



***EMPLOYEE HANDBOOK***

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## **Welcome to Lubbock County**

As an employee of Lubbock County, your job is essential to fulfilling our mission to serve the citizens with integrity, compassion and professionalism. These policies are designed to foster good working relationships among employees by providing uniform personnel policies, and to encourage courteous and dependable service to the public.

This Employee Handbook serves as a primary means of communication on broad administrative policies, operational procedures, and regulations. Please take the time to review the handbook and if clarification is needed contact your supervisor or the Human Resources department.

To retain necessary flexibility in the administration of policies and procedures, the County reserves the right to change policies in this Handbook at any time.

Policy Approved and Adopted by:  
Lubbock County Commissioners Court:  
March 10, 2025



***Our mission is to serve Lubbock County by providing  
public service with integrity, compassion and professionalism  
through innovative leadership.***

# Employee Acknowledgement Form

This is my personal copy of the Lubbock County Employee Handbook, hereafter referred to as the Handbook. It is intended to give me useful information about County policy. The Employee Handbook describes important information about Lubbock County, and if I need clarification on any of the information in this Handbook, I will contact my immediate supervisor.

I have entered into my employment relationship with Lubbock County voluntarily and acknowledge that there is no specified length of employment. Lubbock County is an "at-will" employer and, within the provisions of State and Federal law regarding public employment, can dismiss employees at any time, with or without notice, for any reason or no reason at all. I acknowledge that this Handbook is neither a contract of employment nor a legal document.

To retain necessary flexibility in the administration of policies and procedures, the County reserves the right to change policies in this Handbook at any time. I understand that it is my responsibility to read and comply with the policies contained in this Handbook and any revisions made to it. I acknowledge that it is my responsibility to keep my Handbook up to date and that if I am uncertain about the currency of my Handbook, I should contact Lubbock County Human Resources for a new copy.

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Employee's Signature

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Date

---

Employee's Name (Printed or Typed)

---

Department

---

Witness' Signature

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Date

---

Witness' Name (Printed or Typed)

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Department

## **1.00 General Authority and Responsibility**

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### *1.01 Authority and Implementation*

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These policies are established by the Commissioners Court, the governing body of the County of Lubbock (hereafter “County”), and any deletions, amendments, revisions, or additions to the policies must be approved by that body.

No employee Handbook can anticipate every circumstance or question that may arise, and as the County grows, the policies may need to be changed. For that reason, the Commissioners Court has sole discretion to revise, supplement, or rescind any policy or portion of this Handbook as it deems appropriate.

These policies completely replace and supersede any former employee Handbook previously adopted by the Commissioners Court.

County departments may issue additional policies, as appropriate, that complement policies in this Handbook.

## 2.00 Employment Practices

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### 2.01 At-Will Employment

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All employment with the County shall be considered “at-will” employment. No contract of employment shall exist between any individual and the County for any duration, either specified or unspecified. No provision of this employee Handbook shall be construed as modifying employment at-will status. The County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time, either with or without notice. The County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice. Employees of the County shall have the right to leave their employment with the County at any time, with or without notice.

### 2.02 Equal Employment Opportunity

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The County is an equal opportunity employer. The County will not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, gender stereotype, age, genetic information, pregnancy, veteran status, disability, or any other condition or status protected by law in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by state or federal law or where a bona fide occupational qualification exists.

### 2.03 Workplace/Sexual Harassment

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The County promotes and maintains a work environment free from discrimination, unlawful harassment, intimidation, and coercion.

Actions, words, name calling, teasing, jokes, threats, or any inappropriate behavior based on an

individual’s sex, race, ethnicity, age, religion, or any other legally-protected characteristic will not be tolerated. Harassment is strictly prohibited at the County, whether committed by department leadership, co-workers, non-employees with whom the County does business, or other third parties.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, including reference to gender, stereotypes, and sexual orientation, when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment,
- submission to or rejection of such conduct by an individual is used as a basis for employment decisions, or
- such conduct has the purpose or effect of interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who becomes aware of incidents of harassment in the workplace shall report such incidents, preferably in writing, immediately to their supervisor, department leadership, or Human Resources.

The supervisor or department leadership to whom a claim has been reported is responsible for reporting the claim to Human Resources promptly.

Violations of the County’s policy against harassment are subject to disciplinary measures up to and including termination of employment. An employee who engages in acts of harassment contrary to this policy may be personally liable for any legal action brought against them.

An employee will not be subject to disciplinary measures of any kind for filing a good faith harassment claim. Complainants and witnesses acting in good faith, even if the complaint is unfounded, will be protected from retaliation.



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## 2.04 Americans with Disabilities Act Amendments Act

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It is the policy of the County to prohibit any harassment or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels they have been subject to such treatment or has witnessed such treatment, the situation should be reported to department leadership. Department leadership is required to treat the employee's disability with confidentiality.

It is the County's policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the County or the person poses a direct threat to self or others in the job due to the disability. In accordance with the Americans with Disabilities Act, as amended (ADAAA), reasonable accommodations may be provided to qualified individuals with disabilities when such accommodations are necessary to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment and all employees. If an employee requires accommodation, they should contact their supervisor and/or Human Resources. Reasonable accommodation shall be determined through an interactive process of consultation between the employee, Human Resources, and department leadership.

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## 2.05 Political and Religious Affiliations

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No political, fraternal, or religious connections or affiliations shall be considered as part of the hiring process or as a condition of employment by the County.

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## 2.06 Nepotism

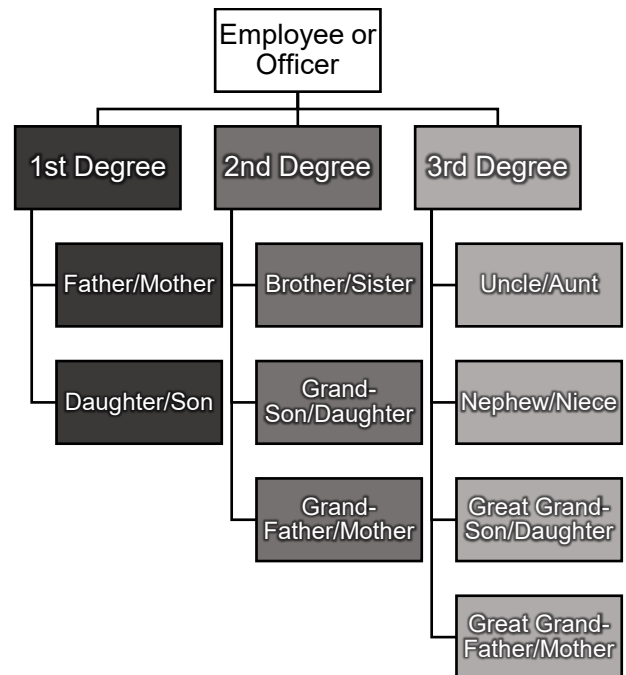
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In accordance with Texas Government Code Chapter 573, a public official of the County is prohibited from hiring a relative related within the third degree of consanguinity (blood) or within the second degree of affinity (marriage) to work in a department that they supervise or exercise control over. Department leadership is expected to adhere to the same provisions within their departments.

