

COUNTY OF GALVESTON COUNTY
Human Resources Policy Manual



October 01, 2007

**COUNTY OF GALVESTON
HUMAN RESOURCES POLICY MANUAL**

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**COUNTY OF GALVESTON
HUMAN RESOURCES POLICY MANUAL**

INTRODUCTION

Welcome to the team of public servants that make up Galveston County Government. From elected officials to temporary employees, our job is to serve our neighbors, meet their needs, and earn their respect.

As taxpayers, we expect quality service from government. As public servants, we owe it to our community to ensure that we provide quality service.

This booklet is a reference on how we work as a team. Whether you are a new or experienced employee, this booklet is designed to give you facts about the County, how it works, and the policies that govern employees.

Our community's needs change constantly. Our duties and County policy will change as well; but the tradition of public service will remain the same.

THIS BOOKLET IS SIMPLY AN EXPLANATION OF COUNTY POLICIES RELATING TO ITS EMPLOYEES. IT IS NOT TO BE CONSTRUED AS AN EXPRESS OR IMPLIED CONTRACT FOR YOUR EMPLOYMENT. NO EMPLOYEE RIGHTS ARE CREATED BY ITS ADOPTION.

AT ALL TIMES, INCLUDING AFTER SUCCESSFUL COMPLETION OF THE INTRODUCTORY PERIOD, EMPLOYMENT WITH GALVESTON COUNTY IS CONSIDERED TO BE AT-WILL AND THE EMPLOYMENT RELATIONSHIP MAY BE TERMINATED AT ANY TIME FOR ANY LAWFUL REASON BY EITHER PARTY.

**COUNTY OF GALVESTON
HUMAN RESOURCES POLICY**

Governmental Organization

Galveston County's governmental organization is established by the Constitution of the State of Texas and by State Statutes. Its operations are governed by state and federal laws and by actions of the Commissioners' Court.

Structure of Commissioners' Court

The Commissioners' Court consists of four County Commissioners and the County Judge. The Commissioners' Court is the administrative and policy-making body of the County.

Operations

County operations are conducted through Departments, each administered by an Elected Official, Appointed Official, or appointed Department Head.

Services

Galveston County provides services to the public that include; maintaining property and other public records; preserving law and order; operating the County jail; constructing and maintaining roads in unincorporated areas; maintaining public works; assisting farmers, homemakers, and veterans; conducting elections; collecting taxes; prosecuting criminals; developing and maintaining parks; and many other things.

DEFINITIONS

In this Policy Manual, the following words and phrases are defined as follows:

Department Head-A person hired as the head of a County Department, or the Elected or Appointed Official who is the head of a Department if these policies have been adopted by that person.

Employee Assistance Program (EAP)-The Galveston County Employee Assistance Program, or other managed care counseling programs that offer assessment, short-term counseling, and referral services for a wide range of drug, alcohol and mental health programs that affect Employee job performance.

Full-Time Employee-An Employee employed in an authorized budgeted position that requires a minimum of 40 work hours per week.

Half-Time Employee-An Employee employed in an authorized budgeted position that requires a minimum of 20 work hours per week.

Health Care Provider-A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices. Podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of their practice. Nurse practitioners and nurse-midwives who are authorized to practice under state law and who provide health care services under the supervision of a physician. Refer to the Chapter entitled "Family and Medical Leave Act" for the definition of health care provider for purposes of that act.

Illegal Drugs-A controlled substance included in (a) Schedule I or II as defined by § 802(6), Subtitle 21 of the United States Code, or (b) the Texas Controlled Substances Act the possession of which is unlawful under either act. The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

Immediate Family-Spouse, parents, step-parents, children, step-children, brother, sister, grand-parents, father-in-law, mother-in-law. Refer to the Chapter entitled "Family and Medical Leave Act" for definitions of parent, son, daughter, and spouse.

Legal Drugs-Prescribed medications and over-the-counter medications.

Part-Time Employee-An Employee employed in a budgeted position that requires no more than 19 work hours per week.

Regular Employee-An Employee hired without limitation as to duration of employment, who is eligible for Employee benefits, and who may be either full-time or half-time.

Substances and Materials Available in the Work Place-Paint, industrial solvents, glue, and correction fluid, that may produce a euphoric mental state.

Supervisor-Either a Department Head or person appointed by a Department Head to perform supervisory functions within the Department.

Temporary Employee- An Employee employed on a temporary or seasonal basis for a specified period not to exceed 12 consecutive months.

Year-Calendar year.

**CHAPTER 1
STATEMENT OF GENERAL POLICIES**

THIS HUMAN RESOURCES POLICIES MANUAL IS SIMPLY AN EXPLANATION OF COUNTY POLICY. IT IS NOT TO BE CONSTRUED AS AN EXPRESS OR IMPLIED CONTRACT FOR YOUR EMPLOYMENT. NO EMPLOYEE RIGHTS ARE CREATED BY ITS ADOPTION.

AT ALL TIMES, INCLUDING AFTER SUCCESSFUL COMPLETION OF THE INTRODUCTORY PERIOD, EMPLOYMENT WITH GALVESTON COUNTY IS CONSIDERED TO BE AT-WILL AND THE EMPLOYMENT RELATIONSHIP MAY BE TERMINATED AT ANY TIME FOR ANY LAWFUL REASON BY EITHER PARTY.

Section 1. Purpose

- A. These policies provide a set of principles to establish and maintain harmonious and productive County /Employee relationships in the conduct of County business.**
- B. These policies apply to all Employees and Department Heads who work for the Commissioners' Court. These policies also apply to those Employees of the Galveston County Health District who are on the County's payroll. They do not apply to Employees of any Elected or Appointed Official unless that Official adopts them in writing. Any such adoption may be terminated at any time. The Human Resources Director will inform all new Employees of Elected or Appointed Officials whether these policies apply to them. A list of those officials who have adopted these Policies may be obtained at the Human Resources Department.**
- C. All Elected and Appointed Officials and Department Heads are encouraged to work together in a cooperative manner and in the best interests of our constituents and taxpayers.**
- D. Galveston County reserves the right to change any provision of this Policy Manual at any meeting of the Commissioners' Court. A date of change notation will be made in the lower right margin of any page affected by any change.**
- E. No Elected/Appointed Official, Department Head, Supervisor, Representative, or Employee of the county has any authority to change any portion of this Policy Manual without prior express and specific written authorization granted by the Commissioners Court. The only exception to this statement is the Community Supervision and Corrections Department (Adult Probation) which is required to follow various state mandates. Employees of Adult Probation are instructed to contact the Adult Probation Director to obtain a copy of those regulations specifically applicable to them.**
- F. Please direct any questions or inquiries you may have concerning any portion of this policy to the Human Resources Department which will interpret this policy.**

Section 2. Employment-At-Will

- A. All Employees are employees-at-will. Employment can be terminated for good cause, no cause, or bad cause, with or without notice. However, employment will not be terminated for any of the following reasons.**

1. **Membership or non-membership in a union;**
 2. **Service on a jury, service in the military, or attendance at a political convention or function while off duty;**
 3. **Failure to contribute to any fund or charity;**
 4. **To prevent the Employee from vesting in the County's retirement plan or exercising rights to certain other employment benefits;**
 5. **To retaliate for the Employee's reporting the County's wrongdoing to a proper regulatory or law-enforcement agency;**
 6. **Submission of a non-fraudulent Worker's Compensation claim.**
- B. Employees will be required, as a condition of employment, to sign a statement in which they acknowledge:**
1. **That they have received a copy of this Policy Manual and have read and understand it;**
 2. **That they are employees-at-will, whose employment may be terminated for a specified good cause, no cause or bad cause and with or without notice;**
 3. **That this Policy Manual does not constitute a contract of employment, but is a general guide for information purposes only; and**
 4. **That they are not guaranteed, by contract or otherwise, any term or condition of employment.**

Section 3.

Nepotism

- A. **No Official may appoint, or vote for or confirm to any office, position, clerkship, employment or duty a relative within the second degree by affinity (marriage) or third degree by consanguinity (blood).**
- B. **No Supervisor within a department may manage or supervise a relative within the second degree by affinity (marriage) or third degree by consanguinity (blood).**
- C. **No County Employee may place a requisition for or request their Supervisor to place a requisition for the purchase of any for goods or services with any relative within the second degree by affinity (marriage) or third degree by consanguinity (blood) of the Employee desiring the requisition without first disclosing to the Purchasing Department how the requesting Employee is related, disclosing the circumstances surrounding the request and obtaining the permission of the Purchasing Department to place the requisition.**
- D. **Refer to Appendix A for a Nepotism Chart which determines degrees of relationships.**

Section 4.

Introductory Period

- A. All new Employees are hired on a twelve month introductory period, during which their performance is monitored closely. An Employee may be terminated during their introductory period at any time for any reason or no reason and is not entitled to grieve such termination.**



**CHAPTER 2
EQUAL EMPLOYMENT**

Section 1. Policy

- A. The County will employ, promote and compensate, without regard to race, color, age, religion, sex, ethnicity, national origin, veterans status, disability, or sexual orientation.**

Section 2. Sexual Harassment/Hostile Work Environment

- A. Unsolicited or unwelcome sexual overtures, either physical or verbal, to fellow Employees are forbidden and will result in disciplinary action.**
- B. No Supervisor or Employee shall harass an Employee on the basis of sex. Personnel action shall not be taken affecting an Employee (either favorably or unfavorably) that is based on submitting to sexual advances, refusing to submit to sexual advances, protesting sexual overtures, or raising a complaint concerning the alleged violation of this policy.**
- C. Employees shall not behave in a manner that is unwelcome by any other Employee and is personally offensive to any other Employee. Such behavior includes:**
- 1. Sexual flirtations, innuendo, advances, or propositions;**
 - 2. Continued or repeated verbal abuse of a sexual nature, sexually related comments or joking, graphic, or degrading comments about an Employee's appearance, or the display of sexually suggestive objects or pictures;**
 - 3. Any uninvited physical contact or touching, such as patting, rubbing, tickling, pinching, or constant brushing against another's body;**
 - 4. Any conduct that unreasonably interferes with an Employee's performance, or creates an intimidating, hostile, or offensive working environment even if no tangible or economic damages result.**
- D. Supervisors and Employees shall not exert subtle pressure for sexual favors. Such pressure includes but is not limited to implying or threatening that an applicant's or Employee's cooperation of a sexual nature (or refusal of it) will have any effect on the person's employment, job assignment, wages, promotion, or on any other conditions of employment or future job opportunities.**
- E. Violations of this policy will not be permitted. Any person who violates this policy will be subject to immediate and appropriate discipline.**

Section 3. Americans with Disabilities Act

- A. The County is governed by the Americans with Disabilities Act (ADA) that prohibits discrimination in employment, and in some instances § 504 of the Rehabilitation Act of 1973.**

B. The County will not discriminate against persons with disabilities regarding any terms, conditions, and privileges or employment practices including:

- | | | |
|-----------------------|--------------------------------|-------------------------|
| 1. Application | 6. Disciplinary Actions | 11. Termination |
| 2. Testing | 7. Training | 12. Compensation |
| 3. Hiring | 8. Promotion | 13. Leave |
| 4. Assignments | 9. Medical Examinations | 14. Benefits |
| 5. Evaluations | 10. Layoff/recall | |

C. The County will not:

- 1. Deny employment opportunities to a qualified individual because they have a relationship or association with a person with a disability.**
- 2. Refuse to make reasonable accommodations to the known physical or mental limitations of a qualified applicant or Employee with a disability, unless the accommodation poses an undue hardship on the County.**
- 3. Use qualification standards, employment tests, or other selection criteria that screen out or tend to screen out an individual with a disability unless such criteria are job-related and necessary for the County's business.**
- 4. Use employment tests except in the most effective manner to measure actual abilities to perform the essential functions of a position.**

D. The County may ask questions about the ability of an individual to perform specific job functions and may ask an individual with a disability to describe or demonstrate how he would perform these functions. In addition, job tests will be used to determine job qualifications.

Section 4.

Remedies

- A. Any Employee who feels that he is a victim of discrimination or sexual harassment must immediately report the matter to the County's Director of Human Resources.**
- B. The County's Human Resources Department shall immediately investigate the report. The Department Head, after consultation with Human Resources may place any involved Employee on administrative leave with pay until completion of the investigation. Department Heads may also contact the Legal Department as they deem necessary or prudent. The Human Resources Director shall notify the Department Head and the County Judge of the results of its investigation. If a policy violation is found, the Department Head in whose department it occurred shall promptly do whatever is necessary to prevent the misconduct from reoccurring and take appropriate disciplinary measures.**

**CHAPTER 3
HIRING**

Section 1. Applications

- A. Applications for employment may be filed with the Human Resources Department. Applications will be maintained for six months from date of filing.**
- B. All Department Heads must furnish the Human Resources Department with notices of job vacancies.**
- C. All job vacancies furnished the Human Resources Department will be posted for a minimum five (5) day period. If a Department Head is not successful in hiring a new Employee during this time period the posting will be extended as necessary. The Human Resources Department will also provide assistance to Department Heads on hiring and employment procedures.**
- D. The hiring of Adult Probation Department Employees is governed by Chapter 76 of the Government Code.**

Section 2. Temporary Employees

- A. Temporary and Seasonal employment, as budgeted, is permitted.**

Section 3. Employment

- A. Department Heads are responsible for selection of Employees for their respective departments.**
- B. Employment application forms are required to be furnished the Human Resources Department for all newly hired Employees.**
- C. All newly hired Employees are required to go to Human Resources for sign-up, orientation and benefit explanation purposes.**

Section 4. Immigration Reform and Control Act of 1986

- A. All newly hired Employees must comply with the Immigration Reform and Control Act of 1986 prior to the first day of work. Employees will not be permitted to report to work until they have complied with this requirement. Contact Human Resources Department for Instructions.**

Section 5. Drivers License Background Checks

- A. A traffic violation background check will be performed on prospective Employees whose future job duties will require them to operate a county owned or leased vehicle, road equipment or other heavy equipment. This is so regardless of whether such duties are a regular part of or incidental to the job. Depending on the outcome of the background check, a prospective Employee may not be eligible for employment. See Section 5 of the Chapter Entitled "Use of County Owned Vehicles") for more information.**

Section 6.

**Texas County District Retirement System
Retirees (TCDRS)**

- A. Beginning January 1, 2006 Galveston County former employees who are Texas County District Retirement System (TCDRS) retirees are eligible to be re-hired as Employees after a six (6) month break in service. Monthly TCERS benefits will not be suspended as long as the original termination is bona fide. The Internal Revenue Service requires that the retirement be based on a bona fide separation from employment. This means that there has been no prior agreement or arrangement made to hire the Employee after he or she retired; that there is no expectation that the Employee will be hired after he or she retires and there can be no "understanding" that the Employee will be hired after retirement. Failure to abide by this regulation could mean that the TCERS Plan will lose its status as a "qualified plan" i.e. that any contributions or deposits to plan accounts are tax deferred. This will have dire consequences for both the County and its Employees.**

**CHAPTER 4
MEDICAL EXAMS**

Section 1.

General Policy

- A. No physical examination will be conducted unless such is done in accordance with the requirements of the Americans with Disabilities Act. (“ADA”) or §504 of the Rehabilitation Act of 1973.**

Section 2.

Initial Exams/Immunizations

- A. Law Enforcement Personnel- After making a conditional job offer and before an individual starts work, the County will conduct a medical examination and may ask disability-related questions. All candidates who receive a conditional job offer in the same job category will be required to take the same examination and/or respond to the same inquiries.**
- B. Other Employees- The County reserves the right to designate additional job categories for which the County may require a medical examination and ask disability-related questions.**
- C. Medical examinations will be given at the location designated by the County. The County will pay for the cost of the examination. All medical records will be kept confidential, except, as required or permitted by the ADA, § 504 of the Rehabilitation Act of 1973, workers’ compensation laws, or for insurance purposes, and will be kept in separate medical files.**

Section 3.

Subsequent Exams

- A. The requirement for an Employee to undergo medical exams will be made on a case by case basis, as the need arises, and as permitted by the terms of the ADA.**

**CHAPTER 5
PERSONNEL RECORDS**

Section 1.

Personnel Records

- A. The Human Resources Department maintains personnel records on all Employees. Past Employee records are maintained for three years from date of separation.]**
- B. Employees may request information to be included in their records.**
- C. An Employee's personnel records are available to the Employee, their designated representative, the appropriate Department Head, and the County Legal Department.**

Section 2.

Public Information Act

- A. Public inspection of an Employee's personnel records will be permitted in accordance with the provisions of the State of Texas Public Information Act.**
- B. If properly requested, the home addresses, home telephone numbers, or family member status of Employees or former Employees may be withheld from inspection. Request forms to withhold this information are available in the Human Resources Department. An Employee or former Employee who chooses not to allow public access to this information must furnish a signed written statement to that effect to the Human Resources Department. If the Employee fails to comply, the information is subject to public access.**
- C. Certain Peace Officer, County Jailers, and Criminal District Personnel Records will be withheld from public disclosure as permitted by §552.1175 of the Texas Open Records Act.**
- D. TCDRS Records will be withheld from public disclosure as permitted by §845.115 of the Texas Government Code. In addition, Social Security Numbers of living Employees and their dependents will be withheld from public disclosure as permitted by §552.147 of the Texas Government Code.**

**CHAPTER 6
IDENTIFICATION BADGES**

Section 1.

Badges Required

- A. All Employees, with the exception of law enforcement personnel engaged in undercover activity, must, at all times while on duty, wear or have openly displayed, County issued identification badges issued by the Justice Administration Department.**

Section 2.

Reason for Display

- A. Wearing badges will assist security officers and fellow County Employees with the identification of other Galveston County Employees. Emergency Management has also requested that all Employees have their identification badges readily available in order to facilitate easier access to their assigned areas in County buildings in the event of storm or hurricane or when returning to Galveston County after such an event.**

Section 3.

Replacement Badges

- A. Lost or stolen badges should be reported to Justice Administration. Replacement badges may be obtained at the Justice Administration Department. There is no charge for the first replacement. Subsequent replaces will cost \$6.00 each.**

Section 4.

**Transferring Employees
Change of Name**

- A. Employees who transfer between Departments must exchange their identification badge prior to their first day of employment in the new department. There is no charge for the issuance of this badge.**
- B. Employees who change their names must contact the Justice Administration Department prior to their next day of employment to complete a name change form, have a new identification badge prepared and exchange their old badge. There is no charge for the issuance of this badge.**

Section 5.

Surrender of Badges

- A. Employees may be required to temporarily surrender their badges to their Department Head or Supervisor for disciplinary reasons. All employees must surrender their identification badges to Human Resources during their exit interview.**

**CHAPTER 7
SALARY ADMINISTRATION POLICY**

Section 1. Background

- A. Galveston County personnel movements are governed by a set of guidelines known as the “Job Classification System”. This policy statement covers a wide range of topics relating to salary administration.**

Section 2. Purpose

- A. The Commissioners’ Court establishes policies and procedures that provide County Employees with a salary administration system. The Court also wishes to provide Department Heads with the tools they need to effectively manage their departments.**
- B. The goals of this policy are:**
- a) To attract and retain high quality Employees;**
 - b) To provide uniform pay arrangements throughout the County;**
 - c) To provide total compensation (salary and benefits) that is market driven and competitive;**
 - d) To facilitate the development of a merit pay program;**
 - e) To provide Department Heads with flexibility in managing salary issues; and,**
 - f) To maintain control on expenses during the budget process.**

Section 3. Scope

- A. The guidelines established in this document apply to all County Employees and will be the basis for Commissioners’ Court budget deliberations. The Human Resources department is charged with the duty of enforcing the following guidelines.**

Section 4. Guidelines for Employees Other than Elected and Appointed Officials

A. Job Descriptions

Commissioners’ Court requires job descriptions for all County positions. Properly written job descriptions provide a summary of the purpose, essential duties, responsibilities and requirements of a particular position. They assist in communicating with prospective and new employees, hiring and promotion decisions and relating performance expectations. They also help establish a clearer definition of the function and role of a job within the County Jobs.

B. Classification or Factor Evaluation System

The County maintains a classification system in which each job is assigned a pay grade. Each pay grade is based on factors collectively known as the Factor Evaluation System (FES). Each part of the FES is a position factor comparison that uses the factors to determine the pay grade and the ranges within each pay grade. Each factor is weighted with several levels and each level is assigned a specified number of points. The combined score determines the total number of points for each position and its corresponding assignment to a grade in the classification system. The ten factors are:

1. Knowledge required by the position
2. Guidelines
3. Complexity
4. Scope and effect
5. Personal contacts
6. Purpose of contacts
7. Physical demands
8. Supervisory controls
9. Work environment
10. Supervisory and management responsibility

The value of each pay grade is based upon classification, market conditions and fiscal restraints.

The Adult Probation Department maintains its own Job Classification System.

C. Forms

Job Classification and Compensation Position Questionnaires, Sample Job Descriptions and examples of Job Descriptions may be obtained from the Human Resources Department. Each Employee is to have on file with Human Resources a fully completed version of their job description.

D. Salary Range Structure and Exceptions

1. **Salary Ranges:** The salary table is divided into 30 pay grades (Grades 1-30). There is a 5% spread between grades 1-20 and a 10% spread between grades 21-30. Each grade also consists of 18 steps with approximately 2½% between each step for a total salary range of approximately 50%. Contact the Human Resources Department for the most current version of the County Salary Table.
 - a. **Minimum In-Hire Rate:** The minimum in-hire rate of a pay grade will be the Entry-level (Step A) paid to all newly hired County Employees. This is true whether the position is newly budgeted or vacated through attrition, transfer or promotion.
 - b. **Maximum In-Hire Rate:** The maximum in-hire rate is set in each pay grade and cannot be exceeded for newly hired County Employees. Under certain circumstances, Department Heads may be authorized to hire an individual for management level positions (grade 20 and above) at a salary up to step E in the pay range. Department Heads must provide the Human Resources

Department with verifiable data in support of the request. Department Heads must be able to demonstrate that:

- 1) Recruitment experience has proven that the position is in a critical or shortage skills category; or
 - 2.) An available applicant has truly outstanding qualifications, which greatly exceed the standard minimum in-hire qualifications.
- c. **Maximum Point:** This is the maximum salary allowed in each pay grade. Employees in a particular pay grade may not be paid a salary in excess of this rate.
2. **Updating the Salary Range Structure:** The salary range structure will be reviewed annually for possible adjustment, based on current market data and inflation. Countywide salary increases will raise the salary table as a whole and will not negatively impact Employees at the pay grade maximum. A new higher maximum point will be established as a result of any across-the-board pay table adjustments.
3. **Exceptions:**
- a. Elected and Appointed Officials, Court Reporters, Adult Probation Department employees, and Court Coordinators are not classified positions under the Salary Range Structure. Nor are they subject to the Classification or Factor Evaluation System.
 - b. Sheriff's Department: The following deputy sheriffs may be hired in at the following maximum grades:
 - c. Communication Officer I: Up to Grade 11C
 - d. Communication Officer II: Up to Grade 13E
 - e. Sergeant: Up to Grade 18C
 - f. Lieutenant: Up to Grade 20D
 - g. Auditor's Department: Account I, Auditor I, Account II and Auditor II positions may be hired at a salary up to step E in the pay range depending on the experience/quality of the applicant.

E. Establishment of New Positions in the County Budget

1. Department Heads who wish to establish a new position in the County budget must prepare a detailed justification and submit the proposal to Commissioners' Court to both the Human Resources Department and the Budget Office. A completed job description and a completed Job Classification and Compensation Position Questionnaire must be included with each submission. The Budget Office will submit the request to the Commissioners' Court as part of the budget process.

2. **Requests for new positions may only be made during the annual budget process. Commissioners' Court will review the request and determine whether the position is approved, deferred to a future date for review, or disapproved. Approved new positions will become effective at the beginning of the next fiscal year or at such other time as is designated by the Commissioners' Court.**

F. Major Reorganizations and Changes in Existing Positions

1. **Major reorganizations and changes affecting positions in a department may be performed during the annual budget process. If approved by the Commissioners' Court, such changes will become effective on October 1st. Any such requests must be coordinated with the Human Resources Director and should be included in the requesting department's proposed budget submission.**
2. **Departments proposing these movements must provide revised job descriptions and Job Classification and Compensation Position Questionnaires highlighting the proposed changes to the Human Resources Director. Department Heads must present verifiable information in support of the request so that a recommendation can be made to the Commissioners' Court.**

G. Reduction in Force Procedures

1. **Periodically the County Commissioners' Court will undertake the task of reorganizing the structure of County government.**
2. **Reorganization may include the elimination of duplication of effort and/or the consolidation of job tasks into fewer positions, thereby reducing the number of Employees in a Department. A severance package may or may not be offered.**
3. **Employees affected by a Reduction-in-Force are not entitled to utilize the Grievance process or appear before the County Grievance Panel.**
4. **Employees affected by a Reduction-in-Force, are encouraged to contact the County's Human Resources Director with any questions regarding Employee benefits.**
5. **Employees affected by a Reduction-in-Force, upon application for a posted position opening, will be given priority consideration for any such opening for which they are qualified in the same or other County Departments for a period of six (6) months from date of separation from the County. Elected and Appointed Officials are encouraged to accept and adhere to this reinstatement policy.**

H. Salary Placement Following Promotion

1. **A promotion occurs when an Employee is moved from a lower pay grade to a higher pay grade. An Employee who is promoted to a classification grade which calls for a higher pay grade than their previous classification grade, shall receive a salary increase not to exceed 10% or the minimum of the new pay grade, which ever is higher. But an Employee cannot receive a higher salary than the maximum rate for the pay grade even if the increase is less than 10%.**

2. **Salary increases associated with a promotion must be funded from the existing salary budget. A promoted Employee's salary cannot be increased above the budgeted salary for the new position. If funds are unavailable for a promotion, the department Head must follow the budget rules set out in Section K of this policy.**

I. Transfer of Employment

1. **Galveston County Health District Employees to the County:**
 - a. **Are paid accrued vacation, holiday, and compensatory time by the Health District;**
 - b. **Forfeit their accrued sick leave;**
 - c. **Maintain their original date of hire for accrual of future vacation and sick leave benefits; and**
 - d. **Maintain their transfer date for evaluation, merit compensation, and longevity pay eligibility purposes.**
2. **Lateral Transfer**
 - a. **An Employee who transfers from one department to another department is subject to a six month introductory period beginning with their first day of transfer during which their performance is monitored closely. An Employee may be terminated during their introductory period at any time for any reason or no reason and is not entitled to grieve such termination.**
 - b. **If an Employee transfers to a position that is in the same pay grade as his/her previous position, that Employee's salary will remain unchanged. For Employees transferring between departments, funds must be available within the department's existing salary budget. This is true even though the job title and duties may be different from the previous position.**

J. Change to Lower Pay Grade Salary

1. **If an Employee is reassigned to a position in a lower pay grade as a result of an internal job reclassification or departmental reorganization, the Employee will maintain their current salary in the lower pay grade.**
- 2.. **If an Employee is transferred to a different position in a lower classification level, at his/her own request or due to unsatisfactory performance (Demotion), that Employee's salary shall be reduced in pay such that their salary, after Demotion, shall be at the same step in the lower pay grade as it was in the higher pay grade prior to their Demotion.**

K. Budget Rules for Personnel Movements - The Commissioners' Court is routinely presented with personnel budget amendments through out the year. In order to manage the flow of personnel movements, the Court adopts the following:

1. **The Commissioners' Court will consider all personnel requests during the annual budget process. The annual budget process occurs in July and August with action by October 1st.**

2. **The Commissioners' Court will consider personnel related amendments outside of the annual budget process to the extent that:**
 - a. **The amendments are within the policy established by this Salary Administration Policy, and**
 - b. **The amendments do not increase the departmental salary budget in the current or subsequent budget years.**
3. **Commissioners' Court will not consider budget amendments related to personnel actions that have not been reviewed and verified as being consistent with this policy by the Human Resources Director.**

L. Budget Rules for Positions Budgeted in Excess of Salary -During the annual budget process, the Human Resources Department will be asked to:

1. **Reduce the budgeted salary of all vacant positions to the maximum in-hire rate allowed for the position.**
2. **Reduce the budgeted salary of all occupied positions (both classified and non-classified) to the salary actually paid to the Employee in the position.**

M. Raises

Raises are not automatic. Raises are based on such factors as cost-of-living adjustment, market conditions, and the general economic health of Galveston County. Raises may be given to some, but not all, Employees, Elected Officials, and Department Heads. Any raises given to Adult Probation Department Employees are at the discretion of the District Judges.

N. Cost of Living Adjustment

Commissioners' Court recognizes the need to keep County salaries in line with the overall inflation rate. Annually, the Court intends to review national and local indices to determine the overall increase in the cost of living for its Employees. Subject to the County's overall financial strength, Commissioners' Court will provide a cost of living adjustment to compensate in whole or in part for the general inflation rate.

O. Annual Performance Appraisal

1. **Galveston County Commissioners believe that Employee performance must be evaluated on a routine basis in order to provide employee development and ensure that departmental goals and objectives are being met. Informally, supervisors are encouraged to coach and counsel employees daily to provide the feedback necessary for Employees to excel.**
2. **County Commissioners have adopted the Galveston County Performance Appraisal System for use by departments under the supervision of Commissioners' Court. This tool is to be used to formally review Employee performance and provide the basis for individual merit pay consideration. Elected Officials are encouraged to accept and adhere to the County's Performance Appraisal System.**

3. **The Adult Probation Department maintains internal procedures for the evaluation of employees.**

P. Merit Pay

1. **A Merit Pay program currently does not exist. One will be inserted at the time of adoption.**

Q. Fair Labor Standards Act

1. **Applicability**

The County is subject to the Federal Fair Labor Standards Act (FLSA). The basic requirements of this Act are the basic standards of the County's wage and salary program.

2. **Status of Positions**

FLSA and the Department of Labor publish regulations which govern which Employees are exempt or non-exempt from payment of overtime or compensatory time. Each Employee shall be designated as exempt or non-exempt in accordance with these regulations by the Human Resources Department. Each Department Head shall maintain a list of all exempt and non-exempt Employees.

3. **Overtime Policy**

- a. **Department Heads must stay within their overtime budget. Department Heads may not allow Employees to suffer or permit to work overtime beyond budgetary constraints.**
- b. **Department Heads must grant prior authorization to an Employee who requests to work overtime. Any Employee who works overtime without obtaining prior authorization is subject to disciplinary action.**
- c. **Department Heads must specify prior to commencement of such additional work whether overtime or compensatory time will be given any Employee.**
- d. **Any over-time line item in which expenditures exceed or are projected to exceed the approved budget amount shall have a budget amendment prepared by the budget Office and approved by the Commissioners' Court. Additional funds will be taken out of other existing line items, or by deleting positions in that budget to transfer funds to the over-time line item.**

4. **Record Keeping**

- a. **Department Heads must keep the following records in accordance with FLSA requirements:**

- 1) **Full name of Employee**
- 2) **Home address, including zip code**
- 3) **Date of birth, if under age 19**

- 4) Sex
- 5) Occupation
- 6) Time and day workweek begins
- 7) Regular hourly rate of pay in any workweek in which overtime premium is due
- 8) Daily and weekly hours of work
- 9) Total daily or weekly straight time earnings
- 10) Total overtime compensation for the workweek
- 11) Total additions to or deductions from wages paid
- 12) Total wages paid each pay period
- 13) Date of payment and the pay period covered

5. Overtime/Compensatory Time

- a. **Non-exempt Employees, with the exception of Law Enforcement Employees, may receive overtime pay or compensatory time for time worked beyond 40 hours per week. Law Enforcement Employees may receive overtime pay or compensatory time for time worked beyond 86 hours in a 14 day work period. Time away from the job during the workweek, such as vacation, holidays, illness, approved absences, etc., are deducted from the calculation.**
- b. **Overtime pay is calculated at one and one half time the regular hourly rate. Compensation earned in a workweek will be paid on the regular payday for the pay period in which the workweek ends if possible.**
- c. **Compensatory time is accumulated at one and one-half times the overtime hours worked. Employees who exceed a compensatory accrual of 80 hours (40 hours for Temporary Employees; 480 hours (240 Temporary)for Law Enforcement Employees) will be paid for overtime for such overage.**
- d. **Department Heads should grant compensatory time within a reasonable time period after a request is made. Department Heads may consider the effect on other Employees and the Department in granting the request.**
- e. **Department Heads are to report all earned and used compensatory time on each Pay Roll Claim submitted to the County Treasurer.**
- f. **Terminating non-exempt Employees are compensated for unused compensatory time in accordance with FLSA regulations and County policy as set forth in this manual.**
- g. **Exempt Employees are not eligible for overtime pay or comparable time off except in the following two instances:**
 - i) **as set forth in the Emergency Operations portion of this manual; and**
 - ii) **those exempt employees who work elections after normal working hours.**

6. Bonus Pay

The Commissioners' Court may, prior to an election, approve a bonus to be paid to exempt County Clerk and exempt Tax Office employees who work elections on election day after normal working hours.

7. FLSA Holiday Pay

- a. **Regular Employees on Salary Basis:** Regular Employees who are paid on a salary basis and who work Monday – Friday have the holiday automatically calculated in their base pay for the week in which the holiday occurs.
- b. **Regular Employees on Hourly Basis:** Regular Employees who are paid on an hourly basis must have a plus adjustment for holidays. Holidays are not automatically calculated in their base pay for the week in which the holiday occurs.
- c. **Regular Employees on Fluctuating Schedules:** Regular Employees who have fluctuating schedules may have to be plus adjusted for the holiday.
- d. **Examples:**

The following examples apply to benefit eligible Employees only:

Example 1: Regular Schedule Thursday-Wednesday = 40 hours
Hours worked Thursday-Tuesday = 32
Wednesday (holiday) Employee works 8 hours
Total hours worked for the week = 40 hours
Employee plus adjusted 8 hrs for working on the holiday.
No overtime is due. Holiday pay is already calculated in base pay.

Example 2: Regular Schedule Thursday-Wednesday = 40 hours
Hours worked Thursday-Tuesday = 32
Wednesday (holiday) Employee works 12 hours
Total hours worked for the week = 44 hours
Employee plus adjusted 8 hours for working on the holiday
and 4 hours paid at overtime rate. Holiday pay is already
calculated in base pay.

Example 3: Regular Schedule Thursday-Monday = 40 hours
Hours worked Thursday-Monday = 40 hours
Tuesday is a holiday. Employee does not work.
Total hours worked for the week = 40 hours
Employee plus adjusted 8 hours of holiday pay.
Holiday pay is not calculated in base pay.

Example 4: Regular Schedule Thursday-Monday = 40 hours
Hours worked Thursday-Monday = 40 hours
Tuesday is a holiday. Employee works 8 hours.
Employee plus adjusted 8 hours of holiday pay and
Employee will be paid 8 hours of overtime pay. Time
worked exceeds 40 hours in this case.

Example 5: Regular Schedule Friday-Monday = 20 hours.
Hours worked Friday-Monday = 20 hours.
Tuesday is a holiday. Employee does not work.
Total hours worked for the workweek = 20 hours.
Employee will be plus adjusted 4 hours of holiday pay
because Employee is less than full time.

Example 6: Regular Schedule Friday-Monday = 20 hours.
Hours worked Friday-Monday = 20 hours.
Tuesday is a holiday. Employee works 10 hours
Employee will be plus adjusted 4 hours of holiday pay &
Employee will be paid 10 hours of straight time pay.
Time worked does not exceed 40 hours in this workweek.

8. Rules

- a. An Employee who requests time off on a County holiday and is granted approval will be paid 8 hours of holiday pay for that day. The Employee's vacation leave bank will not be deducted for that day.
- b. An Employee otherwise scheduled to work who calls in sick on a County holiday and provides such medical verification as is required by the Department Head will be paid 8 hours of holiday pay for that day upon Department Head approval. The Employee's sick leave bank will not be deducted for that day.

- c. **An Employee otherwise scheduled to work who calls in sick on a County holiday and does not provide documentation as required by the Department Head will be docked 8 hours for that day. The Employee will not receive holiday pay and their sick leave bank will not be deducted for that day.**
- d. **An Employee otherwise scheduled to work who calls in sick the day before, the day of, or the day after a County holiday and does not provide medical verification as required by the Department Head, will be docked for the day(s). The Employee will not receive holiday pay and their sick leave bank will not be deducted for one of the days.**

9. FLSA Travel/Commute Time

a. Commute Time

Ordinary commuting to and from the work site is not compensable. If Employees are required to report to a meeting place where they are to pick up materials, equipment or other Employees, or to receive instructions before traveling to the work site, compensable time starts at the meeting place.

b. Travel Away from Home

Travel that keeps an Employee away from home overnight is work time when it cuts across the Employee's workday. The time is not only hours worked on regular workdays during normal work hours but also during the corresponding hours on non work days. Example: If an Employee works 9a.m. to 5p.m. Monday through Friday, the travel time during these hours is work time on Saturday and Sunday as well as on the other days. The regular meal period is not counted.

Time spent in travel away from home outside of regular work hours as a passenger on an airplane, train, boat, bus or automobile is not considered work time. Example: If an Employee who normally works 9 a.m. to 5 p.m., Monday through Friday, is a passenger on a plane departing at 9 a.m. on a Saturday, the time spent traveling between 9 a.m. and 5 p.m. is work time because it occurs during normal working hours, regardless that Saturday is not normally a scheduled work day. If the plane departed at 6 p.m., the travel time would not be considered work time, unless a portion of the plane travel occurred after 9 a.m. the next day.

10. Exempt Employees - . Docking of an exempt Employee's pay is permitted for:

- a. **Absences of one or more full days to handle personal affairs if the Employee has exhausted their vacation bank;**
- b. **Absences of one or more full days if the absence is due to sickness, disability or the Family and Medical Leave Act if the Employee has exhausted all applicable benefits;**

- c. Absences of less than one full day if the absence is covered under the Family and Medical Leave Act;
- d. An entire workweek if an Employee has performed no work and work was available;
- e. For disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions;
- f. For penalties imposed in good faith for infractions of safety rules of major significance; and
- g. Docking from vacation and sick leave banks may occur for full or partial day absences.

11. On-Call

a. On-Call Status

- 1) Certain positions as designated by their Department Head will be on an on-call status. On-call status may require an Employee to carry a beeper or to leave a number where they can be reached. On-call status may require an Employee to report to work or respond to work related calls during non-working hours.
- 2) Employees designated as on-call remain free to pursue their own activities with the only stipulation that they be available for on-call duties as stated above. Such Employees will not be compensated for any non-working time while on-call.
- 3) If on-call status Employees are directed to perform any work they will be compensated for all time spent performing those duties. Such compensation will be paid from the time they leave home or current location to the work area assignment until they return home, or their previous location.
- 4) An on-call status Employee responding to any work related calls whose total time spent so responding exceeds 10-minutes, will be compensated for the time spent responding. Any Employee, who spends 10-minutes or less working while on call, will not receive compensation. If necessary for payroll calculation purposes, the total time actually worked may be rounded up to the nearest 15 minutes.
- 5) Department Heads must specify to their Employees prior to commencement of the Employee(s)' on-call duties whether overtime or compensatory time will be granted.
- 6) This on-call policy applies to non-exempt regular Employees only.

b. On-Call Record Keeping

1) **Employees on call must submit the following information to their departments each pay period:**

- a) **Date of call;**
- b) **Time call began;**
- c) **Time call ended;**
- d) **Name of caller;**
- e) **Reason for call;**
- f) **Location of Employee at time of call;**
- g) **Location of work area assigned to;**
- h) **Location Employee returned to after assignment was completed;**
- i) **Total time spent performing duties;**
- j) **Authorization of Comp-time or Overtime;**
- k) **Pay Period covered.**

2) **Employees who call an on-call Employee during non-working hours must submit the following information to their departments each pay period:**

- a) **Date of call;**
- b) **Time call began;**
- c) **Time call ended;**
- d) **Employee called;**
- e) **Reason for call;**
- f) **Location of work area assigned to; and**
- g) **Pay Period covered;**

R. Vacant Positions

1. **Positions that become vacant shall have a “mandatory vacancy period” of at least 2 full pay periods prior to being eligible to being refilled. The Commissioners’ Court may adjust the mandatory vacancy period only in acute circumstances.**
2. **No department will be required to allow its budgeted and filled positions to drop below 75%. Should this situation occur, a department will be allowed to hire such personnel as will enable the department to reach the 75% staffing level.**
3. **To avoid any deficiency in safety and health, all departments are encouraged to reorganize or transfer staff as needed to meet all minimum requirements. Commissioners’ Court approval of any reorganization or staff transfer, when required, shall be submitted as a request through a budget amendment.**
4. **The following departments/positions are exempt from a mandatory vacancy period. But, the departments are encouraged to voluntarily comply with this policy to help achieve the Countywide savings necessary to maintain a balanced budget.**

Exceptions:

- a) **Sheriff Communications division;**
 - b) **Sheriff Corrections division;**
 - c) **Courts: Court Reporters, Court Coordinators, Probate Investigators & Auditors;**
 - d) **Bailiffs and Courthouse security positions;**
 - e) **J.P. Clerks;**
 - f) **Adult Probation and Juvenile Probation;**
 - g) **Health District;**
 - h) **Accounts payable, payroll, and accounting positions in the Auditors, Purchasing, and Treasurer departments;**
 - i) **Grant positions that are full-time or half time grant funded;**
 - j) **Park Keepers 1, 2, and 3 (March-September);**
 - k) **Parks Department Electrician, Permit Coordinator and Lead Mechanic; and**
 - l) **Assistant District Attorneys.**
5. **The Commissioners' Court, recognizing that certain Employees hold positions that are critical to maintaining the flow of work in core functional areas will consider other exceptions to this policy in other Departments as circumstances dictate. All questions concerning this list and policy shall be directed to the Human Resources Department.**

S. Request for an Emergency Salary Increase

1. Background

Regardless of size, each department has one or more positions that are critical to maintaining the flow of work in core functional areas. At times a department is not able to successfully employ or retain qualified and experienced job candidates due to one or more reasons. For some of these positions a large salary differential exists between the amount budgeted and what the market pays for that position. For other of these positions the reason is that a job classification change is needed.

2. Purpose/Intent

The purpose of this policy is to address the immediate problem of not being able to recruit and fill a key staff position to perform core functions of a department. Its intent is to provide a fair and equitable process that allows departments additional flexibility in addressing certain staffing concerns. But since it is a request for an emergency salary increase and/or a job reclassification, the occasions this policy is used should be infrequent.

3. Scope

This policy applies to most departments. Appointed Officials departments and the departments governed by the Adult Probation and Juvenile Probation Boards are excluded because they have other avenues to address their staffing concerns. But it is recommended that these excluded departments adopt this policy.

