is to be paid for prior years of service; and,
2. The amount to be paid for each year of prior service.

PAYMENT:

Longevity pay will be paid annually and only at the time of payment of the November payroll.

Payment shall be made to all eligible employees for the vested longevity pay regardless of the last date of employment.

PRIOR SERVICE:

Longevity pay is based upon continuous years of service. No employee is eligible for longevity pay for any period of previous employment with Clay County, regardless of the reason the prior employment was terminated.

PAYROLL DEDUCTIONS

REQUIRED DEDUCTIONS:

Deductions shall be made from each employee's paycheck for federal withholding, social security, Medicare, and any other deductions required by law.

RETIREMENT:

Employees eligible for membership in the Texas County and District Retirement System shall have their contributions to that system deducted from each paycheck.

OPTIONAL DEDUCTIONS:

Any optional deductions authorized by the Commissioners' Court and approved by the employee shall also be made from the employee's paycheck.

No optional deduction shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the Clay County Treasurer's Office.

WORK SCHEDULE AND WORK WEEK

WORK SCHEDULE:

The normal work hours for most positions of Clay County shall be from 8:00 A.M. until 5:00 P.M., Monday through Friday.

EXCEPTIONS:

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

Each department head shall determine the need for schedules that vary from the normal schedule.

WORKDAY:

The workday for the County shall begin at 12:01 A.M. each day and end 24 consecutive hours later.

WORKWEEK:

For purposes of record keeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Clay County shall begin at 12:01 A.M. on each Saturday and end seven (7) consecutive work days later (168 hours).

HOURS WORKED AND OVERTIME

HOURS WORKED:

Hours worked shall include all time actually spent in the service of the County as defined in the Fair Labor Standards Act (FLSA) and its regulations.

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. Under other state laws, it is applicable for the duration of a nursing mother's need to express breast milk. Clay County supports the practice of expressing breast milk.

Clay County will provide reasonable breaks for a nursing mother to express breast milk. The nursing mother will be allowed whatever time is needed to express breast milk.

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

Clay 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. An employee of the county who needs to express breast milk may not be discriminated against.

Each official or department head determines all other employee breaks and is 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.

OVERTIME PAY:

Overtime, as defined by this policy, shall apply to all employees eligible for overtime compensation under the FLSA, except commissioned law enforcement employees.

Overtime for commissioned law enforcement employees is defined in the policy addressing law enforcement overtime in the Sheriff's Office.

OVERTIME DEFINITION:

Overtime shall include any time actually worked for the County in excess of 40 hours in any workweek.

Paid leave shall not be counted in determining if overtime has been worked in any workweek.

Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

OVERTIME COMPENSATION

POLICY APPLICATION:

This policy shall apply to all Clay County employees eligible for overtime compensation under the FLSA except for commissioned law enforcement employees.

Overtime for commissioned law enforcement employees shall be handled in accordance with the policy for overtime compensation established by the Sheriff's Office.

OVERTIME COMPENSATION:

Overtime compensation shall be paid in the form of compensatory time off in accordance with the provisions of the FLSA.

Covered employees shall receive compensatory time (1 ½ times the regular rate) off, times the amount of overtime hours worked. Eligible Comp time hours will be paid at the regular rate of pay.

MAXIMUM COMPENSATORY TIME:

The maximum amount of unused compensatory time an employee shall be allowed to have at any time is 240 hours, with law enforcement being allowed to accumulate 480 hours.

When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at the rate of one and one-half (1 ½) of the employee's regular rate of pay until the compensatory time has been used to bring the balance below the maximum. The county shall have the right to require employees to use earned compensatory time at the convenience of the county and their supervisor.

Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested, provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works.

Compensatory time may be used for any purpose desired by the employee.

DEMOTIONS

Demotions are the movement of an employee from one position to another with a decreased responsibility or complexity of job duties or to a lower salary. Elected officials, appointed officials or department heads may choose to demote or re-assign any employees who are unable to meet performance requirements, for disciplinary reasons or for any other reason as deemed necessary by the official. Upon demotion, an employee's salary may be adjusted downward.

TRANSFERS

Transfers are the lateral movement of an employee from one position to another with the same responsibility or complexity of job duties with no change in salary.

Elected officials, appointed officials, or department heads may transfer an employee in their department to a vacant position. All transfers must be handled in accordance with the budget adopted by Commissioners Court.