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

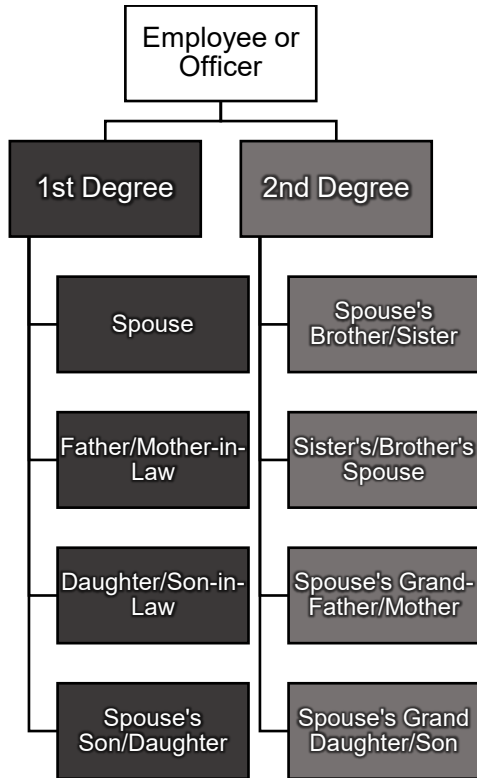
### Consanguinity Kinship Chart

(Relationship by Blood)



## Affinity Kinship Chart

(Relationship by Marriage)



### 2.07 Recruitment

Each department determines the method to be used in filling each vacancy, which may include consideration of external and internal applicants for employment. Departments shall post external vacancies through Human Resources, utilizing the approved recruitment process or online system. External postings shall be posted for a minimum of seven calendar days.

### 2.08 Basis of Employment

Department leadership is responsible for the selection and hiring of employees and for ensuring funds are budgeted and available prior to filling positions.

### 2.09 Age Requirements

Age limits may be imposed by law for employment in certain positions. The County will comply with specific state laws or any federally-imposed age requirements.

Individuals ages sixteen to eighteen may be considered for employment in non-hazardous positions in compliance with Fair Labor Standards Act (FLSA).

### 2.10 Categories of Employment

Each employee is designated as either Non-Exempt or Exempt in accordance with Federal and State wage and hour laws. Non-Exempt employees must be paid at least the applicable minimum wage, keep a time record of all hours worked, and are entitled to overtime pay under specific provisions of Federal and State law. Exempt employees are not entitled to overtime pay under specific provisions of Federal and State law.

An *Elected Official* is elected to fill a statutorily-mandated position, is not considered an employee, and is eligible for some County benefits, subject to the terms, conditions, and limitations of each benefit program. This does not include supplemental non-employees.

An *Appointed Official/Appointed Personnel Staff* is an official appointed to a statutorily mandated position by an Elected Official or body of Elected Officials, or they are a personal staff member appointed by an Elected Official. They are eligible for some County benefits, subject to the terms, conditions, and limitations of each benefit program and serve at the pleasure of the Elected Official(s).

A *full-time employee* is:

- an employee regularly scheduled to work 40 hours per seven-day work period, aka the FLSA workweek, (eligible for all County benefits, subject to the terms, conditions and limitations of each benefit program),

- an employee regularly scheduled to work law enforcement or correctional shifts for 171 hours in a 28-day work period, FLSA 207k, (eligible for some County benefits, subject to the terms, conditions and limitations of each benefit program), or
- civilian law enforcement and correctional employees who perform shift work in a 24/7 operation do not receive holiday pay but earn additional personal leave (eligible for some County benefits, subject to the terms, conditions and limitations of each benefit program).

A *part-time employee* is regularly scheduled to work less than 28 hours a week per seven-day work period (aka the FLSA workweek). Part-time employees cannot work over 28 hours due to the rules of the Affordable Care Act; the County will eliminate the part-time position if this rule is violated. They are eligible for some County benefits, subject to the terms, conditions and limitations of each benefit program.

A *temporary employee* is hired to work a limited time, and usually employed for a specific task or project. They may not exceed 28 hours per week. They are not eligible for any County benefits.

A *volunteer* is an unpaid student, or other unpaid worker. They are not eligible for any County benefits.

A *supplemental non-employee* is paid by another entity as a full-time employee or Elected Official but receives a salary supplement from Lubbock County. They may be eligible for TCDRS benefits (see §7.03).

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## 2.11 Physical Standards

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Applicants or employees must first be informed of a conditional offer for the position and then be sent to Human Resources. Human Resources will make necessary arrangements for the exam and provide the form to be utilized by the medical provider. Where applicable, reasonable accommodations will be made for qualified persons with disabilities in accordance with the ADAAA.

Physical standards and requirements may vary in accordance with the duties and working conditions set forth in the job functions for various positions. The recommendation of the examining medical provider determines the suitability of any person for specific employment. Particular attention will be given to any impairment, degenerative disease, or abnormality which would adversely affect the present capacity of a prospective employee to perform the essential functions of the position. The examining medical provider will complete and forward to Human Resources a comprehensive report indicating a specific recommendation as to the suitability of the person for employment in the position. Employees required to have a Department of Transportation (DOT) medical card must get their card through a County-approved vendor at the County's expense or their own doctor at their own expense.

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## 2.12 Drug and Alcohol Policy

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The County is an illegal drug, THC-free and alcohol-free workplace. An employee may not be present at work when the employee's ability to perform their duties is impaired by drugs, THC or alcohol. The County believes this policy will help ensure a healthy, safe, and secure work environment. This policy shall apply to all employees of the County, regardless of title or position, including all elected and appointed officials.

For the purpose of this policy, the following definitions apply:

*Lubbock County Premises* - Any buildings, land, other property, or vehicles owned, leased, rented, or otherwise used by Lubbock County.

*Illegal Drugs* - Any drug or derivative of which the use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage of is illegal under any federal, state, or local law or regulation. This definition shall also include any other drug, including controlled drugs and over-the-counter drugs, which are legally obtained but not being used by the intended user or in the prescribed manner.

*Legal Drugs* - Any prescription medication taken as prescribed by the person it was prescribed for and over-the-counter medications taken as directed.

*Under the Influence* - A state of having a blood alcohol concentration of more than 0.00, or the state of not having the normal use of mental or physical abilities resulting from the voluntary introduction into the body of an alcoholic beverage or an intoxicating substance.

An employee may not unlawfully manufacture, distribute, dispense, sell, purchase, or use an illegal drug, THC or controlled substance or possess drug paraphernalia on County property or while conducting County business not on County property. An employee may not be under the influence of alcohol, THC or illegal drugs while on County property or while on duty for the County.

An employee may not use prescription or over-the-counter drugs including THC while on County property or while on duty for the County in a manner other than intended by the manufacturer or prescribed by a physician.

An employee may use prescription and over-the-counter drugs in standard dosage or according to a physician's prescription if the use will not impair the employee's ability to do their job safely and effectively. An employee must keep prescription medications used at work in their original container.

An employee taking prescribed or over-the-counter medications is responsible for consulting the prescribing physician or a pharmacist to determine if the medication could interfere with the safe and effective performance of their job duties.

If the use of medication could compromise an employee's ability to do their job or the safety of the employee, fellow employees, or the public, the employee must report the condition to their supervisor at the start of the workday or use appropriate personnel procedures (e.g., call in sick, use leave, request a change of duty).