4. Criteria

To qualify for an emergency salary adjustment, a Department Head must meet all of the following criteria:

- a. The position must be vacant, or the Employee holding the position must submit a written resignation or intention to resign.**
- b. The position must be a critical position that is directly related to a core function of the department.**
- c. The position must be the only one of its type/title in the department. If there are other similar positions in the same or other departments, the requested increase must not contribute to a pay inequity between the requested and the similar position(s).**
- d. The position must be posted with the Human Resources Department and advertised by the department for a minimum of thirty (30) days.**
- e. Clear documentation must be shown that the primary reason for being unable to fill the position with a qualified and experienced replacement is insufficient salary.**
- f. A revised position questionnaire and job description must be submitted.**
- g. If possible funds should be available in the department's salary line items to fund the salary increase. Contact the Budget Office if such funds are not available or are lacking.**

Section 5.

SALARY GUIDELINES FOR ELECTED AND APPOINTED OFFICIALS

A. Classification Factor Evaluation System

Elected and Appointed Officials, Court Reporters and Court Coordinators are not classified positions under the Salary Range Structure. Nor are they subject to the Classification or Factor Evaluation System.

B. Salary in Lieu of Fees

All district, county and precinct officers in Galveston County are paid on a salary basis. Accordingly, as provided in Chapter 154 Subchapter A of the Texas Local Government Code they receive the salary instead of all fees, commissions and other compensation they would otherwise be authorized to keep. Several exceptions apply to this rule. They are:

- 1. Justices of the Peace may receive fees, commissions or payments for performing marriage ceremonies, for acting as registrar for the Bureau of Vital Statistics, and for acting as ex officio notary public.**
- 2. A County Judge may receive all fees, commissions, or payments for performing marriage ceremonies.**

3. The Sheriff or Constable(s) may receive any reward for the apprehension of a criminal fugitive from justice or for the recovery of stolen property.
4. Constables(s), acting solely in the capacity of being a private process server, may receive fees, commissions, or payments for delivering notices required by the Property Code relating to eviction actions if:
 - a. Such notices do not conflict with the official duties and responsibilities of the constable;
 - b. He does not wear upon his person a uniform or any insignia which would usually be associated with the position of constable;
 - c. He does not use a county vehicle or county equipment or county equipment while delivering said notices.

C. Officer's Salary Fund

Pursuant to the authority given it by V.T.C.A., Local Government Code §154.007 the Commissioners' Court of Galveston County annually directs that all money that otherwise would be placed in the Officers' Salary Fund be deposited in the General Fund.

D. Salary of Most County and Precinct Elected Officials

1. Pursuant to the authority given it by § 152.013 of the Texas Local Government Code the Commissioners' Court sets the amount of compensation, office and travel expenses and other allowances for most elected county and precinct officers. These items are set these items at a regular meeting of the court during the regular budget hearing and adoption proceedings.
2. Before the 10th day before the date of the meeting, the Commissioners' Court must publish in a newspaper of general circulation in the county a notice of:
 - a. any salaries, expenses or allowances that are proposed to be increased; and
 - b. the amount of the proposed increases.
3. Before filing the annual budget with the county clerk, the commissioners' Court shall give written notice to each elected county and precinct officer of the officer's salary and personal expenses to be included in the budget.

E. Salary Grievance Committee

1. Chapter 152 of the Local Government Code established a county grievance committee by which some county officials may appeal their salaries and expenses that have been set for them by the Commissioners' Court. District Judges, Statutory County court Judges, the Statutory Probate Judge, the County Auditor, the County Purchasing Agent and the Director of Adult Probation may not invoke the services of the committee.
2. The committee is a nine-member group chaired by the County Judge who is not entitled to vote. The grievance committee is composed of the Sheriff, Tax Collector, County Treasurer, County Clerk, District Clerk, the Criminal District Attorney and three members of the public selected blindly by the commissioners' court at any

time during the year, but not later than the 15th day after the date a request for a hearing is received by an elected official who is eligible to request a grievance.

3. The committee is subject to the provisions of the Open Meetings Act.
4. If a request for a public hearing is not received, the Commissioners' Court is not required to select public members. If such public members are required, they continue to serve until the later of the end of the fiscal year in which the public member is appointed or the time the committee takes a final vote on the list of the grievances for which the committee held a public hearing. Requests for a hearing before the salary grievance committee before the adoption of the county budget must be made before the adoption of the county budget. Only their own salaries and personal expenses maybe the subject of a grievance.
5. A salary increase for a county official may not be granted unless one is requested by the increase may be more than the amount requested and takes effect in the next budget year.
6. The committee shall hold a public hearing not later than the later of the 10th day after the date of the request is received or the date the commissioners Court selects the public members of the committee. The County Judge shall announce the time and place of the hearing.
7. If at least six members of the grievance committee vote to grant an increase in salary or personal expenses to an elected official the Commissioners' Court must only consider the recommendation. But, if all nine members approve a requested increase, action by the Commissioners' Court is not required and such increases take effect the next budget year. Likewise, a unanimous decision may not be questioned or disapproved by the County Auditor.

F. Declining Salary

1. Under Local Government Code § 152.051-.054 within five days after the date an elected county or precinct officer takes office the officer shall file an affidavit that the officer elects not to be paid for their services if, during their campaign for election to the office they publicly advocated abolition of the office. The affidavit must also include a statement by the officer describing the method by which the officer intends to seek to obtain the abolition of the office for which they were elected and the date by which it is proposed to be accomplished.
2. An elected county or precinct officer may also, at any time, reduce the amount of compensation set for that office by filing with the county payroll officer an affidavit stating that the officer elects to reduce the amount of compensation paid for the officer's services to a specified amount. The reduction if effective on the date the affidavit is paid and the County Treasurer shall issue any subsequent paychecks for the officer accordingly.
3. Under Local Government Code § 152.002 the County may accept from any county or precinct official as a "gift or donation" any or all of the official's salary which is then deposited in the general fund.

G. Salary of Judges, Criminal District Attorney, County Judges and Appointed Officials

Although the Commissioners' Court sets the salary for most officials there are a number of officials whose salaries are fully or partially set either by statute or by other means. They are as follows:

1. **District Judges:** Under §659.011 of the Government Code the salaries of the district judges are set every two years by the State General Appropriations Act. In addition, under §32.084 of the Government Code, the Commissioner's Court may pay the judges for services rendered and for performing administrative duties. They are also entitled to be paid \$75.00 per month for performing services as members of the Juvenile Probation Board. But, the combined yearly salary from state and county sources may not exceed an amount equal to \$1,000 less than the combined yearly salary from state and county sources received by each justice of the 1st and 14th Court of Appeals.
2. **Statutory County court Judges:** As stated in §25.0861 of the Government Code, the salaries of statutory county court judges shall be not less than the total annual salary, including supplements and contributions, paid a district judge in the County. They are also entitled to be paid \$75.00 per month for performing services as members of the Juvenile Probation Board. This also includes the benefit replacement reimbursement pay given by the state to each district judge to pay their own contributions to the social security program. (See Attorney General Opinion GA-0576 2003)
3. **Statutory Probate Judge:** In accordance with §25.0023 of the Government Code, the Commissioners' Court shall set the salary of the Statutory Probate Judge at an amount that is at least equal to the total annual salary received by a district judge in the county, including contributions and supplements paid by the state or the county. This also includes the benefit replacement reimbursement pay given by the state to each district judge to pay their own contributions to the social security program. (See Attorney General Opinion GA-0576 2003)
4. **Criminal District Attorney:** In compliance with §46.003 of the Government Code the Criminal District Attorney is entitled to receive from the state compensation equal to the compensation that is provided for a district judge in the State General Appropriations Act. In addition, the Commissioners' Court may supplement the Criminal District Attorney's salary but may not pay him an amount less than the compensation it pays its highest paid district judge.
5. **Constitutional County Judge:** Following Local Government Code §152.904 (c) the Commissioners' Court shall set the annual salary of the Constitutional County Judge at an amount equal to or greater than 90% of the salary, including supplements, of any district judge in Galveston County.
6. **County Auditor:** Pursuant to Local Government Code §152.031; .032 the County Auditor's salary is determined by a majority vote of the District Judges at a public hearing scheduled under Local Government Code §152.905. The amount of the compensation and allowances may not exceed the amount of the compensation and allowances received from all sources by the highest paid elected county officer (Constitutional County Judge), other than a judge of a statutory county court, whose salary and allowances are set by the Commissioners' Court.

7. **County Purchasing Agent:** Local Government Code §262.011 states the County Purchasing Board which consists of the three District Judges and two members of the Commissioners' Court sets the salary of the Purchasing Agent.
8. **Juvenile Probation Officer:** Under the provisions of §152.0012 of the Human Resources Code and Local Government Code §140.004 the Juvenile Probation Board which consists of the County Judge, the District Judges, the Statutory County Court Judges, a municipal judge in the County selected by majority vote of all the municipal judges in the county and a justice of the peace selected by majority of all the justices of the peace in the county, determines the salary of the Juvenile Probation Officer. The only control the Commissioners' Court has over this salary is whether there has been an abuse of discretion by the Juvenile Probation Board.
9. **Adult Probation Officer:** The District Judges appoint the Chief Adult Probation Officer under the authority set forth in Chapter 76 of the Government Code and Local Government Code § 140.004.

H. Special Provisions Relating To Justices of the Peace and Constables

First term Justices of the Peace shall receive as their salary the lowest or base salary established for all Justices of the Peace. First term Constables shall receive as their salary or base salary established for all Constables.

I. Other Benefits

All elected and appointed officials receive county health insurance and are entitled to workers' compensation benefits. No elected official is entitled to receive vacation, sick-leave or overtime benefits. Neither is the County Auditor or County Purchasing Agent.

J. Allowances for Various County Employees

Several county positions are currently entitled to receive various monthly and/or annual allowances as approved in the County's annual budget. They are as follows:

1. **Auto Allowance:** County Judge:, County Commissioners, Constables and Deputy Constables, County Engineer, County Engineer Engineering Specialist, Right of Way/Real Estate Specialist, Beach and Parks Director, Road Administrator.
2. **Communication Allowance -** County Judge and County Commissioners.
3. **Uniform Allowance -** Constables and Deputy Constables.

The above allowances are subject to increase or decrease or to discontinuance at any time for any reason determined necessary by the Commissioners' Court. The Employees listed above should contact Human Resources for the most current information relating to their allowance.

K. Longevity Pay for Various County Employees

Several county positions are currently entitled to receive longevity pay. They are as follows:

1. **Commissioned Deputy Sheriffs: Longevity Pay \$5.00 per month per years of service up to 25 years**
2. **Deputy District Attorneys: Longevity Pay \$20.00 per month per year of service after 4 years**

L. Auto Allowance Regulations

1 Background

The county budgets auto allowances for certain elected and appointed officials, and Employees, to reimburse them for use of their private vehicles on county business. This allowance is approved annually as part of the budget process. It is intended to cover the cost of gasoline, vehicle liability insurance and basic "wear and tear" of the vehicle it and it's equipment.

2. Authorized Vehicles and Insurance

- a. **In order to receive a budgeted allowance, individuals must provide the County's Risk Manager, located in the Human Resources Department, with verifiable proof of third party liability automobile insurance coverage on the vehicle being used for county business by October 1, and in the case of six month policies, April 1 of each year. Contact the County's Risk Manager to obtain the verification form that is to be used.**
- b. **This vehicle is to be identified in the individual's personnel file by VIN#. Only vehicles identified by VIN# and having verifiable liability insurance are authorized for use on county business.**

3. Amount of Insurance Coverage

The minimum amount of third party liability coverage must be the maximum amount to which the County of Galveston may be exposed by the Texas Tort Claims act as it exists or may hereafter be amended (presently \$100,000/\$300.00/\$100,000). Each individual who obtains an automobile allowance must obtain a Business or Commercial Liability Policy which will cover their liability exposure while using their vehicle on the job. Proof of such insurance coverage must be forwarded to the County Risk Manager.

4. Changes in Allowances

- a. **The benchmark gasoline price used to budget the auto allowance base rate for a full-time Employee, or Official is up to \$2.05/gallon. Auto allowances for Part-Time positions are a pro-rata share of the Full Time Employee auto allowance.**

- b. **Economic situations, such as an increase in the price of gasoline, may require adjustments to the budgeted auto-allowance base rate. If the price of gasoline exceeds the benchmark price, Commissioners Court may consider an additional amount to the auto allowance base rate of up to:**

- \$50 per month increase for \$2.06 to \$2.40/gallon***
 - plus \$50 per month increase for \$2.41 to \$2.75/gallon***
 - plus \$50 per month increase for \$2.76 to \$3.10/gallon***

(*Average Price to be determined by Budget Office)

- c. **Conversely, should the price of gasoline decline the Commissioners' Court may decrease the auto allowance.**
- d. **For Employee: Commissioners' Court may make adjustments of allowances.**
- e. **For Elected Officials: Due to statutory restrictions, increase to elected officials Auto allowances may only be made if a higher auto allowance rate was published in the Notice of Elected Officials Salary. If published at a higher rate, Commissioners' Court may increase this allowance at any time.**

**CHAPTER 8
SHERIFF'S CAREER PATH PROGRAM**

Section 1. Purpose

- A. The purpose of this policy is to provide prerequisites and guidelines for Employees eligible to participate in the Career Path Program.**

Section 2. Policy

- B. This agency seeks to recruit Employees of the highest caliber, particularly in areas of education and state certifications, and provide those Employees guidelines to advance their qualifications and careers. With that in mind, the Career Path program was developed to offer compensation for Employees who further their experience and education.**

Section 3. Definitions

- A. Anniversary Date: The annual date marking the beginning of each new year of employment.**
- B. Certification Pay: An amount paid as part of an Employee's calculated hourly wage that offers additional compensation for higher level TCLEOSE certifications, including Intermediate, Advanced, and Masters.**
- C. TCLEOSE: the Texas Commission on Law Enforcement Standards and Education; the governing body in Texas that licenses peace officers, corrections officers, and telecommunicators.**
- D. Step/Grade: A system designed to categorize job titles and Employee salaries.**

Section 4. Procedures

A. General Requirements

- 1. In order to be eligible to participate in Career Path, and Employee must be assigned in a full-time sworn position.**
- 2. The eligible Employee must have completed his or her introductory period.**
- 3. The eligible Employee must complete each specified requirement in order to receive any compensation associated with Career Path.**
- 4. Persons employed with the agency as of October 1, 2004 shall be "grandfathered" into positions that are of at least equivalent salary held as of the that date. Before being considered for elevation to a higher step/grade, such Employees must meet all requirements of their current position plus the requirements of the new position sought. Persons newly employed after October 1, 2004 will be assigned to the appropriate entry-level position.**

B. Step/Grade increases

1. As of the establishment of this program, the County's Human Resource Department defines step/grade salary positions based on the 2001 Condrey salary study.
2. In order for an Employee to be eligible for a Career Path step/grade increase, the Employee must meet all time in service and education/experience requirements defined for the higher position.
3. The Employee shall be elevated to the next Career Path step at the beginning of the pay period following the first day that he or she becomes eligible.
4. Movement from Deputy to Sergeant shall be made only on a position-available basis.
5. An Employee's salary shall not be reduced when transferring between positions of equivalent rank.
6. The Training Coordinator shall, upon verifying all requirements are met for elevation to a new step/grade, shall cause the agency's personnel function to issue a personnel action setting the Employee's new pay rate. The form, accompanied by copies of the appropriate certificate(s), shall be forwarded to the County's Human Resources Department.
7. A Step/Grade increase may not be rescinded for disciplinary reasons unless the Employee has been demoted. In such instances, the Employee shall be assigned to a step/grade for which he or she is qualified.

C. Certification Pay

1. All sworn personnel are considered eligible for certification pay based on TCLEOSE certifications.
2. In order to receive that pay, the Employee must:
 - a. Meet all requirements for the TCLEOSE certificate sought;
 - b. Provide verifiable records to the Training Coordinator, who shall ensure the validity of the record provided.
3. The Training Coordinator, upon verifying all requirements are met, shall cause the agency's personnel function to issue a personnel action setting the Employee's new rate. The form, accompanied by copies of the appropriate certificate(s), shall be forwarded to the County's Human Resources Department.
4. Certification pay may not be rescinded for disciplinary reasons.

D. Calculation of Time in Service

1. Time in Service is calculated based on the Employee's date of full-time employment with the agency.
2. Part-time or "reserve" Employees that move to full-time status shall have their reserve time applied on 3:1 ratio (3 years part-time or reserve status = 1 year full time employment) for purposes of calculating time in service.
3. Employees shall be permitted to return to their last Career Path step providing the Employee:
 - a. Voluntarily terminated their employment in good standing; or
 - b. Was terminated as a result of a reduction in force; and
 - c. Served a minimum of 24 continuous months as a full-time Employee.
4. Service at any other law enforcement agency shall not be used to calculate time in service for purposes of the Career Path.

TITLE	SALARY PER MONTH	TIME IN SERVICE	Updated 8/20/04 JOB REQUIREMENTS
Entry Level	Annual: Bi-Weekly:	Entry Level Employment: 0-12 months	<p>Entry level-must pass entry-level and oral interview-complete orientation period and four (4) weeks on the job training prior to shift assignment. Must Perform entry-level work under close supervision with minimal latitude for the use of initiative and independent judgment. Attend Correctional Academy.</p> <p>Health Education Ethics State Mandated Courses (3232/3939) Asset forfeiture, racial profiling and identity theft(peace officer) 3030(correctional officer)</p>
Dep. I	Annual: Bi-Weekly	Minimum Requirements: 1-2 years	<p>Works under moderate supervision with limited latitude for the use of initiative and independent judgement. Must attain in-service training in the following:</p> <p>Interpersonal Communication Skills Interview and Interrogations Courtroom Demeanor/Testimony Report Writing Maintain State Mandated Courses</p> <p>Basic Peace Officer Certificate or first (1st) year of employment Basic Correctional Officer Certificate</p>
Dep. II	Annual: Bi-Weekly	Minimum Requirements 2-5 Years	<p>Works under general supervision with moderate latitude for the use of initiative and independent judgement. Must be able to work flexible schedule for training new Employees and be able to perform supervisory responsibilities as needed. Maintain the State Mandated Courses to include Legislative Update. Must acquire the below listed Intermediate Core Courses according to license status.</p> <p>Intermediate Peace Officer Proficiency Certificate Crime Scene Investigation Asset Forfeiture Child Abuse Investigation Use of Force Racial Profiling Spanish for Law Enforcement Arrest/Search & Seizure Identity Theft</p>
			<p>Intermediate Jailer Proficiency Certificate Use of Force in a Jail Setting Suicide Detection and Prevention Inmates Rights & Privileges Interpersonal Communications Skills Spanish for Law Enforcement</p>
Dep. III	Annual: Bi-Weekly	Minimum Requirements 6-9 Years	<p>Works under limited supervision with considerable latitude for the use of initiative and independent judgement. Must obtain an Advanced Peace Officer Proficiency Certificate. Maintain the State Mandated Courses to include Legislative Update.</p> <p>Advanced Peace Officer Proficiency Certificate, Crime Scene Investigation Use of Force Arrest/Search & Seizure Child Abuse Investigation Spanish for Law Enforcement</p> <p>Advanced Jailer Proficiency Certificate Use of Force in a Jail Setting Suicide Detection and Prevention Inmates Rights & Privileges Interpersonal Communication Skills Spanish for Law Enforcement</p>

TITLE	SALARY PER MONTH	TIME IN SERVICE	JOB REQUIREMENTS Updated 8/20/04
Dep. IV	Annual: Bi-Weekly:	Minimum Requirements 9-15 years	<p>Performs routine work supervising staff through knowledge of and adherence to laws, rules, regulations, and standard operating procedures. Works under limited supervision with considerable latitude for the use of initiative and independent judgment. Must have good interpersonal communication skills. Must know agency policy and procedures.</p> <p>Mandated Course #3737-Supervisory Course Personnel Laws/Hiring and Firing Practices First-Line Supervision Management Skills for New Supervisors Must Complete an orientation program for the specified division</p>
Dep. V	Annual: Bi-Weekly:	Minimum Requirements: 15-20 years	<p>Masters Peace Officer Certificate Master Correctional Officer Certificate</p>
Sgt. I	Annual: Bi-Weekly:	Minimum Requirements: 2-6 Years	<p>Assumes moderate level of responsibility for supervising staff through knowledge of and adherence to laws, rules, regulations and standard operating procedures. Works under the minimum supervision with considerable latitude for the use of initiatives and independent judgment. Must have good interpersonal communication skills. Maintain the State Mandated Courses to include Legislative Update.</p> <p>Mandated Course #3737-Supervisory Course Personnel Law/Hiring and Firing Practices First-Line Supervision Management Skills for new Supervisors Must complete an orientation program for the specified division</p> <p>Intermediate/Advanced Peace Officer Certificate Intermediate/Advanced Correctional Officer Certificate</p>
St. II	Annual: Bi-Weekly:	Minimum Requirements 6-15 Years	<p>Assumes high level of responsibility for supervising staff through knowledge of and adherence to laws, rules, regulations and standard operating procedures. Works under minimum supervision with considerable latitude for the use of initiatives and independent judgment. Must have good interpersonal communication skills. Maintain the State Mandated Courses to include Legislative Update.</p> <p>Advanced/Master Peace Office Certification Advanced/Mast Correctional Officer Certificate</p>

TITLE	SALARY PER MONTH	TIME IN SERVICE	Updated 8/20/04
JOB REQUIREMENTS			
Entry Level	Annual: Bi-Weekly:	Entry Level Employment: 0-12 Months	Entry-level must pass entry-level exam and oral interview-complete orientation period and four (4) weeks on the job training prior to shift assignment. Must perform entry-level work under close supervision with minimal latitude for the use of initiative and independent judgment. Attend Correctional Academy. Health Education Departmental Procedures/Orientation TCIC/NCIC Full Access Operator
TCOI	Annual: Bi-Weekly:	Minimum Requirements: 1-2 Years	Basic Emergency Medical Dispatching Certification Basic Telecommunicator Proficiency Certification
TCOII	Annual: Bi-Weekly:	Minimum Requirements: 2-6 Years	Works under moderate supervision with limited latitude for the use of initiative and independent judgment. Must attain in-service training for the following: Interpersonal Communication Skills, State Mandated Courses (3232/3939), Ethics Spanish for Law Enforcement, Crisis Communication Certification
TCO III	Annual: Bi-Weekly:	Minimum Requirements: 6-9 Years	Works under limited supervision with moderate latitude for the use of initiative and independent judgment. Maintain all State Mandated Courses and re-certifications. Basic Telecommunicator Trainer, Basic Fire/First Responder Dispatching Techniques Intermediate Telecommunicator Proficiency Certificate
TCO IV	Annual: Bi-Weekly	Minimum Requirements: 9-15 Years	Works under limited supervision with considerable latitude for the use of initiative and independent judgment. Maintain the Sated Mandated Courses and re-certifications. Advanced Telecommunicator Proficiency Certificate
Dep. V	Annual: Bi-Weekly	Minimum Requirements: 15-20 Years	Master Telecommunicator Proficiency Certificate

**CHAPTER 9
PAY PERIODS**

Section 1.

Pay Period

- A. The County's pay period is bi-weekly beginning on a Thursday and ending on a Wednesday. Paychecks are issued every other Wednesday. The County reserves the right to release the paycheck after 2:00 P.M. Early release of an Employee's paycheck is not encouraged but may be permitted from time to time at the discretion of the County Treasurer.**

Section 2.

Salary Advances

- A. Salary advances or loans against future salary are not permitted.**

Section 3.

Pay Check Discrepancies

- A. Paycheck discrepancies, such as overpayment, underpayment, or incorrect payroll deductions must be immediately brought to the attention of the County Treasurer's office.**

Section 4.

Withholding of Wages

- A. The County Auditor has the authority to withhold wages from an Employee's paycheck if the Employee owes the County money for goods or services.**

Section 5.

Direct Deposit

- A. All Employees will be paid through the process of Direct Deposit.**
- B. The County's Depository will provide a bank debit card for those Employees who do not maintain either a checking or savings account. There will be no charge to any Employee for this service.**

**CHAPTER 10
HOURS OF OPERATION**

Section 1.

Hours of Operation

- A. County buildings are open to the public from 8:00 A.M. to 5:00 P.M. Monday through Friday. Regular County office hours for most Employees correspond to these hours with one hour for lunch, for a total work week of 40 hours.**
- B. The County Judge or his designee has the authority to direct all Employees not to report to work if emergency situations such as adverse weather conditions threaten.**

Section 2.

Flex Time

- A. Department Heads are encouraged to implement flex time schedules for Employees if such implementation is feasible, within the department's operating budget and does not impact service delivery. Employees desiring to work on a flex time schedule must obtain prior written authorization and instructions from their Department Head.**

CHAPTER 11 ETHICS

Section 1.

General Principles

- A. While every Employee is already governed by the dictates of his or her individual conscience, it is desirable to adopt a uniform Code of Ethics which contain principles which should apply to the day to day conduct of all Employees.
- B. Every Employee should be committed to the highest standard of conduct in the performance of their public duties. Individual and collective adherence to high ethical standards is central to the maintenance of public trust and confidence in government. As servants and stewards to the public, each Employee should readily acknowledge that nothing less should be expected of them.
- C. While the potential for personal conflict or differing views of values or loyalties may, from time to time exist, they should always succumb to the commitment to the public good.
- D. Adult Probation Department Employees must follow the Code of Ethics written and approved by the Texas Department of Criminal Justice-Community Justice Assistance Division.
- E. Any Employee found violation of this Ethics Policy may be subjected to disciplinary proceedings up through and including termination. In addition, depending in the nature of the violation, an Employee may be subjected to criminal prosecution.

Section 2.

Ethical Principles

- A. **THE ETHICAL EMPLOYEE SHOULD:**
 - 1. Promote decisions which only benefit the public interest;
 - 2. Actively promote public confidence in County government;
 - 3. Keep safe all assets, funds and other properties of the County;
 - 4. Promptly administer the affairs of the County;
 - 5. Conduct and perform their duties as an Employee diligently and promptly dispose of the business of the County;
 - 6. Maintain a positive image to pass constant public scrutiny;
 - 7. Evaluate all decisions so that the best service or product is obtained at minimal, cost-effective rates without sacrificing quality and fiscal responsibility;
 - 8. Inject the prestige of the office or job into everyday dealings with the public Employees and associates;
 - 9. Maintain a respectful attitude toward other Employees, other public officials, colleagues and associates;
 - 10. Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest on the County; and
 - 11. Faithfully comply with all laws and regulations applicable to the County and impartially apply them to everyone.

B. THE ETHICAL COUNTY OFFICIAL, DEPARTMENT HEAD AND EMPLOYEE SHOULD NOT:

- 1. Engage in outside interests that are not compatible with the impartial and objective performance of their duties as an Employee;**
- 2. Improperly influence or attempt to influence other Employees to act in his or her own benefit; nor**
- 3. Accept anything of value from any source which is offered to influence his or her action as a public official or as an Employee.**

C. CIVIL AND CRIMINAL STATUTES RELATING TO PUBLIC SERVANTS

Scattered throughout the various codes and statutes of the State of Texas are various civil and criminal codes and statutes relating to and affecting the conduct of all public officials and public employees. The following is a partial listing where these codes and statutes may be located:

**OPEN MEETINGS ACT
TEX GOV'T CODE § 55.002 et seq.**

**OPEN RECORDS ACT
TEX GOV'T CODE § 552.001 et seq.**

**DISCLOSURE BY PUBLIC SERVANT OF INTEREST IN PROPERTY TO BE
ACQUIRED WITH PUBLIC FUNDS
TEX GOV'T CODE § 553.002**

**RETALIATION PROHIBITED FOR REPORTING VIOLATION OF LAW
(WHISTLE BLOWERS ACT)
TEX GOV'T CODE § 554.002; TEX LABOR CODE § 21.055**

**NEPOTISM PROHIBITIONS
TEX GOV'T CODE § 573.001 et seq.**

**REGULATIONS OF CONFLICT OF INTEREST
TEX LOCAL GOV'T CODE § 171.001 et seq.**

**MANDATORY CONFLICT OF INTEREST REPORTING
TEX LOCAL GOV'T CODE CHAPTER 176**

**BRIBERY
TEX PENAL CODE § 36.02**

**ACCEPTANCE OF HONORARIUM
TEX PENAL CODE § 36.07**

**GIFT TO PUBLIC SERVANT BY PERSONS SUBJECT TO JURISDICTION
TEX PENAL CODE § 36.08**

**TAMPERING WITH GOVERNMENTAL RECORD
TEX PENAL CODE § 37.10**

**ABUSE OF OFFICIAL CAPACITY
TEX PENAL CODE § 39.02**

**OFFICIAL OPPRESSION
TEX PENAL CODE § 39.03**

**MISUSE OF OFFICIAL INFORMATION
TEX PENAL CODE § 39.06**

**CHAPTER 12
MISCONDUCT OR DISHONESTY
HOT LINE POLICY**

Section 1.

Introduction

- A. Although the County believes that its Employees are honest and dedicated to public service, like all public and private entities, it may become the unwilling victim of an act of Misconduct or Dishonesty committed by either an Employee or by a third party with an Employee's knowledge and/or assistance. Such activities will not be tolerated. To help deter their occurrence it is necessary to develop internal controls to assist in the detection and prevention of such criminal activity.**

- B. It is the County's goal is to establish and maintain a fair, ethical, and honest business environment for its Employees and for its taxpayers, suppliers and all third parties with whom it has a business or fiduciary relationship. Helping to achieve such an environment requires the active assistance of all County Employees.**

- C. Although no system of internal controls can completely prevent a determined perpetrator from succeeding at criminal misconduct it is the County's intention to establish a network of internal controls to help prevent such activity. Establishing a network also assists in providing a sound foundation for the protection of innocent parties, the taking of proper disciplinary action against County Employees, the referral to law enforcement agencies and the Criminal District Attorney when warranted and to the protection and recovery of County assets.**

Section 2.

Scope of Policy

- A. This policy applies to any work-related act of Misconduct or Dishonesty as such phrase is defined herein.**

- B. This policy applies to all County Employees and to all consultants, vendors, contractors, and any other third parties having a business relationship with Galveston County.**

Section 3.

Purpose of Policy

- A. This policy's purpose is to communicate the County's policy regarding the protection and proper use of County resources, assets and funds. It also establishes a procedure for the investigation of suspected Misconduct or Dishonesty by employees and others as well as guidance and direction regarding appropriate action in case of suspected or reported misuse.**

Section 4.

Definition

- A.** The phrase “Misconduct or Dishonesty” includes but is not limited to any work related criminal violation of any federal or state law that either negatively affects the County or negatively impacts or unjustifiably benefits a County Employee or a third party with whom the County has a business or fiduciary relationship including but not limited to:
- any dishonest or fraudulent act.
 - theft or other misappropriation of assets.
 - misstatements and other intentionally created irregularities in County records, including the misrepresentation of the results of operations or levels of service.
 - forgery or alteration of a check, bank draft or any other financial document.
 - impropriety in the handling or reporting of money or financial transactions.
 - profiteering as a result of insider knowledge.
 - disclosing County or County vendor’s confidential and proprietary information to outside parties except as required by the Texas Open Records Act.
 - accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to the County in return for favors.
 - destruction, removal or inappropriate use of records, furniture, fixtures, equipment or other County resources, except as permitted by the County’s Records Retention Policy or as directed by the County Purchasing Agent’s rules and regulations relating to the County’s Surplus Property Policy.

Section 5.

**Misconduct or Dishonesty Acts
and Acts of Reprisal Prohibited**

- A.** All acts of Misconduct or Dishonesty committed by County Employees are prohibited.
- B.** Reprisals, including but not limited to disciplinary action, against individuals making reports in good faith are prohibited.

Section 6.

Supervisor Responsibilities

- A.** All employees have a responsibility to report suspected acts of Misconduct or Dishonesty.
- B.** Supervisors have additional responsibilities to help prevent acts of Misconduct or Dishonesty. They include:
- becoming aware of what can go wrong in their area of authority.
 - establishing and maintaining effective monitoring, review and control procedures to help prevent acts of Misconduct or Dishonesty.
 - establishing and maintaining effective monitoring, review and control procedures to help detect acts of wrongdoing promptly should prevention efforts fail.
- C.** Supervisors may delegate these additional responsibilities to their subordinates. But, ultimate accountability remains the responsibility of the Supervisor.
- D.** Supervisors may enlist the services of the County Auditor in order to effectively carrying out their responsibilities.

Section 7.

**Reporting of Acts of Misconduct
or Dishonesty**

- A. It is the responsibility of every County Employee to immediately report any suspected act of Misconduct or Dishonesty to their Supervisor or, in the case of Department Heads, to the County Auditor. Supervisors, when made aware of such potential acts by subordinates, must immediately report such acts to their Department Head.**
- B. To facilitate reporting of suspected violations in those instances where the reporting County Employee desires to remain anonymous, the County has established a telephone hotline. The hotline telephone numbers are (409) 770-5329 and (281) 766-4582. The hotline fax number is (409) 766-4582. These numbers are located in the County Auditor's Office. All records of all calls made to the hotline will be kept confidential to the extent permitted by the Texas Open Records Act.**
- C. The Department Head, or, if applicable, the County Auditor shall immediately investigate the allegation. The Department Head may enlist the services of their managers as they deem appropriate. The Department Head/County Auditor, after consultation with Human Resources, may place any involved Employee on administrative leave with pay until completion of the investigation. The Department Head/County Auditor may also contact the Legal Department as deemed necessary or prudent.**
- D. The Department Head/County Auditor shall notify the County Judge and, if warranted, the Criminal District Attorney of the results of its investigation.**
- E. If a policy violation is found, the Department Head in whose department the violation occurred shall promptly do whatever is necessary to prevent the act from reoccurring and take appropriate disciplinary measures.**

- F. **Reports of other suspected improprieties concerning a County Employee's unethical behavior, or other improper conduct that do not include acts of Misconduct or Dishonestly should be reported to the immediate supervisor for investigation and, to the extent found necessary, correction.**

CHAPTER 13
DRUG, ALCOHOL ABUSE, AND SMOKING

Section 1. General Statement

- A. It is the intent of the County to eliminate the use, exchange or presence of illegal drugs, and to prevent the misuse of legal drugs or alcohol in County offices, vehicles, facilities, and work sites.**

Section 2. Smoking

- A. Smoking is prohibited in all County buildings, vehicles and facilities.**

Section 3. Drug, Alcohol and Smoke Free-Work Place

- A. The use, manufacture, procurement, distribution, sale, dispensing or possession of illegal drugs is prohibited.**
- B. The use of alcohol while on duty is prohibited. Working while under the influence of alcohol is prohibited.**
- C. The misuse of legal drugs while on duty is prohibited. Working while under the influence of legal drugs that have been misused is prohibited.**
- D. The misuse of substances and materials available in the work place that may result in physical or mental impairment is prohibited.**
- E. Employees are prohibited from operating any equipment or motorized vehicles while under the influence of any drug, prescription or otherwise, that interferes with the Employees manual dexterity skills or mental abilities in such a manner that the equipment or motorized vehicle can not be used safely.**
- F. An Employee found in violation of this policy is subject to immediate disciplinary action, including dismissal.**

ANY EMPLOYEE WHO HAS A PROBLEM WITH THE USE OF ILLEGAL DRUGS, ALCOHOL OR ABUSE OF LEGAL SUBSTANCES IS ENCOURAGED TO SEEK ASSISTANCE FROM THE EAP PROGRAM. EMPLOYEES WHO SEEK SUCH ASSISTANCE WILL RECEIVE NO SANCTION FOR SEEKING SUCH ASSISTANCE.

Section 4. Personnel Actions

- A. Within thirty (30) days after receiving notice from an Employee of a criminal conviction involving the illegal use of drugs or alcohol, a Supervisor shall either take appropriate personnel action up to and including termination of the Employee, or require the Employee to participate satisfactorily in the Employee Assistance Program.**

- B. Supervisors shall initiate action, after prior review by the Human Resources and the County Legal Department, to take appropriate disciplinary action up to and including termination for a first offense of any Employee who is found to procure, manufacture, distribute, sell, dispense, or possess illegal drugs, or to use such illegal drugs or alcohol when the effects of such use remain during job performance. Disciplinary action will not be taken regarding an Employee who voluntarily identifies himself as a user of illegal drugs or an abuser of alcohol prior to being identified through other means, and who obtains counseling or rehabilitation through the Employee Assistance Program (EAP) and thereafter refrains from using illegal drugs or the abuse of alcohol in accordance with the provisions of this policy.**
- C. Supervisors shall not allow any Employee to remain on duty if that Employee is found while on duty, to procure, manufacture, distribute, sell, dispense or possess illegal drugs, or is found to use alcohol or illegal drugs when the effects of such use remain during job performance. However, as part of a rehabilitation or counseling program, a Department Head may allow an Employee to return to duty if it is determined that this action would not pose a danger to fellow Employees or to public health or safety.**
- D. Supervisors shall initiate action to remove from employment any Employee who is known to use illegal drugs or alcohol when the effects of such use remain during job performance, and such Employee, after being requested:**

 - 1. Refuses to obtain counseling or rehabilitation through the Employee Assistance Program; or**
 - 2. Does not thereafter refrain from using illegal drugs or alcohol when the effects of such use remain during job performance.**
 - 3. Does not contact and successfully comply within the designated time period with the terms of a treatment plan recommended by EAP.**
- E. Supervisors shall treat all medical evaluations and treatments as confidential unless specifically authorized by the Employee to disclose same in writing.**
- F. The determination of a Supervisor or Department Head that an Employee is using illegal drugs and/or alcohol when the effects of such use remain during job performance may be made on the basis of direct observation, or the results of a drug testing program that has been authorized by Commissioners' Court. If drug test results are positive, such results may be rebutted by other evidence that the Employee has not used illegal drugs or alcohol.**

Section 5.

Alcohol and Drug Testing

- A. Any Employee who may be subjected to disciplinary action because they are believed to be in violation of this chapter may voluntarily request that an appropriate drug or alcohol test be performed. If the Employee requests a test, the County shall pay for the cost of the test. If alcohol use is suspected, the test may be a breathalyzer, urinalysis or blood test. If illegal drug use is suspected, the test must be done by a certified laboratory and may be an immunoassay or a gas chromatograph-mass spectrometer test, both based on a urine sample.**

B. With probable cause, and upon prior review by both Human Resources and the County Legal Departments, a Supervisor may request that the Employee submit to drug testing. If the Employee refuses to submit to the drug test, disciplinary action up to and including dismissal may be taken.

**CHAPTER 14
ALCOHOL AND DRUG TESTING POLICY FOR
CDL EMPLOYEES AND
OTHER SAFETY IMPACT POSITIONS**

Section 1.

Purpose

- A.** The purpose of this policy is to provide for implementation of alcohol and drug testing for Employees performing jobs that require a commercial driver's license (CDL). It also provides for the testing of other safety impact positions not requiring CDLs as designated by the County. This policy is based on the County's commitment to maintain a safe, healthful and productive work environment for all Employees and to ensure the safe and efficient delivery of services to citizens of Galveston County.

Section 2.

Definitions

- A. Accident:** An occurrence involving a commercial motor vehicle or any County vehicle or equipment operating on a public road in interstate or intrastate commerce or any other location which results in:
- 1.** a fatality; or
 - 2.** the driver receives a citation under state or local law for a moving traffic violation arising from an accident that involved:
 - a.** Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - b.** One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

It does not include an occurrence involving only boarding and alighting from a stationary motor vehicle.

- B.** The County has chosen to test for drug or alcohol use after all accidents whether or not they involve a fatality or a citation as designated above. However, accidents involving the designations above will result in termination of the Employee. Other accidents will result in referral to the Employee Assistance Program for assessment and treatment.

Disabling Damage: Damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

This includes:

Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

This does not include:

- 1.** Damage which can be remedied temporarily at the scene of the accident without special tools or parts.
- 2.** Tire disablement without other damage even if no spare tire is available.

3. **Headlamp or tail light damage.**
 4. **Damage to turn signals, horn, or windshield wipers which makes them inoperative.**
- C. Alcohol: An intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.**
- D. Alcohol Use: Consumption of any beverage, mixture, or preparation, including medications, containing alcohol.**
- E. Commercial Driver's License (CDL): A particular type of driver's license required for operators of commercial motor vehicles.**
- F. Commercial Motor Vehicle (CMV) A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:**
1. **has a gross combination weight rating of 26,001 pounds or over, including a towed unit with a gross vehicle weight rating of over 10,000 pounds; or**
 2. **has a gross vehicle weight rating of 26,001 pounds or over; or**
 3. **is designed to transport 16 or more passengers (including the driver); or**
 4. **is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).**
- G. Controlled Substances: The terms drugs and controlled substances may be used interchangeably. These terms refer to: benzodiazepines, barbituates, methadone, propoxyphene, marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamines). This may also include prescription medications that affect performance in safety-sensitive positions.**
- H. Employee Assistance Program (EAP): a program under contract with Galveston County which offers assessment, short-term counseling, and referral services for a wide range of drug, alcohol and mental health programs that affect Employee job performance.**
- I. Evidential Breath Testing Device: A device used for alcohol breath testing that has been approved by the National Highway Safety Administration.**
- J. Five Panel Drug Screen A drug screen that tests for marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamines). This drug screen is used for all drug screen purposes other than safety sensitive positions.**
- K. Medical Review Officer (MRO): A licensed physician (medical doctor/doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program.**

- L. On-Duty Time: This includes:**
- 1. all time waiting to be dispatched, unless the driver has been relieved from duty;**
 - 2. all time inspecting equipment, servicing, or conditioning any CMV or other County vehicle or equipment;**
 - 3. all time spent at the driving controls of a CMV or other County vehicle or equipment in operation;**
 - 4. all time, other than driving time, spent in or upon a CMV or any other County vehicle or equipment;**
 - 5. all time spent supervising, or assisting in the loading or unloading of a CMV or other County vehicle or equipment;**
 - 6. all time spent attending a vehicle or equipment being loaded or unloaded;**
 - 7. all time spent remaining in readiness to operate the CMV or other County vehicle or equipment;**
 - 8. all time spent when giving and receiving receipts for shipments loaded or unloaded;**
 - 9. all time spent performing the driver requirements associated with an accident; and**
 - 10. all time spent repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.**
- M. Nine (9) Panel Drug Screen: A drug screen that tests for benzodiazepines, barbituates, methadone, propoxyphene, marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamines). This drug screen is used on Safety Sensitive Positions only.**
- N. (Performing) Safety Sensitive Functions: Time period when an Employee is actually performing, ready to perform, or immediately available to perform. Details of specific safety-sensitive functions are referred to in the definition of “On-duty Time”.**
- O. Reasonable Suspicion: The belief that the driver has violated the alcohol or controlled substances prohibition, use, or possession based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the Employee.**
- P. Refusal: An Employee refuses to take the test by:**
- 1. saying “no” and refusing to take the test.**
 - 2. failing to provide adequate breath or saliva for testing without a valid medical explanation after he/ she has been notified to be tested.**
 - 3. failing to provide adequate urine for controlled substances testing without a valid medical explanation after he/she has been notified to be tested.**

- 4. **engaging in conduct that clearly obstructs the testing process.**
- 5. **failing to make himself/herself available for a test after an accident occurred.**

Q. Regular Employee: An Employee who is not hired on a temporary or seasonal basis who has completed his/her introductory period.