PROMOTIONS

Promotions are the movement of an employee from one position to another with increased responsibility or complexity of job duties and to a higher salary.

Elected officials, appointed officials, or department heads may promote an employee in their department to a vacant position. All promotions must be handled in accordance with the budget adopted by Commissioners Court.

SEPARATIONS

Separation shall be defined as any situation in which the employer-employee relationship between the County and a County employee ends. All separations from Clay County shall be designated as one of the following types:

1) resignation; 2) retirement; 3) dismissal; 4) reduction in force; or 5) death.

A resignation shall be classified as any situation in which an employee voluntarily leaves their employment with Clay County, and the separation does not fall into one of the other categories. Employees who are resigning should submit a written notice of resignation to their supervisor.

Retirement shall be any situation in which an employee meets the requirements to collect benefits under the County's retirement program and voluntarily elects to leave employment with the County to do so. An employee who is retiring should notify their supervisor of that intent at least 30 days prior to the actual retirement date to help prevent delays in starting the payment of retirement benefits.

A dismissal shall be any involuntary separation of employment that does not fall into one of the other categories of separation. Clay County is an "at will" employer, and a supervisor may dismiss an employee at any time for any legal reason or no reason, with or without notice.

An employee shall be separated from employment because of a reduction in force when their position is abolished or when there is a lack of funds to support the position, or there is a lack of work to justify the position.

Separation by death shall occur when an individual dies while currently employed by the County. If an employee dies while still employed by the County, their legally designated beneficiary or estate shall receive all earned pay and payable benefits.

TERMINATION:

If an employee terminates employment, for any reason, prior to using all earned FLSA compensatory time, they shall be paid for all unused compensatory time in accordance with the requirements of the FLSA.

BUYBACK OF COMPENSATORY TIME:

The Clay County Commissioners' Court shall retain the right to "buy back" all or part of an employee's unused compensatory time by paying the employee for that time at the employee's current regular rate.

CASH PAYMENT FOR OVERTIME:

The Clay County Commissioners' Court shall retain the right to pay all or part of the overtime worked in any workweek by paying for that overtime at the rate of one and one-half (1 ½) the employee's regular rate of pay.

RECORD KEEPING:

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

The department head shall be responsible for keeping a record of all compensatory time earned and used by each eligible county employee in their department and shall update the balance due to each employee at the end of each pay period.

The department head shall provide each eligible employee in their department with a statement of the employee's compensatory time earning, use, and balance at the end of each pay period.

OTHER ISSUES:

Any issue on overtime compensation not addressed in this policy shall at least meet the minimum requirements of the FLSA and regulations issued by the Department of Labor to administer that ACT.

GRIEVANCES

PROCEDURE:

Any employee having a grievance related to their job should discuss the grievance with their immediate supervisor.

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

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

A separated employee is not eligible to file a grievance.

Refer to for Whistle Blower Act Information above.

DISCIPLINE

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.

TYPES OF DISCIPLINE:

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

AT WILL EMPLOYMENT:

All Clay County employees are "at will" employees and nothing in this policy gives an employee any contract of employment guarantee of any duration of employment or any other property interest in their job.

The 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.

WEATHER CLOSING AND EMERGENCIES

As a general practice, Clay County does not close its operations unless the health, safety, and security of the County employees are seriously brought into question. When this happens either because of severe weather conditions or other emergencies, the County Judge is responsible for initiating the closing.

The County Judge will make announcements of an emergency closing, to the extent possible, specify the starting and ending times of the closing. However, each elected official controls the working hours of their employees, even in an emergency situation.

Many County departments are continuously 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 department emergency action plans.

DRUG AND ALCOHOL

as required by FMCSA's drug and alcohol use testing program for checking CDL driver violation histories. Drivers may view their own records. Employees will be required to provide a consent form from the CDL holder to conduct both limited and specific inquiries.

CLAY COUNTY REQUEST FOR
ADVANCED SICK LEAVE

DATE: _____

This is my request for advanced sick leave. I am requesting _____ hours or
_____ days of leave time be granted to my employee account. This advanced leave is
granted only after all other leave time is expended.