A supervisor must treat any information related to an employee's authorized use of prescription medications and any other medical information

provided by the employee as confidential information.

An employee having problems with drugs or alcohol is encouraged to seek treatment from a qualified professional including the Employee Assistance Program. Information on benefits provided for treatment of alcohol and drug abuse problems provided by the County's health plan program is available in the employee's health plan booklet or from Human Resources.

An employee who voluntarily asks for time off to get treatment and recover from a drug or alcohol abuse problem will be given protections as required by law. Upon returning to work from a treatment program, the employee will be subjected to a volunteer drug testing program until there is evidence the employee no longer uses. Failure to comply with the requirements of the post-rehabilitative program, including refusing the volunteer testing program, will result in termination. The post-rehabilitative program will last for as long as two years. If at any time the employee tests positive or refuses the volunteer drug test during this post-rehabilitative program, the employee will be terminated from employment.

It shall not be considered a violation of this policy if an employee consumes alcoholic beverages at a banquet, reception or other social function at which alcoholic beverages are served, even though the employee is representing Lubbock County.

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### 2.13 Drug and Alcohol Testing Requirements

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The County will drug test employees who ARE NOT CDL license holders under the following conditions:

*Pre-employment drug testing* – The County has a pre-employment drug testing requirement that must be passed post-offer before an employee starts their first day of work. All offers of employment are conditional upon passing a drug test. The employee will sign a consent waiver.

*Promotional drug testing* – An employee being considered for a promotion must pass a promotional drug test. Promotional offers of employment are

conditional upon passing a drug test. The employee will sign a consent waiver.

*Reasonable Suspicion* – If an employee is having work performance problems or displaying behavior that may be drug or alcohol related, or if they are otherwise demonstrating conduct that may be in violation of this drug and alcohol policy, where immediate action is necessary, department leadership will require that employee to submit to a drug and alcohol test. For assistance contact Human Resources.

*Post-Accident Testing* – An employee involved in an on-the-job accident or incident, that requires medical treatment other than first aid and or damages property, is required to be drug and or alcohol tested.

Each employee is expected to cooperate and consent to a drug test when requested under the terms of this policy. Any employee who refuses to consent to a drug and/or alcohol test when requested or violates this drug and alcohol policy will be terminated from employment.

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## 2.14 Drug and Alcohol Testing Requirements—CDL Drivers

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CDL Drivers are an extremely valuable resource for the County's operations. Their health and safety is a serious County concern. Drug or alcohol use may pose a serious threat to driver health and safety. It is, therefore, the policy of the County to prohibit CDL employees from being under the influence of or using illegal drugs or alcohol during working hours.

The Federal Highway Administration (“FHWA”) has issued regulations that require the County to implement a controlled substance testing program. All CDL drivers are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with the County.

Specifically, it is the policy of the County that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically-prescribed drugs) or alcohol by any CDL driver while on County premises,

engaged in County business, while operating County equipment, or while under the authority of the County is strictly prohibited.

Mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement. The County will conduct pre-employment, promotional, random, reasonable suspicion, and post-accident drug testing in accordance with federal law. It is the policy of the County to comply with the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse, a secure online database that provides employers with real-time information about CDL driver drug and alcohol program violations. The County will conduct electronic queries as required by FMCSA's drug and alcohol use testing program for checking CDL driver violation histories. Drivers may view their own records. Employees will be required to provide a consent form from the CDL holder to conduct both limited and specific inquiries.

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## 2.15 Verification of Eligibility to Work

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In compliance with the Immigration Reform and Control Act of 1986, each new employee is required to complete and sign a Form I-9 within 3 days of employment and to provide proof of their identity and employment eligibility.

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## 2.16 Fraudulent Application

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Submission of false information on the application, resume, or employment tests is grounds for disqualification or termination of employment.

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## 2.17 Application Subject to Public Information

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Information from applications, resumes, and employee vetting processes may be subject to release to the public, pursuant to the Texas Public Information Act.

## 3.00 Employee Responsibilities

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### 3.01 General Conduct

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The County is a public, tax-supported governmental entity. Our employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct at all times. Employees are required to efficiently perform the work assigned as their responsibility and to maintain good relationships with the public, their supervisors, and other employees and officials.

### 3.02 Professional Appearance

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The County expects all employees to be well-groomed, clean, and neat in accordance with their specific job duties and workplace. Department leadership will determine the type of attire that is acceptable and will comply with the CROWN Act. Employees are required to always act in a professional manner and extend the highest courtesy to coworkers and to the public being served. A pleasant and positive attitude is essential to our commitment to customer service.

### 3.03 Punctuality and Attendance

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The County expects all employees to be punctual and demonstrate consistent attendance. An employee who expects to be late for, or absent from, work must report the expected tardiness or absence to their supervisor.

Failure to report within the required period, as determined by department leadership, may be considered justification for disallowing paid leave for an absence. Unless otherwise approved by the supervisor, employees are expected to call on each day of absence. For an extended absence, longer reporting intervals can be approved by department leadership. Frequent tardiness or unexcused

absence is not permissible and is grounds for disciplinary action up to and including termination of employment.

Each supervisor is responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness. Frequent unexcused absences or tardiness, as determined by an immediate supervisor, may make an employee subject to disciplinary measures.

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

### 3.04 Outside Activities

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Employees may not engage in any outside employment, business activity, or enterprise which may pose a conflict of interest with their County job duties. In determining a conflict of interest, department leadership should consider if the outside activity is inconsistent or incompatible with employment at the County or will affect the employee's job performance adversely.

If a County employee is injured on the job while in the course of outside (non-County) employment, the employee cannot file a Workers' Compensation claim with the County, except a licensed peace officer in the line of duty. A claim should be made through the other employer. A false report of injury will be investigated and referred to law enforcement; false reports are grounds for termination of employment.

### 3.05 Political Activity

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Political activity refers to any actions intended to support or oppose a candidate, party, or political issue. This can include campaigning, fundraising, making public statements, organizing political events, or otherwise promoting or discouraging political causes or individuals.

Employees have the right to support candidates of their choice and to engage in political activity during their personal time. Employees shall not use their official authority or influence to interfere with or affect the result of any election.

Employees shall not directly or indirectly coerce, command, or advise another to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political reason while on duty for the County.

Employees shall not use any County equipment, vehicles, uniforms, property, or material for political activity or engage in political activity while on duty for the County.

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### 3.06 *Conflicts of Interest*

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County employees shall not engage in any employment, relationship, or activity that could be viewed as a conflict of interest because of the potential or appearance of affecting the employee's job efficiency, or which would reduce their ability to make objective decisions in regard to their work and responsibility as a County employee.

Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination of employment, and the conflict may have criminal consequences for employees.

Activities that constitute a conflict of interest shall include but not be limited to the following:

- soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
- accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
- accepting outside employment, compensation, gifts, or favors that might reasonably tend to

impair the independence of judgment in the performance of duties for the County;

- making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and their duties for the County;
- soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

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### 3.07 *Fraud*

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It is the intent of the County to promote consistent behavior among department leadership and employees by providing guidelines and assigning responsibility for the implementation of controls. This policy applies to any irregularity or suspected irregularity involving employees, vendors, or any other parties doing business with the County. Any irregularity that is suspected or detected must be reported immediately to the Auditor's office.