R. Safety Impact Position: An employment position involving job duties which if performed with inattentiveness, errors in judgment, or diminished coordination, dexterity, or composure may result in mistakes that i) could present a real and/or imminent threat to the personal health and safety of the Employee, or the public or ii) could result in the loss of property rights of those members of the public who are served by such Employees. These positions are not required under the regulations, but are approved at the discretion of the Commissioners' Court.

S. Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, Employee assistance professional, or certified addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

Section 3. Applicability

- A. All applicants for employment with Galveston County who will be required to have a commercial driver's license must execute a request/consent form enabling the Human Resources Department to contact their prior employer to obtain information on alcohol and controlled substance testing they may have undergone during their prior employment.**
- B. All Galveston County Employees who are required to have a commercial driver's license (CDL) are subject to the controlled substance and alcohol testing rules.**
- C. An elected official or department head who employs workers in safety impact positions not requiring a CDL may also require persons in those positions to be subject to the provisions of this policy as long as all persons in the same job classification in the same department are treated in the same manner. This is not a requirement of the regulations, but is done at the discretion of the County and with the approval of the Commissioners' Court.**

Section 4. Applicants for Employment

- A. Any applicant for a position with the County which requires alcohol or controlled substance testing who has a positive test result shall be denied employment and is not eligible for reapplication for the same or another position with the County for twenty-four months.**

Section 5. Prohibited Alcohol and Controlled Substance-Related Conduct

The following activities are prohibited:

- A. Reporting for duty or remaining on duty to perform safety sensitive functions while having an alcohol concentration of 0.02 or greater.**
- B. Being on duty and/or operating a CMV while possessing alcohol.**

- C. Using alcohol while performing safety-sensitive functions or during the four (4) hours prior to performing safety-sensitive functions.
- D. When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- E. Refusing to submit to an alcohol or controlled substance suspicion test required by post accident, random, reasonable or follow-up testing requirements.
- F. Reporting for duty or remaining on duty for the purpose of performing safety-sensitive functions when the Employee is using or has used any controlled substance except when a physician has advised him/her that the substance does not adversely affect his/her ability to safely perform a safety-sensitive function. An Employee is required to inform his/her supervisor of any therapeutic drug use.
- G. Being on duty or performing a safety-sensitive function when the Employee's general appearance or conduct or some other substantiating evidence indicates he/she has used alcohol within the preceding four (4) hours.

Section 6.

Consequences to Employee

- A. An Employee, who is known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances is subject to the following consequences.
- B. Employees shall not be permitted to operate a vehicle that meets the requirements of the Texas Department of Public Safety for Commercial Motor Vehicles or those vehicles as designated by County for employees' use in safety impact positions.
- C. Alcohol Use
 - 1. Following an employee's confirmed breath alcohol test of 0.02 or greater, the employee's Department Head shall provide Human Resources with a CDL Driver/Safety Impact Position checklist.
 - a. The first time a Temporary or Seasonal Employee or an Employee who has not completed his/her introductory period who has been tested under random, reasonable suspicion, or post accident testing and who has a breath alcohol result of 0.02 or greater, he/she shall be terminated and given a list of substance abuse groups and/or programs.
 - b. A regular Employee who tests 0.02 or greater on the first test under random and reasonable suspicion testing:
 - 1) shall be considered as needing assistance in resolving problems associated with alcohol, and
 - 2) shall be suspended without pay pending Employee Assistance Program (EAP) assessment and referral, and

- 3) shall be subjected to an additional medical leave period until the treatment program is completed unless a position is available within his/her department into which he/she can be relocated which does not involve performing safety sensitive functions. If the Employee has sick leave or vacation accruals, they may be used during the additional medical leave period.
- c. Following the receipt by Human Resources of a confirmed breath alcohol test of 0.02 or greater, the Employee shall meet with the Human Resources Director or designated representative for referral to the EAP and completion of necessary forms. If the Employee does not report to the meeting with the Human Resources Director, he/she will be assumed to have abandoned his/her job and will be terminated.
- d. Following the meeting with the Human Resources Director or designated representative, the Employee shall be referred to the EAP for assessment and treatment and possible further referral to a Substance Abuse Professional (SAP). The Employee must contact the EAP within 48 hours from the time he/she meets with the Human Resources Director or designated representative and signs the release form for the EAP or he/she will be terminated and not be eligible for rehire for the same or another position with the County for a period of twenty-four (24) months.
- e. An Employee who completes the treatment program recommended by the SAP must follow The County of Galveston Alcohol and Drug Testing Policy, Section E regarding return to work in a CDL position or safety impact position.
- f. If an Employee does not comply with the terms of or complete the treatment plan recommended by his/her SAP within the time period recommended by the SAP, he/she will be terminated and will not be eligible for rehire for the same or another position with the County for a period of twenty-four (24) months.
- g. An Employee who completes the treatment plan and is returned to work shall be subject to at least 6 follow-up tests in the following 12 months, or as directed by the SAP in addition to those tests required under random testing.
- h. An Employee tested after referral to a SAP, who shows a breath alcohol level of 0.02 or greater, will be terminated and given a list of substance abuse groups and/or programs.
- i. A regular Employee who has a breath alcohol of 0.02 or greater as a result of a post-accident test shall either be terminated or referred to the EAP depending on the type of accident as discussed under the Post-Accident section of this policy.
- j. Any Employee who refuses a test shall be considered to have received a test result of 0.02 or greater and will be terminated and given a list of substance abuse groups and/or programs. Any such Employee will not be eligible for

rehire in the same position or another position with the County for a period of twenty-four (24) months.

D. Controlled Substance Use

Following an Employee's confirmed positive controlled substance test, the Employee's Department Head shall provide Human Resources with a CDL Driver/Safety Impact Position checklist.

1. Any applicant for a position with the County which requires controlled substance testing who has a positive test result for controlled substances shall be denied employment and will not be eligible for employment with the County for a period of twenty-four (24) months.
2. The first time a Temporary or Seasonal Employee or an Employee who has not completed his/her introductory period who has been tested under random, reasonable suspicion, or post accident testing and who has a positive test result for controlled substances, he/she shall be terminated and given a list of substance abuse groups and/or programs. Also, such Employee will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.
3. A Regular Employee who has a positive controlled substances test result on the first test under random and reasonable suspicion testing:
 - a. shall be considered as needing assistance in resolving problems associated with controlled substances, and
 - b. shall be suspended without pay pending Employee Assistance Program (EAP) assessment and referral, and
 - c. shall be subjected to an additional medical leave period until the treatment program is completed unless a position is available within his/her department into which he/she can be relocated which does not involve performing safety sensitive functions. If the Employee has sick leave or vacation accruals, they may be used during the additional medical leave period.
4. Following the receipt by Human Resources of a confirmed positive controlled substances test result, the Employee shall meet with the Human Resources Director or designated representative for referral to the EAP and completion of necessary forms. If the Employee does not report to the meeting with the Human Resources Director, he/she will be assumed to have abandoned his/her job and will be terminated. Also, such Employee will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.

5. **Following the meeting with the Human Resources Director or designated representative, the Employee shall be referred to the EAP for assessment and treatment and possible further referral to a Substance Abuse Professional (SAP). The Employee must contact the EAP within 48 hours from the time he/she meets with the Human Resources Director or designated representative and signs the release form for the EAP or he/she will be terminated. Also, such Employee will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.**
6. **An Employee who completes the treatment program recommended by the SAP must follow The County of Galveston Alcohol and Drug Testing Policy, Section E regarding return to work in a CDL position or safety impact position.**
7. **If an Employee does not comply with the terms of or complete the treatment plan recommended by his/her SAP within the time period recommended by the SAP, he/she will be terminated. Also, such Employee will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.**
8. **An Employee who completes the treatment plan and is returned to work shall be subject to at least 6 follow-up tests in the following 12 months, or as directed by the SAP in addition to those tests required under random testing.**
9. **An Employee tested after referral to a SAP, who shows a positive controlled substances test result, will be terminated and given a list of substance abuse groups and/or programs. Also, such Employee will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.**
10. **A Regular Employee who has a positive controlled substances test as a result of a post-accident test shall either be terminated or referred to the EAP depending on the type of accident as discussed under the Post-Accident section of this policy. Also, such Employee, if terminated, will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.**
11. **Any Employee who refuses a test shall be considered to have received a positive controlled substances test result and will be terminated and given a list of substance abuse groups and/or programs. Also, such Employee will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.**
12. **An Employee who uses controlled substances his/her physician has advised his/her will affect his/her ability to safely perform a safety-sensitive function may be subject to termination. Also, such Employee, if terminated, will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.**
13. **An Employee who uses over-the-counter substances which affect his/her ability to safely perform a safety-sensitive function may be subject to termination. Also, such Employee, if terminated will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.**

E. Refusal to Submit to Testing

An Employee who refuses to submit to testing will not be permitted to perform or continue to perform any safety-sensitive functions. Refusal to submit to testing shall be considered as receiving a positive test result and shall result in termination. Also, such Employee will not be eligible for rehire in the same or any other position with the County for a period of twenty-four (24) months.

F. Assistance and Referral

- 1. Employees shall be advised of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or the use of controlled substances.**
- 2. Information concerning the effects of alcohol and drug use on an individual's health, work and personal life; signs and symptoms of alcohol and drug problems; and available methods of intervention are discussed in the Handbook for Substance Abuse and Alcohol Misuse.**
- 3. The rules do not require Galveston County to pay for Employee's rehabilitation or to hold a job open for the Employee.**
- 4. If the Employee is eligible to participate in the health plan, he/she may utilize the benefits of the plan for treatment and counseling subject to the deductibles and co-payments required by the plan. If the Employee requires additional counseling or treatment beyond that provided by the health plan, the Employee is responsible for all such additional treatment and/or counseling. If the Employee is not eligible for coverage under the health plan, he/she is responsible for all costs of counseling and treatment beyond the visits covered by the EAP.**

Section 7.

Types of Testing

- A. In order to enhance highway safety, Galveston County will follow the Omnibus Transportation Employee Testing Act of 1991. This Act requires Employees holding a CDL to be tested for use of controlled substances and misuse of alcohol. Galveston County will also exercise its discretion in testing additional positions considered to be safety impact positions.**
- B. The controlled substances to be tested for include either a Five (5) Panel or a Nine (9) Panel Drug Screen. In addition, tests may be conducted for prescription medications that affect performance in safety-sensitive positions. An evidential breath testing device is used for alcohol testing. Controlled substance testing is done by urine specimen collection and testing by a laboratory certified by the National Institute on Drug Abuse (NIDA). The testing procedures and processes are discussed in more detail in the Handbook for Substance Abuse and Alcohol Misuse.**

C. The following types of tests are required to be administered:

1. Pre-employment Testing

Pre-employment testing shall be required for all new Employees performing jobs requiring a CDL and all Employees in positions designated as safety impact positions. No Employee shall be allowed to perform a safety-sensitive function for Galveston County, unless he/she has received a controlled substance test result from the MRO indicating a verified negative result.

2. Random Testing for Alcohol/Controlled Substances

- a. Random Testing for alcohol shall be administered at an annual rate of 25 percent of the average number of CDL Employees. The testing shall be unannounced and spread reasonably throughout the calendar year.
- b. Employees shall be tested for alcohol:
 - 1) while they are performing safety-sensitive functions,
 - 2) immediately prior to performing safety-sensitive functions, or
 - 3) immediately after performing safety-sensitive functions.
- c. Random testing for controlled substances shall be administered to 50 percent of the average number of CDL Employees. The testing shall be unannounced and spread reasonably throughout the calendar year.
- d. Employees shall be tested for controlled substances at any time they are at work or on call for Galveston County.
- e. Each Employee selected for random alcohol or controlled substance testing shall proceed immediately to the testing site upon notification of being selected.
- f. In the event the Employee selected for a random alcohol or controlled substance test is on vacation or an extended medical absence, Galveston County can either select another Employee for testing or keep the original selection confidential until the Employee returns.
- g. The DOT may change the testing rates for alcohol and controlled substances for a given year.

3. Reasonable Suspicion Testing

- a. Reasonable suspicion testing shall be administered to Employees when Galveston County has reason to believe the Employee has violated the alcohol or controlled substances prohibitions.
- b. Alcohol testing is authorized only if the observations are made during, just before or just after the driver performs the safety-sensitive functions.

- c. **If reasonable suspicion is observed but a reasonable suspicion test has not yet been administered, a driver shall not perform safety-sensitive functions until:**
 - 1) **an alcohol test is administered and the driver's alcohol concentration measures less than 0.02 or**
 - 2) **24 hours have elapsed following the determination of reasonable suspicion.**
- d. **For the alcohol and controlled substance tests, documentation of driver's conduct and observable symptoms must be prepared and signed by the witness within 24 hours of observed behavior, or before the result of the drug test or alcohol test are released, whichever is earlier.**
- e. **If reasonable suspicion is observed but a reasonable suspicion test has not yet been administered within a reasonable time frame following the observation, the following actions shall be taken:**
 - 1) **If the Employee has not submitted to an alcohol test within two (2) hours, the County shall prepare and maintain on file a record stating the reason a test was not promptly administered.**
 - 2) **If the Employee has not submitted to an alcohol test after eight (8) hours, attempts to administer the alcohol test shall cease, and documentation shall be prepared and maintained as described above.**
 - 3) **If the Employee has not submitted to a controlled substance test within 32 hours, Galveston County shall cease attempts to administer the test and shall prepare and maintain the record as described above.**

4. Post-Accident Testing

- a. **Post-Accident Testing shall be conducted as soon as practicable following an accident. Galveston County shall test for alcohol and controlled substances on each surviving Employee of all accidents involving CDL or safety impact positions.**

Following a post-accident test resulting in a positive test for controlled substances and/or breath alcohol result of greater than 0.02, the Employee's Department Head shall provide Human Resources with a completed Post-Accident Checklist.

- b. **If any Employee has a positive test result for a controlled substance and/or a breath alcohol result of 0.02 or greater following involvement in an accident in which there is a fatality or in which a citation was issued under state or local law for a moving traffic violation arising from the accident in which there was bodily injury requiring medical treatment away from the scene of the accident and/or disabling damage to a vehicle requiring a vehicle to be towed away from the scene of the accident, he/she will be terminated.**

- c. **If a Regular Employee has a positive test result for controlled substances and/or a breath alcohol result of 0.02 or greater following involvement in all other accidents not meeting the definition above and the Employee has had no prior positive test results for controlled substances or breath alcohol tests of 0.02 or greater, he/she shall be:**
- 1) **shall be considered as needing assistance in resolving problems associated with controlled substances and/or alcohol, and**
 - 2) **shall be suspended without pay pending Employee Assistance Program (EAP) assessment and referral, and**
 - 3) **shall be subjected to an additional medical leave period until the treatment program is completed unless a position is available within his/her department into which he/she can be relocated which does not involve performing safety sensitive functions. If the Employee has sick leave or vacation accruals, they may be used during the additional medical leave period.**
- d. **Following the receipt by Human Resources of a confirmed positive controlled substances test result, the Employee shall meet with the Human Resources Director or designated representative for referral to the EAP and completion of necessary forms. If the Employee does not report to the meeting with the Human Resources Director, he/she will be assumed to have abandoned his/her job and will be terminated.**
- e. **Following the meeting with the Human Resources Director or designated representative, the Employee shall be referred to the EAP for assessment and treatment and possible further referral to a Substance Abuse Professional (SAP). The Employee must contact the EAP within 48 hours from the time he/she meets with the Human Resources Director or designated representative and signs the release form for the EAP or he/she will be terminated.**
- f. **An Employee who completes the treatment program recommended by the SAP must follow The County of Galveston Alcohol and Drug Testing Policy, Section E regarding return to work in a CDL position or safety impact position.**
- g. **If an Employee does not comply with the terms of or complete the treatment plan recommended by his/her SAP within the time period recommended by the SAP, he/she will be terminated.**
- h. **An Employee who completes the treatment plan and is returned to work shall be subject to at least 6 follow-up tests in the following 12 months, or as directed by the SAP in addition to those tests required under random testing.**
- i. **An Employee tested after referral to a SAP, who shows a positive controlled substances test result and/or a breath alcohol result of 0.02 or greater, will be terminated and given a list of substance abuse groups and/or programs.**

- j. Any Employee who refuses a test shall be considered to have received a positive controlled substances test result and/or a breath alcohol test of 0.02 or greater and will be terminated and given a list of substance abuse groups and/or programs.**
- k. If this event involves a second positive result for controlled substances or a second breath alcohol result of 0.02 or greater, whether the prior event was post-accident or not, he/she shall be terminated and given a listing of substance abuse groups and/or programs.**
- l. The Employee subject to post-accident testing must refrain from consuming alcohol for eight (8) hours following the accident or until he/she submits to an alcohol test, whichever comes first. The Employee must remain available for testing, and if he/she is not, his/her lack of availability will be considered as a refusal to take the test.**
- m. When an alcohol or controlled substance test has not been administered within a reasonable time frame following the accident, the following actions shall be taken:**

 - 1) If the Employee has not submitted to an alcohol test within two (2) hours, the County shall prepare and maintain on file a record stating the reason a test was not promptly administered.**
 - 2) If the Employee has not submitted to an alcohol test after eight (8) hours, attempts to administer the alcohol test shall cease, and documentation shall be prepared and maintained as described above.**
 - 3) If the Employee has not submitted to a controlled substance test within 32 hours, Galveston County shall cease attempts to administer the test and shall prepare and maintain the record as described above.**

Note: Nothing in this section should be construed so as to require the delay of necessary medical attention for injured people following an accident, or to prohibit an Employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

5. Return-to-Duty Testing and Follow-up Testing

- a. Galveston County shall ensure that before an Employee who has engaged in prohibited conduct regarding alcohol misuse returns to duty in a position requiring the performance of a safety-sensitive function, he/she shall undergo a return-to-duty alcohol test indicating a breath alcohol concentration of less than 0.02. Follow-up tests for alcohol shall be performed when he/she is performing safety-sensitive functions, or immediately prior to performing or immediately after performing safety-sensitive functions.**

b. Galveston County shall ensure that before an Employee who has engaged in prohibited conduct regarding controlled substances returns to duty in a position requiring the performance of a safety-sensitive function, he/she shall undergo a return-to-duty controlled substances test indicating a negative result. Follow-up tests for controlled substances may be performed any time the Employee is on duty.

c. The Employee must provide written documentation that he/she has completed the recommended treatment program prescribed by the SAP before performing safety-sensitive functions.

d. Galveston County shall ensure that the Employee is subject to unannounced follow-up alcohol testing(s) and/or controlled substances testing(s) as directed by the SAP. Testing shall be done by the County's contractor for testing. This testing need not be confined to the substance involved in the violation. This testing is in addition to any random, reasonable suspicion or post-accident testing that may be required.

e. The Employee shall be subject to a minimum of six (6) follow-up controlled substance and/or alcohol tests in the following twelve (12) months. This may continue for up to 60 months (5 years) if recommended by the SAP.

Section 8.

County Contact Person

A. If you have any questions regarding:

1. Galveston County's Policies and Procedures relating to substance abuse or alcohol misuse,
2. Galveston County's adherence to 49 CFR, Part 382, Controlled Substances and Alcohol Use Testing or
3. Any of the matters or information you have received regarding Controlled Substance Abuse or Alcohol Misuse, contact:

Human Resources Director: 409-770-5346

Section 9.

County of Galveston Positions Requiring A Commercial Driver's License or Holding Safety Impact Positions That the County has Opted to Include

FACILITIES (All Safety)

**Facilities Manager
Facilities Maintenance
Facilities Mechanic II**

**Assistant Facilities Manager
Facilities Mechanic I**

JUVENILE JUSTICE DEPARTMENT (All CDL)

Deputy Director of Detention
Deputy Director to Special Programs
Deputy Director of Casework
Superintendent of Detention
Resource Supervisor

Relief Detention Officer
Juvenile Detention Officer
Intake Officer
Placement Coordinator
Juvenile Probation Officer

MOSQUITO CONTROL (All CDL)

Manager Mosquito Control
Administrative Assistant
Entomologist
Mosquito Control Supervisor
Pilot

Shop Supervisor
Mechanic II
Surveillance Inspector
Spray Operator

PARKS DEPARTMENT

Director
Park Planning and Development Manager
District Supervisor (Safety)
Carpenter (Safety)
Electrician (Safety)
Mechanic II (CDL)
Trades Supervisor (CDL)
Administrative Services Manager
Seasonal Park Aide

Park Maintenance Worker (Safety)
Senior Parks Maintenance Worker (Safety)
Parks Caretaker (Safety)
Painter (Safety)
Trades Assistant (CDL)
Heavy Equipment Operator (CDL)
Parks Operation Manager
Operations Manager
Pesticide Applicator (Safety)

ROAD & BRIDGE DEPARTMENT

Construction Foreman (CDL)
H.E.O. I (CDL)
H.E.O. II (CDL)
H.E.O. III (CDL)
Public Works Supervisor (Drainage) (CDL)
(CDL) Mechanic Helper (CDL)
Project Coordinator (Safety)
Mechanic II (CDL)

Drainage Foreman (CDL)
Paving Manager (CDL)
Fleet Manager (Safety)
Mechanic I (Safety)
Public Works Supervisor (Construction)
Drainage and Beach Manager (CDL)
Public Works Supervisor (Paving) (CDL)

SEAWALL MAINTENANCE (All Safety)

Seawall Maintenance Manager
Seawall Maintenance Operator

Public Works Supervisor

SENIOR CITIZENS PROGRAM

Executive Director
Passenger Drivers (CDL)
Center Operations Manager

Case Manager
Home Provider

SHERIFF'S DEPARTMENT

Patrol Captain (CDL)

Part-Time Deputy Position #3 (Records Management) (CDL)

Correctional Officer Position #28 (CDL)

Any Deputy Sheriff whose job requires having a Commercial Driver's License

SOCIAL SERVICES PROGRAM (All CDL)

Guardian

Payroll Officer

Employees who transport clients

**CHAPTER 15
EMPLOYEE RELATIONS**

Section 1.

Purpose

- A. This policy is to establish clear guidelines for disciplinary action to ensure that all Employees receive consistent and fair treatment.**
- B. When implementing corrective actions, Supervisors should consider the type and severity of the behavior displayed. Corrective action may not be disproportionate to the offense, but should be severe enough to effect the desired behavior.**

Section 2.

Employee Guidelines

- A. Employees will follow these guidelines:**
 - 1. As public servants, Employees must adhere not only to the County's ethical principles but also to other standards that emphasize professionalism, courtesy and avoidance of even the appearance of illegal or unethical conduct at all times. Good discipline and acceptable social behavior will prevail at all times among Employees. All Employees will report to the work place on time and deliver an honest day's work for a day's pay.**
 - 2. Each Employee is expected to learn all tasks associated with their position and perform all tasks in a timely and efficient manner without constant supervision. Employees are also required to know all procedures that are followed in the office or other area in which they are working. In addition to their normal assigned duties, all Employees are expected to perform all other duties as may be assigned.**
- B. Employees are advised that the following may be cause for discipline:**
 - 1. Unsatisfactory work performance.**
 - 2. Rude or unprofessional attitude toward fellow Employees or members of the public.**
 - 3. Sexual harassment of fellow Employees or members of the public.**
 - 4. Creating a hostile work environment in violation of Title 7 of the Civil Rights Act.**
 - 5. Excessive un-excused absences and/or tardiness.**
 - 6. Misconduct, such as fighting, committing a violent act, or use of profane, abusive or insubordinate language toward supervisors, Department Heads, fellow Employees, or others.**
 - 7. Saying, writing or communicating in any form or method any negative or derogatory racial or ethnic comment.**
 - 8. Saying, writing or communicating in any form any epithet.**
 - 9. Furnishing information such as confidential Employee, inmate, court or other records to an unauthorized person.**
 - 10. Reporting for work or engaging in County business if mobility or judgment is impaired due to the influence of alcohol or other intoxicants or drugs.**
 - 11. Illegal possession or sale of alcohol or drugs.**
 - 12. Theft or misuse of County Purchasing Card.**
 - 13. Unauthorized possession of either County property or the property of another Employee without their permission.**

14. Falsification of Employee's own or other Employee's time records, County records, employment application, or medical history.
 15. Refusal to obey direct orders from an immediate Supervisor or refusal to perform work assigned without valid reason.
 16. Willful damage to or unauthorized misuse or removal of property owned, rented, leased or used by the County.
 17. Misuse of telephone, e-mail, computers and other means of County supplied communications in violation of departmental regulations.
 18. Temporary unauthorized absence from the job.
 19. Failure to wear or openly display County badge.
 20. Permitting another person to substitute or falsely use a County badge or departmental identification card.
 21. Possession, unless carrier is a Texas peace officer, of a firearm on or in County property.
 22. Disregard of personal appearance, dress or personal hygiene.
 23. Unauthorized use of public funds.
 24. Failure to notify Supervisor during two successive work days of absence.
 25. Repeated minor violations or nonconformance of safety rules or procedures.
 26. Failure to abide by established safety rules or practice of the County.
 27. Single serious violations of a safety rule or procedure that could have potentially resulted in injury to an Employee or another Employee or could have caused property damage.
 28. Activities that could potentially result in Employee injury or property damage.
 29. A single serious violation of a safety rule or procedure that results in injury to an Employee or property damage.
 30. Failure to maintain qualifications necessary to perform the job.
 31. Refusal to submit to drug testing after probable cause has been established.
 32. Fraud or misrepresentation of information concerning a workers' compensation claim.
 33. Engaging in other business or employment during county work hours.
 35. Failure of any Employee to obtain or to maintain any required training, continuing education or other requirement imposed upon them by law or their Supervisor or Department Head in order to maintain their employment with the County in their current position.
 36. Engaging in unethical behavior.
 36. Engaging in any conduct prohibited by this Policy Manual.
- C. Employees absent from the work place in excess of six (6) months (cumulative) during a period of 12 consecutive months are subject to termination, unless they are entitled to additional leave under the FMLA.
- D. Other inappropriate behavior may be determined to be of equal seriousness with those listed above, and an Employee may be given discipline/dismissal based on those additional types of behavior.

Section 3. Discipline Procedure

A. General Job Performance

Department Heads should counsel their Employees in terms of general job performance. When discussing general job performance, they should also include specific deficiencies.

B. Initial Counseling

Whenever the performance or personal behavior of an Employee does not meet department standards, corrective measures should be applied. However, before discipline is applied, the Employee should be given an opportunity to explain the reasons for their performance or personal behavior and counseled about the following materials:

1. What the standard of performance for behavior is;
2. How the Employee is not meeting the standard;
3. What the Employee should do to correct the performance or behavior; and
4. What action the Supervisor may take if the performance or behavior is not corrected.

Any action taken should fit the problem it is designed to correct.

C. Summary Discipline

Serious problems of behavior that threaten or disrupt department operations or the work of other Employees will result in immediate action to stop the behavior. This action may range from removal of the Employee from the work site, suspension or immediate dismissal.

Where an Employee threatens or disrupts department operations or the work of other Employees, the counseling procedures set forth in the preceding paragraph need not be followed prior to the summary discipline, but will be performed prior to any return of the Employee to the work place.

D. Progressive Discipline

The following steps for correcting inappropriate behavior or improving performance may be utilized in disciplining an Employee. Extenuating or mitigating circumstances may warrant deviating from the below process or taking other actions.

1. **Written Notification**- A written warning, clearly identified as a warning, will be presented to the Employee and will include: identification of the behavior, violation or performance problem, an indication of required change or improvement needed, and information concerning further corrective action that may result from failure to show the required modification or improvement. A time frame for change should be included and should not exceed 30 days. The written warning to correct performance problems or non-productive behavior will be discussed and signed by both Employee and Supervisor. The Employee's signature indicates receipt of the notice only, not acceptance of its contents or a contract for continued employment if the situation is corrected. If the Employee refuses to sign, the Supervisor should have a witness sign a statement that a copy was given to the Employee.
2. **Administrative Leave (with pay)** - Administrative Leave is time off with pay for alleged misconduct or a violation of any provision of this manual that requires investigation. An Employee may be granted Administrative Leave only by Elected or Appointed Officials. Administrative Leave will last only for such period of time as is required to complete the investigation. An Employee who is granted Administrative Leave shall be given written notice detailing the reason(s) for the

action and asked to sign the notice. If an Employee refuses to sign the written notice, the Elected or Appointed Official should have a witness sign a statement that a copy was given to the Employee. Upon completion of the investigation the Elected or Appointed Official will either restore the Employee to their former position or, if warranted, pursue additional disciplinary action.

3. **Suspension** (without pay) – Suspension is time off without pay for misconduct that is not serious enough to warrant immediate dismissal. An Employee may be suspended only by the Department Head. Suspensions shall not exceed 10 working days. An Employee who is suspended shall be given written notice detailing the reason(s) for the action and asked to sign the notice. If an Employee refuses to sign the written notice, the Department Head should have a witness sign a statement that a copy was given to the Employee. Following completion of the suspension period, the Employee will be allowed to return to work.
4. **Demotion** - Demotion is the placement of an Employee in a position of lesser responsibilities and compensation. A Demotion is appropriate only after the Department Head finds that an Employee is unable to perform satisfactorily the duties assigned to the position occupied by the Employee, but that the Employee does have some skills that can be utilized by the office. The use of Demotion instead of dismissal is discretionary with the Department Head. The availability of a position with lesser responsibilities and compensation in the office at the time a Department Head takes disciplinary action does not automatically entitle the Employee to be demoted in lieu of being suspended or dismissed.
5. **Dismissal** - Dismissal is the separation of an Employee from County employment. Sometimes immediate dismissal is warranted. In other situations an Employee who is dismissed shall be given written notice detailing the reason(s) for the action and asked to sign the notice. If an Employee refuses to sign the written notice, the Department Head should have a witness sign a statement that a copy was given to the Employee. Dismissal will occur when there is repeated conduct for which a person has been previously suspended, or conduct serious enough to warrant immediate dismissal.

E. Discipline Procedure

1. Prior to granting administrative leave, suspending, demoting or dismissing an Employee under progressive discipline, the Department Head will consult with Human Resources and notify the Employee in writing that a disciplinary meeting will be conducted. The notice should be delivered to the Employee at least one day prior to the meeting. If the Employee is not at work the notice should be sent by Certified Mail Return Receipt Requested to the last home address provided by the Employee to the Human Resources Director. The notice will include a description of the conduct that is the cause of the discipline, and will advise that the conduct may result in suspension, demotion or dismissal. The notice will advise the Employee that they should be ready to present reasons why suspension, demotion or dismissal should not occur.

- 2. The Employee may be accompanied by a lawyer or union representative at this meeting. The Employee will be provided with an explanation of the evidence supporting the description of the conduct that is the cause of the discipline, and an opportunity to explain their side of the story.**

- 3. After the conclusion of the meeting, the Department Head will advise the Employee of the disciplinary measures, if any, that have been decided upon by the Department Head. The Department Head will advise the Employee of their right to appeal to the Grievance Panel in accordance with the provisions of this Policy Manual.**

CHAPTER 16 GRIEVANCES

Section 1.

Purpose

The Grievance System is meant to help resolve conflicts or disputes at the lowest administrative level possible. The objective is to process the grievable personnel action as quickly as is practical.

Section 2.

Non-Grievable Personnel Action

An Employee may submit any complaint about non-grievable personnel actions to the County's Human Resources Director. The Human Resources Director should review the complaint, determine whether there is a legitimate reason for dissatisfaction by the Employee, and take appropriate actions based on the nature of the complaint. Appropriate actions might be a discussion of the problem with the other persons implicated if it involves Employee relationships, or correction of an error in the recording of benefits or compensation received.

Section 3.

Anti-Retaliation Provision

No Employee should ever be discriminated against, harassed, intimidated, or suffer any reprisal as a result of filing a grievance or participating in the investigation of a grievance by providing information, testimony or assistance.

Section 4.

Grievance Panel

- A. Commissioners Court. One member will be appointed by United Steelworkers 13-1 (USW).. The two appointees will then choose a third member who shall also serve as the Chair of the Panel.
- B. Grievance Panel members will serve for a period of one (1) year or until their respective successors are appointed.

Section 5.

Eligibility

A Regular Employee who has been such for a minimum of 12 consecutive months and who is thereafter suspended, demoted or dismissed may request the matter be considered by the County Grievance Panel. No person who is disciplined during their introductory period, affected by a Reduction-in-Force, or absent from the work place in excess of six (6) months (cumulative) during a period of 12 consecutive months may utilize the grievance system.

Section 6.

Time Limits and Procedure

- A. The maximum relief which may be obtained by a grievant through the grievance process is reinstatement to their former position and restoration of lost salary and benefits. The Grievance Panel may not recommend transfer to another department, or to another position in the same department.

- B. An Employee must file a grievance within five calendar days after the date of the grievable occurrence. The Employee must submit the request for a grievance to the County Legal Department by no later than 5:00 p.m. of the fifth day. The Employee's request must state why the Employee disagrees with the disciplinary action that was taken and the relief sought.**
- C. IF AN EMPLOYEE FAILS TO MEET THE FILING TIME LIMITS, THE EMPLOYEE LOSES THEIR RIGHT TO USE THE GRIEVANCE SYSTEM. But, where it has been impossible for the individual to observe the time limits, the grievant may request the County Legal Department to waive the time limits, stating the reasons the time limits should be waived. Failure to grant this request is not a grievable action.**
- D. A vacant position created by a dismissal should not be permanently filled until the Grievance Panel has made its recommendation and the Department Head their decision.**
- E. The Grievance Panel will conduct the hearing. Grievants may be represented by a Union Representative or Attorney. Presentations must be relevant and will be limited to 45 minutes for the grievant and 45 minutes for management unless the Panel decides to grant an extension of time. No cross is permitted. Loud and abusive language by any of the participants in the formal hearing process will not be allowed and will be grounds for removal from the hearing. The grievant will present his case first.**
- F. Grievance hearings should be held within thirty (30) days after the grievance is filed. Written notice of the date of the hearing and a copy of the grievance will be sent to all involved persons, including the Grievance Panel, at least five days prior to the date of the hearing, by the County Legal Department.**
- G. The grievant and the Department Head will be permitted to present documentary evidence and the testimony of witnesses at the hearing.. County Employees named as witnesses by either the grievant or County Legal must attend the hearing. Witnesses shall be limited to testimony relevant to the incident leading to the discipline being grieved. No character witnesses or observers are permitted to attend the hearing. A list of the witnesses and a copy of the documentary evidence must be delivered to the County Legal Department by noon five (5) working days prior to date of the hearing for distribution to all involved persons, including the Grievance Panel. Other witnesses and documents will not be admitted.**
- H. Grievants may not contact or communicate with any member of the Grievance Panel during the grievance process except in response to a direct question. A violation of this rule will result in cancellation of the hearing and automatic upholding of disciplinary action.**
- I. The Grievance hearing is not to be used as a forum for personal attacks against management and/or coworkers.**
- J. The County's Human Resources Director or her designee should be in attendance or readily available by telephone and should serve as a resource of information to the Grievance Panel. The Director does not have a vote.**
- K. The formal hearing will be recorded on cassette tape to assist the Grievance Panel in their deliberation and for record-keeping purposes.**

- L. At the end of the hearing, the Grievance Panel will deliberate and make a recommendation. Recommendations should be made on the same day the grievance is held. If the Grievance Panel decides it is necessary, the deliberations may be continued as reasonably necessary.
- M. The recommendation will be given or mailed by the Chair of the Grievance Panel to the County Legal Department for distribution to the Department Head. The Department Head has the sole discretion whether to follow the recommendation. The Department Head will advise the Grievant of their decision as soon as is reasonably practical.

Section 7.

Grievance Hearing Guidelines

The following guidelines have been adopted by the County Grievance Panel to help the grievance hearing process move efficiently and effectively.

- A. The Grievance Panel will keep each hearing to a maximum of 1 ½ hours.
- B. Presentations of testimony should be brief and relevant. Relevant means specifically related to the incident from which the disciplinary action arose or the Grievant's prior work performance which was considered by the Supervisor in taking the disciplinary action.
- C. Witnesses should only be called to provide testimony that is relevant to the incident leading to the grieved discipline. Character witnesses will not be permitted.
- D. The Grievance Panel may impose sanctions to control the hearing process. This sanction authority includes the power to dismiss witnesses and to terminate the hearing.
- E. Loud, abusive or profane language will not be permitted.
- F. The Grievant may represent their self or be represented by an attorney or a Union Representative. The County will be represented by the County Legal Department.
- G. The Grievant and the Supervisor will be given an opportunity to present documents and witnesses to support their position. Presentations, including openings and closings, are limited to a sequential 45 minutes for the Grievant and 45 minutes for the Supervisor. No cross examination is permitted. The Grievant will begin the process.
- H. Grievance Panel members may ask questions of any person in attendance.
- I. Witnesses for each party will not be permitted to remain in the room in which the grievance hearing is being conducted. They will be summoned as needed.
- J. After the conclusion of closing arguments, the Grievance Panel will deliberate and make a recommendation to the Employer for distribution to all parties.
- K. A written copy of the Employer's response to the recommendations will be sent to each Grievance Panel Member.

**CHAPTER 17
SEPARATION FROM EMPLOYMENT**

Section 1.

Types

A. Separation from employment is:

- 1. Resignation—Any situation wherein an Employee voluntarily leaves employment. Resignation in good standing requires a minimum two (2) week notice.**
- 2. No Fault—Any situation wherein an Employee voluntarily leaves employment during an introductory period.**
- 3. Retirement—Employees meeting eligibility requirements established by the Texas County and District Retirement System (TCDRS) and who retire under that system. Retirees are eligible to receive any retirement benefits offered by County. Certified Applications for retirement must be submitted to TCDRS not later than the last day of the proposed effective month.**
- 4. Disability—Employees meeting eligibility requirements established by TCDRS and who receive benefits under that system. Such disabled Ex-Employees are eligible to receive benefits offered by County to its retirees.**
- 5. Reduction-in-Force – An involuntary separation from employment due to budgetary restraints, abolition of a budgeted position or reorganization of County government.**
- 6. Dismissal—Any involuntary separation from employment which does not fall within any other category.**
- 7. Death—The estate of any Employee who dies while employed by the County shall receive earned pay and payable benefits due.**

Section 2.

Exit Interview

Employees (or in the case of death, the Employee's designated beneficiary) separating from County employment must contact Human Resources Department for an exit interview. Failure to do so could result in either loss of benefits otherwise payable or loss of entitlements such as election of continuation under COBRA which a departing Employee might otherwise intended to have obtained for themselves. County badges are to be surrendered to Human Resources during this interview.

Section 3.

Final Paycheck

Paychecks for terminated Employees will be processed and delivered on the next regular pay day to the Human Resources Department. They may be picked up at the time the final exit interview is conducted.

Section 4.

Death

The estate of any Employee who dies while employed by the County shall receive earned pay and payable benefits due.

**CHAPTER 18
REINSTATEMENT**

Section 1.

Classification

Upon Department Head recommendation, former Employees with not more than six (6) months break in service are eligible for reinstatement in their old classification, pay grade and step if a vacancy is available. Such Employees are not eligible for merit raise consideration for one year from such reinstatement date.

Section 2.

Longevity

Upon Department Head recommendation and Commissioners Court approval, former Employees with not more than thirty (30) days break in service will be eligible for reinstatement of their longevity, vacation and sick leave accruals.

Section 3.

Prohibited Actions

Reinstatement pursuant to Sections 1 or 2 will not be permitted in the event an Employee separated from County employment to obtain retirement or other benefits.

**CHAPTER 19
BENEFITS ELIGIBILITY**

Section 1.

Eligibility

The County of Galveston has a variety of benefits available for its Employees. Part-time and Temporary Employees are not entitled to any benefits other than those mandated by State or Federal law. A full description of each benefit is set out in the following Chapters in this Policy Manual.

Section 2.

Change in Employee Status

- A. Employees must notify the Human Resources Department within 10 working days of any of the following changes: name, address, beneficiary, marital status, telephone number, dependents and person to contact in case of emergency. Failure to do so could cause loss in benefits.**

- B. Elected or Appointed Officials who leave office and thereafter become Regular Employees are treated as new hires for vacation and sick leave benefits. Their health insurance benefits are not affected.**

- C. Regular Employees who assume Elected or Appointed positions are paid their accumulated vacation and, if otherwise eligible for TCDRS regular service retirement or disability retirement, one-half of their sick leave benefits.**

**CHAPTER 20
VACATION**

Section 1.

General

- A. Employees are required to obtain prior approval from their Supervisor for any desired vacation leave. Vacation leave may not be taken in less than one hour increments.**

Section 2.

Entitlement – Introductory Full-Time Employees

- A. Introductory Employees are awarded and may use ½ of their first years' entitlement at the end of their first six (6) months of employment. Thereafter, such Employees may take their vacation as it accrues. Introductory Employees who leave County employment prior to the completion of their first six months are not entitled to any vacation pay upon such separation.**

Section 3.

Entitlement – Other Full-Time Employees

- A. Full-Time Employees who have completed their Introductory Period shall accrue their vacation at the following rate:**

Years Service	Annual Days	Annual Hours	Bi-Weekly Accrual Rate	Maximum Carry-Over
6 months	5	40		n/a
1 – 4	10	80	3.07	40
5 – 10	15	120	4.60	60
11	16	128	4.91	64
12	17	136	5.22	68
13	18	144	5.52	72
14	19	152	5.83	76
15	20	160	6.14	80
16	21	168	6.44	84
17	22	176	6.75	88
18	23	184	7.06	92
19	24	192	7.36	96
20+	25	200	7.67	100

- B. Accruals will be based on the number of pay periods in a year.**
- C. Employees may use their bi-weekly accrual hours as it accrues. Employee pay checks will reflect hours available for use.**
- D. Elected Officials, the County Auditor and the County Purchasing Agent do not accrue vacation benefits.**

Section 4.