Explanation of
request: _____

Employee requesting time

Printed name of employee

Approval Supervisor

Printed name of supervisor

Date submitted to personnel department

Entered

CLAY COUNTY CONTRIBUTION

TO SICK LEAVE POOL

This form authorized the Clay County Personnel Department to transfer accrued sick leave time from my personal account to the Clay County Sick Leave Pool.

I understand it will be deducted from my current accrued sick leave and will be recorded on the timesheet on file in the County Treasurer's Office.

I have read and understand the sick leave pool policy. I agree to the policy and the procedures for the contribution and use of the leave time.

At this time, I would like to contribute _____ hours or _____ days of leave time.

Name

Printed Name

Date

Department

Received by personnel department:

Name

Printed Name

Date

CLAY COUNTY DRUG POLICY ACKNOWLEDGMENT

I, _____, have read, understand and received a copy of the Clay County Drug and Alcohol Policy, and understand I am expected to abide by this Policy.

Date

Signature

**CLAY COUNTY POLICY
ACKNOWLEDGMENT**

I have received my copy of the Clay County Personnel Manual (Revised May 2023), which outlines my privileges and obligations as an employee and includes a summary of my benefits. I acknowledge that the provisions of these policies are part of the terms and conditions of my employment and that I agree to abide by them. I accept responsibility for reading and familiarizing myself with the information in this manual and understand that it contains general personnel policies of the County. If I need clarification on any of the information in this manual, I will contact my supervisor (or County personnel representative).

Since this information is subject to change, it is understood that any changes will be communicated to me by my supervisor or through official notices or bulletin boards.

I further understand 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 myself, to continually make suggestions for improvement, and to display a spirit of teamwork and cooperation.

I understand that I will be granted compensatory time off in lieu of payment of overtime to the extent provided by law.

I also understand that any intentional misrepresentation on a timesheet would falsify a government document, Texas Penal Code, Section 37.10

Signature of Employee

Printed Name of Employee

Date

CLAY COUNTY POLICY EMPLOYEE ACKNOWLEDGEMENT OF ALLIANCE PARTICIPATION

I have received information that informs me of my employer’s election to utilize the Political Subdivision Worker’s Compensation Alliance and how to obtain health care if I suffer work related injury/illness.

If I am injured on the job, I understand that:

1. I must choose a treating doctor from the list of contracted providers provided by my employer or obtain the list myself from www.pswca.
2. I must go to my treating doctor for all health care related to my injury. If I need a specialist, my treating doctor will refer me. If I require emergency care I may go anywhere.
3. Making a false or fraudulent worker’s compensation claim is a crime that may result in fines and/or imprisonment.
4. Additional information regarding the Alliance is available on TAC RMP’s website at www.county.org.

Signature _____ Date _____

Printed Name

I live at _____
Street Address

City, State, Zip Code

Name of Employer _____

Please indicate whether this is the:

_____ Initial Employee Notification
_____ Date of Injury Notification (date of injury ____/____/____)



Clay County, Texas

EMPLOYEE CREDIT CARD AGREEMENT

I, _____ hereby request a Clay County Credit Card. As a cardholder, I have read, understand and agree to comply with the Clay County Credit Card Policies and Procedures in the Clay County Employee Manual. I fully understand that misuse or abuse of the credit card will result in revocation of the card.

1. I understand that I am being entrusted with a valuable tool and I will be making financial commitments on behalf of Clay County, Texas. I will obtain the best value for the County by using the card wisely and with discretion.
2. I agree to use this card for official approved work- related expenses only.
3. I agree that I will not use this card for unauthorized purchases such as:
 - State sales tax
 - Personal purchases or non-business-related business purposes
 - Allowing someone else to use the credit card for non-County related purchases
4. I agree that I will not use this card to pay for unauthorized travel expenses, such as:
 - state hotel taxes for lodging within the state of Texas,
 - meals
 - personal expenses such as alcoholic beverages, expenses for family members, entertainment, or my personal travel expenses before or after the official travel dates.
5. I agree to submit the detailed receipts to the Treasurer's office within 10 days of purchase or travel.
6. I agree if receipts are not turned in timely to the Treasurer or if unauthorized purchases are made on the credit card, I will be responsible for the charges and will reimburse the County.
7. I agree that if the credit card is lost or stolen, I will immediately notify the Treasurer's Office verbally and in writing.

Employee Signature

Department

Date

County Treasurer

Date

For Treasurer's Office Use only:

Credit Card Number (last 4 digits): _____