Examples of fiscal irregularities include but are not limited to the following:

- Any dishonest or fraudulent act
- Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Profiteering as a result of insider knowledge of County activities
- Disclosing confidential and proprietary information to outside parties, unless done with authorization and within the course and scope of one's duties for the County
- Disclosing to other persons securities activities engaged in or contemplated by the County

The Authorized Fraud Review Team has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. Any employee who suspects dishonest or fraudulent activity will notify department leadership, the County Auditor and/or the Internal Auditor Manager.

To see the complete County fraud policy contact the Auditor's Office.

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### 3.08 *Personal Items*

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County staff members are allowed to have personal items in their workspace as approved by their department leadership. Personal items that are stolen, damaged, lost, or destroyed in the workplace are not the responsibility of the County and will not be repaired or replaced by the County.

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### 3.09 *Weapons on County Property*

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Employees with a valid license to carry may carry a concealed handgun on County premises, within the limits of the Texas Penal Code 46.03, and in County vehicles, provided they are complying with the license and provide notification to department leadership. The handgun must be kept concealed at all times, except in a life-threatening situation. Prohibited weapons include any form of weapons or explosives restricted under local, state, and federal regulation.

Concealed carry handguns, pursuant to a license, must not be carried in any of the following:

- on premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court, unless pursuant to written authorization by the County Judge and Sheriff,
- on the premises of a polling place on the day of an election or while early voting is in progress,
- on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted,
- on the premises of a correctional facility, including probation facilities,
- in the room or rooms where a meeting of a governmental entity is held, if the meeting is an open meeting subject to Chapter 551, Texas

Government Code, and if the entity provided notice as required, or

- where prohibited by any state or federal law.

Nothing in this policy is construed to prohibit or regulate the presence of handguns in employee-owned motor vehicles by an employee.

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### 3.10 *Telephone Use*

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The County provides office telephone service for County-related business. Department leadership has the discretion to allow incidental personal use of office telephones. The County's long-distance telephone service is for County-related business only.

The County provides cellular telephones for some County employees, as designated by department leadership. Cellular telephones provided by the County are County property and are intended for County business use.

Department leadership has the discretion to allow for minimal incidental personal use of cellular telephones.

The County may assign or change rate plans that are more appropriate or economical for a particular user or department.

Replacement of damaged, stolen or lost equipment due to employee negligence is the responsibility of the employee. Employees shall immediately notify their department leadership if their County-issued cellular telephone is damaged, stolen or lost.

The Lubbock County Information Technology Services and Purchasing Departments provide joint cellular telephone contract compliance, telephone procurement, and telephone assignments.

Department leadership shall provide periodic updated cellular telephone assignment lists to the Lubbock County Information Technology Department to ensure inventory control and billing accuracy.

All calls, texts and other written communication made on County-owned cellular telephones or private phones used for County business are subject



to the Texas Public Information Act and as such may be considered public information.

The use of a County-provided cellular phone in a safe manner is the responsibility of the user. Specifically, while operating a motorized vehicle, employees should avoid talking on a handheld device. Instead, they should find a safe area to stop the vehicle and communicate via the device.

Texting while driving is illegal in Texas, effective September 1, 2023. The County prohibits employees from texting while driving a County-provided, personal, or rented vehicle for County business.

The County prohibits employees from utilizing smart phone technology to connect to the Internet for emails or any other site while driving a County-provided, personal, or rented vehicle for County business.

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### 3.11 *Parking*

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Employees are assigned free or reserved parking spaces by the Lubbock County Maintenance Department. New employees will be offered a free parking permit during New Hire Orientation.

Reserved parking:

- open garage, unassigned permit parking and Lot D permits are based on the date of the request;
- reserved garage parking, Lots G and F are based on elected/appointed status.

Monthly parking fees are paid via payroll deduction with the employee's signed authorization.

Employees with reserved spaces who do not use their space may not assign another employee to use their space. The space must be returned to the Maintenance Department for reassignment.

All Parking Permits must be visibly displayed in the employee's vehicle.

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### 3.12 *Solicitation*

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Solicitation and distribution of literature for any non-County purpose at any time by non-employees is prohibited on County property.

Solicitation, distribution, or circulation of any for-profit materials by employees during their working time or during the working time of the employees to whom such activity is directed is prohibited.

The County supports its employees' efforts to raise funds on behalf of non-profit organizations and the employees' children's school-related activities. Employees may solicit for such purposes with prior approval from their department leadership during non-working times on County premises. Working time includes the working time of both the employee doing the solicitation or distributing and the employees to whom it is directed.

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### 3.13 *Confidentiality*

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The County is a public entity; however, some County employees acquire confidential (non-public) information as a result of their position with the County. This information must be protected. Employees who reveal confidential (non-public) information they have received as a result of their position may be subject to disciplinary measures.

Regarding the personnel information on employees of the County, much of the information in an employee's personnel file, including wage or salary and job evaluations, is subject to disclosure under the Public Information Act; however, highly personal matters are typically not subject to disclosure. The County will adhere to the Public Information Act requirements and opinions from the Texas Attorney General's Office.

All information, including but not limited to information regarding cases, clients, and staff, is strictly confidential and is not to be discussed outside the immediate work area. If an employee does not respect and maintain the confidentiality of all such

information, they may be personally liable for its release and will be subject to disciplinary measures.

JJC, CRTC, CSCD and LSO have intradepartmental grievance procedures.

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### 3.14 *Litigation Notices*

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Employees shall immediately notify their department leadership and the Civil Division of the Criminal District Attorney's Office if they are served with a copy of any work-related lawsuits, subpoenas or demand letters.

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### 3.19 *Personal Use of Social Media and Social Networking*

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County employees, or those working on behalf of the County, who use social media and social networking services and tools for strictly personal use outside of the workplace do not require approval to do so. However, the County recognizes that these types of tools can sometimes blur the line between professional and personal lives and interactions. Therefore, employees are reminded that, as representatives of Lubbock County, County rules and guidelines must be taken into consideration when participating in these services at any time, but particularly when identifying themselves as employees of the County or when the context might lead to that conclusion.

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### 3.15 *Media Relations*

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All calls or requests from the media shall be referred to department leadership.

When publishing content to any website or through any social media outside of the County's official online presence and the post, link, or content concerns County operations in any way, staff will be expected to express themselves in a way that reflects positively on the County and to clearly present their opinions as their own.

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### 3.16 *Texas Whistleblower Act*

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The County shall not take adverse personnel action in retaliation against an employee who, in good faith, reports a violation of the law by the County or a County employee to an appropriate law enforcement authority. The employee must in good faith believe a law was violated, and the belief must be objectively reasonable. Employees who report such violations are protected under the Texas Whistleblower Act.

Staff members are expected to refrain from using or referencing their formal position when writing in a non-official capacity and not use a County email address to establish a private social media presence.

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### 3.17 *Retaliation*

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Any employee reports made in good faith regarding policy violations or violations of the law which are not committed by the reporting employee shall not be retaliated against.