Half-Time Employees

- A. Half-Time Employees accrue vacation leave at one-half the rate of Full-Time Employees.**

Section 5.

Accumulated Vacation

- A. Employees may accumulate up to 150% of their yearly entitlement. Excess unused hours will be forfeited.

Section 6.

Records

- A. Department Heads must maintain current vacation records for each Employee which show:
 - 1. Balance at beginning of each pay period;
 - 2. Hours used during each pay period; and
 - 3. Balance at end of each pay period.

Section 7.

Rules

- A. County holidays which fall during the period an Employee is on vacation will not be charged against the Employee's vacation balance. Certain Sheriff Department Employees are excluded from this section.
- B. Illness which occurs during an Employee's vacation will not be charged against the Employee's vacation balance if the Employee's Supervisor is immediately notified of such illness, gives appropriate proof of illness and grants permission to the Employee to charge the period of illness to sick leave.
- C. Employees may not accrue vacation leave while on any type of unpaid status.
- D. Employees may not receive pay in lieu of taking vacation leave.
- E. Employees may not borrow vacation leave against future accruals unless they are on FMLA or receiving time from the Sick Leave Pool.
- F. Employees may not transfer, share or lend vacation leave to another Employee.
- G. Employees may not pool vacation leave.

Section 8.

Separation from County

- A. Employees are paid accumulated vacation leave up to the maximum permitted amount upon separation of employment from County. The number of hours paid will be shown than are shown on the Employee's last paycheck issued prior to their separation. This rule also applies to Employees who become Elected and Appointed Officials.

Section 9.

Death

- A. Accumulated vacation leave will be paid to the estate of any Employee.

**CHAPTER 21
HOLIDAYS**

Section 1.

Holidays

- A. Unless required to work by their Department Head, Employees shall be allowed such holiday paid leave as is annually authorized by the Commissioners Court.**
- B. Half-Time Employees receive holiday paid leave if the holiday falls on a day they are scheduled to work.**
- C. Employees on unpaid leave of absence are not permitted holiday paid leave.**
- D. Employees absent without permission on the workday immediately before or after a holiday are not permitted holiday paid leave.**

**CHAPTER 22
MILITARY LEAVE**

Section 1.

Eligibility

- A. Regular Employees who are members of either the State of Texas' Military Forces or any of the Reserve Components of the United State Armed Forces may utilize a maximum of fifteen (15) days paid leave per year to attend required training or duty.**

Section 2.

Rules

- A. Request for military leave must be in writing and submitted to the appropriate Department Head. The request must specify the reason for the request and the length of time desired. A copy of the military orders must be attached. Approval of the request must be in writing.**
- B. All authorized leave must be reported by the Department Head and Employee to the County's Human Resources Director, County Auditor and County Treasurer. An Employee returning to work must also immediately notify the same three Departments.**
- C. Benefits continue to accrue during the fifteen-day period.**
- D. Military leave may not be accumulated.**

**CHAPTER 23
VETERAN RE-EMPLOYMENT**

Section 1.

Eligibility

- A. County Employees, other Elected Officials and Temporary Employees, have the statutory right, under the Uniformed Service Employment and Re-employment Rights Act (USERRA) and Chapter 613 of the Texas Government code, to re-employment within five years after their enlistment in the military so long as they are honorably discharged. They are entitled to a position of like seniority, status and pay so long as they are capable of performing their duties.**

Section 2.

Other Benefits

- A. USERRA provides a persons pension plan (TCDRS and the alternate Plan) benefits upon re-employment as if the person had not left employment for military duty. The Employee is not required to make their matching contributions. It also provides health benefit continuation under COBRA for service members and their families during military service for up to 18 months. Notwithstanding the other portion of this Human Resources Policy that states that Employees on unpaid leave are not entitled to vacation and sick leave pay, the County will also reinstate seniority benefits such as vacation, sick leave and longevity pay up to the maximum permitted amounts.**

Section 3.

Rules

- A. Written application for re-employment must be made to the appropriate County Department Head not later than the day required by USERRA. If the person served less than thirty-one (31) days he/she must report to the County not later than the beginning of the first full work period after the expiration of eight (8) hours and a reasonable period of travel time for the person to return to their residence from the place of service. If the period of service is greater than thirty (30) days and less than one-hundred eighty one (181) days the person must report to the County Department Head not later than fourteen (14) days after the completion of the period of service. If the period of service was greater than one-hundred eighty (180) days, the application for employment must be made within ninety (90) days of the completion of the period of service.**

**CHAPTER 24
JURY DUTY**

Section 1.

Jury Duty

- A. An Employee summoned for Jury or Grand Jury duty or as witness under Court subpoena will, upon surrender of their fees, be granted paid leave of absence for such time as they are summoned.**
- B. Any Jury or Grand Jury fees paid an Employee must be surrendered by the Employee to the County Treasurer.**

**CHAPTER 25
BEREAVEMENT LEAVE**

Section 1.

Rules

- A. Bereavement leave is to be used sparingly and only in case of death to a Regular Employee's immediate family (Spouse, parents, step-parents, children, step-children, brother, sister, grand-parents, son-in-law, daughter-in-law, father-in-law, mother-in-law).**
- B. A Department Head must require an Employee requiring additional time-off for bereavement leave to first utilize vacation or compensatory time then sick leave available. In addition, leave without pay may be granted.**
- C. An Employee requesting bereavement leave must furnish such appropriate information of the emergency as is required by their Supervisor.**
- D. A Department Head may grant a maximum of three cumulative days paid bereavement leave to any Employee per year for the purpose of making household adjustments or attending a funeral of a permitted relative.**
- E. A Department Head may authorize unpaid leave of absence for any Part-Time or Temporary Employee desiring bereavement leave.**
- F. A Department Head may authorize their Employees to take off such time as is necessary with pay to attend the funeral of an Elected or Appointed Official or a co-worker.**

**CHAPTER 26
SICK LEAVE**

Section 1.

General

- A. Sick leave benefits are not an earned right. They are a privilege. Employees may not be given paid sick leave during the first six (6) months of their Introductory Period. Sick leave may not be taken in less than one hour increments.

Section 2.

Verification

- A. Department Heads may require independent verification of illness as a prerequisite to payment of sick leave benefits. Department Heads may require an Employee to obtain and furnish a medical certificate from the Employee's physician or other Health Care Provider. The certificate must state that the Employee was treated for an illness or injury, the date of treatment, the date the condition began and the expected duration of the condition. Department Head may also request Human Resources to contact the Employee's physician or other Health Care Provider to verify the authenticity of the Employee's medical certificate.

Section 3.

Misuse of Sick Leave

- A. Misuse of the sick leave policy subjects an Employee to disciplinary action up to and including termination.

Section 4.

Permitted Use

- A. Department Head may authorize an Employee who, as a result of illness, injury or other temporary disability ("illness") is unable to perform their duties to use accrued sick leave.
- B. A Department Head may authorize an Employee to use awarded sick leave to care for a member of the Employee's immediate family who has an illness, injury or other temporary disability.

Section 5.

Full-Time Employees

- A. Full-Time Employees are awarded sick leave based on years of service at the following rates:

Maximum Service	Rate of Accumulation	Awarded Leave	Days	Hours
6 months	10		10	80
1 year	5		15	120
2 years	5		20	160
3 years	5		25	200
4 years+	15 days/year up to max award of 720		40	320

- B. Full-Time Employees may not accumulate sick leave in excess of ninety (90) days or 720 hours.

- C. Elected Officials, the County Auditor and the County Purchasing Agent are not awarded sick leave benefits.

Section 6.

Half-Time Employees

- A. Half-Time Employees are awarded sick leave at one-half the rate of Full-Time Employees.

Section 7.

Records

- A. Department Heads must maintain current sick leave records for each Employee which shows:
 1. Balance at beginning of each pay period;
 2. Hours used during each pay period;
 3. Balance at end of each pay period.

Section 8.

Rules

- A. An Employee must notify their Department Head of their requested leave, if at all possible, within one hour of the start of the Employee's regular work schedule.
- B. Prior Department Head approval must be obtained by any Employee desiring sick leave to attend to non-emergency medical or dental treatment for himself or an immediate family member.
- C. Employees who miss more than one day of employment must keep Department Heads advised of their condition, and where they may be reached by telephone.
- D. Employees who miss more than three days of employment must comply with the medical verification requirements of Section 2.
- E. Any Department Head who believes an Employee may not be capable of performing his regular duties may require him to take a leave of absence until he is able to so perform. Accumulated sick leave may be used for this purpose.
- F. Sick leave is not permitted the day before or the day after a holiday unless the Employee immediately notifies his Department Head of his illness, furnishes acceptable medical verification and obtains permission from the Department Head to receive holiday pay.
- G. Sick leave may not be used or substituted for vacation purposes at any time.
- H. Employees may not borrow sick leave against future accruals.
- I. Employees are not awarded sick leave while on any type of unpaid status.

Section 9.

Separation from County

- A. **Active Employees eligible regular service retirement or disability retirement who retire under that system are paid one-half awarded unused sick leave upon separation of employment from County.**
- B. **Active Employees eligible for TCDRS regular service retirement or disability retirement who are elected or appointed as a County Official will be paid one-half awarded unused sick leave upon assuming their official duties.**

Section 10.

Death

One-half awarded unused sick leave will be paid to the estate of any Employee.

CHAPTER 27
LEAVE FOR ORGAN, BONE MARROW AND BLOOD DONORS

Section 1.

Organ or Bone Marrow Donors

- A. Employees are entitled to a leave of absence without a deduction in salary for the time necessary to permit the Employee to serve as a bone marrow or organ donor**
- B. The leave of absence provided by this section may not exceed:**
 - 1. Five (5) working days in a fiscal year to serve as a bone marrow donor; or**
 - 2. Thirty (30) working days in a fiscal year to serve as an organ donor.**

Section 2.

Blood Donors

- A. Department Heads shall allow their Employees sufficient time off, without a deduction in salary or accrued leave, to donate blood.**
- B. An Employee may not receive time off under this section unless the Employee obtains approval from their Supervisor before taking time off.**
- C. On returning to work after taking time off under this Chapter, an Employee shall provide their Supervisor with proof that the Employee donated blood during the time off. If an Employee fails to provide such proof, the Supervisor shall deduct the period for which the Employee was granted time off from the Employee's salary and discipline the Employee as circumstances dictate.**
- D. An Employee may receive time off under this Section not more than four (4) times in a fiscal year.**

**CHAPTER 28
SICK LEAVE POOL**

Section 1.

Purpose

- A.** The County is authorized to establish a Sick Leave Pool Program for the benefit of certain Employees who suffer a catastrophic injury or illness. Eligibility for such benefits must, of necessity, be stringent to avoid rapid depletion of the Pool. It is thus necessary to limit a catastrophic injury or illness as being a severe condition or combination of conditions affecting the mental or physical health of an Employee or their immediate family that requires the services of a health care provider for a prolonged period of time in excess of one continuous month.

Section 2.

Definitions

- A.** **Catastrophic Injury or Illness.** A catastrophic illness or injury is a critical illness, surgery, injury or other temporary disability that prevents an employee from performing the duties of their position for a minimum period of three (3) weeks.
- B.** **Sick Leave Administrator.** The Sick Leave Administrator is the Human Resources Director.
- C.** **Eligible Employee.** All Full Time Employees, other than Elected or Appointed Officials with 12 or more months of continuous employment with the County and who have ten (10) or more days of vacation and/or sick leave (or five (5) or more days of vacation and/or sick leave if they are Half Time Employees) as of the date of the onset of their injury or illness and who are paid from the General fund of the County, from a Special fund of the County, or from special grants paid through the County are Eligible Employees.

Section 3.

Contribution to Pool

- A.** Contribution to the Sick Leave Pool is voluntary. All Eligible Employees are encouraged to contribute. Unless otherwise eligible as provided herein, days donated by an eligible Employee may not be recovered or recaptured by the Employee until their next anniversary date.
- B.** Eligible Employees desiring to contribute to the Sick Leave Pool must submit an application to the Sick Leave Administrator. Contact the Administrator for the appropriate form.
- C.** Every May and November, eligible Employees may transfer to the Sick Leave Pool not less than 1 day or more than 5 days of accrued sick leave earned by the Employee. Except as permitted in the next paragraph, an Employee may not donate more than a total of five days in any calendar year.
- D.** Employees who are terminated or who resign or retire may donate not more than 10 days of accrued sick leave time to the sick leave immediately before the effective date of termination, resignation or retirement.
- E.** Upon receipt of a contribution request, the Administrator will notify the Treasurer's office to credit the Sick Leave Pool with the amount of time contributed by the eligible Employee. In addition, the Administrator will notify the Employee's Department Head to deduct the same amount of time from the amount to which the Employee is otherwise entitled, as if the

Employee had used the time for personal purposes. The Administrator will send copies of the notification to the Treasurer and the Auditor.

- F. Eligible Employees may not designate the recipient of their donations.

Section 4.

Withdrawal from Pool

- A. An Eligible Employee is entitled to use time contributed to the Sick Leave Pool if, because of a catastrophic injury or illness the Employee has exhausted all available current leave balances and compensatory time to which the Employee is otherwise entitled.
- B. An Eligible Employee may not use time in the Sick Leave Pool that exceeds the lesser of one-third of the total amount of time in the Pool or a combination of 180 days annually for a Full-time Employee or 90 days annually for a Half-time Employee.

Section 5.

Rules

- A. Applications to the Sick Leave Pool are on first-come, first-serve basis.
- B. An Eligible Employee, or in the event of their incapacity, a member of their Immediate Family, must apply to the Sick Leave Administrator for permission to use time in the Sick Leave Pool. Applications should be made as far in advance as is practicable under the circumstances.
- C. All medical information obtained by the Sick Leave Administrator will remain confidential.
- D. Requests for time from the Sick Leave Pool must:
 - 1. Give a statement sufficiently describing the illness or injury to enable the Sick leave Administrator to determine that the illness or injury is catastrophic.
 - 2. Be accompanied by a statement from a Health Care Provider which gives the date of onset of the catastrophic illness or injury, the diagnosis and the prognosis, and the date it is anticipated the Employee will be able to return to work.
- E. Eligible Employees may be required to sign a Medical Release Form which allows the Sick Leave Administrator to obtain additional medical information. The Sick Leave Administrator may require independent verification of the illness or injury as a prerequisite to approval of the request.
- F. If the Sick Leave Administrator determines that the Employee is eligible, the Administrator shall, as soon as practicable, approve the transfer of time from the pool, advise the Employee, the Treasurer's Office, the Auditor's Office and the Department Head of the amount of time approved and have the Treasurer's Office credit it to the Employee.
- G. An Eligible Employee may utilize any Sick Leave Pool time credited in the same manner as sick leave earned by the Employee in the course of employment.
- H. Sick Leave Pool time credited an Eligible Employee will be deducted from Family and Medical Leave Act benefits to which the Employee would otherwise be entitled.

- I. An Eligible Employee absent on sick leave assigned from the Sick Leave Pool is treated for all purposes as if the Employee were absent on earned sick leave.**
- J. The estate of a deceased Eligible Employee is not entitled to payment for unused sick leave acquired by that Employee from the Sick Leave Pool. Rather, such unused sick leave hours shall be returned to the Sick Leave Pool.**
- K. Should an Eligible Employee return to work with unused sick leave acquired by that Employee from the Sick Leave Pool, such unused sick leave hours shall be returned to the Sick leave Pool.**

**CHAPTER 29
HEALTH BENEFITS**

Section 1.

Eligibility

- A. The County provides a medical benefits plan for all Regular Employees. The County also provides a medical benefits plan for such Employees' dependents. Employees who desire medical benefits for themselves or their dependents are responsible for paying a portion of the premium through the County's payroll deduction system. The amount for such coverage may change from time to time as determined necessary. Employees are also responsible for notifying the Human Resources Department when dependents are no longer eligible for coverage.**
- B. The Employee Assistance Program is available to all Regular Employees. This program assists Employees and their immediate family members with personal problems such as work performance, physical and mental illness, financial and legal difficulties, marital and family distress and alcohol and drug abuse.**
- C. Employees may be required by their Department Head to seek assistance through this program.**
- D. Each Employee, upon employment, will be furnished a medical plan document that contains detailed health benefits information. Please read it.**
- E. Adult Probation Employees health insurance benefits are provided by the State of Texas.**

Section 2.

**Medical Care/Prescription Refills
During Natural Disasters**

- A. Any Employee who, during any period of natural disaster when the County Judge has declared an Order of Evacuation (see Chapter 48), requires medical treatment or a prescription refill should contact the County's Third Party Administrator for approval. If the Third Party Administrator is not available, the Director of Human Resources is authorized to give such approval to either the provider of medical attention or the pharmacy. The contact number is 409-682-3689 (phone) or Rosa.Franco@co.galveston.tx.us (e-mail).**

**CHAPTER 30
PREGNANCY**

Section 1.

Paid Leave

- A. A Pregnant Employee is entitled to use sick or vacation leave during pregnancy. See the appropriate chapter for applicable rules.**

Section 2.

Unpaid Leave

- A. Pursuant to the Family and Medical Leave Act of 1993 a Pregnant Employee is also entitled, in limited circumstances, to unpaid leave during pregnancy. See the appropriate chapter for applicable rules.**

**CHAPTER 31
FAMILY AND MEDICAL LEAVE ACT 1993**

Section 1.

Applicability

- A. The County is subject to the provisions of the Family and Medical Leave Act of 1993.**

Section 2.

Definitions

- A. The following definitions apply for purposes of this chapter:**

1. Health Care Provider:

A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices, Podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the state and performing within the scope of their practice as defined under state law. Nurse practitioners, nurse-midwives, and clinical social workers who are authorized to practice under state law and who are performing within the scope of their practice as defined under state law. Physician assistants who provide health care services under the supervision of a physician. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts where an Employee or family member is receiving treatment from a Christian Science practitioner, an Employee may object to any requirement from the County that the Employee or family member submit to examination (though not treatment) to obtain a second or third certification, from a health care provider other than a Christian Scientist practitioner except as otherwise provided under applicable state or local law or collective bargaining agreements.

- 2. Parent:** A biological parent or an individual who stands in loco parentis to an Employee when the Employee was a son or daughter as defined. It does not mean parents "in law".
- 3. Regimen of Continuing Treatment:** a course of prescription medicine (e.g. antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. It does not include the taking of over the counter medications such as aspirin, antihistamines, or salves; or bed-rest, drink fluids, exercise and other similar activities that can be initiated without a visit to a health care provider.
- 4. Serious health condition:** An illness, impairment, or physical or mental condition that involves either:
- a. any period of incapacity or treatment connected with inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or**

b. regimen of continuing treatment by a Health Care Provider which includes any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities) due to :

- 1) A health condition (including treatment thereof, or recovery there from) lasting more than three consecutive days and any subsequent treatment period of incapacity relating to the same condition, that also includes:**
- 2) Treatment two or more times by or under the supervision of a Health Care Provider;**
- 3) One treatment by a Health Care Provider with a continuing regimen of treatment;**
- 4) Pregnancy or prenatal care (a visit to the Health Care Provider) is not necessary for each absence;**
- 5) A chronic serious health condition which continues over an extended period of time, requires periodic visits to a Health Care Provider and may involve occasional episodes of incapacity (such as asthma, or diabetes). A visit to a Health Care Provider is not necessary for each absence;**
- 6) A permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer's, a severe stroke, terminal cancer). Only supervision by a Health Care Provider is required, rather than active treatment; or.**
- 7) Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g. chemotherapy or radiation treatments for cancer, severe arthritis that requires physical therapy, kidney disease that requires dialysis).**

- 5. Son or Daughter means: a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability.**
- 6. Spouse means a husband or wife as defined under state law for purposes of marriage in the state where the Employee resides, including common law marriage in states where it is recognized.**
- 7. Treatment means examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.**

Section 3.

Eligibility

- A. Regular Employees are entitled to leave under the Act if they have been employed by the County for a total of twelve (12) months (need not be consecutive) and have worked a minimum of 1,250 hours during the 12-month period immediately preceding the leave. Temporary employment and Military leave is included in the calculation of the minimum 1,250 hours.**
- B. If an Employee is maintained on the County payroll for any part of a week, including any periods of paid or unpaid leave (sick, vacation) during which other benefits or compensation are provided by the employer (e.g. workers' compensation, group health insurance benefits, etc.), the week counts as a week of employment.**
- C. The calendar year will be used for purposes of calculation.**
- D. Request for unpaid leave must be in writing and submitted to the appropriate Department Head. Thirty (30) days advance notice must be given whenever possible.**
- E. The request must specify the reason for the request and the length of time desired. Approval of the request must be in writing on "Response to Employee Request for Family and Medical Leave Act Leave" form.**
- F. All authorized leaves of absence must be reported by the Department Head and Employee to the County's Human Resources Director, the County Auditor and the County Treasurer.**

Section 4.

Leave Available

- A. An Eligible Employee is entitled to combined twelve (12) work-weeks of paid and unpaid leave during any twelve-month period due to:
 - 1. The birth of a son or daughter and to care for that son or daughter (Family Leave);**
 - 2. Adoption or foster care placement of a son or daughter (Family Leave);**
 - 3. Need to care for a spouse, son or daughter or parent with a serious health condition (Medical Leave); and**
 - 4. The serious health condition of an Employee that makes the Employee unable to perform the functions of his job (Medical Leave).****

Section 5.

Intermittent Leave

- A. Family Leave may not be taken intermittently. Medical Leave may be taken intermittently or on a reduced leave schedule when medically necessary.**

Section 6.

Use of Paid Leave

- A. Employees that qualify for Family Leave are required to utilize available vacation and compensatory time prior to unpaid leave.**
- B. Employees that qualify for Medical Leave are required to utilize available sick leave and vacation and compensatory time prior to unpaid leave.**

Section 7.

Benefits

- A. **Employees may not accrue additional vacation while on the unpaid portion of FMLA leave. The County will maintain health benefits for an Employee taking leave for the duration of such leave in the same manner as if the Employee had been continuously employed during that period.**

Section 8.

Both Spouses Employed

- A. **If both husband and wife are employed by the County, then leave on the basis of birth, adoption or care of a sick parent is limited to a combined 12 weeks for both Employees.**

Section 9.

Notice Required

- A. **Thirty (30) days prior notice is required for Family Leave unless that amount of notice cannot reasonably be provided. For medical leave, an Employee must make a reasonable effort to schedule treatment so as not to unduly disrupt work operations. In addition, the same thirty (30) days notice is required.**

Section 10.

Medical Certification

- A. **Medical certification on "Certification for Health Care Provider" forms available in the Human Resources office is required for Medical leave. The certification must be submitted to Human Resources before leave begins if the need for leave is foreseeable. If the need for leave is not foreseeable, the certification must be submitted no later than 15 days after leave begins. If the medical certification is not turned in prior to the 15 day requirement and the Director of Human Resources has reason to believe the absence qualifies for FMLA purposes the absence will be treated as such and counted toward the FMLA entitlement.**
- B. **Second and third medical opinions and subsequent rectification may be required. An Employee must also periodically report on his status and on his intentions to return to work throughout the course of the leave.**
- C. **Reasonable documentation confirming the family relationship is required for Employees requesting family leave. Such documentation may include a birth certificate or a copy of a court document, etc.**

Section 11.

Return to Work

- A. **Employees returning from leave are entitled to be restored to their previous position held at the time that the leave commenced or to an equivalent position with the same pay and benefits and other terms and conditions of employment.**
- B. **An Employee returning from Medical Leave is required to provide a medical certificate that the Employee is able to resume work.**
- C. **Employees who fail to return to work immediately upon expiration of leave, unless previously granted additional unpaid leave status, may not be restored to County employment.**

**CHAPTER 32
EMPLOYEE SAFETY POLICY**

Section 1.

Background

- A. The safety of employees, clients, and the general public is of paramount importance to both the taxpayers and electorate of Galveston County. In order to promote safe working conditions and encourage safe work habits, the Commissioners' Court of Galveston County has developed this safety policy for use by Employees while conducting their daily operations. It is the County's intention to conduct its business responsibly and in a manner designed to protect the health and safety of its employees.

Section 2.

Purpose

- A. The main goal of this policy is to reduce or eliminate costly on-the-job injuries. Workers' compensation costs have skyrocketed over the past few years and must be contained before tax rates are affected. The Commissioners' Court places equal importance on providing its employees a safe work environment. It also wishes to promote safe work habits among its employees. Through this policy, and on-going training, it is the Commissioners' Court goal to teach employees safe work procedures.

Section 3.

Scope

- A. This policy applies to all Employees, Department Heads, and Elected and Appointed Officials of Galveston County.

Section 4.

Employee Responsibility

- A. Each Employee is primarily responsible for his/her own safety and health. Likewise, the Commissioners' Court expects its employees to work in a safe and responsible manner and report unsafe acts or conditions when they are noted.

Section 5.

Risk Manager

- A. The Commissioners' Court has charged its Risk Manager to create and maintain an effective safety program that proactively maintains safety in a productive environment.
- B. The goal of the safety program is to reduce or eliminate those hazards which may affect the health and welfare of employees or which may harm the environment. In the Commissioners' Court opinion, safety is not to be compromised and no job is so urgent or so important that it cannot be performed safely.

Section 6.

Organization and Responsibilities

- A. The County's safety efforts will be coordinated through the Professional Services Department which is under the overall management of the Director of Finance and Administration. Key safety responsibilities will be delegated to designated safety representatives under the direction of the Risk Manager. Department Heads will also be key contributors to the safety effort of the county.

B. A listing of safety responsibilities and the employee assigned to these tasks is as follows:

1. Safety Director – Director of Professional Services

Reports directly to the Commissioners Court on all safety matters and is responsible for the overall employee safety program by providing consultation and management support to all levels of employees within the County.

2. Risk Manager

Appointed by and reports to the Director of Human Resources and is directly responsible for helping to ensure that the Safety Program and its goals are implemented throughout the county.

3. Safety Representatives

Employees assigned additional safety-related duties on an as-needed basis. Such Employees are authorized to perform safety audits, assist in Employee training and to promote safe working conditions and work habits to their fellow Employees.

4. Department Heads

Department heads are responsible for ensuring that the Safety Program is implemented and continuously observed in their respective departments. Department heads may delegate day-to-day safety management to their Supervisors.

5. Department Supervisors

Supervisors are the front line in the County's efforts to promote a safe work environment. They are to report accidents promptly and perform the initial safety investigation. These employees are also responsible for reporting any unsafe condition to their Department Head and the Risk Manager for immediate action.

6. Employees

Employees are responsible for understanding and complying with safety procedures. Employees are expected to report any known or suspected unsafe or hazardous condition to their Supervisor. They are also encouraged to notify their Supervisor of concerns, suggestions, or hazards either verbally or in writing.

7. Employee Safety Committee

A group, appointed by the Commissioners' Court, made up of representatives from various departments within the County. The Committee is charged with maintaining cooperation from their co-workers and assuring safe working conditions throughout the County. They are also to advise and educate employees in safe working practices, and to seek preventative measures against unsafe working conditions,

Section 7.

Safety Training and Education

- A. New Employees will be provided with training through orientation and routine safety meetings developed by the Risk Manager. They are to receive training in the following areas as required prior to being placed in their jobs:**

- i) Management Policy Statement**
- ii) Responsibilities**
- iii) Hazard Communication Program**
- iv) General/Office Safety Rules**

They will be required to sign a safety meeting form stating their participation in the meetings.

- B. Safety Meetings are an effective way to encourage and inform employees about developing and following safe work practices. Meetings are encouraged to be held on a regular basis. Supervisors and, to the extent he is available, the Risk Manager will participate in the meetings. Supervisors are responsible for ensuring that employees attend these meetings. Discussions should generally center on the following:**

- i) New safety rules**
- ii) Changes in procedures or equipment**
- iii) New hazardous material introduced into the workplace**
- iv) Identifiable areas of increased accidents or new exposures**
- v) Training needs**

When safety training is provided during safety meetings, employees will be required to sign the attached Safety Meeting Documentation Form to document their participation.

- C. At least annually, training will be provided to Galveston County employees as required in the following areas:**

- i) Alcohol and Drug Testing Policy (where required)**
- ii) Hazardous Chemicals**
- iii) Back Injury Prevention**
- iv) Safety Rules/Procedures**
- v) Reporting of Unsafe Conditions, Defective Equipments and/or Unsafe Work Practices**
- vi) First Aid**
- vii) Driver Training**
- viii) Lockout/Tagout Training**

- D. All safety training will be documented on the attached Safety Meeting Documentation Form. Copies of such documentation is to be furnished to the Risk Manager.**

Section 8.

Safety Audits/Inspections

- A. The Risk Manager, using internal safety personnel perform or using outside safety firms, will arrange to have performed periodic inspections of County departments to ensure compliance with the Safety Policy. Such inspections will be made using the Safety Checklist forms listed in Section D. below. Such inspections may also be conducted with**

or without prior notice.

- B. Completed documentation of the inspections will be provided to the Risk Manager, the Safety Committee, and the appropriate Department Head for evaluation. The Safety Committee will also utilize such documentation to make safety recommendations.**

- C. In addition to safety inspections, safety audits also using County checklists listed in Section D. below will be routinely conducted by a person designated by the Risk Manager. Such audits and checklists will be provided to the Risk Manager, the Department Head, and the Safety Committee for review. Department Heads should keep these safety audits and checklists on file for use in future safety training exercises. These safety audits will be conducted on the following areas and, as described below, on the following occasions:**
 - i) Job Sites.**
 - ii) Facilities. Facility safety checklists should be conducted on a quarterly basis. Completed checklists should be furnished to the Department Head, the Risk Manager, and the Safety Committee.**
 - iii) Mobile equipment, such as regular vehicles, trucks and trailers should be inspected by the operator of same on a regular basis. Heavily used equipment such as law enforcement vehicles, crew trucks, bulldozers, graders, and backhoes should be inspected prior to the start of each shift. Inspection worksheets should be completed by each operator on each piece of mobile equipment and turned in to their Department Head or their designee for the vehicle at the end of each shift. These records will be kept for a period of two years.**
 - iv) Machinery and tools owned by the County should be inspected by their users and operators on a regular basis. Included in this category are compressors, welding rigs, jackhammers, as well as hand tools, lawn mowers, portable electrical cords and other similar items. Department heads should establish an assured grounding program, and inspections for this program should also be documented.**

D.

Self Inspection Checklists

The Risk Manager has prepared the following Self Inspection Checklists to be used by internal safety personnel outside safety firms . The Index of the Self Inspection Checklists and the Checklists themselves are as follows:

- Abrasive Wheel Equipment Grinders**
- Compressed Air Receivers**
- Compressed Gas & Cylinders**
- Compressors & Compressed Air**
- Control of Harmful Substances by Ventilation**
- Crane Checklist**
- Electrical**
- Elevated Surfaces**
- Emergency Action Plan**
- Employer Posting**
- Entering Confined Spaces**
- Environmental Controls**
- Ergonomics**
- Exit Doors**
- Exiting & Egress**
- Fire Protection**
- Flammable & Combustible Materials**
- Floor & Wall Openings**
- Fueling**
- General Work Environment**
- Hand Tools & Equipment**
- Hazardous Chemical Exposures**
- Hazardous Substances Communication**
- Hoist & Auxiliary Equipment**
- Identification of Piping Systems**
- Industrial Trucks – Forklifts**
- Infection Control**
- Injury & Illness Program**
- Lockout/Blockout Procedures**
- Machine Guarding**
- Material Handling**
- Medical Services & First Aid**
- Mowing Operations**
- Noise**
- Permit Requirements**
- Personal Protective Equipment & Clothing**
- Portable Ladders**
- Portable (Power Operated) Tools & Equipment**
- Power Actuated Tools**
- Record Keeping**
- Sanitizing Equipment & Clothing**
- Spraying Operations**
- Stairs & Stairways**
- Tire Inflation**
- Transporting Employees & Materials**
- Ventilation for Indoor Air Quality**
- Walkways**
- Welding, Cutting, & Brazing**

ABRASIVE WHEEL EQUIPMENT GRINDERS

	YES	NO
Is the work rest used and kept adjusted to within 1/8 inch of the wheel?		
Is the adjustable tongue on the top side of the grinder used and kept adjusted to within 1/4 inch of the wheel?		
Do side guards cover the spindle, nut, and flange and 75 percent of the wheel diameter?		
Are bench and pedestal grinders securely mounted?		
Are goggles or face shields always worn when grinding?		
Is the maximum RPM rating of each abrasive wheel compatible with the RPM rating of the grinder motor?		
Are fixed or permanently mounted grinders connected to their electrical supply system with metallic conduit or by other permanent wiring method?		
Does each grinder have an individual on and off control switch?		
Is each electrically operated grinder effectively grounded?		
Before new abrasive wheels are mounted, are they visually inspected and ring tested?		
Are dust collectors and powered exhausts provided on grinders used in operations that produce large amounts of dust?		
Are splash guards mounted on grinders that use coolant to prevent the coolant reaching employees?		
Is cleanliness maintained around grinders?		
Are plexiglass guards in place over each wheel?		

COMPRESSED AIR RECEIVERS

	YES	NO
Is every receiver equipped with a pressure gauge and with one or more automatic, spring-loaded safety valves?		
Is the total relieving capacity of the safety valve capable of preventing pressure in the receiver from exceeding the maximum allowable working pressure of the receiver by more than ten percent?		
Is every air receiver provided with a drain pipe and valve at the lowest point for the removal of accumulated oil and water?		
Are compressed air receivers periodically drained of moisture and oil?		
Are all safety valves tested frequently and at regular intervals to determine whether they are in good operating condition?		
Is there a current operating permit?		
Is the inlet of air receivers and piping systems kept free of accumulated oil and carbonaceous materials?		

COMPRESSED GAS & CYLINDERS

	YES	NO
Are cylinders with a water weight capacity over 30 pounds equipped with means for connecting a valve protector device, or with a collar or recess to protect the valve?		
Are cylinders legibly marked to clearly identify the gas contained?		
Are compressed gas cylinders stored in areas which are protected from external heat sources such as flame impingement, intense radiant heat, electric arcs, or high temperature lines?		
Are cylinders located or stored in areas where they will not be damaged by passing or falling objects, or subject to tampering by unauthorized persons?		
Are cylinders stored or transported in a manner that prevents them creating a hazard by tipping, falling, or rolling?		
Are cylinders containing liquefied fuel-gas stored or transported in a position so the safety relief device is always in direct contact with the vapor space in the cylinder?		
Are valve protectors always placed on cylinders when the cylinders are not in use or connected for use?		
Are all valves closed off before a cylinder is moved, when the cylinder is empty, and at the completion of each job?		
Are the low pressure fuel-gas cylinders checked periodically for corrosion, general distortion, cracks, or any other defect that might indicate a weakness or render them unfit for service?		
Does the periodic check of low pressure fuel-gas cylinders include a close inspection of the cylinder's bottom?		

COMPRESSORS & COMPRESSED AIR

	YES	NO
Are compressors equipped with pressure relief valves and pressure gauges?		
Are compressor air intakes installed and equipped to ensure that only clean, uncontaminated air enters the compressor?		
Are air filters installed on the compressor intake?		
Are compressors operated and lubricated in accordance with the manufacturer's recommendations?		
Are safety devices on compressed air systems checked frequently?		
Before any repair work is done on the pressure system of a compressor, is the pressure bled off and the system locked?		
Are signs posted to warn of the automatic starting feature of the compressors?		
Is the belt drive system totally enclosed to provide protection for the front, back, top, and sides?		
Is it strictly prohibited to direct compressed air toward a person?		
Are employees prohibited from using highly compressed air for cleaning purposes?		
If compressed air is used for cleaning clothing, is the pressure reduced to less than 10 psi?		
When using compressed air for cleaning, do employees use personal protective equipment?		
Are safety chains or other suitable locking devices used at couplings of high pressure hose lines, where a connection failure would create a hazard?		
Before compressed air is used to empty containers of liquid, is the safe working pressure of the container checked?		
When compressed air is used with abrasive blast cleaning equipment, is the operating valve a type that must be held open manually?		
When compressed air is used to inflate auto tires, is a clip-on chuck and an inline regulator preset to 40 psi required?		
Is there combustible dust suspended in the air, which may cause a fire or explosion hazard?		
Is it prohibited to use compressed air to clean up or move?		

CONTROL OF HARMFUL SUBSTANCES BY VENTILATION

	YES	NO
Is the volume and velocity of air in each exhaust system sufficient to gather the dusts, fumes, mists, vapors, or gases to be controlled, to convey them to a suitable point of disposal?		
Are exhaust inlets, ducts and plenums designed, constructed, and supported to prevent collapse or failure of any part of the system?		
Are clean-out ports or doors provided at intervals not exceeding 12 feet on all horizontal runs of exhaust ducts?		
Where two or more different types of operations are being controlled through the same exhaust system, will the combination of substances being controlled constitute a fire, explosion, or chemical reaction hazard in the duct?		
Is adequate makeup air provided to areas where exhaust systems are operating?		
Is the intake for makeup air located in such a place that only clean, fresh air will enter the work environment?		
Where two or more ventilation systems are serving a work area, is their operation such that one will not offset the functions of the other?		

CRANE CHECKLIST

	YES	NO
Are the cranes visually inspected for defective components prior to the beginning of any work shift?		
Are all electrically operated cranes effectively grounded?		
Is a crane preventative maintenance program established?		
Is the load chart clearly visible to the operator?		
Are operating controls clearly identified?		
Is a fire extinguisher provided at the operator's station?		
Is an audible warning device mounted on each crane?		
Is the rated capacity visibly marked on each crane?		
Is sufficient illumination provided for the operator to perform the work safely?		
Would the crane's design allow the boom to fall backward? If so, are they equipped with boom stops?		
Does each crane have a certificate indicating required testing and examinations have been performed?		
Are crane inspection and maintenance records maintained and available for inspection?		

ELECTRICAL

	YES	NO
Are your workplace electricians familiar with the National Electric Code?		
Do you specify compliance with National Electric Code for all contract electrical work?		
Are all employees required to report, as soon as possible, any obvious hazard to life or property observed in connection with electrical equipment or lines?		
Are employees instructed to make preliminary inspections and/or appropriate tests to determine what conditions exist before starting work on electrical equipment or lines?		
When electrical equipment or lines are to be serviced, maintained, or adjusted, are necessary switches opened, locked out, and tagged whenever possible?		
Are portable electrical tools and equipment grounded or double insulated?		
Are electrical appliances, such as vacuum cleaners, polishers, and vending machines, grounded?		
Do extension cords in use have a grounding conductor?		
Are multiple plug adapters prohibited?		
Are ground-fault circuit interrupters installed on each temporary 15 or 20 ampere, 120 volt AC circuit at locations where construction, demolition, modifications, alterations, or excavations are being performed?		
Are all temporary circuits protected by suitable disconnecting switches or plug connectors, at their junction, with permanent wiring?		
Is exposed wiring and cords with frayed or deteriorated insulation repaired or replaced promptly?		
Are flexible cords and cables free of splices and taps?		
Are clamps, or other securing means provided on flexible cords or cables at plugs, receptacles, tools, equipment, and is the cord jacket securely held in place?		
Are all cord, cable, and raceway connections intact and secure?		

	YES	NO
In wet or damp locations, are electrical tools and equipment appropriate for the use and location in which they are implemented?		
Is the location of electrical power lines and cables (overhead, underground, under floor, other side of walls) determined before digging, drilling, or similar work is begun?		
Are all disconnecting switches and circuit breakers labeled to indicate their use and equipment served?		
Are metal measuring tapes, ropes, hand lines, or similar devices with metallic thread woven into the fabric prohibited where they could come in contact with energized parts of equipment or circuit conductors?		
Are disconnecting means opened before fuses are replaced?		
Do all interior wiring systems include provisions for grounding metal parts or electrical raceways, equipment, and enclosures?		
Are all electrical raceways and enclosures securely fastened in place?		
Are all energized parts of electrical circuits and equipment guarded against accidental contact by approved cabinets and enclosures?		
Is sufficient access and working space provided and maintained about all electrical equipment to permit ready and safe operations and maintenance?		
Are all unused openings (including conduit knockouts) in electrical enclosures and fittings closed with appropriate covers, plugs, or plates?		
Are disconnecting switches for electrical motors in excess of two horsepower capable of opening the circuit when the motor is in a stalled condition? (Switches must be horsepower rated equal to or in excess of the motor hp rating.)		
Is low voltage protection provided in the control device of motors driving machines or equipment which could cause injury from an accidental start?		

	YES	NO
Is each motor located within sight of its controller or the controller disconnecting means capable of being locked in the “open” position, or are separate disconnectors installed in the circuit within sight of the motor?		
Is the controller for each motor, in the excess of two horsepower, rated in horsepower equal to or in excess of the rating of the motor it serves?		
Are employees who regularly work on or around energized electrical equipment or lines instructed in cardiopulmonary resuscitation (CPR) methods?		
Are employees prohibited from working alone on energized lines or equipment over 600 volts?		

ELEVATED SURFACES

	YES	NO
Are signs posted, when appropriate, showing the elevated surface load capacity?		
Are surfaces elevated more than 30 inches above the floor or ground provided with standard guardrails?		
Are all elevated surfaces (beneath which people or machinery could be exposed to falling objects) provided with standard 4-inch toe boards?		
Is a permanent means of access and egress provided to elevated storage and work surfaces?		
Is required headroom provided where necessary?		
Is material on elevated surfaces piled, stacked, or racked in a manner to prevent it from tipping, falling, collapsing, rolling, or spreading?		
Are dock boards or bridge plates used when transferring materials between docks and trucks or rail cars?		

EMERGENCY ACTION PLAN

	YES	NO
Are you required to have an emergency action plan?		
Have emergency escape procedures and routes been developed and communicated to all employees?		
Do employees who remain to operate critical operations before they evacuate know the proper procedures?		
Is the emergency action plan reviewed and revised periodically?		
Do employees know their responsibilities: For reporting emergencies? During an emergency? For conducting rescue and medical duties?		

EMPLOYER POSTING

	YES	NO
Is the federal <i>Job Safety and Health Protection</i> poster displayed in a prominent location where all employees are likely to see it?		
Are emergency telephone numbers posted where they can be readily found in case of emergency?		
Where employees may be exposed to any toxic substances or harmful physical agents, has appropriate information concerning employee access to medical and exposure records and Material Safety Data Sheets (MSDS) been posted or otherwise made readily available to affected employees?		
Are signs concerning exiting buildings, room capacities, floor loading, exposures to x-rays, microwaves, or any harmful radiation or substances posted where appropriate?		
Are other posters properly displayed, such as:		
Equal Employment Opportunity is the Law?		
Rights Under Fair Labor Standard Act?		
Employee Polygraph Protection Act?		
Texas Payday Law?		
Rights Under Family and Medical Leave Act of 1993?		
Retaliation Prohibited By State Law (Whistleblower Act)?		
Texas Hazard Communications Act (Employee Right-To-Know)?		
Texas Commission of Human Rights (Equal Employment Opportunities)?		