By virtue of their position, those with leadership responsibilities (e.g., directors, employees who regularly interact with the public, outreach personnel, etc.) must consider whether the personal thoughts they publish, even in clearly personal venues, may be misunderstood as expressing the position of the County. They should assume that those outside the County will read what is written. Persons self-identifying as a County employee or who have a prominent position in which the person's association with the County is known to the general public, should take care to ensure that the profile and related content (even if it is of a personal and not an official nature) is consistent with how the person

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### 3.18 *Grievances*

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Any employee having a grievance related to their job should discuss the grievance with their supervisor, department leadership, or Human Resources. The

wishes to present him or herself as a professional, appropriate with the public trust.

County business may not be conducted by personal emails, correspondence, or personal social media activity. Any unsolicited official contact through a personal email or social media account should be forwarded to the recipient's official email account and a response sent from that account. Employees may, however, use their personal social media accounts to support or promulgate publicly-available information about County activities and programs.

In any publicly accessible social media platform, do not discuss any County related information that is not already considered public information or approved for public dissemination. The discussion of sensitive, proprietary, or classified information is strictly prohibited.

Any activity using government equipment (including access to the Internet) is governed by state and County rules.

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### 3.20 *Large Language Models*

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Employees shall not use large language models (LLM) to process or create documents for County business without reviewing the content for accuracy. County employees are prohibited from uploading documents or data into LLM that are non-public and would be withheld from disclosure under the Texas Open Records Act, HIPAA or other privacy act. Caution should be exercised while using LLM supported software or applications to secure County data and information. Keystroke trackers and the use of fraudGPT, or similar applications are prohibited.

## 4.00 Work Schedule & Time Reporting

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### 4.01 *Workweek and Work Hours*

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For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for the County shall begin at 12:00 a.m. on each Saturday and end seven consecutive days (168 hours) later. Law enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of 28 days and 171 hours as established by the County Commissioners Court.

Department leadership shall determine the exact working schedules for their employees. To meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule, or they may be subject to call back in case of emergency or special need.

Rest and meal breaks are not required under federal or state law and will be determined by department leadership. Department-provided breaks may not be accumulated or used for time off. The FLSA does not require any breaks other than for a nursing mother (see §8.13); however, if paid breaks are provided for employees, a nursing mother must be given the same amount of paid break time.

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### 4.02 *Overtime Worked*

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The policy of the County is to keep overtime to a minimum. However, employees may be required to work beyond normal hours. The Commissioners Court has adopted the 207(k) exemption under the FLSA for law enforcement employees. These employees have a work period of 28 days, and overtime will be due after 171 hours actually worked. Paid leave shall not be counted in determining if overtime has been worked in any workweek. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

Overtime is defined as hours worked in excess of 40 hours per FLSA workweek, as defined by the employer, or 171 hours for employees on a 28-day work period. Under the FLSA, overtime applies only to employees who are not exempt from the Act's overtime provisions. All overtime for services by non-exempt employees must be authorized in advance by the employee's supervisor.

Non-exempt employees are compensated for overtime worked by being given (in order of use):

- equal time off within the same work period;
- compensatory time off at one and one-half times the number of hours worked;
- payment at the rate of one and one half times the employee's regular hourly rate.

The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 240 compensatory hours for employees scheduled on a FLSA workweek or 480 compensatory hours for employees scheduled on a 28-day work period. When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at a rate of one and one-half of the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum. Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested, provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works.

Compensatory time may be used for any purpose desired by the employee with supervisor approval. The County shall have the right to require employees to use earned compensatory time at the convenience of the County.

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

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

to pay all or part of the overtime worked in any workweek by paying for that overtime at one and one-half the employee's regular rate of pay.

The County discourages time and one-half payment for overtime, which may be authorized only if adequate funds are available in the budget. In addition, the County discourages the accumulation of compensatory time off for non-exempt employees at one and one-half times the number of hours worked. The preferable method for overtime compensation is to schedule equal time off for the affected employee during the same work period in which the time was earned.

All time must be reflected on employee timesheets. The Payroll Division of the Auditor's Department will track all overtime for payment and compensatory time for accrual and usage. All documented overtime will be paid during the payroll period in which it is earned. All unused compensatory time will be paid in full at the end of each fiscal year.

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#### *4.03 Exemptions from FLSA (Overtime Compensation)*

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Department leaders and other positions determined by FLSA regulations are exempt from the overtime provisions of the FLSA.

Exempt employees do not earn overtime pay, except in cases of emergencies or disaster as formally declared by Federal, State or County governments. When a state of emergency or disaster is declared, exempt employee's overtime rendered for the County related to the declared emergency will be compensated in the same manner as non-exempt employees after overtime expenses are reimbursed to the County by the entity requiring the overtime.

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#### *4.04 Holidays Worked*

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The County's basic policy is that each full-time employee receives a specified number of paid holidays per calendar year as set forth in these policies.

If a holiday falls on an employee's scheduled day off, the employee will receive the benefit of another day off within the same work period when approved by department leadership.

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#### *4.05 Time Reporting*

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All non-exempt employees eligible for leave will keep records of all hours worked, leave time taken, and, where appropriate, hours credited to particular projects. Exempt employees will have a typical workweek, including leave time taken. An electronic system is utilized for time keeping.

Time records must be approved by the employee and supervisor by the deadline set forth by the County Auditor's Office. Timekeeping should be completed after each day's work in order to maintain an accurate and comprehensive record of the actual time worked. Failure to submit records in a timely fashion will result in delayed payment.

Department leadership is responsible for ensuring that timesheets reflect actual hours worked and leave time used. Employee payment is based on the reported hours.

Time records will be maintained by the Payroll Division of the Auditor's Department for four years.

## 5.00 Compensation

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### 5.01 Approving Authority

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The Commissioners Court is the approving authority for all payrolls and for any pay increases, decreases, or payroll transfers granted under the terms of these policies and the annual budget. The Lubbock County Commissioners Court establishes the budgeted pay for each position within the County. Human Resources establishes the pay bands and classifications for all positions, which are referred to the Commissioners Court for adoption.

### 5.02 Position Classification

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Classification of a new position and reclassification of current position(s), including grant-funded, must be evaluated by Human Resources during the regularly-scheduled Personnel Committee process. Recommendations will be provided to the Commissioners Court by Human Resources for adoption.

Pursuant to Texas Local Government Code, Chapter 151, the Commissioners Court determines the number of positions allocated to each department.

### 5.03 Promotions

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

Department leadership may promote an employee in their department to a vacant position. All promotions must be handled in accordance with the budget adopted by the Commissioners Court.

### 5.04 Demotions

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Demotions are the movement of an employee from one position to another with decreased responsibility or complexity of job duties.

Department leadership may choose to demote or re-assign any employees who are unable to meet performance requirements, for disciplinary reasons, or for any other reason as deemed necessary by the official. Upon demotion, an employee's salary may be adjusted downward.

### 5.05 Reassignments

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A lateral move of an employee from one position to another with the same responsibility or complexity of job duties.

Department leadership may reassign an employee in their department to a vacant position. All reassignments must be handled in accordance with the budget adopted by Commissioners Court.

### 5.06 Paydays

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The pay period for the County is bi-weekly. The pay date is every other Thursday for the preceding pay period. If the pay day falls on a holiday, checks will be issued on the last working day preceding the holiday.

### 5.07 Check Delivery

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Direct deposit is available to all County employees and required for all newly hired employees. Direct Deposit Authorization forms are available on the County Intranet or in the Human Resources Department.

No salary advances or loans against future salary will be made to any employee for any reason.

An employee must bring any discrepancy in pay to the attention of department leadership and the Payroll Division of the Auditor's Department in writing as soon as possible so that an actual discrepancy can be resolved and a perceived discrepancy can be explained.

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### 5.08 Payroll Deductions

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Section 125 Cafeteria Plan is a flexible benefit plan provided to all eligible employees. With the 125 plan, costs for certain optional insurance premiums are taken out of an employee's total pay before taxes. This lowers an employee's taxable income.

Deductions will be made from each employee's pay for the following:

- federal income taxes, FICA, and Medicare
- retirement contributions
- court-ordered child support
- IRS wage garnishment
- court-ordered bankruptcy debts
- federal & state student loan garnishments

In addition, deductions from an employee's pay may be authorized by the employee in writing for the following:

- medical, dental, vision, or life insurance premiums for the employee and dependents
- health savings accounts or flexible spending accounts
- deferred compensation plans
- parking fees
- repayment of debt to the County, and
- County reimbursement for travel advances if a Travel Expense Form has not been timely completed.

If there is a change in the employee's family status, address, or other factor affecting their payroll withholding, the employee is responsible for completing appropriate steps and communicating these changes to Human Resources.

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### 5.09 Longevity Pay

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Commissioned deputies of the Sheriff's Office and assistant prosecutors shall be provided longevity pay in accordance with State law.

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### 5.10 Retention Pay

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Full-time and eligible appointed County employees will receive retention pay for continuous years of service.

- Retention pay will be awarded once a year in December.
- Retention pay will be calculated based on the number of completed years of continuous service as of the most recent date of hire. A break in service resets the longevity calculation.
- Length of service will be determined as of September 30<sup>th</sup> of each fiscal year.
- Time spent while on an approved leave or active military duty is considered continuous service.

## 6.00 Travel

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### 6.01 *Travel for County Business*

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The County will bear expenses incurred by County Officials and employees to attend conferences, seminars, networking and professional training activities provided that the following procedures are followed. Such training must be directly related to the work of the County office involved.

Employees are expected to exercise the same care in incurring business expenses as any prudent person traveling for personal reasons.

### 6.02 *Eligible Expenses*

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Reimbursable hotel expenses for out-of-county travel must be a minimum of 75 miles from the County offices. Lodging upgrades or additions to accommodate family members will not be reimbursed.

The mode of transportation should be suitable for the employee while considering the cost involved. Employees may be reimbursed for mileage for personal automobile usage for both in and out of County travel. Mileage is not an allowable advancement expense. Mileage reimbursement will be commensurate with the deduction allowed by the Internal Revenue Service (IRS) and adopted by the Commissioners Court.

Mileage reimbursement guidelines:

- Employees requesting mileage reimbursement must have a valid, current Texas driver's license.
- Mileage reimbursement requests must be submitted at least monthly on forms available in the County Auditor's office. An accurate detail of mileage, dates, times, odometer readings or readily available electronic mapping service and location is required.
- Only one employee is eligible for mileage reimbursement in the event that more than one employee travels in one personal vehicle.

- Sharing mileage costs with another Texas County employee from another jurisdiction may be reimbursed up to one half the allowable mileage.

Auto rental guidelines:

- Employees should take advantage of governmental discounts or any other special rates available by rental agencies.

Employees may request reimbursement for meals only when traveling outside the County. If the County provides a meal for travel outside the County, and that travel doesn't require an "overnight stay away from home" as defined by IRS regulations, then that meal reimbursement will be taxed and included on the employee's W-2 earnings statement, per IRS regulations.

Meal reimbursement guidelines:

- Employees must be in travel status away from the County for at least six hours to qualify for one meal payment.
- Travel status of more than nine hours qualifies for payment of two meals.
- Travel status of more than twelve hours qualifies for payment of three meals.
- If meals are provided as part of the registration fee, the County will not pay for alternative meals.

Other travel expenses such as parking and tolls will be allowed only if adequately justified and documented.

Hours worked will be paid at the regular rate of pay or the overtime rate if applicable. Sleeping or meal time is not compensated as work time. If an employee who is subject to the overtime provisions of FLSA (non-exempt) travels overnight on business (more than one day), they will be paid for time spent traveling that occurs during their normal scheduled hours even if the travel is on a weekend or holiday. Travel time spent as a passenger on an airplane, train, bus, or car that occurs outside of normal scheduled hours is not paid unless the employee is working during that time (e.g., working on a laptop).



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### 6.03 *Travel & Business Expense Reimbursements*

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Employees required to travel on County business will be advanced or reimbursed for authorized expenses only. Employees traveling outside the State of Texas are responsible for submitting a Travel Authorization Form to their department leadership for submission to the Commissioners Court for approval.

Brochures, fliers or other supporting documentation must be attached to each request. Failure to provide supporting documentation will result in disapproval.

Within ten working days of returning from travel, a Travel Expense Form must be submitted to the County Auditor with supporting documentation. All requests must be approved by the County Auditor.

Receipts are required on the following authorized expenses:

- lodging,
- registration and seminar fees, and
- transportation costs (commercial airline tickets, rental vehicles, rideshare services to and from airports, bus station or other transportation terminal, parking and taxi fares).

Per diem rates are based on U.S. General Services Administration (GSA) [rates](#). Receipts are not required for per diem reimbursement.

Direct deposit is available to all County employees and is required for reimbursements.

It is imperative to note that falsification of an expense reimbursement, in addition to being a violation of County Policy, is also a crime and will be prosecuted.

Direct deposit is available to all County employees and required for all travel advances.

A Travel Expense Form must be submitted within 10 working days upon return. If a Travel Expense Form has not been submitted by the employee within ten working days of returning, the travel advance will be deducted from the employee's pay.

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### 6.04 *Travel Advances*

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An approved Travel Advance Request Form must be submitted to the County Auditor's office according to the accounts payable payment schedule to receive a travel advance.

## 7.00 Benefits and Retirement

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### 7.01 Communication of Benefits

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County employees should become thoroughly familiar with all aspects of their benefits. Human Resources is responsible for informing new employees of available benefits through the orientation program. Human Resources also provides additional benefits information to employees as appropriate.

### 7.02 Insurance Benefits

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In accordance with the general procedures approved by the Commissioners Court, all full-time employees are eligible for group medical, dental, vision, and life insurance. If the employee elects group insurance coverage for themselves and or dependents, the premiums due will be paid through payroll deduction each pay period. Employees are eligible for benefits on the first of the month following the 60th day of employment.

Employees who have a change in status (i.e., marriage, divorce, birth, adoption or death) may apply for or terminate County insurance coverage within 30 days of the event. Changes received after the 30th day of eligibility will be considered late entrants and must wait for the next open enrollment period to apply for coverage.