ENTERING CONFINED SPACES

	YES	NO
Are confined spaces thoroughly emptied of any corrosive or hazardous substances, such as acid or caustics, before entry?		
Before entry, are all lines to a confined space, containing inert, toxic, flammable, or corrosive materials, valved off and blanked or disconnected and separated?		
Is it required that all impellers, agitators, or other moving equipment inside confined spaces be locked-out if they present a hazard?		
Is either natural or mechanical ventilation provided prior to confined space entry?		
Before entry, are appropriate atmospheric tests performed to check for oxygen deficiency, toxic substances and explosive concentration in the confined space?		
Is adequate illumination provided for the work being performed in the confined space?		
Is the atmosphere inside the confined space frequently tested or continuously monitored during conduct of work?		
Is there an assigned safety standby employee outside the confined space, whose sole responsibility is to watch the work in progress, sound an alarm if necessary, and render assistance?		
Are the standby employee and other employees prohibited from entering the confined space without lifelines and respiratory equipment, if the cause of an emergency is questionable?		
In addition to the standby employee, is there at least one other trained rescuer in the vicinity?		
Are all rescuers appropriately trained and using approved, recently-inspected equipment?		
Does all rescue equipment allow for lifting employees vertically from a top opening?		
Are there trained personnel in First Aid and CPR immediately available?		

	YES	NO
Is there an effective communication system in place whenever respiratory equipment is used and the employee in the confined space is out of sight of the standby employee?		
Is approved respiratory equipment required if the atmosphere inside the confined space cannot be made acceptable?		
Is all portable electrical equipment used inside confined spaces either grounded and insulated or equipped with ground fault protection?		
Before gas welding or burning is started in a confined space, are hoses checked for leaks, compressed gas bottles forbidden inside the confined space, torches lighted only outside the confined area, and the confined are tested for an explosive atmosphere each time before a lighted torch is to be taken into the confined space?		
If employees will be using oxygen-consuming equipment such as salamanders, torches, or furnaces in a confined space, is sufficient air provided to assure combustion without reducing the oxygen concentration of the atmosphere below 19.5 percent by volume?		
Whenever combustible equipment is used in a confined space, are provisions made to ensure the exhaust gases are vented outside of the enclosure?		
Is each confined space checked for decaying vegetation or animal matter which may produce methane gas?		
Is the confined space checked for possible industrial waste that could contain toxic properties?		
If the confined space is below ground and near areas where motor vehicles are operating, is it possible for vehicle exhaust or carbon monoxide to enter the space?		

ENVIRONMENTAL CONTROLS

	YES	NO
Are all work areas properly illuminated?		
Are employees instructed in proper first aid and other emergency procedures?		
Are hazardous substances identified which may cause harm by inhalation, ingestion, skin absorption or contact?		
Are employees aware of the hazards involved with the various chemicals they may be exposed to in their working environment, such as ammonia, chlorine, epoxies, or caustics?		
Is employee exposure to chemicals in the workplace kept within acceptable levels?		
Can an alternate, less harmful method or product be used?		
Is the work area's ventilation system appropriate for work being performed?		
Are spray painting operations done in spray rooms or booths equipped with an appropriate exhaust system?		
Is employee exposure to welding fumes controlled by ventilation, use of respirators, exposure time, or other means?		
Are welders and other workers nearby provided with flash shields during welding operations?		
If forklifts and other vehicles are used in buildings or other enclosed areas, are carbon monoxide levels kept below maximum acceptable concentration?		
Has there been a determination that noise levels in the facilities are within acceptable levels?		
Are steps being taken to use engineering controls to reduce excessive noise levels?		
Are proper precautions being taken when handling asbestos and other fibrous materials?		
Are caution labels and signs used to warn of asbestos?		
Are wet methods used, when practicable, to prevent emission of airborne asbestos fibers, silica dust and similar hazardous materials?		
Is vacuuming with appropriate equipment used whenever possible, rather than blowing or sweeping dust?		
Are grinders, saws, etc. that produce respiratory dusts vented to an industrial collector or central exhaust system?		

Are all local exhaust ventilation systems designed and operating properly at the airflow and volume necessary for the application? Are the ducts free of obstructions or the belts slipping?		
Is personal protective equipment provided, used, and maintained wherever required?		
Are there written standard operating procedures for the selection and use of respirators where needed?		
Are restrooms and washrooms kept clean and sanitary?		
Is all water provided for drinking, washing, and cooking potable?		
Are all outlets for water unsuitable for drinking clearly identified?		
Are employees' physical capacities assessed before being assigned to jobs requiring heavy work?		
Are employees instructed in the proper manner of lifting heavy objects?		
Where heat is a problem, have all fixed work areas been provided with spot cooling or air conditioning?		
Are employees screened before assignment to areas of high heat to determine if their health conditions may make them more susceptible to adverse reaction?		
Are employees working on streets and roadways, where they are exposed to the hazards of traffic, required to wear a brightly colored safety vest?		
Are exhaust stacks and air intakes located in a way that contaminated air will not be re-circulated within a building or other enclosed area?		
Is equipment producing ultraviolet radiation properly shielded?		

ERGONOMICS

	YES	NO
Can the work be performed without eye strain or glare to the employees?		
Does the task require prolonged raising of the arms?		
Do the neck and shoulders have to be stooped to view the task?		
Are there pressure points on any part of the body (wrists, forearms, or backs of thighs)?		
Can the work be done using the larger muscles of the body?		
Can the work be done without twisting or overly bending the lower back?		
Are there sufficient rest breaks, in addition to the regular rest breaks, to relieve stress from repetitive-motion tasks?		
Are tools, instruments, and machinery shaped, positioned and handled so tasks can be performed comfortably?		
Are all pieces of furniture adjusted, positioned, and arranged to minimize strain on all parts of the body?		

EXIT DOORS

	YES	NO
Are exit doors designed and constructed so the path of exit is obvious and direct?		
Are windows that could be mistaken for exit doors, made inaccessible by means of barriers or railings?		
Will exit doors open from the direction of exit travel without the use of a key or any special knowledge or effort, when the building is occupied?		
Is a revolving, sliding, or overhead door prohibited from serving as a required exit?		
Where panic hardware is installed on a required exit door, will it allow the door to open by applying a force of 15 pounds or less in the direction of exit traffic?		
Are doors on cold storage rooms provided with an inside release mechanism that will release the latch and open the door, even if it's padlocked or otherwise locked on the outside?		
When exit doors open directly onto any street, alley, or other areas where vehicles may be operated, are adequate barriers and warning provided to prevent employees stepping into the path of traffic?		
Are doors that swing in both directions, and are located between rooms where there is frequent traffic, provided with viewing panels in each door?		
Are exit doors at least 36 inches wide?		

EXITING & EGRESS

	YES	NO
Are all exits marked with illuminated exit signs and emergency lighting?		
Are the directions to exits, when not immediately apparent, marked with visible signs?		
Are doors, passageways or stairways, that are neither exits nor can be mistaken for exits, appropriately marked "NOT AN EXIT", "TO BASEMENT", "STOREROOM", etc.?		
Are exit signs provided with the word "EXIT" in lettering at least 6 inches high and the stroke of the lettering at least 3/4 inch wide?		
Are exit doors side-hinged?		
Are all exits kept free of obstructions?		
Are at least two means of egress provided from elevated platforms, pits, or rooms where the absence of a second exit would increase risk of injury from hot, poisonous, corrosive, suffocating, flammable, or explosive substances?		
Are there sufficient exits to permit prompt escape in case of emergency?		
Are special precautions taken to protect employees during construction and repair operations?		
Is the number of exits on each floor, and in the building itself, appropriate for the building occupancy load?		
Are exit stairways, which are required to be separate from other parts of a building, enclosed by at least two-hour fire resistive construction in buildings more than four stories in height, and no less than one-hour fire resistive construction elsewhere?		
When ramps are used as part of required exiting from a building, is the ramp slope limited to a one-foot vertical and a twelve-foot horizontal?		
Where frameless glass doors serve as an exit, are the doors fully tempered and up to safety requirements for human impact?		
Are illuminated exits signs functioning properly?		
Is the emergency lighting functioning properly?		

FIRE PROTECTION

	YES	NO
Do you have a fire prevention plan?		
Does your plan describe the type of fire protection equipment and/or system?		
Have you established practices and procedures to control potential fire hazards and ignition sources?		
Is your local fire department well acquainted with your facilities, location, and specific hazards?		
If you have a fire alarm system, is it certified as required?		
If you have a fire alarm system, is it tested annually?		
If you have interior sand pipes and valves, are they inspected regularly?		
If you have outside private fire hydrants, are they flushed at least once a year on a routine, preventative maintenance schedule?		
Are fire doors and shutters in good operating condition?		
Are fire doors and shutters unobstructed and protected against obstructions, including their counterweights?		
Are fire doors and shutter links in place?		
Are automatic sprinkler system water control valves, air, and water pressures checked weekly as required?		
Is maintenance of automatic sprinkler systems assigned to responsible persons or to a sprinkler contractor?		
Are sprinkler heads protected by metal guards, when exposed to physical damage?		
Is proper clearance (18 inches) maintained below sprinkler heads?		
Are portable fire extinguishers provided in adequate number and type?		
Are fire extinguishers mounted in readily accessible locations?		
Are fire extinguishers recharged regularly and noted on the inspection tag?		
Are employees periodically instructed in the use of extinguishers and fire protection procedures?		

FLAMMABLE & COMBUSTIBLE MATERIALS

	YES	NO
Are combustible scrap, debris, and waste materials (i.e. oily rags) stored in covered metal receptacles and removed from the work-site promptly?		
Is proper storage practiced to minimize risks of fire and spontaneous combustion?		
Are approved containers and tanks used for the storage and handling of flammable and combustible liquids?		
Are all connections on drums and combustible liquid piping, vapor and liquid tight?		
Are all flammable liquids kept in closed containers when not in use (e.g. parts cleaning tanks, pans)?		
Are bulk drums of flammable liquids grounded and bonded to containers during dispensing?		
Do storage rooms for flammable and combustible liquids have explosion-proof lights?		
Do storage rooms for flammable and combustible liquids have mechanical or gravity ventilation?		
Is liquefied petroleum gas stored, handled and used in accordance with safe practices and standards?		
Are liquefied petroleum storage tanks guarded to prevent damage from vehicles?		
Are all solvent wastes and flammable liquids kept in fire-resistant, covered containers until they are removed from the work site?		
Is vacuuming used whenever possible, rather than blowing or sweeping combustible dust?		
Are fire separators placed between containers of combustibles or flammable materials, when stacked one upon another, to assure their support and stability?		
Are fuel gas cylinders and oxygen cylinders separated by distance, fire resistant barriers or other means while in storage?		

	YES	NO
Are fire extinguishers selected and provided for the types of materials in areas where they are being used? Class A – Ordinary combustible material fires. Class B – Flammable liquid, gas, or grease fires. Class C – Energized-electrical equipment fires.		
If a Halon fire extinguisher is used, can employees evacuate within the specified time for that extinguisher?		
Are appropriate fire extinguishers mounted within 75 feet of outside areas containing flammable liquids and within 10 feet of any inside storage area for such materials?		
Is the transfer/withdrawal of flammable or combustible liquids performed by trained personnel?		
Are fire extinguishers mounted so employees do not have to travel more than 75 feet for a “Class A” fire or 50 feet for a “Class B” fire?		
Are employees trained in the use of fire extinguishers?		
Are extinguishers free from obstructions or blockage?		
Are all extinguishers serviced, maintained and tagged at intervals not to exceed one year?		
Are all extinguishers fully charged and in their designated places?		
Is a record maintained of required monthly checks of extinguishers?		
Where sprinkler systems are permanently installed, are the nozzle heads directed or arranged so water will not be sprayed into operating electrical switch boards or equipment?		
Are “No Smoking” signs posted where appropriate, in areas where flammable or combustible materials are used or stored?		
Are “No Smoking” signs posted on liquefied petroleum gas tanks?		
Are “No Smoking” rules enforced in areas involving storage and use of flammable materials?		
Are safety cans used for dispensing flammable or combustible liquids at a point of use?		
Are all spills of flammable or combustible liquids cleaned up promptly?		
Are storage tanks adequately vented to prevent development of excessive vacuum or pressure as a result of filling, emptying, or atmospheric temperature changes?		
Are storage tanks equipped with emergency venting that will relieve excessive internal pressure caused by fire exposure?		
Are spare portable or butane tanks which are used by industrial trucks stored outside, in accordance with regulations?		

FLOOR & WALL OPENINGS

	YES	NO
Are floor openings guarded by a cover, guardrail, or equivalent on all sides (except at entrances to stairways or ladders)?		
Are toe boards installed around the edges of a permanent floor opening (where people may pass below the opening)?		
Are skylight screens constructed and mounted to withstand a load of at least 200 pounds?		
Is the glass in windows, doors, glass walls, which are subject to human impact, of sufficient thickness and type for the condition of use?		
Are grates, or similar covers over floor openings, such as floor drains, designed so foot traffic or rolling equipment will not be affected by the grate spacing?		
Are unused portions of service pits and pits not actually in use either covered or protected by guardrails or equivalent?		
Are manhole covers, trench covers, and similar covers, plus their supports, designed to carry a truck rear axle load of at least 20,000 pounds when located in roadways and subject to vehicle traffic?		
Are floor or wall openings in fire resistant construction provided with doors or covers compatible with the fire rating of the structure and provided with self-closing features, when appropriate?		

FUELING

	YES	NO
Is it prohibited to fuel an internal combustion engine with a flammable liquid while the engine is running?		
Are fueling operations conducted with minimal spillage?		
When spillage occurs during fueling operations, is the spilled fuel removed completely, evaporated, etc., before engines are restarted?		
Are fuel tank caps replaced and secured before starting the engine?		
In fueling operations, is there always metal contact between the container and the fuel tank?		
Are fueling hoses of a type designed to handle the specific type of fuel?		
Is the transfer or handling of gasoline in open containers prohibited?		
Are open lights, open flames, or sparking or arcing equipment prohibited near fuel or transfer of fuel?		
Is smoking prohibited in the vicinity of fueling operations?		
Are fueling operations prohibited in buildings, or other enclosed areas, that are not specifically ventilated for this purpose?		
Where fueling or transfer of fuel is done through a gravity flow system, are the nozzles self-closing?		
Are only approved container signs posted?		
Are “No Smoking” and “Stop Engine” signs posted?		

GENERAL WORK ENVIRONMENT

	YES	NO
Are all work sites clean and orderly?		
Are work surfaces kept dry or appropriate means taken to assure the surfaces are slip-resistant?		
Are all spilled materials or liquids cleaned up immediately?		
Is combustible scrap, debris, and waste stored safely and removed from the work site promptly?		
Is accumulated, combustible dust routinely removed from elevated surfaces, including the overhead structure of buildings?		
Is combustible dust cleaned up with a vacuum system to prevent the dust going into suspension?		
Is metallic or conductive dust prevented from entering or accumulating on or around electrical enclosures or equipment?		
Are covered metal waste cans used for oily and pain-soaked waste?		
Are all oil and gas-fired devices equipped with flame failure controls that will prevent the flow of fuel if pilots or main burners are not working?		
Are paint spray booths, dip tanks, etc., cleaned regularly?		
Are the minimum number of toilets and washing facilities provided?		
Are all toilets and washing facilities clean and sanitary?		
Are all work areas adequately illuminated?		
Are pits and floor openings covered or otherwise guarded?		

HAND TOOLS & EQUIPMENT

	YES	NO
Are all tools and equipment (both company and employee-owned) used by employees at their workplace in good condition?		
Are hand tools, such as chisels or punches, which develop mushroomed heads during use, reconditioned or replaced as necessary?		
Are broken or fractured handles on hammers, axes, and similar equipment replaced promptly?		
Are worn or bent wrenches replaced regularly?		
Are appropriate handles used on files and similar tools?		
Are employees made aware of the hazards caused by faulty or improperly used hand tools?		
Are appropriate safety glasses, face shields, and similar equipment worn while using hand tools or equipment which might produce flying materials or be subject to breakage?		
Are jacks checked periodically to assure they are in good operating condition?		
Are tool handles wedged tightly in the head of all tools?		
Are tool cutting edges kept sharp so the tool will move smoothly without binding or skipping?		
Are tools stored in a dry, secure location to prevent tampering?		
Is eye and face protection used when driving hardened or tempered spuds or nails?		

HAZARD CHEMICAL EXPSORES

	YES	NO
Are employees trained in the safe handling practices of hazardous chemicals such as acid, caustics, etc.?		
Are employees aware of the potential hazards involving various chemicals stored or used in the workplace such as acids, bases, caustics, epoxies, and phenols?		
Is employee exposure to chemicals kept within acceptable levels?		
Are eye wash fountains and safety showers provided in areas where corrosive chemicals are handled?		
Are all containers, such as vats and storage tanks, labeled to indicate their contents?		
Are all employees required to use personal protective clothing and equipment when handling chemicals (i.e. gloves, eye protection, or respirators)?		
Are flammable or toxic chemicals kept in closed containers when not in use?		
Are chemical piping systems clearly marked as to their content?		
Where corrosive liquids are frequently handled in open containers or drawn from storage vessels or pipe lines, are adequate means readily available for neutralizing or disposing of spills or overflows properly and safely?		
Have standard operating procedures been established, and are they being followed when cleaning up chemical spills?		
Where needed for emergency use, are respirators stored in a convenient, clean, and sanitary location?		
Are respirators intended for emergency use adequate for the various uses for which they may be needed?		
Are employees prohibited from eating in areas where hazardous chemicals are present?		
Is personal protective equipment provided, used, and maintained whenever necessary?		
Are there written standard operating procedures for the selection and use of respirators where needed?		
If you have a respirator protection program, are your employees instructed on the correct usage and limitations of the respirators?		
Are the respirators NIOSH approved for this particular application?		

	YES	NO
Are they regularly inspected and cleaned, sanitized, and maintained?		
If hazardous substances are used in your processes, do you have a medical or biological monitoring system in operation?		
Are you familiar with the Threshold Limit Values or Permissible Exposure Limits of airborne contaminants and physical agents used in your workplace?		
Have control procedures been instituted for hazardous materials, where appropriate, such as respirators, ventilation systems, handling practices, etc?		
Whenever possible, are hazardous substances handled in properly designed and exhausted booth or similar locations?		
Do you use general dilution or local exhaust ventilation systems to control dusts, vapors, gases, fumes, smoke, solvents, or mists which may be generated in your workplace?		
Is ventilation equipment provided for removal of contaminants from such operations as production grinding, buffing, spray painting, and/or vapor degreasing, and is it operating properly?		
Do employees complain about dizziness, headaches, nausea, irritation, or other factors of discomfort when they use solvents or other chemicals?		
Is there a dermatitis problem? Do employees complain about skin dryness, irritation, or sensitization?		
Have you considered the use of an industrial hygienist or environmental health specialist to evaluate your operation??		
If internal combustion engines are used, is carbon monoxide kept within acceptable levels?		
Is vacuuming used, rather than blowing or sweeping dust, whenever possible for clean-up?		
Are materials which give off toxic asphyxiate, suffocating or anesthetic fumes, stored in remote or isolated locations when not in use?		

HAZARDOUS SUBSTANCES COMMUNICATION

	YES	NO
Is there a list of hazardous substances used in your workplace?		
Is there a written hazard communication dealing with Material Safety Data Sheets (MSDS), labeling and employee training?		
Is someone responsible for MSDS, container labeling, and employee training?		
Is each container for a hazardous substance (i.e. vats, bottles, storage tanks) labeled with product identity and a hazard warning (communication of the specific health hazards and physical hazards)?		
Is there a MSDS readily available for each hazardous substance used?		
How will you inform other employers whose employees share the same work area where the hazardous substances are used?		
Is there an employee training program for hazardous substances?		
Does this program include:		
An explanation of what an MSDS is and how to use and obtain one?		
MSDS contents for each hazardous substance or class of substances?		
Explanation of "Right to Know"?		
Identification of where employees can see the employer's written hazard communication program and where hazardous substances are present in their work area?		
The physical and health hazards of substances in the work area, how to detect their presence, and specific protective measures to be used?		
Details of the hazard communications program, including how to use the labeling system and MSDS?		
How employees will be informed of hazards of non-routine tasks and hazards of unlabeled pipes?		

HOST & AUXILIARY EQUIPMENT

	YES	NO
Is each overhead electric hoist equipped with a limit device to stop the hook travel at its highest and lowest points of safe travel?		
Will each hoist automatically stop and hold any load up to 125 percent of its rated load, if its actuating force is removed?		
Is the rated load of each hoist legibly marked and visible to the operator?		
Are stops provided at the safe limits of travel for trolley hoists?		
Are the controls of hoists plainly marked to indicate direction of travel or motion?		
Is each cage-controlled hoist equipped with an effective warning device?		
Are close-fitting guards, or other suitable devices, installed on hoists to assure hoist ropes will be maintained in the sheaf groves?		
Are all hoist chains or ropes of sufficient length to handle the full range of movement for the application, while maintaining two full wraps on the drum at all times?		
Are nip points, or contact points, between hoist ropes and sheaves, which are permanently located within 7 feet of the floor, ground or working platform, guarded?		
Is it prohibited to use chains or rope slings that are kinked or twisted?		
Is it prohibited to use the hoist rope or chain wrapped around the load as a substitute for a sling?		
Is the operator instructed to avoid carrying loads over people?		
Are employees, who have been trained in the proper use of hoists, allowed to operate them exclusively?		

IDENTIFICATION OF PIPING SYSTEMS

	YES	NO
When non-potable water is piped through a facility, are outlets or taps posted to alert employees it is unsafe and not to be used for drinking, washing, or other personal use?		
When hazardous substances are transported through above-ground piping, is each pipeline identified at points where confusion could introduce hazards to employees?		
When pipeline are identified by color painted bands or tapes, are all visible parts of the line so identified?		
When pipelines are identified by color painted bands or tapes, are the bands or tapes located at reasonable intervals, and at each outlet, valve, or connection?		
When pipelines are identified by color, is the color code posted at all locations where confusion could prove hazardous to employees?		
When the contents of pipelines are identified by name or name abbreviation, is the information readily visible on the pipe, near each valve or outlet?		
When pipelines carrying hazardous substances are identified by tags, are the tags constructed of durable materials, the message carried clearly and permanently distinguishable, and tags installed at each valve or outlet?		
When pipelines are heated by electricity, steam, or other external source, are suitable warning signs or tags placed at unions, valves, or other serviceable parts of the system?		

INDUSTRIAL TRUCKS – FORKLIFTS

	YES	NO
Are only trained personnel allowed to operate industrial trucks?		
Is substantial overhead protective equipment provided on high lift rider equipment?		
Are the required truck lift operating rules posted and enforced?		
Is directional lighting provided on each industrial truck that operates in an area with less than two-foot candles per square foot of general lighting?		
Does each industrial truck have a warning horn, whistle, gong or other device which can be clearly heard above the normal noise in the area where operated?		
Are the brakes on each industrial truck capable of bringing the vehicle to a complete and safe stop when fully loaded?		
Will the industrial truck's parking brake effectively prevent the vehicle from moving when unattended?		
Are industrial trucks operating in areas where flammable gases or vapors, combustible dust or ignitable fibers, may be present in the atmosphere, approved for such locations?		
Are motorized hand and hand/rider trucks designed so the brakes are applied and power to the drive motor shuts off when the operator releases his/her grip on the device that controls the power?		
Are industrial trucks with internal combustion engines, operated in buildings or enclosed areas, carefully checked to ensure such operations do not cause harmful concentration of dangerous gases or fumes?		

INFECTION CONTROL

	YES	NO
Are employees potentially exposed to infectious agents in body fluids?		
Have occasions of potential occupational exposure been identified and documented?		
Has a training and information program been provided for employees exposed to or potentially exposed to blood and/or body fluids?		
Have infection control procedures been instituted where appropriate, such as ventilation, universal precautions, workplace practices, or personal protective equipment?		
Are employees aware of specific workplace practices to follow when appropriate, such as hand washing, handling of sharp instruments, handling of laundry, disposal of contaminated materials, or reusable equipment)?		
Is personal protective equipment provided to employees, and in all appropriate locations?		
Is the necessary equipment (i.e. mouth pieces, resuscitation bags, and other ventilation devices) provided for administering mouth-to-mouth resuscitation on potentially infected subjects?		
Are facilities/equipment to comply with workplace practices available, such as hand-washing sinks, biohazard tags and labels, needle containers, and detergents/disinfectants to clean up spills?		
Are all equipment and environmental/working surfaces cleaned and disinfected after contact with blood or potentially infectious materials?		
Is infectious waste placed in closeable, leak-proof containers, bags or puncture-resistant holders with proper labels?		
Has medical surveillance, including HBV evaluation, antibody testing, and vaccination been made available to potentially exposed employees?		
How often is training done, and does it cover:		
Universal precautions?		
Personal protective equipment?		

INJURY & ILLNESS PREVENTION PROGRAM

	YES	NO
Do you have a written, effective injury and illness prevention program?		
Do you have an employee who is responsible and has authority for overall activities of the injury and illness prevention program?		
Do you have a system for identifying and evaluating your workplace hazards?		
Do you systematically correct these hazards in a timely manner?		
Do you provide training in both general and specific safe work practices?		
Do you encourage employee participation in health and safety matters?		
Do you maintain an ongoing safety training program?		
Do you have a system in place that ensures employees will be recognized for safe and healthful work practices?		
Will employees be disciplined for unsafe safety or health acts?		
Is there a labor-management safety committee?		
If there is no safety committee, is there a system in place for communicating safety and health concerns to employees?		
On construction sites, is a "Code of Safe Practices" posted?		

LOCKOUT BLOCKOUT PROCEDURES

	YES	NO
Is all machinery, or equipment capable of movement, required to be de-energized or disengaged, blocked or locked out, during cleaning, servicing, adjusting, or setting up operations, whenever required?		
Is the locking-out of control circuits, in lieu of locking-out main power disconnects, prohibited?		
Are all equipment control valve handles provided with means of locking out?		
Does the lock-out procedure require that stored energy (i.e. mechanical, hydraulic, air) be released or blocked before equipment is locked out for repairs?		
Are appropriate employees provided with individually keyed personal safety locks?		
Are employees required to keep personal control of their key(s) while they have safety locks in use?		
Is it required that employees check the safety of the lockout by attempting a startup after making sure no one is exposed?		
Where the power disconnecting means for equipment does not also disconnect the electrical control circuit: Are the appropriate electrical enclosures identified? Are means provided to assure the control circuit can also be disconnected and locked out?		

MACHINE GUARDING

	YES	NO
Is there a training program to instruct employees on safe methods of machine operation?		
Is there adequate supervision to ensure that employees are following safe machine operating procedures?		
Is there a regular program of safety inspection of machinery and equipment?		
Is all machinery and equipment kept clean and properly maintained?		
Is sufficient clearance provided around and between machines to allow for safe operations, set up and servicing, material handling, and waste removal?		
Is equipment and machinery securely placed and anchored, when necessary, to prevent tipping or other movement that could result in personal injury?		
Is there a power shut-off switch within reach of the operator's position at each machine?		
Can electric power to each machine be locked out for maintenance, repair, or security?		
Are the non-current-carrying metal parts of electrically operated machines bonded and grounded?		
Are foot-operated switches guarded or arranged to prevent accidental actuation by personnel or falling objects?		
Are manually operated valves and switches controlling the operation of equipment and machines clearly identified and readily accessible?		
Are all emergency stop buttons colored red?		
Are all pulleys and belts that are within seven feet of the floor or working level properly guarded?		
Are all moving chains and gears properly guarded?		
Are splash guards mounted on machines that use coolant, to prevent the coolant from reaching employees?		

	YES	NO
Are methods provided to protect the operator and other employees in the machine area from hazards created at the point of operation, in-going nip points, rotating parts, flying chips, and sparks?		
Are machinery guards secure and arranged so they do not offer a hazard in their use?		
If special hand tools are used for placing and removing material, do they protect the operators' hands?		
Are revolving drums, barrels, and containers required to be guarded by an enclosure that is interlocked with the drive mechanism, so that revolution cannot occur unless the guard enclosure is in place?		
Do arbors and mandrels have firm and secure bearings and are they free from play?		
Are provisions made to prevent machines from automatically starting when power is restored after a power failure or shutdown?		
Are machines constructed to be free from excessive vibration when the largest sized tool is mounted and run at full speed?		
If machinery is cleaned with compressed air, is air pressure controlled and personal protective equipment or other safeguards used to protect operators and other workers from eye and body injury?		
Are fan blades protected with a guard having openings no larger than ½ inch, when operating within seven feet of the floor?		
Are saws used for ripping equipped with anti-kickback devices and spreaders?		
Are radial arm saws so arranged that the cutting head will gently return to the back of the table when released?		

MATERIAL HANDLING

	YES	NO
Is there safe clearance for equipment through aisles and doorways?		
Are aisle-ways designated, permanently marked, and kept clear to allow unhindered passage?		
Are motorized vehicles and mechanized equipment inspected daily or prior to use?		
Are vehicle shut off and brakes set prior to loading and unloading?		
Are containers of combustibles or flammable materials, when stacked while being moved, always separated by dunnage sufficient to provide stability?		
Are dock boards (bridge plates) used when loading or unloading operations are taking place between vehicles and docks?		
Are trucks and trailers secured from movement during loading and unloading operations?		
Are dock plates and loading ramps constructed and maintained with sufficient strength to support imposed loading?		
Are hand trucks maintained in safe operating condition?		
Are chutes equipped with sideboards of sufficient height to prevent the materials being handled from falling off?		
Are chutes and gravity roller sections firmly placed or secured to prevent displacement?		
At the delivery end of rollers or chutes, are provisions made to brake the movement of the handled materials?		
Are pallets usually inspected before being loaded or moved?		
Are hooks with safety latches or other arrangements used when hoisted materials, so that slings or load attachments won't accidentally slip off the hoist hooks?		
Are securing chains, ropes, chockers, or slings adequate for the job to be performed?		
When hoisting material or equipment, are provisions made to assure no one will be passing under the suspended loads?		
Are Material Safety Data Sheets available to employees handling hazardous substances?		

MEDICAL SERVICES & FIRST AID

	YES	NO
Do you require each employee to have a pre-employment physical examination?		
Is there a hospital, clinic, or infirmary for medical care in proximity of your workplace?		
If medical and first aid facilities are not in proximity of your workplace, is at least one employee on each shift currently qualified to render first aid?		
Are medical personnel readily available for advice and consultation on matters of employee health?		
Are emergency phone numbers posted?		
Are first aid kits easily accessible to each work area, with necessary supplies available, periodically inspected and replenished as needed?		
Have first aid kit supplies been approved by a physician, indicating they are adequate for a particular area or operation?		
Are means provided for quick drenching or flushing of the eyes and body in areas where corrosive liquids or materials are handled?		

MOWING OPERATIONS

	YES	NO
Do all units have roll bar protection?		
Are seat belts provided?		
Do employees use seatbelts?		
Are slow-moving vehicle emblems on units?		
Are employees trained/certified in operation of the equipment (general)?		
Are employees trained in:		
Proper steering?		
Tip-over control?		
Applying power to prevent upset?		
Avoiding scalping and bumping (i.e. raising/lowering cutting edge)?		
Identifying slop ration 3 to 1?		
Is operator never out of seat when mower is running?		
Are hard hats in use?		
Are orange traffic vests worn by operators?		
Are safety goggles worn by operators?		
Are flags provided for units?		
Are flashers provided for units?		
Are turn signals provided for units?		
Are there any blades that are welded?		
Are screened guards provided behind seat?		
Is pre-spring cleaning of are done?		
Is area policed by operators?		
Are chain guards provided on mowers?		
Do operators check for drop-offs, ravines, soft areas, creek beds, holes, etc.?		
Are operators instructed to move slowly in tall weeds?		

	YES	NO
Are operators instructed to avoid sharp turns?		
Does operator avoid mowing wet slopes?		
Does operator maintain a 300 ft. distance between other tractors in the area?		
Are liquid ballast used in tires?		
Before any activity, does operator insure that engine is off and blade stopped?		
Does operator use a stick to remove a foreign object from mower housing?		
Is operator instructed on proper fueling?		
Is operator instructed on traffic safety while on traveled roads?		
If units are transported, are proper methods used to secure trailer?		
Is hearing protection required and provided to the operator?		
Is respiratory protection required (dust) and provided to the operator?		

NOISE

	YES	NO
Are there areas in the workplace where continuous noise levels exceed 85 dBA?		
Are noise levels being measured using a sound level meter, or an octave band analyzer, and records being kept?		
Have you tried isolating noisy machinery from the rest of your operation?		
Have engineering controls been used to reduce excessive noise levels?		
Where engineering controls are determined not feasible, are administrative controls (i.e. worker rotation) being used to minimize individual employee exposure to noise?		
Is there an ongoing preventative health program to educate employees in safe levels of noise and exposure, effects of noise on their health, and the use of personal protection?		
Is the training repeated annually for employees exposed to continuous noise above 85 dBA?		
Have work areas where noise levels make voice communication between employees difficult been identified and posted?		
Is approved hearing protection equipment (noise attenuating devices) available to every employee working in areas where continuous noise levels exceed 85 dBA?		
If you use ear protectors, are employees properly fitted and instructed in their use and care?		
Are employees exposed to continuous noise above 85 dBA given periodic audiometric testing to ensure that you have an effective hearing protection system?		

PERMIT REQUIREMENTS

	YES	NO
Is a permit obtained for excavations which are five feet or deeper and into which a person is required to descend?		
Is a permit obtained for construction of any building, structure, scaffolding, or false-work more than three stories high or the equivalent height?		
Is a permit obtained for demolition of any building, structure, or the dismantling of scaffolding or false-work more than three stories high or the equivalent height?		
Is a permit obtained for any new construction, new electrical, etc., work?		

PERSONAL PROTECTIVE EQUIPMENT & CLOTHING

	YES	NO
Are protective goggles or face shields provided and worn where there is any danger of flying particles or corrosive materials?		
Are approved safety glasses required to be worn at all times in areas where there is risk of eye injuries such as punctures, abrasions, contusions, or burns?		
Are employees who need corrective lenses (glasses, contacts lenses), in working environments with harmful exposures, required to wear only approved safety glasses, protective goggles, or to use other medically approved precautionary procedures?		
Are protective gloves, aprons, shields, or other means provided against cuts, corrosive liquids, and chemicals?		
Are hard hats provided and worn where danger of falling objects exists?		
Are hard hats inspected periodically for damage to the shell and suspension system?		
Is appropriate foot protection required where there is risk of foot injuries from heat, corrosive/poisonous substances, falling objects, or crushing or penetrating action?		
Are approved respirators provided for regular or emergency use where needed?		
Is all protective equipment maintained in a sanitary condition and ready for use?		
Do you have eye wash facilities and a quick drench shower within a work area where employees are exposed to injurious corrosive materials?		
Where special equipment is needed for electrical workers, is it available?		
When lunches are eaten on the premises, are they eaten in areas where there is no exposure to toxic materials or other health hazards?		
Is protection against the effects of occupational noise exposure provided when sound levels exceed those of the OSHA noise standard?		
Are adequate work procedures, protective clothing, and equipment provided and used when cleaning spilled toxic or otherwise hazardous materials or liquids?		

PORTABLE LADDERS

	YES	NO
Are all ladders maintained in good condition (i.e. joints between steps, and side rails tight), all hardware and fittings securely attached, and moveable parts operating freely without binding or undue play?		
Are non-slip safety feet provided on each ladder?		
Are non-slip safety feet provided on each metal or rung ladder?		
Are ladder rungs and steps free of grease and oil?		
Is it prohibited to place a ladder in front of doors opening toward the ladder except when the door is blocked open, locked, or guarded?		
Is it prohibited to place ladders on boxes, barrels, or other unstable bases to obtain additional height?		
Are employees instructed to face ladders when ascending and descending?		
Are employees prohibited from using ladders that are broken, missing steps, runs, or cleats, broken side rails, or other faulty equipment?		
Are employees instructed not to use the top step of ordinary step ladders?		
When portable rung ladders are used to gain access to elevated platforms, roofs, etc., does the ladder always extend at least three feet above the elevated surface?		
Is it required that when portable rung or cleat ladders are used, the base is so placed that slipping will not occur, or it is lashed or otherwise held in place?		
Are portable metal ladders legibly marked with signs reading "Caution", "Do Not Use Around Electrical Equipment" or the equivalent?		
Are employees prohibited from using ladders as guys, braces, skids, gin poles, or for other than their intended purposes?		
Are employees instructed to only adjust extension ladders while standing at a bases (not while standing on the ladder or from a position above the ladder)?		
Are metal ladders inspected for damage?		
Are the rungs of ladders uniformly spaced at 12 inches, center to center?		

PORTABLE (POWER OPERATED) TOOLS & EQUIPMENT

	YES	NO
Are grinders, saws, and similar equipment provided with appropriate safety guards?		
Are power tools used with the correct shield, guard, or attachment recommended by the manufacturer?		
Are portable circular saws equipped with guards above and below the base shoe?		
Are circular saw guards checked to assure they are not wedged up, thus leaving the lower portion of the blade unguarded?		
Are rotating or moving parts of equipment guarded to prevent physical contact?		
Are all cord-connected, electrically operated tools and equipment effectively grounded or approved and double insulated?		
Are effective guards in place over belts, pulleys, chains, and sprockets, on equipment such as concrete mixers, air compressors, etc.?		
Are portable fans provided with full guards or screens having openings of 1/2 inch or less?		
Is hoisting equipment available and used for lifting heavy objects, and are hoist ratings and characteristics appropriate for the task?		
Are ground fault circuit interrupters provided on all temporary electrical 15 and 20-ampere circuits, used during periods of construction?		
Are pneumatic and hydraulic hoses on power-operated tools checked for deterioration or damage?		

POWDER ACTUATED TOOLS

	YES	NO
Are employees who operate powder-actuated tools trained in their use and carry valid operator cards?		
Do the powder-actuated tools being used have written approval of the Division of Occupational Safety and Health?		
Is each powder-actuated tool stored in its own locked container when not being used?		
Is a sign at least 7" x 10" with bold type reading "Powder-Actuated Tool in Use" conspicuously posted when the tool is being used?		
Are powder-actuated tools left unloaded until they are actually ready to be used?		
Are powder-actuated tools inspected for obstructions or defects each day before use?		
Do powder-actuated tool operators have and use appropriate personal protective equipment such as hardhat, safety goggles, safety shoes, and ear protectors?		

RECORD KEEPING

	YES	NO
Are employee medical records and records of employee exposure to hazardous substances or harmful physical agents current?		
Have arrangements been made to maintain required records for the legal period of time for each specific type of record? (Some records must be maintained for at least 40 years.)		
Are operating permits and records current for such items as elevators, air pressure tanks, liquefied petroleum gas tanks?		
Are employee safety and health training records maintained?		
Are safety committee meeting records maintained?		

SANITIZING EQUIPMENT & CLOTHING

	YES	NO
Is personal protective clothing or equipment, which employees are required to wear or use, capable of being easily cleaned and disinfected?		
Are employees prohibited from interchanging personal protective clothing or equipment, unless it has been properly cleaned?		
Are machines and equipment, which process, handle or apply materials that could be injurious to employees, cleaned and/or decontaminated before being overhauled or placed in storage?		
Are employees prohibited from smoking or eating in any area when contaminants are present that could be injurious if ingested?		
When employees are required to change from street clothing into protective clothing, is a clean change room with separate storage facility for street and protective clothing provided?		
Are employees are required to change from street clothing into protective clothing, is a clean change room with separate storage facility for street and protective clothing provided?		
Are employees required to shower and wash their hair as soon as possible after known contact has occurred with a carcinogen?		
When equipment, materials, or other items are taken into or removed from a carcinogen-regulated area, is it done in a manner that will not contaminate non-regulated areas or the external environment?		

SPRAYING OPERATIONS

	YES	NO
Is adequate ventilation assured before spray operations are started?		
Is mechanical ventilation provided when spraying operation is done in enclosed areas?		
When mechanical ventilation is provided during spraying operations, is it arranged so it will not circulate the contaminated air?		
Is the spray area free of hot surfaces?		
Is the spray are at least 20 feet from flames, sparks, operating electrical motors, and other ignition sources?		
Are portable lamps used to illuminate spray areas suitable for use in a hazardous location?		
Is approved respiratory equipment provided and used, when appropriate, during spraying operations?		
Do solvents used for cleaning have a flash point of 100° F or more?		
Are fire control sprinkler heads kept clean?		
Are "No Smoking" signs posted in spray areas, paint rooms, paint booths, and paint storage areas?		
Is the spray are kept clean of combustible residue?		
Are spray booths constructed of metal, masonry, or other substantial noncombustible material?		
Are spray booth floors and baffles noncombustible and easily cleaned?		
Is infrared drying apparatus kept out of the spray area during spraying operations?		
Is the spray booth completely ventilated before using the drying apparatus?		
Is the electric drying apparatus properly grounded?		
Are lighting fixtures for spray booths located outside of the booth and the interior lighted through clear panels?		
Are the electric motors for exhaust fans placed outside booths or ducts?		
Are belts and pulleys inside the booth fully enclosed?		
Do ducts have access doors to allow cleaning?		
Do all drying spaces have adequate ventilation?		
Are spray booths equipped with an automatic fire extinguishing system?		
Is the spray booth automatic fire extinguishing system regularly inspected and maintained?		

STAIRS & STAIRWAYS

	YES	NO
Are standard stair rails or handrails on all stairways having four or more risers?		
Are all stairways at least 44 inches wide?		
Do stairs have at least a 6'6" overhead clearance?		
Do stairs angle no more than 50 and no less than 30 degrees?		
Are hollow-pan stair treads and landings filled to noising level with solid material?		
Are step risers on stairs uniform from top to bottom, with no riser spacing greater than 7 ¾ inches?		
Are steps on stairs and stairways designed or provided with a surface that renders them slip-resistant?		
Are stairway handrails located between 30 and 34 inches above the leading edge of stair treads?		
Do stairway handrails have at least 1 ½ inches in clearance between the handrails and the wall or surface on which they are mounted?		
Are stairway handrails capable of withstanding a load of 200 pounds, applied in any direction?		
Where stairs or stairways exit directly into any area where vehicles may be operated, are adequate barriers and warnings provided to prevent employees stepping into the path of traffic?		
Do stairway landings have a dimension measured in the direction of travel, at least equal to the width of the stairway?		
Is the vertical distance between stairways landings limited to 12 feet or less?		
Is a stairway provided to the roof of each building four or more stories in height, provided the roof slope is four in twelve or less?		

TIRE INFLATION

	YES	NO
Where tires are mounted and/or inflated on drop center wheels, is a safe practice procedure posted and enforced?		
Where tires are mounted and/or inflated on wheels with split rims and/or retainer rings, is a safe practice procedure posted and enforced?		
Does each tire inflation hose have a clip-on chuck with at least 24 inches of hose between the chuck and an in-line hand valve and gauge?		
Does the tire inflation control valve automatically shut off the air flow when the valve is released?		
Is a tire restraining device such as a cage, rack, or other effective means used while inflating tires mounted on split rims, or rims using retainer rings?		
Are employees strictly forbidden from taking a position directly over or in front of a tire while it's being inflated?		

TRANSPORTING EMPLOYEES & MATERIALS

	YES	NO
Do employees who operate vehicles on public thoroughfares have operator's licenses?		
When seven or more employees are regularly transported in a van, bus, or truck, is the operator's license appropriate for the class of vehicle being driven?		
Is each van, bus, or truck used regularly to transport employees equipped with an adequate number of seats?		
When employees are transported by truck, are provisions provided to prevent their falling from the vehicle?		
Are vehicles used to transport employees equipped with lamps, brakes, horns, mirrors, windshields, and turn signals in good repair?		
Are transport vehicles provided with handrails, steps, stirrups, or similar devices, so placed and arranged that employees can safely mount and dismount?		
Are employee transport vehicles equipped at all times with at least two reflective flares?		
Is a fully-charged fire extinguisher, in good condition, with at least four B:C rating maintained in each employee transport vehicle?		
When cutting tools with sharp edges are carried in passenger compartments of employee transport vehicles, are they placed in closed boxes or containers that are secured in place?		
Are employees prohibited from riding on top of any load with can shift, topple, or otherwise become unstable?		

VENTILATION FOR INDOOR AIR QUALITY

	YES	NO
Does your HVAC system provide at least the quantity of outdoor air required by the State Building Standards Code at the time the building was constructed?		
Is the HVAC system inspected at least annually and problems corrected?		
Are inspection records retained for at least five years?		

WALKWAYS

	YES	NO
Are aisles and passageways kept clear?		
Are aisles and walkways marked as appropriate?		
Are wet surfaces covered with non-slip materials?		
Are holes in the floor, sidewalk or other walking surface repaired properly, covered or otherwise made safe?		
Is there safe clearance for walking in aisles where motorized mechanical handling equipment is operating?		
Are spilled materials cleaned up immediately?		
Are materials or equipment stored in such a way that sharp projectiles will not interfere with the walkway?		
Are changes of direction or elevations readily identifiable?		
Are aisles or walkways that pass near moving or operating machinery, welding operations or similar operations arranged so employees will not be subjected to potential hazards?		
Is adequate headroom provided for the entire length of any aisle or walkway?		
Are standard guardrails provided wherever aisle or walkway surfaces are elevated more than 30 inches above any adjacent floor or the ground?		
Are bridges provided over conveyors and similar hazards?		

WELDING, CUTTING & BRAZING

	YES	NO
Are only authorized and trained personnel permitted to use welding, cutting, or brazing equipment?		
Do all operators have a copy of the appropriate operating instructions and are they directed to follow them?		
Are compressed gas cylinders regularly examined for obvious signs of defects, deep rusting, or leakage?		
Is care used in handling and storage of cylinders, safety valves, relief valves, etc., to prevent damage?		
Are precautions taken to prevent mixture of air or oxygen with flammable gases, except at a burner or in a standard torch?		
Are only approved apparatus (torches, regulators, pressure-reducing valves, acetylene generators, manifolds) used?		
Are cylinders kept away from sources of heat?		
Is it prohibited to use cylinders as rollers or supports?		
Are empty cylinders appropriately marked, their valves closed and valve protection caps on?		
Are signs reading: "Danger – No Smoking, Matches, or Open Lights", or the equivalent, posted?		
Are cylinders, cylinder valves, couplings, regulators, hoses, and apparatus kept free of oily or greasy substances?		
Is care taken not drop or strike cylinders?		
Unless secured on special trucks, are regulators removed and valve protection caps put in place before moving cylinders?		
Do cylinders without fixed hand wheels have keys, handles, or non-adjustable wrenches on stem valves when in service?		
Are liquefied gases stored and shipped valve-end up with valve covers in place?		
Are employees instructed to never crack a fuel-gas cylinders valve near sources of ignition?		
Before a regulator is removed, is the valve closed and gas released from the regulator?		
Is red used to identify the acetylene (and other fuel-gas) hose, green for oxygen hose, and black for inert gas and air hose?		
Are pressure-reducing regulators used only for the gas pressures for which they are intended?		

	YES	NO
Is open circuit (no-lead) voltage of arc welding and cutting machines as low as possible and not in excess of the recommended limits?		
Under wet conditions, are automatic controls for reducing no-lead voltage used?		
Is grounding of the machine frame and safety ground connections of portable machines checked periodically?		
Are electrodes removed from the holders when not in use?		
Is it required that electric power to the welder be shut off when no one is in attendance?		
Is suitable fire extinguishing equipment available for immediate use?		
Is the welder forbidden to coil or loop welding electrode cable around his/her body?		
Are wet welding machines thoroughly dried and tested before being used?		
Are work and electrode lead cables frequently inspected for wear and damage, and replaced when needed?		
Do means for connecting cables' lengths have adequate insulation?		
When the object to be welded cannot be moved and fire hazards cannot be removed, are shields used to confine heat, sparks, and slag?		
Are fire watchers assigned when welding or cutting is performed, in locations where a serious fire might develop?		
Are combustible floors kept wet, covered by damp sand, or protected by fire-resistant shields?		
When floors are wet, are personnel protected from possible electric shock?		
When welding is done on metal walls, are precautions taken to protect combustibles on the other side?		
Before hot work is begun, are used drums, barrels, tanks, and other containers so thoroughly cleaned that no substances remain that could explode, ignite, or produce toxic vapors?		
Is it required that eye protection, helmets, hand shields, and goggles meet appropriate standards?		
Are employees exposed to the hazards created by welding, cutting, or brazing operations protected with personal protective equipment and clothing?		
Is a check made for adequate ventilation in and where welding or cutting is performed?		
When working in confined spaces, are environmental monitoring tests taken and means provided for quick removal of welder in case of an emergency?		

A. An Employee Safety Committee is hereby established. Members include:

- 1) Risk Manager (Chair)**
- 2) Emergency Management Coordinator**
- 3) Human Resources Director**
- 4) Road and Bridge Department employee**
- 5) Sheriff Department employee**
- 6) Building Maintenance employee**
- 7) Engineering employee**
- 8) Information Technology employee**
- 9) Parks Department employee**
- 10) Mosquito Control Department Employee**
- 11) Workers' Compensation Specialist**
- 12) Any interested Elected or Appointed Official**

In addition the Commissioners' Court will appoint an Industrial/Manufacturing Industry Representative who will serve in an advisory capacity.

B. The Employee Safety Committee is charged with creating and maintaining employee interest in safety. Accordingly there must be a spirit of cooperation and a commitment to safety as a shared responsibility between Department Heads, Supervisors and Employees. A positive safety attitude influences Employees favorably.

C. The Purpose of the Safety Committee is to:

- 1) Propose safety policies and procedures regarding the overall safety of the program for the County and recommend their adoption by Department Heads and Supervisors.**
- 2) Arouse and maintain the interest of Department Heads and Supervisors by keeping them informed on safety matters, procedures and techniques.**
- 3) Inform Department Heads of current safety program status regarding goals, experience, training and equipment needs.**
- 3) Stimulate and maintain Employee interest and cooperation in safety matters.**
- 4) Help make safety activities a function of every department's operation and an integral part of operating procedures and methods.**
- 5) Provide an opportunity for free discussion of occupational hazards or potential problems and preventative measures.**
- 6) Evaluate reported unsafe conditions and practices.**
- 7) Evaluate Employee safety suggestions.**
- 8) Review and analyze Employee Workers' Compensation accident summaries or logs.**

D. Safety Committee meetings should use the Safety Meeting Documentation form.

SAFETY MEETING DOCUMENTATION FORM

Date _____ Time _____ Department _____ Instructor _____

<u>Employees Present</u>		<u>Absent</u>
1.	16.	1.
2.	17.	2.
3.	18.	3.
4.	19.	4.
5.	20.	5.
6.	21.	6.
7.	22.	7.
8.	23.	8.
9.	24.	9.
10.	25.	10.
11.	26.	11.
12.	27.	12.
13.	28.	13.
14.	29.	14.
15.	30.	15.
<u>Topics Covered</u>		
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

**CHAPTER 33
SAFETY RULES**

Section 1.

General Safety Rules

- A. All Employees must dress safely for the performance of their assigned duties.**
- B. All employees should attend the County's "Right to Know" training program as scheduled by the Risk Manager.**
- C. All employees are to become familiar with the location of Material Safety Data sheets (MSDS), fire extinguishers, eye washers, first aid stations, chemical showers, emergency telephone numbers and escape routes.**
- D. Any Employee who fails or refuses to abide by any Safety Rule set forth in this Chapter 31 will be subject to disciplinary action up through and including termination of employment.**

Section 2.

Field Employees

- A. All field Employees must utilize personal protective equipment and gear provided by the County whenever it is required.**
- B. All field Employees working in or near vehicular traffic must wear reflective outerwear.**

Section 3.

General Office Safety

- A. Extension cords:**
 - (1) May not be used as a substitute for permanent wiring. Extension cords are permitted only with portable equipment which is not intended to be permanently placed on a desk or other work area.**
 - (2) Must be plugged directly into an approved receptacle and should, except for approved multiplying extension cords, serve only one piece of portable equipment.**
 - (3) Must have a current capacity of not less than the rated capacity of the portable equipment.**
 - (4) Must be maintained in good condition without splices, deterioration, or damage.**
 - (5) Must be of the grounded type when servicing grounded equipment.**
 - (6) May not be affixed to structures, extended through walls, ceilings, floors, under furniture, doors or floor coverings, nor be subject to environmentally damaging physical impact.**
 - (7) Must not be placed across a traffic aisle.**
- B. Before entering any area ensure adequate lighting is present.**

- C** Since floor surfaces are constantly being wiped or waxed, always use caution when treading on same.
- D.** Loose throw rugs are not to be placed on any floor.
- E.** Loose or frayed carpeting must be reported to the Director of Facilities immediately.
- F.** All floors must be free of pens, pencils, paper clips, paper, boxes and other items that could cause an Employee to slip, stumble or fall.
- G.** Employees must never run up or down on stairways or take stairs more than one step at a time.
- H.** Employees using stairs must use available handrails, and never carry more than they can carry in one hand while maintaining good visibility.
- I.** Office Furniture
 - (1)** Employees must never use office chairs, desks or other furniture as a ladder.
 - (2)** Employees are to report all broken and defective furniture immediately to their Supervisor.
 - (3)** Desks, cabinets, and general work areas must be clean, tidy and orderly at all times.
 - (4)** All file cabinets, desks, and table drawers should be kept closed when not in active use.
 - (5)** Do not overload the top drawer on any file cabinet.
 - (6)** Do not open more than one drawer on any file cabinet.
- J.** Paper cutters always require caution. Be sure the paper cutter guard is in place before use. When finished, be sure the paper cutter cutting arm is down and the guard is in place.
- K.** Most office equipment is electrically operated. This includes but is not limited to computers, printers, typewriters, calculators, and pencil sharpeners. Employees should be alert for frayed wiring, loose connections and sparks. Employees should report such occurrences to their Supervisor immediately.
- L.** Employees who open cartons must:
 - (1)** Avoid the use of a razor blade under any circumstances.
 - (2)** Use caution.
 - (3)** Use only a commercially approved cutter.
 - (4)** Have the carton placed on a firm surface.

(5) Always cut away from their body and with no one in close proximity.

(6) When finished, close and secure the cutter properly.

M. Paper staplers can be dangerous items when used improperly.

(1) Use paper staplers only for its intended purpose.

(2) When clearing a jam, do not use sharp instruments such as letter openers or knives.

(3) When removing staples, never use fingernails. Use a staple remover.

N. General Traffic

(1) When walking in aisles, stairways, and corridors, always walk on the right side.

(2) When approaching corners, slow down before turning.

(3) Never carry pointed articles such as pencils, rulers, scissors, letter openers, etc. in front of you while walking.

(4) Use extreme caution when approaching doorways, especially if they do not have two-way windows. Also, be aware that a door may swing open towards you.

Section 4.

Personal Protection

A. Eye and Face.

Employees must use provided, suitable eye and face protection where injury may occur from flying objects, glare, liquid splashes, weed eaters, edgers, chemicals, grinding, sand blasting and other potentially hazardous activities.

B. Welding.

The welder and all other personnel in the immediate area must wear goggles or transparent face shields during all welding procedures.

C. Respiratory Protection.

Proper respiratory protective gear must be worn in confined spaces (e.g., tanks, dangerous air contamination, liquid chlorine, gasses, vapors, fumes, dust, and other areas as instructed).

D. Hand, Arm, and Body

Protective gloves must be worn when handling toxic materials and potentially hazardous operations (e.g., acids, welding, sand blasting, sanitation operations, and other work operations which may require aprons and hard hats where applicable).

E. Footwear

Employees must wear suitable footwear protection at all times in the performance of their duties. Where slippery, explosive, or toxic solvents are present, employees must wear rubber boots. Wearing of sandals, thongs, sneakers, loafers, or other similar footwear will not be acceptable during work hours for employees serving in laborer, maintenance, construction, or inspection positions.

F. High Visibility Gear

Employees must wear a County provided high visibility vest when:

- (1) Working early or late hours where there is not enough natural light by which to work;
- (2) Exposed to vehicular traffic in streets and alleys; or
- (3) Directing traffic as required

G. Lifelines

Employees must wear required lifelines and lanyards when working in overhead positions and trenches.

Section 5.

Handling and Storage

A. Lifting and Carrying

- (1) All employees must attend "Protect Your Back" training sessions as they are scheduled by the Risk Manager.
- (2) Employees should:
 - (a) Know their lifting and carrying capabilities and boundaries and stay within them.
 - (b) Size up the item and only lift what they can handle easily.
 - (c) Whenever possible, face in the direction the Employee plans to go before lifting.
 - (d) Get as close as possible to the object to be lifted, squat down keeping their back straight and using a smooth motion with a firm grip, stand up using their legs.
 - (e) Bring load close to the body and proceed in normal steps.
 - (f) Not overextend themselves.
 - (g) Stop and rest if necessary.

- (h) Do not overload themselves.
- (i) If necessary, ask a fellow Employee for assistance and divide the load, or obtain the proper equipment to move heavy materials.
- (j) Immediately report to their Supervisor any pain or other symptoms, however slight.

B. Stacking Material

- (1) Keep piles neat, firm, straight, and level.
- (2) Keep aisles, stairways, and exits free and clear at all times.
- (3) Use proper protective gear when handling sharp or rough objects.
- (4) All plastic containers, cans or drums, which have a usable product in them must be sealed and properly labeled with correct information required by law. Avoid the mixing and transferal of products when possible.
- (5) Maintain good housekeeping and do not allow rubbish, oily rags, or other combustible materials to accumulate.
- (6) Do not stack combustible or flammable materials next to heat generating machinery.

C. Hazardous Materials

- (1) Hazardous material can be found virtually in every workplace. It may vary from a few ounces in aerosol cans to several thousand gallons in bulk storage tanks. All Employees must attend "Right to Know" training as they are scheduled by the Risk Manager.
- (2) Employees assigned to working with these materials must always:
 - (a) Be up to date on all handling procedures.
 - (b) Be constantly aware of all potential dangers.
 - (a) Be licensed as required by law.
- (3) Each and every container, regardless of size or substance must be sealed and properly labeled at all times as required by law. Never mix or transfer toxic chemicals.
- (4) Storage site areas are never to be left open, unlocked, or unattended.
- (5) Whenever in doubt, never assume. It could prove fatal.

- (6) All Employees are to become familiar with the location of Material Safety Data Sheets (MSDS), fire extinguishers, eye washers, first aid stations, chemical showers, emergency telephone numbers and escape routes.

Section 6.

Confined Spaces

- A. Employees and supervisors who work in confined spaces must attend confined space safety training as they are scheduled by the Risk Manager.
- B. Examples of confined spaces include tanks, manholes, sewers, excavations, casings, and smoke-filled rooms. Confined space can be very dangerous, and caution should be exercised when working in these areas.
- C. **Planning and Preparation**
 - (1) Safe entry into confined spaces begins with proper planning and preparation. Each Employee involved should share in the planning step-by-step.
 - (2) Prepare the space for entry and review all work to be done in the confined area. Organize any tools and equipment. Use only safe, grounded, explosive-proof items.
 - (3) Define and review all safety equipment, respirators, goggles, gloves, helmets, lifelines, ample lighting and communication at the work site (i.e., rescue procedures).
 - (4) Use lockouts and tags to prevent accidental startup of equipment while someone is working in the confined space. Cut off steam, water, gas or power lines that enter the confined space.
 - (5) Before entering confined area and during work procedures, test the air quality of the space from top to bottom for oxygen, combustibility, and toxicity. Ventilate the space if necessary to maintain an oxygen level of at least 19.5 percent.
 - (6) Proper respiratory protective gear must be worn in confined spaces (e.g., tanks, dangerous air contamination, liquid chlorine, gases, vapors, fumes, dust, and other areas as instructed).
 - (7) No Employee may enter a confined space without a back-up partner.

D. Back Up

In spite of these precautions, emergencies can still occur with someone inside a confined space. Employee safety usually depends on quick rescue. Consequently, Employees involved in entering confined spaces should be familiar with rescue procedures. Safety precautions shall include the following:

- (1) Not only a safe entry, but also a safe exit.
- (2) An emergency plan if an Employee becomes injured or loses consciousness.
- (3) Wrist or full harness with safety line attached.

- (4) Another employee standing by.

Section 7.

Trenching and Shoring

- A. Supervisors of excavation operations must attend excavation training as scheduled by the Risk Manager, be knowledgeable about the soil and rock formations that might be encountered during excavation operations, and be familiar with OSHA Excavation Standards (29 CFR, Part 1926, Subpart P).
- B. Trenches less than four feet deep must be protected when examination indicates that ground movement might be expected.
- C. Trenches four feet or more in depth must always be shored, sheeted, braced, sloped, or otherwise supported by means strong enough to protect the Employee.
- D. All materials used in support systems must be in good serviceable condition and of proper dimensions.
- E. Constant examination is required due to such factors as variation in water content, exposure to air, sun, rain, loading and unloading operations, on-site vibrations from equipment or traffic, and the type of soil, sand, or gravel being used.

Section 8.

Machine and Equipment Safety

A. General Rules

- (1) Only trained and authorized operators shall be permitted to operate County machinery/equipment.
- (2) Each County park and other facility must maintain a list of authorized operators.
- (3) The equipment manufacturer's training program will be used in all cases.
- (4) All machinery and equipment is to be maintained in accordance with the manufacturer's recommendations.
- (5) If at any time a piece of equipment or machinery is found to be in need or repair, defective, or in any way unsafe, it must be taken out of service until it has been restored to a safe condition.
- (6) All County equipment and machinery which is operated under its own power must have back-up protection installed and in use at all times.
- (7) When machinery and equipment is fueled, the following minimum standards must be maintained:
 - (a) Always fuel machinery and equipment with the engine turned off.
 - (b) Always have an Employee with an approved fire extinguisher standing "fire watch" while the machinery is being fueled.

- (c) Always fuel machinery and equipment while the engine is cool. Generally, fueling should take place at the beginning or end of the workday. If fueling must take place during the workday, the Employee should allow the engine to cool before commencing fueling operations.

B. Machine Guarding

- (1) Only equipment that has all required guards may be purchased and used in the workplace.
- (2) Employees must use provided machine guards and not remove them.
- (3) Employees may not disable or over-ride “dead man” throttles or controls.
- (4) Fixed machine guards for moving parts and point-of-operation protection devices will be inspected during safety inspections.
- (5) Any County machine that has a guard removed or is not in safe operating condition will be taken out of service until repaired or the missing guard is replaced.
- (6) No Employee will be allowed to operate any machine until the Employee becomes knowledgeable in the machine’s safe operation.

C. Hand and Power Tools

- (1) Employees must:
 - (a) Inspect all tools before using and may not use tools known to be worn out or defective.
 - (b) Use tools only for their designated application.
 - (c) Not use tools with mushroomed heads, sloppy connections, split or broken handles or other defects.
 - (d) Make sure electrical tools are grounded, double insulated, or have an operable ground fault interrupter in the circuit.
 - (e) Disconnect power tools and machines from their power source before making adjustments or attachment changes.
 - (f) Determine that all air-powered tools have safety clips or retainers on all connectors.
 - (g) Not remove guards or safety devices or use power tools that have such devices defective or missing.
 - (h) Inspect abrasive wheels for cracks, chips, or other defects before use.
 - (i) Not use any power tool that they are not qualified to use.

D. Abrasive Wheel Equipment

- (1) The work rest must be kept adjusted to within 1/8 inch of the wheel. The adjustable tongue on the topside of the grinder must be kept adjusted to within 1/4 inch of the wheel.**
- (2) Side guards must cover the spindle, nut and flange 75% of the wheel diameter.**
- (3) Bench and pedestal grinders must be permanently mounted.**
- (4) Goggles or face shield must always be worn when grinding.**
- (5) The maximum RPM rating of each abrasive wheel must be compatible with the RPM rating of the grinder motor.**
- (6) Fixed or permanently mounted grinders must be connected to their electrical supply system with metallic conduit or by other permanent wiring method.**
- (7) Each grinder must have an individual on and off control switch. The switch must be easily accessible any time the machine is operated.**
- (8) Each electrically operated grinder is effectively grounded. Do not defeat the grounding mechanism, especially by using non-three prong plug adapters.**
- (9) Note the method by which new abrasive wheels are mounted. Visually inspect and ring test new abrasive wheels.**
- (2) The dust collectors and powered exhausts provided on grinders must be used in operations that produce large amounts of dust.**
- (3) The splashguards mounted on grinders that use a coolant must be mounted so that no one is ever splashed with coolant.**
- (4) The work area around a grinder must be kept clean at all times.**

Section 9.

Ladder and Scaffold Safety

A. Ladder Safety

- (1) Before each use, all ladders must be inspected for damaged rungs and split or cracked side rails. Faulty ladders are to be tagged as such and immediately taken out of service.**
- (2) Employees must face the ladder when ascending or descending.**
- (3) Ladders placed in doorways, walkways, or other congested areas must be barricaded or guarded.**
- (4) The top of portable ladders must be extended 36 inches above the landing and be properly secured.**

- (5) **Employees who work from special hanging ladders must be protected from falling. A safety line, safety belt and lanyard, or safety harness must be used.**
- (6) **All straight ladders must have non-skid feet.**
- (7) **When using a straight ladder, a second employee must remain at the bottom of the ladder and keep it secured.**
- (8) **Metal ladders may not be used where there is a possibility of electrical contact.**
- (9) **Job built ladders must conform to all OSHA standards.**

B. Scaffold Safety

- (1) **All scaffolds, whether fabricated on site, purchased, or rented, must conform to the specifications found in ANSI A10.8, Safety Requirements for Scaffolding.**
- (2) **Rolling scaffolds must maintain a 3:1 height-to-base ratio.**
- (3) **The footing or anchorage for a scaffold must be sound, rigid, and capable of carrying the maximum intended load without settling or displacement. Unstable objects such as barrels, boxes, loose bricks, or concrete blocks must not be used to support scaffolds or planks.**
- (4) **No scaffold may be erected, moved, dismantled, or altered unless supervised by Employees trained for such purposes.**
- (5) **Scaffolds and their components must be capable of supporting at least four times the maximum intended load without failure.**
- (6) **Guardrails and tow boards must be installed on all open sides and on the ends of scaffolds and platforms more than ten feet above ground.**
- (7) **Scaffolds four feet to ten feet in height having a minimum horizontal dimension in either direction of less than 45 inches must have a standard installed on all open sides and on the ends of the platform.**
- (8) **Wire, synthetic, or fiber rope used for suspended scaffolds must be capable of supporting at least six times the rated load.**
- (9) **No riveting, welding, burning, or open flame work may be performed on any staging suspended by means of fiber or synthetic rope.**
- (4) **Treated fiber or approved synthetic ropes must be used for or near any work involving the use of corrosive substances.**

Section 10.

Housekeeping and Maintenance

- A. Work areas will be kept free of objects on the ground or floor to reduce the hazards of slips and falls.**
- B. Oil, grease, liquids and other slippery substances will not be allowed to remain on walking surfaces but must be immediately cleaned.**
- C. Oily rags will be placed in closed metal containers until disposed.**
- D. Passageways, ramps, and stairways will not be used for storage areas and will be kept clear at all times.**
- E. Work areas, exits, and aisle spaces will not be used for storage areas and will be kept clear at all times.**
- F. Exposure to electrical cords will be kept to a minimum.**
- G. Specific storage areas will be established and all materials will be stored using proper and safe storage methods.**
- H. Worn or frayed carpets or carpets with open seams or curled edges will not be permitted.**
- I. Loose floor tiles or mats will not be permitted.**
- J. Walking surfaces will be kept clear of debris, dust, oil, paint, or spray residue, granular materials, sand, mud, ice, and other slippery traction-robbing materials.**
- K. Standing water will not be permitted to remain on any interior walking surface.**
- L. Adequate lighting will be provided so employees can safely perform their assigned tasks.**
- M. Adequate ventilation will be provided to prevent accumulation of toxic fumes or flammable vapors.**
- N. Refuse will be removed from the building on a regular basis and stored away from the building until picked up and disposed.**
- O. Accumulations of ice and snow will be removed from sidewalks in a timely fashion in order to prevent slips and falls.**
- P. Sidewalks and parking areas will be provided with adequate illumination.**
- Q. All building exits will be properly marked.**
- R. Boiler rooms, utility rooms, and other similar rooms will not be used for storage of combustible materials.**

Section 11.

Fire Protection and Prevention

- A. The County will have an adequate number of UL approved portable fire extinguishers. Portable fire extinguishers will be of the A:B:C type and provided throughout each location, as required by municipal ordinance or state law.**
- B. Portable extinguishers will be mounted in highly-visible or easily-accessible areas. Signs will be mounted, identifying the location of all fire extinguishers.**
- C. All portable fire extinguishers will be inspected annually by a qualified outside individual. An inspection tag will be attached to each extinguisher to indicate the date of the last inspection.**
- D. Portable fire extinguishers will be in each County vehicle.**
- E. All fire fighting equipment will be conspicuously located and periodically inspected.**
- F. An alarm system will be established to alert employees on the job site for an emergency. The local fire department emergency number will be conspicuously located near telephones.**
- G. Employees should:**
 - (1) attend training sessions scheduled by the Risk Manager on how to fight different types of fires and the proper use of different types of extinguishers for each type of fire.**
 - (2) Obey all “No Smoking” signs. Smoking is only permitted in designated outside smoking areas.**
 - (3) Use only approved containers for storage of flammable liquids.**
 - (4) Wash tools and materials only in approved solvents. Never use gasoline or other highly flammable products.**
 - (5) Not store flammable liquids in areas used as passageways, stairways, or exits.**
 - (6) Keep all combustible materials (wood, paper, and liquids) least 10 feet away from gas fired heaters unless the heater is in an enclosed area.**
 - (7) Store all flammable liquid, not for immediate use, properly in its designated area.**
- F. Where a sprinkler system exists, the system will be inspected by a licensed company on an annual basis. Employees will be trained on its operation.**

Section 12.

Welding and Cutting

- A. The performing of welding and cutting operations exposes the employee possible injury and structures and items to damage by fire. The safety rules listed below are designed to help minimize such incidents from occurring.**

B. Gas Welding and Cutting

- (1) When performing gas welding and cutting operations, a portable fire extinguisher is required to be immediately available.**
- (2) Gas cylinders will never be moved or stored unless valve protection caps are in place. The only exception occurs when the gas cylinders are secured to a wheeled cart.**
- (3) Store and move cylinders in a secured upright position.**
- (4) Make sure regulators, hoses, couplings, and tip connections are in good condition (no breaks, damaged or cracked glass, or oil contamination).**
- (5) Do not interchange hose connections between fuel gas and oxygen.**
- (6) Do not use matches or hot work to light torches.**
- (7) Do not weld or cut in or near flammable materials, especially paints, dusts, gases or vapors.**
- (8) Do not use compressed gas for comfort cooling, blowing dust from clothing, or for cleaning work areas.**
- (9) Always wear suitable eye and face protection when engaged in welding, cutting, or heating materials.**
- (10) When leaving torch unattended, turn off gas valves at cylinders.**
- (11) Check area before and after welding for fire hazards.**
- (12) A Back flash preventer should be installed between the torch and the gas cylinders to prevent back flash.**
- (13) Report faulty or defective equipment to your Supervisor.**
- (14) A fire watch is required whenever welding or cutting is performed in locations where there are combustibles or flammable materials closer than 35 feet to the point of operation.**
- (15) Before cutting or welding is permitted, the Employee performing to operation will inspect the area. He/she will point out the potential hazards to the firewatcher.**
- (16) The firewatcher will have fire-extinguishing equipment readily available and be trained in its use. He/she will be familiar with the procedure for sounding an alarm in the event of a fire.**
- (17) The firewatcher will watch for fires in all exposed areas, try to extinguish them only when obviously within the capacity of the equipment, or otherwise sound the alarm.**

- (18) A fire watch will be maintained for at least 30 minutes after the completion of welding or cutting operations to detect and extinguish possible smoldering fires.
- (19) Only trained and authorized employees are permitted to perform welding and cutting operations.

C. Arc Welding

- (1) When performing arc welding and cutting operations, a portable fire extinguisher is required to be immediately available.
- (2) Always wear proper eye and face protection. Gas welding goggles are not adequate against arc welding rays.
- (3) Know proper procedures before operating an arc welder.
- (4) Inspect cables and electrode holders for exposed conductors or cracked insulation, repair as needed.
- (5) Report faulty or defective equipment to your Supervisor.
- (6) Make sure that grounding is adequate.
- (7) Never wrap leads around parts of your body.
- (8) Use a proper safety harness or belt when working in elevated locations that are six feet or more above the ground or work platform.
- (9) Before making adjustments to any part of the electric welding equipment, be sure the current has been halted.
- (10) Do not look at welding operations without adequate eye protection.

Section 13.

Lockout Program

A. General Information

Galveston County complies with the OSHA CONTROL OF HAZARDOUS ENERGY (LOCKOUT-TAGOUT) STANDARD, CODE OF FEDERAL REGULATIONS 1910.147 by:

- (1) Developing and implementing this program,
- (2) Establishing responsibility for the implementation, training, maintenance, and auditing of this program,
- (3) Identifying systems that require Lockout, and
- (4) Defining the Lockout procedure to be used.

This program establishes the minimum requirements for the lockout of energy isolating devices. It will be used to ensure that equipment is isolated from all potentially hazardous energy and locked out before employees perform any maintenance activities where the unexpected start-up or release of stored energy could cause injury.

When term “Lockout” is used, it means that a lockout device, usually a key or combination lock, must be used to secure a piece of equipment’s power source in the “off” position.

B. Responsibility

Although only authorized Employees are permitted to perform Lockout procedures and remove all locks, all Employees need to understand this Lockout Program.

- (1) The Risk Manager is responsible for the following items:**
 - (a) The program development,**
 - (b) Identifying the equipment that requires Lockout,**
 - (c) Developing procedures to be used, and**
 - (d) Auditing the Lockout Program.**
- (2) The Risk Manager also is responsible for the following items:**
 - (a) Procedure development and equipment identification,**
 - (b) Training all existing and new Employees,**
 - (c) Enforcing the requirements of this program, and**
 - (d) Auditing the Lockout Program.**

C. Lockout Procedures

The following steps will be used to prevent accidents during the repair and maintenance of equipment:

- (1) Remember to think, plan, and check. Think through the entire procedure and identify all parts of any equipment that needs to be shut down. Locate switches, valves, or other devices that need to be locked out.**
- (2) Communicate, and let others know when and why you are shutting down the equipment.**
- (3) Locate all power sources. This includes hydraulic, pneumatic, chemical, thermal, and mechanical. There may be more than one source of energy.**
- (4) Neutralize all power at its sources. Disconnect electricity and block any movable parts. Release or block spring energy. Drain all hydraulic and pneumatic lines. Lower suspended parts to rest positions.**

- (5) **Lockout all power sources. Use a lock designed for this purpose.**
- (6) **Test operating controls. Turn all controls to the “on” position to make certain the power is off.**
- (7) **Then turn the controls to the “off” position. Double check before beginning any necessary maintenance or repairs.**
- (8) **Make necessary repairs or perform maintenance.**
- (9) **Remove locks and restore energy. Restart equipment only after all other workers are at a safe distance. Tools should be removed from equipment and machine guards back in place. Notify other employees that the equipment is on.**

D. Training

The Risk Manager is responsible for the training of all Employees in the correct implementation and maintenance of Lockout. Before a new piece of equipment is used, the Department Head and Risk Manager are responsible for establishing Lockout procedures for its maintenance and training employees in those procedures. All training will be documented on the appropriate form.

E. Additional Information

All Employees can obtain further information on this written lockout program by contacting the Risk Manager.

F. Form

Use the attached form for Lockout Reporting.

Lockout Requirements for Location:

A. Specific Equipment B. Lockout Location C. Analyzed by

D. Employee Name E. Lock No. F. Signature

**CHAPTER 34
REPORTING OF ACCIDENTS, INJURIES
AND PROPERTY DAMAGE**

Section 1.

Near Miss Situations

- A. A near miss that does not result in injury to anyone, but could have resulted in a major injury or causes damage to property should be reported to the Risk Manager within 48 hours. Fill out Attachment 1 and furnish a copy to the Risk Manager. Telephone: (409)770-5334**

Section 2.

**Employee Injury- No Third
Party Involved.**

- A. Employees who are injured should immediately seek such medical attention as is required. Do not hesitate to call for an ambulance if one is needed.**
- B. All accidents wherein an employee is injured and no third party is involved should be reported immediately to the Employee's Supervisor. The Supervisor will notify the Employee's Department Head. The Department Head will notify the Human Resources Department for Workers' Compensation purposes. The Department Head should also notify the Risk Manager.**
- C. In the case of a death of an employee, Department Heads should immediately notify the appropriate law enforcement agency, Human Resources, the Risk Manager and County Legal.**
- D. The Department Head should also complete and forward an Accident Report/Investigation Form to Human Resources and the Risk Manager as soon as is expeditiously feasible. Use Attachment 2.**
- E. Drug and/or alcohol analysis as detailed in the County's Drug and Alcohol Policy will be required for employees whose duties require their holding a commercial drivers license or who work in safety sensitive areas.**

Section 3.

**County Property Damage
No Third Party Involved**

A. In the event of an accident involving a County vehicle or County owned property damage only, the Employee will follow the following procedures:

- 1. Notify proper law enforcement authority of the accident location;**
- 2. Notify County's Risk Manager by telephone at: (409) 770-5334**
- 3. Notify the Employee's immediate Supervisor;**
- 4. Notify the County Risk Manager for towing instructions;**
- 5. Complete Vehicle/Property Damage Report. Use Attachment 3.**
- 6. Make no statements to any third party concerning the accident other than such as are required by the proper law enforcement authority, the Risk Manager, or Legal Department.**

Section 4.

Third Party Injury or Property Damage

A. Accident Investigator

The County retains on staff an Accident Investigator, acting under the direction of the County Legal Department. Upon request of the Legal Department, it is the Accident Investigator's responsibility to investigate and review all accidents involving County Employees and/or vehicles and third parties as instructed by the Legal Department.

ALL EMPLOYEES MUST IMMEDIATELY REPORT ALL ACCIDENTS AND DAMAGE OF ANY NATURE CAUSED TO THIRD PARTIES TO THE LEGAL DEPARTMENT.

B. Property Damage of or Injury to Third Parties

In the event of an accident involving property damage of or personal injury to a third party, the Employee should:

- 1. Notify law enforcement authority in the jurisdiction stating that the accident occurred and that property damages or personal injuries have occurred;**
- 2. If a third party is injured, the Employee will assist if possible. The Employee will not attempt to move an injured person unless additional danger is imminent, such as fuel spill, fire or explosion;**
- 3. After necessary assistance, the Employee will remain clear of accident scene.**
- 4. Notify County's Accident Investigator c/o County Legal at the following number:
(409) 770-5562 (8 a.m. – 5 p.m.)
(409) 766-2322 (Sheriff Dispatch - all other hours, week-ends and holidays)**
- 5. Notify the County Legal Department at (409)770-5562 on first working day after hours, week-ends and holidays;**
- 6. Notify the Employee's immediate Supervisor;**

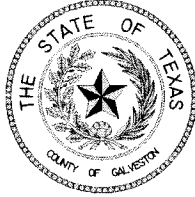
7. **Notify the Risk Manager at (409) 770-5562 for towing instructions of County owned vehicle;**
8. **Complete Vehicle Accident Check List. Use Attachment 4.**
9. **Make no statements to any third party concerning the accident other than such as are required by the proper law enforcement authority, the Accident Investigator assigned to the County Legal Department or to Employees of the County Legal Department. The Employee will furnish no written reports to any third party other than those required by the Accident Investigator or the County Legal Department.**

FAILURE TO COMPLY WITH THESE PROCEDURES MAY SUBJECT YOU OR THE COUNTY TO ADDITIONAL LIABILITY.

Section 5.

**Notification Procedures for
Accident/Injury/Property
Loss-Glove Box Copy**

- A. **The following form should be posted in each Department's Break Room and must be kept in the glove box of every County Owned Vehicle or Road Equipment that has a storage area for papers.**



**Notification Procedures for
Accident/Injury/Property Loss**

1. **Check** for injuries-call 911 if emergency assistance is needed.
2. **Contact** Local Law Enforcement.
3. **Notify** Supervisor.
4. **Incident Notification Guide**

When an incident occurs involving injury to employees, damage to County equipment, or injuries to a citizen not employed by the County, it is important to ensure the proper departments are notified. Please use the following for notification purposes.

A. Injuries to County employees: HR/Workers Comp (409) 770-5352

B. Damage to County buildings or items needing immediate repair:
Facilities Manager (409) 766-2385

C. Damage to County Vehicles: HR/Risk Manager (409) 770-5334

D. For injuries to citizens not employed by Galveston County or damage to property not owned by the County: County Legal (409) 770-5562

Do Not Discuss These Types of Incidents With Any Person Who is Acting on Behalf of the Other Party, Especially an Attorney or Insurance Adjuster Without First Calling the Legal Department and Obtaining its Approval.

5. **Employee** to complete appropriate forms located in the Human Resources Manual

Note: Departments are responsible for their own vehicle repairs. Repair of vehicles are to be approved in advance by Risk Management.

ATTACHMENT 1

NEAR MISS REPORT

(Turn in to Risk Manager when completed.)

DATE REPORTED _____ REPORTED BY _____ LOCATION OF PROCEDURE CONCERNED _____
DETAILED DESCRIPTION OF THE PROBLEM: (Use back, if necessary.) _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
SUGGESTED CORRECTIVE MEASURES: (Use back, if necessary.) _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
DATE RECEIVED: _____ SAFETY REP'S COMMENTS OR SUGGESTIONS: _____ _____ _____ _____ _____ _____ _____ _____ _____ _____

ATTACHMENT 2

ACCIDENT REPORT AND INVESTIGATION FOR EMPLOYEE INJURIES ONLY

County of Galveston

(Part 1 Must Be Completed Immediately And Sent To Appropriate Personnel)

Part 1

Name of Employee Injured: Sex: SS#:
Date of Birth: Mailing Address:
Home Phone: Date lost time began:
Marital Status: No. of Dependent Children:
Spouse's Name:
Date of Injury: Time of Injury: a.m. p.m.
Date Employee Reported Injury:
Treating Doctor's Name: Address:
Ph #
Was employee doing his/her regular job? Yes No If no, why was job being performed:

Address or Location Where Injury Occurred:

Name(s) of Witness to Injury (name, address, ph.#) (Attach additional sheet if necessary)

Nature of Injury: Absorption, Ingestion, Inhalation; Caught In, Under or Between;
Cut, Puncture, Scrape; Foreign Matter in Eye; Slip, Trip, Fall; Strain; Struck
Against; Motor Vehicle; Other

Part of Body Injured: Right Left Leg Head Arm Back Hand Shoulder Neck

Employee's Description of Injury (Attach additional sheet if necessary)

Employee's Signature Date Supervisor's Signature Date

PART 2

Supervisor's Findings/Remarks (Attach additional sheet if necessary)

Basic Cause and Contributing Factors (check all that apply)

- PERSONNEL: Unsafe Act, Inexperience, Unsafe Act of Other, Lack of Training, Running/Rushing/Acting in Haste, Lack of Awareness, Understaffed, Horseplay/Distractive Action
EQUIPMENT: Defective Tools, Improper Tools, PPE: Used - Yes No
ENVIRONMENT: Lighting, Housekeeping, Weather Related:

Explain/Other:

Date of Investigation:

Supervisor's Signature

Date

Corrective Action/Preventive Measures Taken or Recommended (Attach additional sheet if necessary)

The preventive measure(s)/corrective action(s) is ___ temporary. ___ permanent.

Employee responsible for ensuring corrective measures/actions are taken:

Date Corrective/Preventive Measures Completed: _____

Department Head's Signature _____

Date _____

Risk Manager Signature _____

Date _____

ATTACHMENT 3

VEHICLE/PROPERTY DAMAGE REPORT NO THIRD PARTY INVOLVED		
Vehicle or Other Property:		Date of Loss:
Location:		Time of Loss:
County Loss:	Contractor Loss:	Other:
Contractor/Vendor Information:		
Cause of Loss (theft, fire, windstorm):		Police Report #:
Description of Loss:		
Property Involved:		
Estimate of Damages:		
Were Public Agencies Notified? (Police, Fire, OSHA, etc.)		
Additional Comments		
Person completing this form:		Date:
		Phone #:

ATTACHMENT 4
VEHICLE/PROPERTY ACCIDENT REPORT
THIRD PARTY INVOLVED

For accidents involving possible injuries when non-employees are involved:

Name: _____

Mailing Address: _____

Evening Phone: _____

Daytime Phone: _____

For County Employees **only**:

Sex: ___ Date of Birth: _____

Marital Status: _____ No. of Dependant Children _____

Spouse's name _____

Position: _____

Department: _____

Was employee doing his regular job? ___ Yes ___ No

If no, explain _____

Date of Injury: _____ Time of Injury: _____ a.m. p.m.