Employees who leave the employment of the County or who lose their coverage eligibility, may be eligible for an extension of the medical plan for themselves and their eligible dependents under the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an employee is unable to return to work following FMLA leave, if eligible, they will be offered COBRA. Information on extension of benefits under COBRA is available in Human Resources. COBRA notifications will be provided to all employees within 30 days of their hire date. All eligible employees and qualified dependents will be provided with COBRA information following their termination.

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### 7.03 Retirement Plans

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The County offers a retirement plan through the Texas County and District Retirement System (TCDRS). In addition, the County participates in Social Security, Medicare, and offers a deferred compensation plan.

All full-time and part-time employees will participate in the TCERS. Eligible employees shall make contributions to the retirement program through a payroll deduction. The County shall make a contribution to each eligible employee's retirement account according to requirements of TCERS.

The County may rehire Lubbock County retirees after a bona fide separation of employment without suspension of their monthly TCERS annuity. County retirees who are re-employed by the County after the required six month separation period must establish a new membership with the TCERS.

The County allows employees to participate in a deferred compensation plan through payroll deduction. The plan is administered according to provisions of applicable Internal Revenue Service regulations.

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### 7.04 Retiree Insurance Benefits

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County employees are eligible to continue their current medical benefits as a retiree if the employee:

- is eligible for retirement under TCERS and has 15 years of continuous/unbroken service as a full-time employee of the County;
- begins drawing their TCERS retirement annuity immediately after retiring from the County.

*Pre-65 Retiree* - A retiree that is Pre-65 will have a choice to remain on the active County Medical plan or move to the insurance marketplace.

- A spouse and/or eligible dependent(s) of a Pre-65 retiree may be eligible for benefits if:
  - you are enrolled as a spouse and/or eligible dependent, or

- you are a pre-65 retiree with a post-65 spouse; your spouse is only eligible to enroll in a Medicare supplement.

Once the retiree moves to the insurance marketplace, using the employer contribution, they then forfeit their right to move back to any active retiree County medical plan at a later date.

*Post-65 Retiree* - A retiree that is post-65 is eligible for Medicare supplements and must be enrolled in Medicare Parts A & B.

- A spouse and/or eligible dependent(s) of a post-65 retiree may be eligible for benefits if you are enrolled as a spouse and/or eligible dependent.
  - A post-65 spouse is only eligible to enroll in a Medicare supplement and must be enrolled in Medicare Parts A & B.

A post-65 retiree's spouse and/or eligible dependent(s) may not remain on the active County medical plan.

#### *Retiree Insurance Eligibility Limitations*

If a retiree or covered spouse is eligible for medical benefits through another employer, they no longer qualify for County retiree benefits.

Any covered spouse and/or dependent(s) of a retiree who passes away will then be eligible to receive an employer contribution. If the covered spouse remarries, the employer contribution then terminates.

The spouse and/or eligible dependent(s) of a retiree who files for TCDRS disability retirement are eligible for COBRA continuation and not retiree benefits.

Spouse participation will end in the event of a divorce, at which time COBRA continuation will be offered if the spouse was on an active County plan.

Dependent(s') coverage will end when they no longer meet eligibility requirements of the Plan Document, at which time COBRA continuation will be offered if they were on an active County plan.

If both spouses are active employees of the County and only one retires, the spouse who remains employed is only eligible to participate in the retiree

insurance at the time of **their** retirement with the County, if eligible.

If a retiree's, spouse's, and/or eligible dependent(s') benefits are terminated, they then forfeit the right to reinstate coverage in the future.

#### *Employer Contribution*

Employer contributions are based on years of continuous, unbroken, full-time service with the County.

Retirees must pay premiums, if necessary, on a monthly basis in a timely manner to maintain coverage. Nonpayment will result in loss of coverage without reinstatement.

The County's third-party administrator will administer the retiree's employer contribution.

Retirees may apply/seek reimbursement for the following items:

- Insurance marketplace medical premiums for themselves and their eligible dependent(s)
- Medicare supplement premiums for themselves and their eligible dependent(s)

*Note: Employer contributions are only available for retirees that enroll with the active County plan or insurance marketplace. Employer contributions are available for the level of coverage that the retiree initially enrolls in and may be reduced in the future if not utilized. IRS guidelines govern this policy.*

*The County reserves the right, at its discretion, to amend, change, or terminate any of the benefit plans, programs, practices, or policies with or without notice.*

## 8.00 Leave Time

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### 8.01 Leave Time

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Leave time may be either paid or unpaid, and it must be approved or designated by department leadership. No advance of unearned leave will be given for any reason. Leave time taken must be reflected in bi-weekly payroll. Nothing in this leave time policy is intended to conflict with the provisions of the Family and Medical Leave Act (FMLA), as more fully described in §8.11. If there is a conflict, the provisions of the FMLA prevail.

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### 8.02 Paid Personal Leave

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Full-time and part-time employees are eligible to accrue paid personal leave when they are working or on paid leave. The accrual is at the end of each two-week pay period and employees must have worked or been on paid leave at least half of the pay period in order to earn the leave. There are no accruals during periods of unpaid leave. Employees are encouraged to take time away from work at least annually. Paid personal leave is accrued each bi-weekly period; see the following chart for details.

#### **Paid Personal Leave Accrual Schedule**

Employee Status	Years of Service	Hours of Leave Accrual
Full Time	<8	6
Full Time	≥8	8
Full Time (171 & 24/7 Law Enforcement/ Correctional)	<8	10*
Full Time (171 & 24/7 Law Enforcement/ Correctional)	≥8	12*
Part Time	Any	2
Elected	Any	None
Appointed	Any	None

\*Includes Holiday time

All re-hired employees, including retirees, shall accrue leave as a new employee with no prior service time.

Employees are eligible to use accrued personal leave after two weeks of continuous service. Department leadership may require employees to use personal leave when their presence in the workplace is deemed detrimental to themselves or others.

If an employee has compensatory time accrued, it will be deducted first, followed by personal leave.

Separated employees will be paid at their current hourly rate for all accumulated personal leave. Personal leave may not be used to extend separation date.

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### 8.03 Paid Personal Leave Carryover & FMLA Bank

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Maximum allowable annual carryover is determined by type of employment:

- Full-time employees with less than eight years of service may carry over no more than 160 hours annually.
- Full-time employees with eight or more years of service may carry over no more than 240 hours annually.
- Part-time employees may carry over no more than 72 hours annually.

Unused personal leave may be carried over into the next fiscal year up to the maximums allowed. Department leadership may require employees to take leave during the year to prevent accumulations greater than the maximum allowed carryover. In the event an excess accrual results at fiscal year end, there are three methods of disposing of the accumulations in excess of the maximum annual carryover:

1. Transferred to the FMLA bank for that employee. The FMLA bank will not exceed 480 hours; or

2. Paid down to the maximum carryover at the end of each fiscal year; or
3. Any combination of the above two methods.

The FMLA bank has no cash value and is not paid at separation.

### *8.04 Holiday Leave*

Holidays are designated each year by the Commissioners Court and are days when County offices will be closed for business.

An employee who works a holiday and cannot take off during the same work period will be paid for an additional eight straight-time hours.

Holiday leave may not be accrued and is not paid upon separation, nor may it be carried over to another calendar year.