Date Reported Injury: _____

Treating Doctor's Name: _____ Address: _____

Phone # _____

Address or Location Where Injury Occurred:

Description of accident:

Describe Injuries:

If a motor vehicle accident **attach a copy of the police accident report**. If no report was taken fill out the following information:

Your vehicle (make/model/year): _____ Odometer Reading _____

License No. _____

Unit # _____

Insured by: Company _____ (If applicable)
Policy Number _____ (If applicable)

Other vehicle (make/model/year): _____ Odometer Reading _____

License No. _____

Insured by: Company _____ Policy Number _____

Witnesses (name, address, phone number):

(if applicable)

Employee's Signature

Date

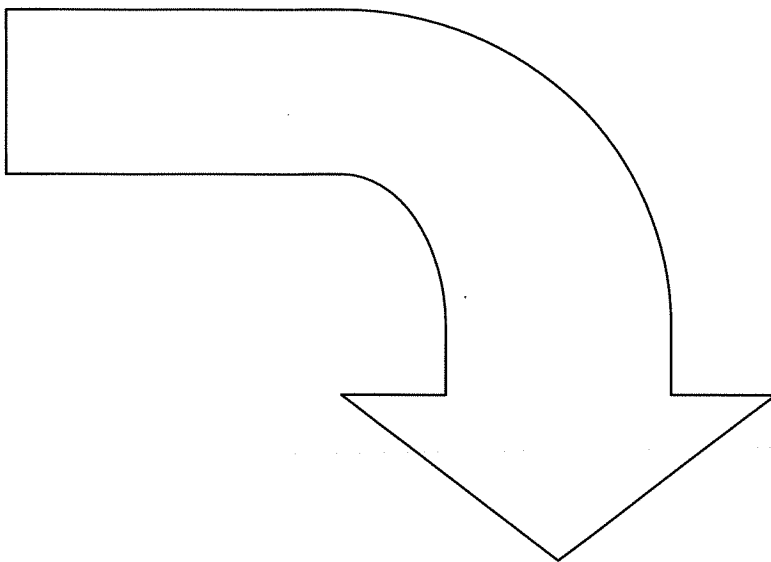
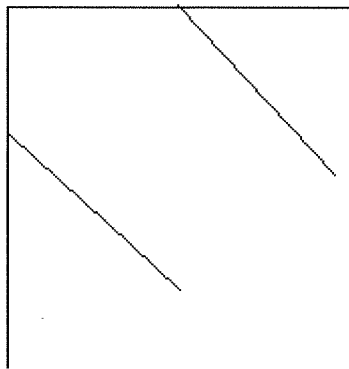
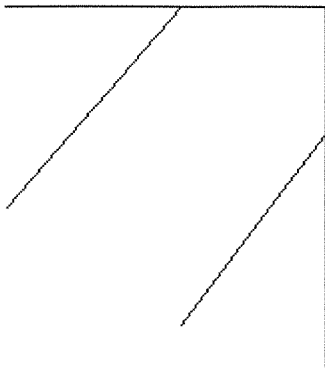
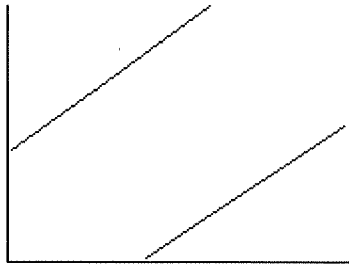
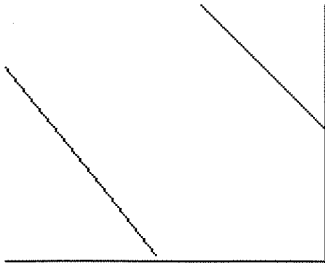
Supervisor's Signature

Date

Indicate on this diagram what happened.

Use one of these outlines to sketch the scene of your accident, writing in street and/or highway names and numbers.

Indicate north by an arrow.



**CHAPTER 35
WORKERS COMPENSATION**

Section 1. Self Insurance

- A. The County self insures its Workers' Compensation Program.**

Section 2. Eligibility

- A. All Employees and Department Heads injured within the course and scope of their employment are covered by the Workers' Compensation Act as it applies to political subdivisions.**
- B. In addition, law enforcement Employees are entitled to such benefits as are set forth in Art. III, §52e of the Texas Constitution.**
- C. Adult Probation Department Employees are covered by the State of Texas's Workers Compensation Program.**

Section 3. Administration

- A. The Workers' Compensation program is administered by a Third Party Administrator (Administrator). Contact the Human Resources Department with any questions.**

Section 4. Report of Injury

- A. All injuries sustained by an Employee, no matter how minor, must immediately be reported to the Employee's Supervisor and the Human Resources Department. All injuries sustained by a Department Head, no matter how minor, must immediately report an injury to the Human Resources Department. Failure to do so could lead to loss of benefits.**

Section 5. Benefits

- A. Basic salary and medical benefits are provided for in accordance with the terms of the Workers' Compensation Act. Employees who are unable to report to work will automatically be considered on Family and Medical Leave under the Family and Medical Leave Act of 1993.**
- B. In addition, beginning with the accrual of weekly income benefits as defined in §408.082 Texas Labor Code, the county will accelerate payment of benefits under the Act to correspond to an amount equal to the Employee's net (take-home) base salary until:**
- 1. The Employee returns or is authorized by his physician to return to work;**
 - 2. Twenty-six (26) weeks have expired; or**
 - 3. if, in the opinion of the administrator, continued payment of benefits should be discontinued due to fraud or misrepresentation of information concerning a Workers' Compensation claim.**

Section 6.

Modified Duty Program

- A. The purpose of this modified duty program is to allow those employees who are capable of contributing to the County despite having suffered a work-related illness or injury to return to work.**
- B. The modified duty program is not designed to require Employees to work before they are physically capable. The Employee's health will or recovery from their injury should not be compromised. Therefore, it is critical that Employees communicate clearly and regularly to both their treating medical professional and their Supervisor regarding the status of their recovery.**
- C. Employees injured on the job who, due to the nature of their work related illness or injury, have medically imposed temporary or permanent restrictions may be required to return to work and perform modified duties.**
- D. Department Heads should, prior to placing an Employee on modified duties, obtain the advice of the injured Employee's medical professional.**
- E. Under the modified duty program Employees may return to either their previously held position or to a different position. The Employee's Department Head may choose to modify the Employee's duties and responsibilities to reflect recommendations made by the medical professional. The Department Head may, upon approval of the Commissioners' Court, also choose to create a new position, which may differ from the employee's previous responsibilities.**
- F. Employee placed at different positions during their recovery period may return to their original position when they are capable of successfully performing their duties.**
- G. Employee authorized by their medical professional and requested by their Department Head to return to work under the modified duty program who fail or refuse to comply with the request are subject to disciplinary action up to and including termination.**

**CHAPTER 36
INJURED RESERVE DEPUTIES**

Section 1.

Background

- A. Unpaid Reserve Deputy Sheriffs and Unpaid Reserve Deputy Constables (“Reserves”) volunteer their time and occasionally serve the public as peace officers at the behest of the Sheriff or Constables. It is possible that one such Reserves could become injured during the actual discharge of their official duties. It is also conceivable that such an individual may have inadequate or no medical insurance to reimburse their medical expenses which may be incurred if they are injured while on duty.**

Section 2.

Authorized Expenditure

- A. Under §§152.075 and 152.902 of the Local Government Code, unpaid Reserve Deputy Sheriffs and unpaid Reserve Deputy Constables may be reimbursed for reasonable and necessary expenses incurred in the performance of official duties. Medical expenses that are not covered by the Reserve Deputies’ other medical policies qualify for this reimbursement.**

Section 3.

Coverage Provided

- A. The County will reimburse any Reserves injured while serving the public as a Peace Officer during the actual discharge of their official duties for any un-reimbursed medical expenses incurred. Reserves receiving pay or any other form of compensation or benefit from any third person or entity are not eligible for reimbursement under this Chapter. The County also reserves the right to recover any payments made by the County under this Section from any third party that caused the injury to the Reserve Deputy.**

Section 4.

Rules

- A. Reimbursement will apply only to medical expenses that do not exceed the usual and customary charge paid by the County on behalf of its Employees for medical treatment of similar injuries under the county’s Health Plan.**
- B. Reimbursement will apply only to those reasonable and customary medical expenses that are not paid or covered by any medical insurance plan that affords coverage to the individual.**
- C. In the event any such individual recovers damages from a third party by legal judgment, settlement or by other means and such damages include medical expenses paid on his behalf by the County, such individual must reimburse the County for any expenses paid by the County of their behalf.**
- D. Qualified injured Reserves must notify their Supervisor and the Assistant Human Resources Director within thirty (30) days of the date of their injury. Failure to do so could lead to a loss of reimbursement of expenses under this Chapter.**
- E. Reimbursement of medical expenses will be administered by the County’s Third Party Administrator. Contact Human Resources with any questions.**

Section 5.

Not Workers' Compensation

- A. The County has not elected to cover Reserves under its Workers' Compensation Policy. This Chapter is not to be construed as providing such coverage.**

**CHAPTER 37
UNPAID LEAVE**

Section 1.

Eligibility

- A** Department Head may authorize a regular Employee who had been employed by the County for a continuous period of 180 days a leave of absence without pay for any mutually agreeable reason for maximum period of twenty-six (26) weeks. This unpaid leave is in addition to that permitted by the Family and Medical Leave Act of 1993.

Section 2.

Rules

- A.** Employees must utilize all accrued sick, vacation, compensatory time and applicable Family and Medical Act leave before being granted unpaid leave. Unpaid leave may not be taken intermittently.
- B.** Request for unpaid leave must be in writing and submitted to the Employee's Supervisor. The request must specify the reason for the request and the length of time desired. Approval of the request must be in writing.
- C.** All authorized leaves of absence must be reported by the Department Head and Employee to the County's Human Resources Director, County Auditor, and County Treasurer. The same three departments must also be notified upon the Employee's return to work.
- D.** Authorization for Unpaid Leave may be immediately revoked either in the event of misrepresentation or if the reason for granting leave has ceased to exist.
- E.** No benefits accrue while an Employee is on leave without pay. Upon prior approval being obtained Departmental seniority may be retained.

**CHAPTER 38
LIFE INSURANCE**

Section 1.

Eligibility

- A. The County provides a Group Term Life Insurance plan for Regular Employees.**
- B. Each Employee, upon employment, will be furnished an insurance benefit which contains detailed information. Please read it.**

**CHAPTER 39
SOCIAL SECURITY**

Section 1.

Non-Participation

- A. The County does not participate in Social Security. Rather, it participates in the Texas County and District Retirement System which is a public retirement system. Employees should be aware that because they are taking a non-Social Security covered position there may be possible reductions in their future Social Security benefits from the application of the Government Pension Offset Provision (GPO) and the Windfall Elimination Provision (WEP).**

Section 2.

Medicare Tax

- A. Employees hired as of April 1, 1986 are subject to Medicare Tax withholding.**

CHAPTER 40
TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM

Section 1.

Eligibility

- A. All Regular Employees, with the exception of County Extension Office Agents, participate in the Texas County and District Retirement System. Temporary Employees do not. This benefit provides retirement and other benefits. Contributions are based on salary and are made both by the County and the Employee.**

- B. Each Employee, upon employment, will be furnished a plan booklet which contains detailed information. Refer to this booklet for any questions.**

**CHAPTER 41
DISABILITY, RETIREMENT,
AND SURVIVORSHIP BENEFITS PROGRAM**

Section 1.

Eligibility

- A. The County provides Regular Employees with a Disability, Retirement and Survivorship Benefits Program, commonly referred to as The Alternate Plan. This benefit provides Life and Disability Insurance and a Deferred Compensation (or tax deferred) Retirement Plan. Contributions are based on salary and made both by the County and the Employee.**
- B. Each Employee, upon employment, will be furnished a plan booklet which contains detailed benefits information. Refer to this booklet for any questions.**

Section 2.

Financial Hardships and Loans

- A. Only County Employees who participate in the voluntary deferred compensation plan may apply for financial hardships.**
- B. Only County Employees who participate in the voluntary deferred compensation plan may apply for loans.**
- C. Contact Human Resources for financial hardship and loan applications.**

Section 3.

Election Workers

- A. Election workers who earn \$1,000 or more in a calendar plan are required to participate in the Alternate Plan unless they are receiving a pension or other eligible to receive a pension payment. Election workers desiring to withdraw Alternate Plan funds are ineligible to apply for distribution of all or a portion such funds until a minimum period of one year has expired since the date they last worked an election.**

**CHAPTER 42
CAFETERIA PLAN**

Section 1.

Eligibility

A. All Regular Employees may participate in the County Cafeteria Plan (also known as I.R.C. §125 Flexible Benefits Plan). This Plan enables Employees to realize income tax savings through the use of salary reduction by purchasing the following benefits with pre-tax dollars:

- | | |
|----------------------------|--|
| 1. Health Insurance | 5. Hospital Indemnity |
| 2. Cancer Insurance | 6. Short Term Disability |
| 3. Dental Plan | 7. Medical Expense Reimbursement |
| 4. Vision Plan | 8. Dependent Care Expense Reimbursement |

Adult Probation Employees may not participate in either the Health Insurance or the Dental Plan portion of the County Cafeteria Plan.

B. For further information and cost of these benefits contact the Human Resources Department.

**CHAPTER 43
MISCELLANEOUS BENEFITS**

Section 1.

Credit Union

- A. All Employees are eligible for membership in the Galveston Government Employees Credit Union.**
- B. For further information contact the Human Resources Department.**

Section 2.

Parking

- A. Parking is available to all Employees. A limited number of reserved parking spaces are available at the Justice Administration Center, the old County courthouse and at various County annexes for a monthly fee of \$20.00. Employees are not guaranteed a reserved parking space merely because they ask for one. Free parking spaces are not available in the parking lots immediately adjacent to the courthouse. Free Employee parking is otherwise available at all County buildings.**
- B. For further information contact the County's Facilities Operations Manager.**

Section 3.

Savings Bond Program

- A. The County has contracted with National Bond and Trust to arrange for the purchase of United States Series I and Series EE Savings Bonds through payroll deduction. Employees who are interested in participating in this program should make their own decision which type of bond to purchase. For further information and enrollment contact the Human Resources Department.**

**CHAPTER 44
TRAVEL**

Section 1.

Purpose of Policy

- A. This policy is meant to provide guidance as to appropriate travel methods and reimbursable expenses while traveling on County business. Whenever unusual circumstances are involved or this published policy does not provide clear guidance, please secure a written opinion from the County Auditor concerning the items prior to the trip.**
- B. This policy does not apply to Adult Probation Department Employees. Department reimbursements for such Employees are governed by the Financial Management Manual as written and approved by the Texas Department of Criminal Justice-Community Justice Assistance Division.**

Section 2.

Overview

- A. Employees will utilize the most economical and effective means of transportation, housing and meals that are available. When evaluating travel costs, it is important to include Employee costs. That is, savings from inexpensive travel agendas can more than be offset by excessive travel time that keeps the Employee away from their normal County duties. Saving a few dollars on airline tickets is not warranted if the Employee must leave a day early and the cost of the Employee's salary for that day exceeds the airline ticket savings. Nevertheless, whenever justifiable, Employees are encouraged to utilize transportation that is the most economical in total trip cost. Hotel shuttles are preferred over taxis and taxis are preferred over rental cars, etc.**

Section 3.

Budgeted Funds

- A. All travel must include a properly approved travel request. Travel requests (Exhibit 1) will include a brief justification for the trip and will identify the estimated cost for the trip. It will include estimates for:
 - Registration fees
 - Lodging
 - Air fare
 - Personal auto usage
 - Parking
 - Shuttle
 - Meals
 - Incidentals**
- B. All travel requests must be approved in advance by a Department Head and must include an assertion that adequate travel funds are available. The approved Travel Information Form must be sent to the County Purchasing Agent will then create a Purchase Order to cover the cost of the travel. The Purchasing Agent will forward a copy of the Travel Information Form to the County Auditor for review. Upon completion of the travel, a Travel Expense Report should be completed and submitted to the County Auditor. If the actual expenses exceed the amount estimated on the travel request, payment for excess can only be made if there are additional unobligated travel funds available for that department.**

C. Prisoner transport does not require the completion of a travel request form.

**Exhibit I
TRAVEL INFORMATION FORM**

Requestor _____ **Department** _____

Date _____ **Destination** _____

From Date _____ **To Date** _____

Purpose _____

Requested Transportation _____

Preferred Hotel _____

Special Request (Rental Car, Extra Travel Days, Use of Private Vehicle, Etc.)

IFAS Account Number _____

Purchase Order Number _____ **County Auditor** _____

Comments _____

Section 4.

Allowable Travel Expenses

A. Reimbursable expenses must be reasonable and normal for the area. County policy is to consider for reimbursement all allowable travel expenses for most Employee trips which are out of county.

The following rules apply:

- All Mileage will be determined using Mapquest (www.mapquest.com).
- Mileage will be calculated from the Employee's regular work site or the Employee's home to the travel destination whichever is closer.
- Any trip that is out of county and less than 30 miles one way will be reimbursed for mileage, parking and tolls only.

- **Employees who make trips beginning from one destination within the County and ending at another destination also within the County will be reimbursed for mileage, parking and tolls only.**
- **Travel that is 30 or more miles but less than 70 is eligible for mileage, parking, tolls and a per diem for lunch (\$13) if the trip lasts for more than four (4) hours and does not include an overnight stay.**
- **Travel that is out of County and more than seventy (70) miles is eligible for per diem, hotel and other allowable travel expenses set forth in this policy.**
- **Travel that is out of County and more than seventy (70) miles but that does not required an overnight stay will be eligible for mileage, parking, tolls, and the per diem rate set forth in this policy for meals taken while out of County.**
- **Questions about any rules should be directed in writing in advance of the trip to the County Auditor whenever there is any doubt about travel meeting any travel requirement.**

B. The following examples are representative of the allowable expenses for travel that does not include an overnight stay:

- 1. Mileage if a County vehicle is not available.**
- 2. Tolls**
- 3. Fuel if a County vehicle cannot be refueled at a County gasoline pump.**
- 4. Parking**
- 5. Lunch per diem (\$13) if travel is greater than thirty (30) miles but less than seventy (70) miles and requires more than four hours. This per diem is taxable income to the Employee and will be reported to the IRS accordingly.**

C. The following examples are representative of allowable expenses for overnight travel:

- 1. Hotel rooms including the night before where morning travel is not reasonable.**
- 2. Per diem meals up to \$45 per day without receipts (\$10-breakfast, \$13-lunch and \$22-supper).**
- 3. Travel beginning and completed before noon of the day after the overnight stay will receive \$23.**
- 4. Travel beginning but not completed before noon of the day after the overnight stay and travel beginning after noon of the day after the overnight stay will receive a full day's per diem.**
- 5. Travel beginning after noon of the day after the overnight stay will receive \$23.**
- 6. Meals provided by conferences and airlines must be utilized and per diem will be reduced accordingly.**
- 7. Incidental expenses for telephone calls and cleaning where justified**
- 8. Reasonable long distance calls. Employees are requested to use phone cards rather than charge calls to the room at hotel rates. Cards should be kept by the department for use by future travelers whenever significant prepaid time is remaining.**
- 9. Out-of-town travelers should utilize airport hotel buses. Where airport hotel buses are not available, a taxi or rental vehicle may be utilized where justified.**
- 10. Baggage storage fees.**
- 11. Long-term airport parking and hotel parking excluding valet.**
- 12. Mileage from Employee's home to airport and return.**
- 13. Tolls.**

14. Other parking lot charges.

Section 5.

Expenses Not Reimbursed

- Movie charges
- Room service
- Spas
- Health club
- Room bars
- Limousines
- Luxury rental cars
- Refueling charges by rental car companies
- Optional insurance
- Entertainment expenses
- Personal items
- Medication or doctor's visits
- Valet parking

Section 6.

Travel Advances

- A. Employees are encouraged to pay for their trips using their personal credit cards. Timely filed travel expense reports should be processed so that the reimbursement checks are sent to the Employee before the personal credit card payments are due. Whenever an Employee cannot utilize a personal credit card for travel, the County will provide a special Travel P-Card for paying for all travel expenses. Employee's utilizing Travel P-Cards should first contact the County Purchasing Department, obtain a copy of the County's P-Card Procedures and familiarize themselves with their responsibilities whilst using the card to pay travel expenses. In those circumstances where travel by an Employee is infrequent and use of a personal credit card would impose a financial burden, an advance travel check may be obtained in lieu of a P-card for allowable travel expenses other than airline and hotel reservations.

Section 7.

Hotel Accommodations

- A. The County encourages the use of clean, comfortable and safe hotels but expects that the Employee will be frugal in selecting a hotel. Government rates should be utilized whenever available. The use of discounted conference hotels is acceptable; but use of other more economical hotels is encouraged whenever available within walking distance of the meeting or conference. The use of room service is not allowed and these expenses will not be reimbursed. Liquor, movies and spa charges will be not reimbursed. The use of concierge service to store baggage is encouraged in order to avoid late checkout charges at the hotel. Use of hotel shuttles or buses is also encouraged in order to minimize transportation costs. Long-distance calls using the hotel phone are discouraged. Phone cards, which can be purchased at most convenience stores or the hotel gift shop, are the preferred method to pay for long distance calls. Phone cards should be given to the Employee's Department Head and filed with the expense report so that other department Employees may utilize remaining minutes on future trips. Collect calls should be used only in emergency situations. Arrival one night before morning meetings or conferences is acceptable whenever same day travel is not reasonable. Arrival the day of the meeting or conference is encouraged whenever the meeting or conference does not begin before 10:00 in the

morning. Return the same day that the conference or meeting ends is expected except where reasonable connection will not assure arrival at a Houston area airport before 9:00 in the evening.

Section 8.

Airfare

- A. Travel by air is acceptable whenever travel by car is longer than three hours or air travel is cheaper than travel by car. Air reservations should be placed through the Purchasing Department so that state rates can be utilized. It is acceptable, however, for the Employee to make reservations directly when they can secure a rate lower than the state rate. Any Employee wishing to make personal reservations will need to secure the state rate from the Purchasing Department and attach that document to the expense report. Employees should ensure that they are receiving a lower rate because the County will not reimburse more than the state rate. Travel should be scheduled to allow for the most economical fares but should not force an Employee to travel (air-fare to the airport and trip to the Employee's home) after 10:00 in the evening.**

- B. It is acceptable to travel a day early such as Saturday in order to receive a discounted air fare; however, the savings in air fare should exceed any hotel, meal and incidental expenses that will be reimbursed for the extra day of travel. The County's current travel agent is instructed to secure the cheapest available fares including Fun Fare's from Southwest Airlines. Therefore it is necessary that the Travel Information Form be processed sufficiently in advance in order that posted weekly specials might be utilized. Approval for early travel should be received in advance from the County Auditor and the requestor should include such details as are shown on the following exhibit:**

Exhibit II

Costs for Monday through Wednesday conference:

Air Fare leave Sunday and return Wednesday to Los Angeles	\$750.00
Hotel 3 days at \$120	360.00
Meals 4 days at \$30	120.00
Mileage to airport	30.00
Parking airport 4 days @ \$7.50/day	30.00
Conference	800.00
Incidentals	<u>40.00</u>
Total trip costs	\$2,130.00

Costs for Saturday stay over:

Air Fare leave Sat./return Wed. from Los Angeles	\$ 289.00
Hotel 4 days at \$120	480.00
Meals 5 days at \$30	150.00
Mileage to airport	30.00
Parking airport 5 days at \$7.50/day	37.50
Conference	800.00
Incidentals	<u>50.00</u>
Total trip costs	\$1,911.50
Net savings to County	\$ 293.50

- C. While early travel outside of normal work hours is allowed, it is at the Employee's option and is not mandatory. Travel time outside normal work hours is not compensated time unless otherwise required by FLSA.

Section 9.

Rental Cars

- A. Hotel shuttle buses and taxis in that order, are the preferable means of transportation when out-of- town. Where use of these modes is impractical and not economical, use of a rental car may be justified. A Rental Car Request (Exhibit III) should be completed by the Employee and approved by the County Auditor prior to making a rental car reservation. The County self-insures and therefore the Employee should waive the extra vehicle insurance. The County will not reimburse the Employee for this insurance charge. The Employee should ensure that the vehicle is returned with a full tank. Fuel and other receipts should be retained along with the vehicle receipt for reimbursement. The use of an economy car for one person, a mid-size for two and a full-size for three or more are the recommended vehicles. The use of SUVs, vans or other specialty vehicles requires special justification. The Employee should make the rental car reservation through the County's travel agent. The Employee can make personal reservations whenever a better rate can be obtained. Make certain to receive a quote from the Purchasing Department to include on the Travel Expense Reimbursement in order to validate the lower rate. The County will not pay more than the rate quoted from the Purchasing Department.

**Exhibit III
Rental Vehicle Justification**

Date of Request _____ Date of Trip _____ Number of Days _____

Destination _____ Type of Vehicle _____ Number of Travelers _____

Rate _____ Rate Verification _____

Justification: _____

Requestor _____ Department _____

County Auditor _____ Approved Disapproved

Comments _____

Section 10.

Meals

- A. The County has determined that out-of-town meals and associated gratuities should be paid on a per diem basis at a rate established by the Commissioners' Court during the annual budget approval process. Currently, that rate is \$45 per day. This is composed of \$10-breakfast, \$13-lunch and \$22-supper. The Employee is not required to keep receipts to document the cost of these meals. The allowance will be prorated for partial days as set forth in Section 4 above. On occasion Employees may need to travel to cities where \$45 may not be adequate for meal reimbursement. In such instances, Employees may request the County Commissioners' Court to approve a higher rate for that trip and document meals as directed by the Court. For out of state travel, the County offers to reimburse Employees for their actual expenses up to \$60 per day when supported by meal receipts

including gratuity or at the per diem rate without receipts. Meal tips are included in the per diem rate and the \$60 limit for out of state travel and should not be reported separately.

- B. Whenever meals are included in a conference or event, Employees are expected to use the furnished meals and the per diem rate will be reduced by the applicable per diem amount for each event meal.
- C. Meals will not be paid for travel with the 30-mile radius. Meals included in professional meetings where the meal is billed separately from the registration are acceptable and will be reimbursed. Business meals where important County business is conducted will be reimbursed. All business meal reimbursement requests must identify the business partners in attendance and provide an explanation of the County business that was conducted. Alcoholic beverages will not be reimbursed. Reasonable tips (15%) on business meals are acceptable.

Section 11.

Use of Personal Vehicles

- A. The use of personal vehicles for County business travel is acceptable whenever a County vehicle cannot effectively be utilized. The County does not insure private vehicles so the Employee should ascertain that their automobile insurance policy coverage provides adequate coverage. Damage to the vehicle, vehicle repairs, parking fines, towing charges and theft of property are the responsibility of the Employee, and not the County. The County will reimburse the Employee based upon beginning and ending odometer readings at the current IRS rate. In addition to the mileage reimbursement, the County will reimburse parking and tolls incurred while conduction County business. Whenever more than one employee is traveling to the same destination, the County will reimburse for only one vehicle. Exceptions to this rule will be granted only in acute situations.
- B. The use of personal vehicle for out-of-town travel whenever a County vehicle cannot be effectively utilized is acceptable as long as the total cost to the County including Employee paid time included in the travel does not exceed the cost of air travel. Minimum travel to restaurants and other locations will be included in the mileage reimbursed. Mileage will be computed from the Employee's home or the regular work site whichever is closest to the destination.

Section 12.

**Taxi, Hotel, Shuttle,
PublicTransportation**

- A. Hotel shuttle service is the preferred method of travel at out of county locations where available. Such round trip shuttle service is available at most airports to major hotels in the area. Day tickets or week tickets should be used when available. When hotel shuttle service is not available or is not available due to late arrival or other unusual circumstance, taxi is the preferable means of transportation. Using a taxi from a hotel or meeting site to visit a restaurant or other event site should be avoided if possible. The County does not reimburse for such trips except in unusual documented circumstances.

Section 13.

Long Distance Calls/Internet Service

- A. The County will reimburse reasonable long distance charges for out of town travel. Phone cards, which are available at most convenience stores and hotel quest shops, are preferable.

The use of hotel long distance service is discouraged due to its very high rate. Collect calls should be use only in an emergency.

- B. Reasonable internet café service charges will be reimbursed to allow Employees access to their internet mailboxes at the County in order to carry on County business from their out-of-town location.

Section 14.

Incidental Expenses

- A. The County will reimburse for reasonable incidental expenses necessitated by a long trip. Customary hotel and transportation tips will be reimbursed.

Section 14.

County Sponsored Meetings

- A. The County Commissioners' Court authorizes various County or vendor sponsored meetings or events to occur and permits Employees to attend so long as there is either a county benefit to be derived from attendance or there is a boost in employee morale. Examples include:
- vendor sponsored products office supply or technology exhibits to introduce employees to new products that will assist them with the performance of their jobs.
 - GFOA and GASBY training to help train employees of the requirements of these programs.
 - Technology training to assist employees in the development of new job skills.
 - In house employee and management development training to assist in the further development of employee skills.
 - Employee and retiree benefits and health fairs to assist employees who wish to obtain a better understanding of their benefits and to help screen employees against potential and unknown health problems.
- B. Employees who desire to attend a meeting or event must have the prior approval of their Supervisor or Department Head.
- C. The expenditure of County funds to provide light refreshments such as soft drinks, cookies, doughnuts and other similar snacks is permitted so long as the sponsoring department has sufficient appropriations in their budget to cover the sponsored event.
- D. County approved vendors may, together with a County Department, help sponsor and provide light refreshments at a meeting or event as long as the meeting or event relates to County business and a County benefit is derived from the attendance by County Employees.
- E. Door prizes regardless of value may not be solicited or obtained from any County vendor or from any third party. Nor may any such prize be handed out to

any attendee at the meeting or event or any time thereafter. But, in order to encourage Employee attendance or active participation in a meeting or event Department funds may be used to purchase several small door prizes not to exceed \$25 per item. Such items may be awarded either to County Employees who actively engage in training or in the form of a drawing.

- F. The maximum County expenditure for all refreshments and door prizes may not exceed more than \$300 per event unless prior approval is obtained from the County Purchasing Agent.**
- G. Ex County Employees, such as retirees, and employees of sister governmental units may attend an event if space is readily available.**

**CHAPTER 45
USE OF COUNTY-OWNED VEHICLES**

Section 1.

General Statement

A. General Policy

This Policy governs procurement, replacement, identification, operation, care and maintenance, insurance and accident procedures for all County-owned vehicles, including law enforcement vehicles, except where otherwise noted. Such vehicles will be utilized as a fleet. With the exception of law enforcement vehicles, County vehicles are to be available for use by all Departments through cooperation.

B. Law Enforcement Exemption

Certain portions of this Policy shall not apply to law enforcement vehicles assigned to the Sheriff's or Constables' Departments. Portions which do not apply are noted throughout this Policy. Such officials shall formulate their own policies regarding identification and usage of vehicles assigned to their Departments.

Section 2.

Vehicle Procurement/Replacement

A. General Policy

- 1. All County vehicles will be listed by Department. Replacement of these vehicles will follow the below guidelines. Notwithstanding these guidelines, vehicles may be replaced sooner depending on excessive wear and tear or damages incurred by accident or other mishap or later if they are low mileage, well maintained vehicles.**
- 2. Vehicle inventory review will be performed annually.**

B. Replacement Policy

Replacement of County vehicles will generally be in accordance with the following guidelines:

- 1. Law Enforcement Vehicles used in patrol –3 years/80,000 miles; and**
- 2. All other vehicles- 5 years/100,000 miles.**

C. Standard Specifications

- 1. Standard specifications will be developed by the County Purchasing Agent for the following class of County vehicles:**

¾ Ton or higher pickup (diesel)	Mid-size sedan
Full size sedan	Full size sedan (police)
Mid-size S.U.V. (4x4)	Passenger van (full-size)
Full-size S.U.V.	Full size S.U.V. (4x4)
Full size pickup (4x4)	Full size Mini-van
Cargo Van (mini)Cargo	Van (full size)

2. Replacement vehicles will meet standard specifications and be white in color.
3. Permitted exceptions to this standardized Policy are those vehicles requested to be excluded by the Sheriff, Criminal District Attorney and Juvenile Probation Board.

D. Standard Processing of New Vehicles

1. The following items shall be installed in all vehicles upon delivery:

Appropriate markings
 Safety equipment
 Roadside emergency kit
 Radio
 Inventory tag
 Self-insured liability insurance card
 Emergency/Accident/Malfunction procedure list

E. Disposal of County Vehicles

1. The County will dispose of a County vehicle at the expiration of useful life of such vehicle in order to maximize recovery of the County's initial capital expense. The vehicles will be disposed of in accordance with County's Surplus/Salvage Property Procedures Policy.

Section 3.

Appropriate Markings

A. Marked Vehicles

1. V.T.C.A., Transportation Code Chapter 721 requires all County vehicles, except permitted exception vehicles, to be identified as belonging to the County. Permitted exception vehicles are those requested as such by the Sheriff, Criminal District Attorney and Juvenile Probation Board. These regulations do not apply to permitted exception vehicles.
2. County vehicles, other than law enforcement vehicles and other permitted exceptions, shall be marked with a County seal. The seal shall be permanently affixed, 10" in diameter, in black print on a white background with reflective properties. Magnetic seals are not permitted. The Department or division name shall be printed in 2" lettering located directly below the seal.
3. County law enforcement vehicles will be marked in accordance with the policy adopted by the Sheriff and Constables.
4. No Elected or Appointed Official's name will be permitted to be placed on any vehicles purchased after the adoption of this policy.

B. Marked County vehicles shall be issued exempt license plates.

A. General Operating Regulations

1. The following regulations apply to all County vehicles, road equipment or other heavy equipment (collectively, "County vehicles") including law enforcement vehicles unless otherwise noted:

- a) Use of County-owned vehicles restricted to Employees licensed by the State of Texas to drive the type of vehicle. Annual license status checks with the Texas Department of Texas are subject to being periodically conducted by the Risk Manager to ensure that this condition is met.**
- b) Employees operating County Vehicles must abide by all restrictions listed on their individual driver's license and all applicable motor vehicle laws. Seat belts must be worn at all times.**
- c) Employees operating County Vehicles must be in proper work attire and suitable dressed for their position with the County. Department Heads are responsible for ensuring that their Employees comply with this Regulation.**
- d) All County Vehicles must be in sound mechanical condition and operated in accordance with State Law. In addition, the interior and exterior of the vehicle is to be maintained in a clean condition.**
- e) Back up alarms must be installed on all County Vehicles that are one ton or larger.**
- f) All County Vehicles must be checked before being placed in operation to ensure that tires are properly inflated and all fluids are at their proper levels. In addition, when fueling, shut off engine and, upon completion, log correct information on gasoline logs.**
- g) First aid kits should be maintained in vehicles for use for a minor injury. In addition, County Vehicles should be equipped with safety lights, cones, flags, safety vests and fire extinguishers.**
- h) Employees operating County Vehicles must, at all times, utilize correct backing procedures and signals to ground crews. They must also make proper use of traffic cones, barricade placement and traffic control.**
- i) Employees operating County Vehicles must always be alert for children at play.**
- j) Should a County vehicle become inoperable, immediately pull to the side of the road and contact your Supervisor for towing instructions.**
- k) Unattended County vehicles must be properly secured at all times.**
- l) County vehicles may not be used to transport loads in excess of those specified by the manufacturer.**

- m) **County Employees operating County vehicles will responsible for payment of any moving or other traffic violations such as those issued for speeding or illegal parking for which they have been convicted.**
- n) **Except in limited instances, no personal item may be permanently installed, stored or otherwise used in conjunction with the operation of any County vehicle. Examples include portable radios, cell phones, tool boxes, trailer hitches, and antennas. Exceptions will only be permitted if such personal item is directly job-related and prior written approval for such installation is obtained from the Employee's Department Head. Department Heads who grant such authorization must send a copy of the written authorization to the County Purchasing Agent. In addition, the Department Head must advise the Employee that the personal item is being used solely at the Employee's risk. The County will not be responsible for loss of or damage to any personal item stored, located, placed or left within any County vehicle.**
- o) **Window tinting and use of decals, other than those required by a parking garage or lot, may not be placed on any County vehicle. Exempted are law enforcement vehicles used by the Sheriff for "under-cover", K-9" or Mental Health operations. Also exempted are County vehicles used for the transportation of juveniles.**
- p) **No political advertising may be carried in or placed on any County vehicle.**
- q) **County Employees shall not permit non-County Employees to operate County vehicles and related equipment such as frequency radios, mobile phones or other similar mobile equipment, except in emergency circumstances or for purposes of repair.**
- r) **All passengers in County vehicles must be either County Employees, authorized observers riding in law enforcement vehicles or individuals (including prisoners, arrestees, detainees or probationers) being transported in the furtherance of legitimate County business.**
- s) **All drivers and passengers in County vehicles must wear seat belts.**
- t) **No out-of-County travel is permitted unless in conjunction with authorized County business.**
- u) **No County vehicle may be used for normal commutes out of Galveston County**
- v) **Personal use of County vehicles, for purposes other than lunch breaks and related incidental purposes, is prohibited. Examples of prohibited personal use include shopping or the running of personal errands when such shopping or errands are the primary purpose of the trip. Should, during normal work shift, an emergency situation arise and an Employee have to leave work to attend to personal business, the Employee may be responsible for any injuries or damage occasioned by an accident.**

- w) **Law enforcement vehicles may be driven in conjunction with extra jobs, if such jobs are being performed by peace officers and such jobs are sponsored by or at the request of another governmental entity. Examples include Mardi Gras, Kappa Weekend and Ferry detail. In addition, law enforcement vehicles may be used by peace officers to drive to and from extra jobs and for the purpose of transporting individuals arrested as a result of criminal activities observed. No other County vehicle may be used in conjunction with or to commute to and from any extra job.**
- x) **Use of tobacco products shall not be used in any County vehicle at any time.**
- y) **Operating a County vehicle while under the influence of alcohol or illegal drugs or while under the influence of legal drugs which impair judgment or motor skills is prohibited.**
- z) **Department Heads may authorize temporary use of a County vehicle by an Employee of another department.**
- aa) **County vehicles, with the exception of law enforcement vehicles responding to a call, may not be used to transport County Employees to business establishments whose primary income (i.e., 51% or more) is derived from the sale of alcoholic beverages.**

Section 5.

Driver's License Background Checks

A. Prospective Employees

1. **A traffic violation background check will be performed on prospective Employees whose future job duties will require operation of a County vehicle or leased vehicle, toad equipment or other piece of heavy equipment. This Policy applies regardless of whether such duties are a regular part or incidental to the Employees' job.**
2. **Prospective Employees with one or more convictions or deferred adjudications, or who have been placed on community supervision (probation) for Driving While Intoxicated, Intoxication Manslaughter, Intoxication Assault or Manslaughter that also involved a motor vehicle, any of which having occurred within the immediately preceding three years, should not be considered for employment.**
3. **Prospective Employees with one or more convictions or deferred adjudications, or who have been placed on community supervision (probation) for the sale, possession or delivery of a controlled substance or marijuana, any of which having occurred within the immediately preceding three years, should not be considered for employment.**
4. **Prospective Employees with three or more moving traffic violation convictions or motor vehicle accidents within the immediately preceding three years should not be considered for employment.**
5. **Contact the Human Resources Department for further instructions and information regarding this section.**

B. Current Employees

- 1. An annual traffic violation background check will be performed on all Employees whose job duties require them to operate a County vehicle or leased vehicle, road equipment or other piece of heavy equipment excluding lawn mowers and riding mowers. This Policy applies regardless of whether such duties are a regular part of or incidental to the Employees' job.**
- 2. Employees who undergo driving status changes or personnel movements such as transfers, job reassignments, promotions or demotions that require them to operate similar vehicles or equipment, will likewise be required to undergo an annual traffic violation background check.**
- 3. Employees charged with and subsequently convicted of or placed on deferred adjudication or community supervision (probation) of one or more offenses of Driving While Intoxicated, Intoxication Manslaughter, Intoxication Assault or Manslaughter that also involved a motor vehicle, will at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of deferred adjudication or community supervision (probation). Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated. Convicted Employees who are Incarcerated and unable to report to work will be terminated.**
- 4. Employees charged with and subsequently convicted of or placed on deferred adjudication or community supervision (probation) for the use, sale, possession or delivery of a controlled substance or dangerous drug will at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of deferred adjudication or community supervision (probation). Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated. Convicted Employees who are incarcerated and unable to report to work will be terminated.**
- 5. Employees convicted of and/or involved in a total of three or more moving traffic violation convictions and/or motor vehicle accidents within the immediately preceding three years will, at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment. This prohibition shall last until the Employee has successfully completed a twelve month continuous period in which they receive no additional tickets for which they are convicted or are involved in a motor vehicle accident. Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated.**
- 6. Employees whose driver's license becomes suspended or revoked for any reason will, at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of suspension or revocation. Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated.**

7. **Contact the Human Resources Department for further instructions and information regarding this section.**

Section 6.

Privilege

A. Take-Home Vehicles

1. **The use of County vehicles for purposes of commuting to and from work (“take-home vehicles”) is privilege which is extended to a few non-law enforcement County Employees. As a privilege, it may be revoked at any time for any reason or no reason.**
2. **The County recognizes the deterrent effect which law enforcement vehicles help create while being parked overnight in residential neighborhoods. As a result of this benefit,**
3. **The County is willing to be more lenient with its take-home policy on such vehicles. Such leniency, however, is not to be interpreted as a waiver of these regulations for the operators of these County vehicles.**

B. Regulations

1. **In consideration of the privilege of operating a take-home vehicle, County Employees agree to abide by the following regulations:**
2. **No take-home vehicle may be operated for personal use. This includes any side trips or stops that an Employee might make during a commute to and from their normal worksite or during working hours. Examples include stopping for groceries or running personal errands.**
3. **Call status notwithstanding, no County vehicle may be driven after normal work hours other than for purposes of direct commute. County Employees contacted while on call status will be paid mileage to retrieve their County vehicle for a call to service.**
4. **Standard daily commute mileage will be reported and shown as additional compensation for IRS purposes. The County will follow IRS guidelines and use a rate of \$3.00 per day for 260 days. Employees will be issued an IRS Form 1099.**
5. **Whenever possible, take-home vehicles should be secured after hours in a safe location under cover and out of streets and other right-of-ways. Failure to comply with this regulation may subject the County Employee to personal liability for repairs caused by damage to the vehicle.**

C. Defense and Liability Coverage

1. **Employees authorized to drive County vehicles to and from their homes, operating such vehicles in accordance with the provisions of this Policy, are extended defense and liability (but not Workers’ Compensation) coverage.**

Section 7.

Vehicle Care & Maintenance – Malfunction/Repairs

A. Maintenance of County vehicle

- 1. Routine maintenance of all County vehicles must meet or exceed those maintenance standards listed by each vehicle manufacturer as required for severe service or commercial use.**
- 2. County vehicle must be routinely washed, waxed and kept as clean as possible.**

B. Malfunction of County vehicle

- 1. Should a County vehicle break down or otherwise malfunction, the following procedure should, to the extent practicable under the circumstances be followed.**
- 2. The Employee shall:**
 - a. Pull vehicles to side of the road, or if possible, off the road and onto a well-lit area;**
 - b. Leave vehicle with hazard lights and/or other safety equipment operational;**
 - c. Notify their Supervisor;**
 - d. Contact the Risk Manager for instructions on vehicle towing and repairs; and**
 - e. Attempt no repairs to the vehicle unless otherwise instructed by the Supervisor notified.**

C. Repairs to County Vehicles

- 1. Repairs to County vehicles damaged by accident will, if such damage occurs during the normal course and scope of such Employee's duties, be paid by the County's Self Insurance Fund. Contact the County Legal Department to advise them of the accident and the County's Risk Manager for further instructions regarding repairs.**
- 2. Damage which occurs to a county vehicle operated by an Employee outside the normal course and scope of County duties (excluding authorized commutes) will be the responsibility of the operator of the vehicle.**
- 3. Minor damages such as loss of wheel covers, scratches, broken windshields or windows caused by flying rocks or other debris, marring or chipping of paint, dents, rust or other similar repairs are considered normal wear and tear. Repairs of such items are to be paid out of the appropriate Department's funds. Contact the County Risk Manager for further instructions concerning repairs.**

A. Self-Insurance/Maximum Exposure

The County is self-insured to the extent of its liability under the Texas Tort Claims Act, for automobile accidents involving Employees driving County vehicles. Such liability is limited to money damages in a maximum amount of \$100,000 for each person and \$300,000 for each single occurrence for bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property.

B. Defense and Liability Coverage

Defense and liability coverage is extended to Employees driving County vehicles who are acting within the course and scope of their duties regardless of time of day. When an Employee is not within the normal course and scope of his duties and is involved in an automobile accident, the County will not provide such Employee with a defense or accept any liability for the collision. In addition, the County will not be responsible for necessary repairs to the County vehicle. Examples of not being within normal course and scope of duties include using a County vehicle for shopping or the running of personal errands.

C. Recommend Third Party Liability Coverage

Employees assigned County vehicles to be used solely during the Employees work hours, are encouraged to purchase, at their expense, insurance (transferred risk policy) that will afford them third party liability coverage at all times. Failure to do so could subject such Employees to possible conviction for driving without insurance and loss of their driver's license in the event they are involved in an automobile accident or a moving traffic violation wherein County liability and defense coverage is not extended. It is recommended that the amount of coverage, at a minimum, conform to the maximum liability limits to which the County might be exposed under the Tort Claims Act.

D. Mandatory Collision, Comprehensive and Third Party Liability Coverage

As a condition of the privilege, Employees assigned County vehicles who are permitted to use County vehicles also for commuting purposes, are required to purchase, at their expense, third party liability coverage insurance and, to the extent available, collision and comprehensive coverage. The amount of liability coverage must meet, at a minimum, the maximum liability limits to which the County might be exposed under the Tort Claims Act. Failure to obtain such insurance could subject such Employees to possible conviction for driving without insurance and loss of his driver's license in the event he is involved in an automobile accident or a moving traffic violation wherein County liability and defense coverage is not extended. In addition, failure to obtain the mandated insurance will automatically forfeit the privilege of authorized use of the vehicle for commuting purposes. Law enforcement personnel are exempt from this Paragraph.

E. Proof of Coverage

Copies of original insurance policies (and renewals thereof) shall be furnished to the County Risk Manager. Any Employee required to obtain mandatory Collision, Comprehensive and Third Party Liability Coverage shall notify the County Risk Manager immediately upon any changes in the status of such Employee's insurance coverage.

F. Collision Insurance

The County will, if economically feasible, maintain a Blanket Umbrella Collision and Comprehensive coverage Policy on the following types of vehicles:

- 1. Vehicles leased for undercover law enforcement purposes;**
- 2. Vehicles permanently assigned to the County but owned by other governmental entities; and**
- 3. Vehicles valued in excess of \$35,000 (Individual Policy).**

**CHAPTER 46
USE OF PERSONAL VEHICLES**

Section 1.

Policy

- A. Use of personal vehicles for County business is not encouraged. Authorized use is restricted solely to Employees licensed to drive who are instructed to use their vehicles by their Department Head.**
- B. The County will not reimburse any Employee who uses their vehicle in pursuit of County business for any damage caused to his vehicle for any reason.**
- C. Employees who use their personal vehicles for County business will be reimbursed mileage in accordance with the County travel policy.**
- D. An Employee driving their personal vehicle in pursuit of County business who is involved in an accident, no matter how minor, must report the accident immediately to his Department Head, the Legal Department and the County Risk Manager.**

**CHAPTER 47
COMMUNICATIONS POLICY**

Section 1.

Definitions

- A. AUTHORIZED REPRESENTATIVES:** Elected or Appointed Officials, Department Heads or their designees.
- B. COMMUNICATION EQUIPMENT AND SERVICES:** All mail, memos, electronic mail (E-mail), voice mail, courier services, facsimiles, telephone systems, telephone credit cards, computer networks, on-line services (i.e., Internet), computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, bulletin boards, photocopiers and other forms of written or oral communication.
- C. CONTRACT WORKERS:** Persons who are under contract with the County to provide services.
- D. COUNTY:** Galveston County.
- E. E-MAIL:** E-mail is divided into two areas, records and non-records.
 - 1. E-mail records include:** (1) E-mail contents and all attachments and (2) transmission and receipt data, such as send and receive dates and distribution lists. Examples of E-mail records are: policies and directives; correspondence or memos pertaining to the County's contractual, administrative, engineering, quality, and fiscal business; work schedules and assignments; drafts of documents circulated for approval or comment; messages that initiate, authorize or complete a business transaction; and final reports or recommendations.
 - 2. E-mail non-records include:** personal messages or announcements not related to official business; phone message reminders; meeting reminders.

Transitory E-mail messages are requests for reports, notices of meetings, reminders of a deadline or other communications that are informational. They may be records or non-records depending on their content.
- F. EMPLOYEE:** All Employees of Galveston County regardless of employment status.
- G. IMPROPER USE:** Any misuse as described in this Policy as well as any vulgar, harassing, offensive, demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.
- H. REASONABLE SUSPICION:** Suspicion based on information and belief that an act occurred in violation of the rules and policies of the County.

Section 2.

Purpose

- A. These Policies are established to ensure the well-established principle of Texas law that all County property, including County communication services and equipment is used for County purposes, not private purposes. In accordance with this principle, authorized representatives of the County may access and oversee Employee communication and**

equipment to ensure that the equipment is properly used. Such access may occur when there is reasonable suspicion as defined in this Policy. Access may also occur when there is a non-investigatory work-related need to retrieve items such as correspondence, files, or reports.

- B. Access does not include the interception of wire, oral or electronic communication through the use of an electronic, mechanical, or other device.

Section 3.

Applicability

- A. This Policy applies to all Employees and Contract Workers of Galveston County.
- B. Authorized representatives should instruct Employees on the proper use of communication services and equipment used by the county for both internal and external business. Questions regarding this Policy may be directed to the Human Resources Department.

Section 4.

Consequences to Employees and Contract Workers

- A. Any Employee in violation of any portion of this Policy may be subject to disciplinary action. Illegal usage of communication equipment and services or other County property may subject an Employee or Contract Worker to criminal prosecution.
- B. Any person under contract to provide services to the County who violates this Policy may be deemed to have breached his/her contract and may be banned from the work site.
- C. Any Employee who refuses to consent to any reasonable access, copying, reviewing, and downloading of any communications equipment and services utilized by such Employee based on reasonable suspicion or a non-investigatory work-related need may be subject to disciplinary action. Any Contract Worker who refuses to consent to any reasonable access, copying, reviewing, and downloading of any communications equipment and services utilized by such Contract Worker based on reasonable suspicion or a non-investigatory work-related need may be banned from the work site.
- D. Any Employee in unauthorized possession of either County property or the possession of property of another Employee or Contract Worker without their permission will be subject to disciplinary action. Any Contract Worker in unauthorized possession of either County property or the property of another Employee or Contract Worker will be banned from the work site.

Section 5.

Communications

A. General Policy

- 1. It is the Policy of the County to provide or contract for communications services and equipment necessary to promote the efficient conduct of its business. All communication services and equipment, including messages transmitted or stored by the County of such contractors are the property of the County or the County's contractor. Employees and Contract Workers have no ownership interests in such communication services and equipment.

2. **Communication services and equipment shall be used solely for job-related purposes. Authorized representatives may access, copy, review, and download any communications or files created or maintained by Employees or Contract Workers on the computer systems or voice mail.**
3. **The Information Technology Department is responsible for the general administration of this policy as well as the operation and maintenance of communications equipment and services. Information Technology may periodically recommend to the Commissioners' Court for adoption detailed operational procedures and practices for the operation and use of communications equipment and services.**
4. **While Employees and Contract Workers are provided a confidential password for access to Communications Equipment and Services, users are advised that this does not suggest that the equipment and services are for personal confidential communication. Nor does it suggest that any Employee or Contract Worker has a property right or interest in such Equipment or Services including e-mail.**
5. **Pass words should periodically be changed to help ensure security of the Communications Equipment and Services. Users must not share their passwords with anyone else other than their Supervisor and Department Head. Employees and Contract Workers shall protect messages, files, records and passwords from unauthorized third parties.**
6. **The County recognizes that its Employees' personal lives occasionally intersect with their work lives and that reasonable and incidental use of County time or County property in crossing such intersections is not a misuse of County resources. A typical example includes an occasional short personal local phone call made by an Employee to their spouse toward the end of a working day. Although such personal communications are permissible, they should not be made for private commercial purposes and they should utilize only incidental amounts of Employee time.**
7. **Employees and Contract Workers shall minimize use of the County's telephones, cellular phones, facsimiles, email and Internet use for personal purposes. Personal use shall not unreasonably interrupt or interfere with the Employee's or Contract Worker's work or prevent or hinder the use of the telephones, facsimiles or other communications equipment for County business. Personal communications which result in direct costs paid by the County (e.g., long distance or cellular phone calls) may be made only in case of emergency.**

Section 6.

Telephones and Fax Usage

A. Telephones/Cellular Phones/Facsimiles

1. **Employees and Contract Workers who do not have direct access to a telephone during work hours should make arrangements to have emergency or other necessary incoming calls routed to their supervisors or an area designated by their supervisors.**

2. The County switchboard has the capability to access most exchanges within the Houston/Galveston area without incurring long distance charges. Access of these exchanges should be made by dialing the appropriate sequence instead of long distance and should be used for County business calls only.
3. Long distance use is limited to those Employees and Contract Workers who have been authorized to have County access codes by their Department Heads. These access codes may be used only for County business. Employees and Contract Workers are forbidden from making any personal long distance phone calls except in case of emergency. Emergency long distance phone calls may be made upon prior approval of authorized representatives.
4. Employees and Contract Workers shall have a duty to inquire into the cost of and shall reimburse the County for any unauthorized or emergency long distance calls made by them prior to the payment of such costs by the County.
5. Employees and Contract Workers making personal calls on County cellular phones shall reimburse the County for such calls prior to the payment of such costs by the County.
6. The County monitors telephones usage according to length of calls and long distance calls made. Employees and Contract Workers may be asked to provide documentation for telephone calls and facsimiles. Authorized representatives have the ability to request extension reports which detail the length of calls and to whom the calls were made.

B. Voice Mail

1. Voice mail should not be used for personal messages (i.e., soliciting contributions, arranging for an after-work get together).
2. Employees and Contract Workers should listen and respond to their messages within a reasonable time frame.
3. Employees and Contract Workers are expected to exhibit the same high level of ethical and business standards when using voice mail messages as they are required to do in all other forms of County communication. All voice mail will be purged from the system every 30 days in order to keep the system functioning properly.
4. Use of voice mail is not an acceptable alternative to proper notification of being late or absent from a regularly scheduled workday. An Employee or Contract Worker must call and speak to his/her immediate supervisor and if he/she is not available, then to the next available supervisor.

C. E-Mail

1. The County Electronic Mail System ("e-mail") is designed to facilitate the transmittal of messages, memoranda and other business communications among Employees and other business associates. Since no computer system is completely secure, the e-mail system should not be used to transmit sensitive materials, e.g., performance reviews, disciplinary actions, Employee terminations and confidential

reports. Such information is more appropriately communicated by written memorandum or personal conversation.

2. **The e-mail system is County property and is intended for County business only. The system is not to be used for Employees' and Contract Workers' personal gain or to support or advocate for non-County related business, personal parties, social meetings, political or religious causes, or other matters not connected with the County's business. All data and other electronic messages within this system are the property of the County.**
3. **All e-mail documents must reflect the ethical standards that the County expects from every Employee. Employees and Contract Workers must take care to ensure all facts are accurate and words are carefully chosen to accurately reflect situation or record the event or business transaction. Improper use of the email system is prohibited.**
4. **Employees and Contract Workers should not respond to inappropriate unsolicited e-mail.**
5. **The County, through its authorized representatives, reserves the right to review the contents of Employees' and Contract Workers' e-mail communications when necessary for County business purposes. Employees and Contract Workers may not intentionally intercept, eavesdrop, record, read, alter or receive another person's email messages without proper authorization. Unintentional interceptions must be discontinued immediately upon discovery.**
6. **Employees and Contract Workers should be aware that when they have deleted a message from their mailbox, it may have not been deleted from the e-mail system.**
7. **Employees and Contract Workers are required to follow County standard procedures for properly managing, retaining and deleting e-mail records. The first week of each quarter of the year, Employees and Contract Workers are responsible for downloading or printing a hard copy of e-mail messages and attachments of official records requiring long-term managed retention. Once that has been done, those messages shall be purged. All non-records shall be purged at that time.**
8. **Creators or recipients of e-mail messages that are official County records must route them (including attachments) to Records Management or their Department Head (if not covered by Records Management) for filing in the appropriate official file (i.e., Master File, a department file or other maintenance, archival area). Employees and Contract Workers must preserve all address, distribution, transmission and receipt information with message content.**
9. **Only authorized persons may use e-mail. If an Employee or Contract Worker has not been issued an e-mail password, he/she may not use the e-mail system.**
10. **Employees and Contract Workers shall not access e-mail belonging to others by any means, unless authorized to do so.**

11. Use of e-mail is not an acceptable alternative to proper notification of being late or absent from a regularly scheduled workday. An Employee or Contract Worker must call and speak to his/her immediate supervisor and if he/she is not available, then to the next available supervisor.
12. Information Technology may limit the number and/or the amount of space available for Employees and Contract Workers' e-mails. As these limits are approached the Employee or Contract Worker will be advised to take action to reduce their e-mail storage or present justifiable reasons as to why such e-mails may not be reduced. Failure to do so may result in Information Technology blocking receipt of additional e-mail and/or deleting older e-mails. But, before taking either of such actions Information Technology will notify the Employee of their intention and give the Employee another opportunity to come into compliance with the request.
13. The Commissioners' Court authorizes Information Technology to utilize various tools and services to protect the County's e-mail and system assets from the receipt or transmission of potentially damaging files. As a result certain types of e-mails and attachments may be blocked from receipt or may be quarantined before delivery. Examples of these types of e-mails are files that appear to contain certain types of files that may be executable (e.g. "exec" files, "zip" files) and transmissions that may be identified as unsolicited bulk (spam) mail.
14. Employees and Contract Workers should limit distribution of their County e-mail address information to County related business purposes only in order to help limit the receipt of unnecessary or inappropriate e-mails.
15. The County recognizes that Employees, Contract Workers and the County's e-mail services cannot control unwanted or unsolicited e-mail. Users who receive threatening or offensive communications shall bring them to the attention of their Supervisor and the Human Resources Department.

D. Internet

1. The Internet access provided by the County is to be used in a responsible manner for County business only. Its use may be limited as necessary by the County's Information Technology Department. It is not to be used for personal enjoyment or gain and under no circumstances is it to be used for improper use or for purposes unrelated to topics necessary to perform an Employee's or Contract Worker's job.
2. All communications on the Internet can be traced back to the County, and, by extension, an Employees' access code or password if it is done through County access. Employees and Contract Workers are required to follow professional ethics in their use of the Internet.
3. Employees and Contract Workers who are Network users should refrain from disclosing their access code or password to anyone other than their immediate Supervisor. Such access codes or passwords should be periodically changed to ensure security of the Internet system.

4. Network users shall not knowingly perform acts which deliberately waste computing resources. Examples include injecting a computer virus, sending or receiving excessively large mailings or files, batch programs, junk mail, chain letters and audio/video files.
5. Network users shall not knowingly unfairly monopolize resources to the exclusion of others.
6. The County recognizes that unwanted or unsolicited contact cannot be controlled on the Internet or the County network. Users who receive threatening or offensive communications shall bring them to the attention of their Supervisor and the Human Resources Department.

E. Computer Systems and Software

1. Employees and Contract Workers shall not introduce unlicensed or unauthorized software into the County computer system for any reason. All software must be cleared by the Information Technology Department before installation on a County computer. Existing unlicensed or unauthorized software must be immediately removed or similarly cleared through the Information Technology Department.
2. Employees and Contract Workers shall not copy County software for use at home, unless authorized to do so by the Information Technology Department.
3. Employees and Contract Workers shall not use another Employee's or Contract Worker's computer, unless authorized to do so and shall not use another Employee's or Contract Worker's password to log on to the system unless authorized to do so.
4. Supervisors must inform the Information Technology Department of all new Employees, Employee terminations, transfers to other departments within the County, or changes within Employees' or Contract Workers' current responsibilities affecting information systems use.
5. Except to the extent permitted by the Texas Public Information (Open Records) Act, Employees and Contract Workers who are terminated, laid off, or otherwise no longer employed by the County or the County's contractor, have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Authorized representatives may access an Employee's or Contract Worker's e-mail if Employees or Contract Workers are on leave of absence, vacation, or are transferred from one department to another department and it is necessary for the County's business purposes.
6. Employees and Contract Workers shall not tamper with or intentionally or knowingly alter, damage, or destroy the hardware, software, and computer files of the County.

F. Mail and Official Communications

- 1. Employees and Contract Workers shall not use the County's stationary for personal purposes or allow their personal correspondence to appear to be an official communication of the County.**
- 2. Personalized County stationary and business cards shall only be issued by the County.**
- 3. Employees and Contract Workers should not use the County's address for receiving personal mail, packages or other communications.**
- 4. Employees and Contract Workers shall not use County postage for personal mail.**

**CHAPTER 48
EMERGENCY OPERATIONS**

Section 1. Scope

- A. This policy applies to all Employees. This policy may be modified from time to time as necessary.**

Section 2. Purpose

- A. The citizens of Galveston County depend on County Employees to report to work during and in the aftermath of a disaster to assist in the restoration of essential public services required for the health, safety and quality of life for the citizens of our community.**

Section 3. Policy

- A. This policy will be in effect whenever the County Judge or his designee, in accordance with the Emergency Management Plan (EMP), declares that emergency conditions warrant either preparation for, or reaction to a potentially disastrous event. Each emergency situation is unique and while this policy is intended for overall guidance, the County Judge reserves the right to evaluate this policy and issue alternative procedures as dictated by the circumstances of the emergency.**
- B. Upon declaration of an emergency, Department Heads are authorized to release Employees in Tiers 2 – 4 from duty as outlined below.**

Section 4. Emergency Operation/Staffing

A. Emergency Workers

Department Heads are responsible for appointing individual classifications to each of their Employees. Every County Employee will have one of the following classifications. Any Employee classification can be immediately, permanently, or temporarily reclassified upwards or downwards depending on the needs of the County.

- 1. Tier 1 – Essential - Employees with specific responsibilities who physically remain in the County at a designated location during an emergency.**
- 2. Tier 2 – Reserve Essential - Employees who report to or remain on the job preceding an emergency for the preparatory phase and who are subject to being re-designated as needed.**
- 3. Tier 3 – Re-Entry Essential - Employees who must return to supplement or relieve Tier 1 or Tier 2 Employees immediately up on roads becoming accessible.**
- 4. Tier 4 – Non-Essential - Employees whose presence is not essential in carrying out the emergency plan. These Employees may not leave their positions until released by their supervisor and must return to work as usual under normal operations after emergency status has ended.**

- B. Non essential Employees not at work are responsible for remaining in contact with their supervisor regarding assignments. They are also to stay abreast of the situation by monitoring radio/television for instructions or by calling the Emergency Operations Center as to when to report to work.**

Section 5.

Adverse Weather Conditions

- A. The County Judge or his designee has the authority to direct all County Employees not to report to work or to leave work if emergency situations such as adverse weather conditions threaten.**

Section 6.

Emergency Preparation Phase

- A. County property will be secured and protected and other actions will be taken as necessary in individual departments as required by the County's Emergency Management Plans, and departmental Emergency Plans and Standard Operating Procedures (SOP's).**
- B. Department Heads will reconsider and reschedule or cancel, if necessary, all vacations of Tier 1 or Tier 2 Employees who are on approved vacation or are scheduled for vacation.**
- C. When assigned tasks under the Preparation Phase are completed in accordance with the Departmental Emergency Plan, Tier 3 and Tier 4 Employees who are released from duty may choose to evacuate. Tier 1 and Tier 2 Employees will be allowed to secure their property and make arrangements for their families at such times as they are scheduled by their Department Head.**

Section 7.

Emergency Services Phase

- A. This phase occurs during the emergency situation. Only those Employees whose assigned functions are necessary for the benefit of the general public during the emergency situation will work during the Essential Services Phase. Tier 1 and Tier 2 Employees will not be authorized to evacuate.**
- B. Shifts during the Essential Services Phase will be established according to departmental needs. Employees who are assigned on call status must advise supervisors of locations where they can be contacted at all times.**
- C. Employees released from work should follow instructions regarding evacuation and shelter applicable to the general public as issued through public notification of evacuation and other disaster actions by the Office of Emergency Management.**

Section 8.

Pay Provisions

- A. If an emergency/disaster situation occurs of such magnitude that a Disaster Declaration is issued for the County, Employees, both exempt and non-exempt may be compensated in the following manner:**
- B. Non-essential employees released from duty by the County Judge may receive compensation (disaster pay) at their regular rate of pay until the County Judge or his designee declares the date and/or time when all Employees are expected to return to work or the expiration of three (3) working days, whichever event occurs sooner.**

- C. Essential personnel performing functions to save lives, protect health, safety and property under the County's Emergency Plan may receive compensation for hours worked during the situation. Hours worked up to 40 hours per week for the duration County offices are closed may be paid overtime at a straight time rate. All hours in excess of 40 hours will be paid at the overtime rate of time and one half.
- D. Law Enforcement Personnel will be paid overtime at a straight time rate for any hours worked up to 86 hours in a two week period for the time County offices are closed. All hours worked in excess of 86 hours will be paid at the overtime rate of time and one half.
- E. Reserve Deputies required to work 16 hours a month if requested to work will be paid overtime paid at a straight time rate for any hours worked up to 86 hours in a two week pay period for the time County offices are closed. All hours worked in excess of 86 hours will be paid at the overtime rate of time and one half. The rate of pay will be suggested by the Sheriff and is subject to the approval of the Commissioners' Court.
- F. If additional days are needed once business has resumed, the Employee may request vacation time or compensatory time off for personal emergency recovery.
- G. Employees not requesting vacation or compensatory time for personal emergency recovery or preparations will have their pay docked and are subject to other disciplinary action.
- H. This policy may be modified as determined necessary. Any such modification will appear in the local disaster declaration issued by the County Judge.

Section 9.

Return to Duty Phase

- A. By reporting to work on the return to duty date and/or the time specified by the County Judge each Employee meets their responsibility to work with other County Employees as a team in helping to restore the community to normal service levels following a disaster period.

Section 10.

Departmental Responsibilities

- A. Department Heads must:
 1. Give a copy of this Emergency Policy to their Employees.
 2. Identify each position in which Employees in their department are required to work during an emergency. This list of positions and Employees who occupy them must be maintained and posted on the department's official bulletin board or circulated to all their Employees.
 3. Develop, post, communicate, and circulate to all their Employees the Standard Operating Procedures (SOP) under each phase of an emergency.
 4. Develop, post, communicate, and circulate to all their Employees the Standard Operating Procedures (SOP) under each phase of an emergency.

5. **Hold an annual meeting to reiterate to Employees their individual responsibilities and to inform them of any changes in this policy or the SOP.**
6. **Ensure that all job descriptions state the Emergency Classification of their positions.**
7. **Complete the “Emergency Preparedness Employee Classification Form” for every Employee. Each Employee must be provided with a copy of their form. The original must be forwarded to the Human Resources Department.**
8. **Obtain an executed “Employee Acknowledgement Form” from each Employee and return the original form to the Human Resources Department as soon as possible.**

B. Supervisors must:

1. **Assist with the responsibility of the consistent and fair implementation of this policy.**
2. **Document and initiate any disciplinary action resulting from any violations of this policy.**

C. County Employees must:

1. **Know his/her responsibility under this policy. Compliance with this policy is mandatory.**
2. **Be responsible for complying with waiver requests procedures as outlined this policy.**

D. Human Resources Department must:

1. **Provide general information about this policy to all new Employees.**
2. **Maintain the signed originals of the “Employee Acknowledgment Form” and the “Emergency Preparedness Employee Classification Form” in each Employee’s personnel file.**
3. **Documentation of any disciplinary action in the affected Employee’s personnel file.**
4. **Maintain an original copy of any submitted “Waiver Request Forms” in the Employee’s confidential file.**

E. Emergency Management Office

- A. **The Emergency Management Coordinator will provide assistance to departments in planning and coordinating the activities for the preparation and initial services phases to ensure consistency with the County Emergency Plan.**

Section 11.

Waivers

- A. **If an Employee has personal circumstances which would affect his/her ability to work during any phase of this Policy, he/she must file a “Waiver Request Form” with his/her Department Head upon employment or within 30 days of the onset of the extenuating**

circumstances. Waiver requests will be reviewed and approved/disapproved by each Department Head and such decision will be forwarded to Human Resources.

B. Factors that may be considered for a waiver include but are not limited to:

- 1. An Employee who is a single parent with primary responsibility for a child or children under the age of 17 or who needs to care for an elderly family member.**
- 2. An Employee who personally suffers from serious health problems, has a physical impairment, or who has primary responsibility for a family member under similar circumstances.**
- 3. In families where both husband and wife work for the County and are classified as Tier 1 or Tier 2 Employees, only one must comply with this policy at their discretion.**
- 4. Tier 1 and Tier 2 Employees who have a spouse employed by another governmental entity, hospital, or other essential public service provider, and who must report under comparable policy requirements.**

Section 12.

Policy Violations

A. Employees are in violation of this policy if they:

- 1. Refuse to perform assigned duties required by this policy or to disobey any order made or direction given by a supervisor under this policy.**
- 2. Fail to report for duty as directed during any applicable phase of this policy.**
- 3. Fail to abide by County Policy, Departmental Rules or regulations, and Standard Operation Procedures.**

B. Violation of this policy will result in disciplinary action up to and including dismissal.

CHAPTER 49
OUTSIDE EMPLOYMENT

Section 1.

Permitted

- A. Outside employment is permitted if it does not interfere with regular County duties and hours of employment. Employees desiring outside employment must obtain prior written authorization and instructions from their Department Head. Such authorization may be revoked if, in the opinion of the Department Head, outside employment interferes with performance of regular County duties and hours of such employment. Revocation of authorization is not a grievable action.**

**CHAPTER 50
SOLICITATION**

Section 1. United Way

A. The County participates in United Way and health awareness campaigns.

Section 2. Authorization

A. Solicitation for any fund or charity shall not be permitted without prior Department Head approval being obtained.

Section 3. Participation

A. Employees shall not be required to participate in any solicitation activity. Employees shall not be required to contribute to any fund or charity.

**CHAPTER 51
POLITICAL INVOLVEMENT**

Section 1.

Campaigning

- A. Employees are not permitted to campaign for any candidate or proposition during working hours or while in County uniform. Use of County property for campaign purposes is prohibited.**

Section 2.

Voting

- A. Employees are encouraged to vote early or during extended voting hours to avoid missing work.**

**CHAPTER 52
PUBLIC INFORMATION ACT**

Section 1.

Scope of Act

- A. The Texas Public Information Act, formerly known as the Texas Open Records Act, declares that all information held by public officials or Employees is subject to public disclosure unless excepted.

Section 2.

Access of Records to Public

- A. The Public Information Act permits access to public information by all persons and prohibits any inquiry regarding the motives or reasons for requesting the information. Everyone is considered to have equal access to public records although there are special provisions for an Employee seeking their own personnel records.

Section 3.

Custodian of Records

- A. Each elected county official is the custodian of their records. Each Department Head is an agent of the officer for public information for purposes of complying with the Public Information Act.

Section 4.

Confidential Information

- A. Most information requested under the Texas Public Information Act is open for disclosure. However, certain information is required to be excepted from disclosure and must not be released to the public. Examples include releasing the home address, home telephone number, social security number and whether a fellow Employee has any family members when the Employee does not want to have this information disclosed and has previously elected to not have this information disclosed.

Section 5.

Releasing Confidential Information

- A. Information is excepted from disclosure under the Public Information Act under either mandatory or discretionary exceptions. Information that is mandatorily excepted from disclosure is confidential and must not be disclosed to the public. Your releasing such confidential information to the public may constitute criminal conduct.

Section 6.

Questions

- A. If you have any questions regarding whether information may be released or if you require assistance in determining the cost for releasing such information, contact the County Legal Department immediately for guidance. On occasion, the County Legal Department may be required to submit an Open Records Request to the Attorney General Opinion in order to determine whether the information being sought is confidential. There are strict time limits imposed on the County under the Act. Failure to comply with these time limits will in most instances compel that the information be released.

**CHAPTER 53
INDEMNIFICATION OF ELECTED AND APPOINTED OFFICERS**

Section 1.

Authority

- A. Section 157.903 of the Texas Local Government Code provides that the Commissioners' Court may, by order, provide for the indemnification of an elected or appointed county officer against personal liability for the loss of County funds, or loss of or damage to personal property, incurred by the officer in the performance of their official duties if the loss was not the result of the officer's negligence or criminal action.**

Section 2.

Purpose of Policy

The purpose of this policy is to prescribe a procedure wherein an elected or appointed county officer may request and either be granted or denied indemnification for such loss or damage.

This policy shall not be construed to be a waiver of the County's authority to recover its lost funds or its damages from any party other than the elected or appointed county officer making the request for the indemnification.

Section 3.

Procedures

- A. The elected or appointed county officer will:**

- **Notify the Criminal District Attorney of the situation in the event the officer has reason to believe there has been a criminal action involved in the loss of funds or damage to personal property.**
- **Obtain from and submit to the County Auditor for review a properly completed and executed County Funds Indemnification Request Form.**
- **Attach copies of any documentation showing attempts to recover the funds such as returned item notices, investigative reports, credit card charge back notices, and all correspondence from credit card providers or other parties.**
- **Provide a description of all efforts undertaken to minimize the damage to personal property**
- **Attach a copy of any investigative reports conducted by any law enforcement agency or other party.**
- **Furnish the County Auditor with a copy of any insurance policy or bond, claims made on such policy or bond and related correspondence.**
- **Upon receipt of notice of denial of their request reimburse the County by tendering sufficient monies to account for the lost funds or damages to personal property to the County Treasurer along with the appropriate deposit warrant.**

- B. The County Auditor will:**

- **Receive and review the Funds Indemnification Request Form and other documentation and related materials, investigate the circumstances of the loss including prior internal control audits, control procedures and actions taken of and by the requesting county officer.**

- Upon completion of the investigation forward the Funds Indemnification Request Form along with a recommendation for or against approval of the request to the Commissioners' Court for its consideration and determination.
- Upon receipt of the Commissioners' Court's approval of the request, prepare and process the necessary entries to record the indemnification transaction and have its accounts receivable division credit the applicable account of the county officer for the amount indemnified.
- Upon receipt of the Commissioners' Court denial of the request, notify the County Treasurer of such determination, and forward all related documentation to the both the County Treasurer and to County Legal to enable them to cooperatively pursue efforts toward recovery of lost funds or damages for the lost or destroyed personal property.

C. The Commissioners' Court will:

- Receive and review the recommendation of the County Auditor and either approve or deny the request for indemnification.
- Advise both the County Auditor and the requesting county officer of its determination.

D. The County Treasurer will in the event of notification of denial of the request for indemnification:

- Receive funds from the county officer in the event of denial of the request for indemnification.
- Make certain the correct fund account is credited for the reimbursement.
- Provide the County Auditor's accounts receivables division with all necessary deposit information to clear the receivable.
- Coordinate collection efforts with County Legal to recover the lost funds or damages.

E. County Legal will:

- Together with the County Treasurer pursue collection of the lost funds or other damages from the county officer or his/her bond and/or insurance policy using such methods as are determined necessary.

COUNTY FUNDS INDEMNIFICATION REQUEST FORM

Official's Name		Current Date	Amount of Loss	TO BE COMPLETED BY DEPARTMENT	
Department/Division Name		Date of Loss	Police Report Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commissioners Court Galveston County, Texas Local Government Code §157.903 authorizes the commissioners court of a county by order to provide for the indemnification of an elected or appointed county officer against personal liability for the loss of county funds, or loss of or damage to personal property, incurred by the officer in the performance of official duties if the loss was not the result of the officer's negligence or criminal action. Therefore, I respectfully request Commissioners Court to approve this indemnification request and authorize the Galveston County Auditor to charge off the above amount of County funds or property, which have been determined to be missing or stolen.					
Cause for Loss (Attach additional sheet if necessary)					
Current Internal Controls (Attach additional sheet if necessary)					
Additional Controls Implemented to Prevent Future Losses (if applicable) (Attach additional sheet if necessary)					
Action Taken to Recover Funds (Attach additional sheet if necessary)					
Signed By			Title		
Official's Signature			Date		
TO BE COMPLETED BY COUNTY AUDITOR					
Based upon the Auditor's Office review, the above listed loss amount being requested for indemnification: <input type="checkbox"/> DOES appear to be accurate. <input type="checkbox"/> DOES NOT appear to be accurate. Based upon our review, the loss amount is			After review of the circumstances, the Auditor's office recommends: <input type="checkbox"/> Indemnification <input type="checkbox"/> Not Indemnifying		
County Auditor's Signature			Date		
ACCOUNT CODING TO BE USED					
	FUND/DIVISION	OBJECT	AMOUNT	CHECK or JOURNAL ENTRY	
DR					
CR					
TO BE COMPLETED BY COMMISSIONERS COURT					
Indemnification <input type="checkbox"/> APPROVED <input type="checkbox"/> NOT APPROVED by Commissioners Court					
Signed By			Date		
County Judge's Signature			Date		

**CHAPTER 53
GENERAL INTERPRETIVE PROVISIONS**

Section 1. Jurisdiction

- A. This Policy Manual applies only to Employees hired and subject to dismissal by Galveston County Commissioners' Court, Department Heads, and Employees of Elected and Appointed Officials who have adopted this Policy Manual in its entirety in writing. The Salary Administration Policy applies to all Employees.**

Section 2. Effective Date

- A. This Policy Manual, which supersedes all prior Policy Manuals, shall become effective upon adoption by the Commissioners' Court.**

Section 3. Construction, Precedents, and Interpretation

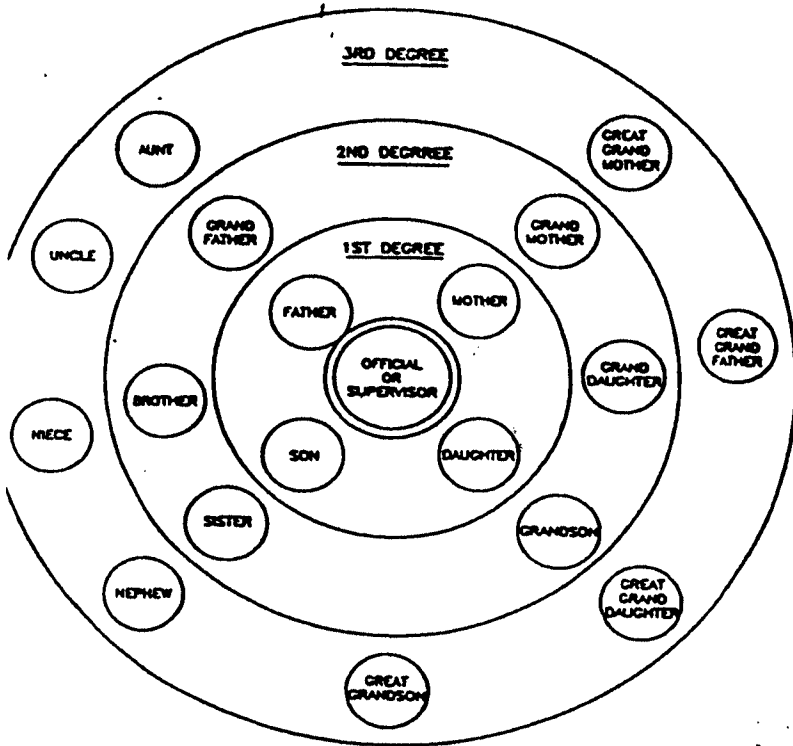
- A. The Commissioners Court shall resolve any questions from any Elected or Appointed Official or Department Head regarding any interpretation of this Policy Manual that remain unresolved after their question is directed to the Human Resources Department as requested in Chapter 1, Section 1 (F).**
- B. If there is any conflict between this policy manual and the State Constitution, or State law or rule adopted under a State law or the United States Constitution, a federal law or rule adopted under a federal law, the provisions of this Policy Manual shall prevail to the greatest extent possible without violating any such named authority.**
- C. When set forth herein this Policy Manual, the masculine, feminine and neuter genders shall be construed to include the other, and vice versa where applicable. The singular and plural shall be construed to include the other number where applicable. The present tense as used herein shall be construed to include the future tense.**
- D. Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by definition in this Policy Manual or otherwise, shall be construed according to that acquired meaning.**
- E. Throughout this Policy Manual, headings for chapters and sections are used for convenience only. These headings shall not be construed to expand or to limit the interpretation of the section that follows the heading.**

Section 4. Computation of Time

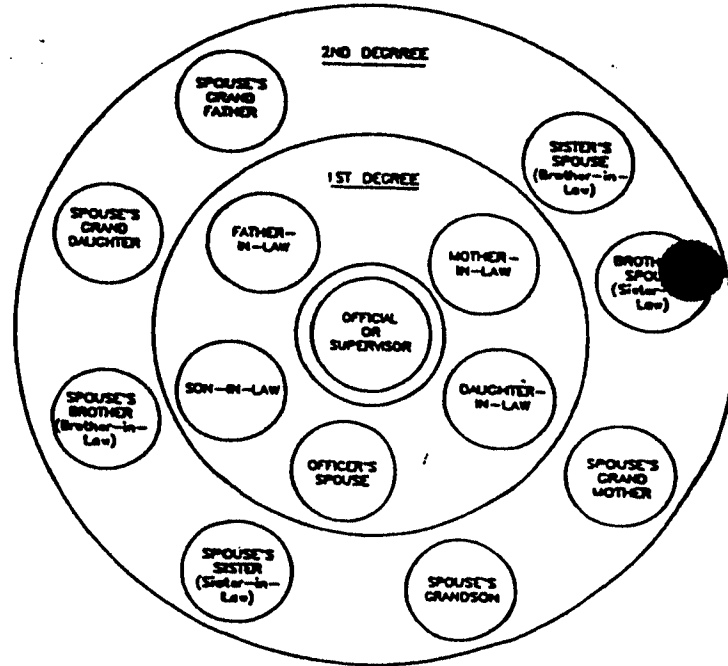
- A. When a period of time is stated in days, the days shall be construed as calendar days unless otherwise stated.**
- B. If the last day of any period is Saturday, Sunday, or County holiday, the period is extended to include the next day that is not a Saturday, Sunday, or County holiday.**

APPENDIX A

TEXAS NEPOTISM 1994



CONSANGUINITY KINSHIP CHART
(BLOOD)



AFFINITY KINSHIP CHART
(MARRIAGE)

APPENDIX B

EMPLOYEE AT WILL ACKNOWLEDGMENT FORM

Employee Acknowledgement

I, (print name) _____, an Employee of Galveston County
acknowledge:

1. I have been given a copy of the County's Human Resources Policy Manual, have had an opportunity to discuss it with the Human Resources Department, and have read and understand it.
2. I am an Employee AT WILL, whose employment may be terminated for a specified good cause, no cause or bad cause and with or without notice.
3. The Policy Manual I have been given is not a contract for my employment but is a general guide for information purposes only.
4. I am not guaranteed by contract or otherwise, any term or condition of employment even after successful completion of the introductory period.

Employee PRINT NAME

DATE

Employee SIGNATURE

DATE

DEPARTMENT HEAD SIGNATURE

INSTRUCTIONS

1. Employee and Department Head must sign within two weeks of Employee's employment.
2. Return original copy to Human Resources Department.

APPENDIX C

Galveston County Employee/County Official
Public Information Act a/k/a Open Records Act
Election

Public access to Galveston County Employees' and officials' records in the custody of Galveston County is permitted in accordance with the Texas Public Information Act, also known as the Open Records Act. This Act authorizes County officials, Employees, former officials and former Employees to choose to withhold from disclosure their home address, home telephone number, social security number, or information that reveals whether they have family members.

Each Employee, official, former Employee and former official who desires this information to be kept confidential, must state that choice to the Human Resources Department in a signed writing not later than the 14th day after the date on which:

- the Employee begins employment with the County;
- the official is elected or appointed; or
- the former Employee or former official ends service with the County.

If you desire any of this information to be kept confidential, please check the appropriate line or lines below, sign and return this Election form to the Human Resources Department.

The Social Security Number of all living employees will automatically be withheld pursuant to §552.147 of the Texas Public Information Act.

I want the following kept confidential. Do not disclose to the public information that relates to:

- _____ my home address
- _____ my home telephone number
- X my Social Security Number; or
- _____ reveals whether I have family members.

If you fail to state your choice (by not checking a line above), the corresponding information shall be subject to public access.

DATE Employee SIGNATURE

Employee PRINT NAME