#### **Holiday Leave Eligibility**

Employee Status	Holiday Leave
Full Time	Eligible
Full Time (171 & 24/7)	See §8.02
Part Time	None
Temporary	None
Elected	None
Appointed	None

### *8.05 Military Leave*

All County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to 15 working days off per fiscal year with pay for active duty or to attend active or inactive authorized training sessions and exercises. The 15 working days of paid military leave shall apply to the fiscal year and any unused balance at the end of the year shall not be carried forward into the next fiscal year. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods that fall within the employee's normal work schedule. After an employee exhausts their 15-day paid military leave, they must designate, in writing,

the use of personal leave, earned compensatory time, or leave without pay.

Any County employee who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state- or federally-authorized urban search and rescue team called to state active duty by the governor or another appropriate authority in response to a disaster is entitled to up to seven days of paid disaster leave per fiscal year. This leave is in addition to the paid leave provided for authorized training or duty otherwise authorized or ordered. During disaster leave under these provisions, the person may not be subjected to loss of time, efficiency rating, or personal leave.

An employee going on military leave shall provide their supervisor with a set of orders within two calendar days, or sooner, after receiving them. Employees should also review benefit plan documents and consult with Human Resources regarding benefits while on military leave.

Upon request of the employee, the County will provide (a) a statement that contains the number of workdays used for military leave in the fiscal year and (b) a statement of the number of workdays left for use during the fiscal year.

After an employee has exhausted all available paid military leave (including any other paid leave time that the employee chooses to use to cover a military absence), the employee will be placed on leave without pay for a total of five years.

While an employee is on military leave the County will continue to pay its portion of the monthly premium for group health benefits for 12 weeks. When military leave exceeds 12 weeks, the employee may elect to continue group health coverage for up to 24 months after the absence begins or until their reemployment rights expire (whichever event occurs first) for themselves and eligible dependents. Employees must pay 102% of the applicable premium to cover the cost of elective continuation coverage under the County's group health plan.

Upon an employee's return to employment following military service, the County will provide health insurance coverage immediately, even if a waiting period is normally required for new or returning employees. In addition, a returning employee will not be subjected to exclusions from coverage unless the exclusions apply to injuries or conditions that were incurred as a result of military service.

While on paid military leave, employees continue to accrue personal leave and other benefits provided to other employees on paid leave. While on unpaid military leave, employees are ineligible for some County-provided benefits. While on unpaid military leave, benefit accruals will be suspended and will resume upon the employee's return to active employment. Once an employee returns to work following an unpaid leave, they will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as personal leave.

County employees who leave their positions because of being called to active military service or who voluntarily enter the Armed Forces of the United States shall be eligible for reemployment in accordance with state and federal laws in effect at the time of their release from duty.

The deadline for an employee to return to work and/or notify the County that they intend to return to work following military leave depends upon how long the employee's military service lasted:

- For service of less than 31 days, employees have 8 hours following their return home from service to report for their next scheduled work period.
- For service between 31 days and 180 days, employees have 14 days following their release from service to apply for reemployment.
- For service of more than 180 days, employees have 90 days following their release from service to apply for reemployment.

These deadlines may be extended for two years or more when an employee suffers service-related injuries that prevent them from applying for reemployment or when circumstances beyond the

employee's control make reporting within the time limits impossible or unreasonable.

To qualify to return to work, an employee returning from leave must provide documentation of the length and character of their military service. Also, evidence of discharge or release under honorable conditions must be submitted to the County if the military leave lasted more than 31 calendar days.

A veteran may not be discharged or subjected to adverse employment action for one year after the date of reinstatement, except for cause; the same rule applies to service in the reserves or National Guard.

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## 8.06 *Civic Leave*

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Employees are entitled to civic leave with pay for jury duty, for serving as a subpoenaed witness in an official proceeding not initiated by the employee, and for the purpose of voting. Employees may retain any fees received for performing jury duty. When an employee has fulfilled the reason for the civic leave, they must report to the County for duty for the remainder of the workday. If an employee is absent from work to appear in private litigation in which they are a principal party, the time shall be charged to other eligible paid leave or leave without pay.

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## 8.07 *Bereavement Leave*

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Department leadership may grant funeral leave with pay for three to five working days per occurrence, depending on travel and other circumstances, to full-time employees in case of death of a member of the employee's family. Family includes spouse, son, daughter, son-in-law, daughter-in-law, mother, father, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandmother, grandfather, uncle, aunt, nephew, niece, first cousin, and grandchild of the employee or the employee's spouse. Employees may provide a copy of an obituary and proof of relationship to department leadership upon request.

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## 8.08 Personal Leave of Absence

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Full-Time employees may request a personal leave of absence for a maximum of 45 working days per fiscal year. Leaves of absence are granted solely at the discretion of department leadership.

Employees on leave of absence are converted to an inactive status and do not accrue benefits

Employees on leave of absence may elect to continue group health coverage through COBRA during their leave of absence. Employees must pay 102% of the applicable premium to cover the cost of elective continuation coverage under the County's group health plan. Employees should also review benefit plan documents and consult with Human Resources regarding benefits while on a leave of absence.

A leave of absence may be revoked and reemployment is not guaranteed.

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## 8.09 Other Leave

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In the event that inclement weather or other County emergencies make reporting to work dangerous, the County Judge will make the decision to delay opening or close County offices.

Department leadership is responsible for designating their employees as essential and providing alternate information to personnel assigned as essential during emergency closings.

Department leadership may also make a decision to close or delay opening County offices. When a department delays opening or closes, employees will indicate "other admin" on their timesheets.

Employees already scheduled for personal leave during these situational closures will use personal leave.

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## 8.10 Administrative Leave

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Under justifiable circumstances, department leadership may place an employee on administrative leave with or without pay. Such circumstances may be, but are not limited to, completion of pending criminal or administrative investigations.

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## 8.11 Family and Medical Leave

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The Family and Medical Leave Act (FMLA) provides up to 12 weeks of job protected leave per rolling year to eligible employees for the following reasons:

- the birth of a child;
- to care for the employee's child as a result of birth, adoption or foster care placement (leave entitlement expires 12 months after birth or placement date of child);
- to care for the employee's spouse, child, or parent, who has a serious health condition;
- an employee's serious health condition;
- to attend to urgent matters arising out of the fact that the employee's spouse, child, or parent is on active or impending active duty in the Armed Forces in support of a "contingency operation" as designated by the US Secretary of Defense, the President, or Congress (usually a war or other national emergency).

*Service Member Family Leave* – Eligible employees who are the spouse, child, parent, or next of kin of a covered Armed Forces Service member are entitled to an additional one-time 14 weeks of leave during a single 12-month period (for a total of 26 weeks), to care for such Service member who incurred a serious injury or illness in the line of active duty in the Armed Forces.

To be eligible for FMLA, an employee must have worked for the County at least 12 months (but not necessarily 12 consecutive months) and have worked at least 1,250 hours over the previous 12 month period.

## Definitions

*Serious health condition* - means an illness, injury, impairment, or a physical or mental condition that involves

- inpatient care in a hospital, hospice, or residential medical care facility;
- any period of incapacity requiring absence from work for more than three calendar days AND that involves continuing treatment by a health care provider;
- continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in a period of incapacity of more than three calendar days;
- prenatal care by a health care provider.

*Spouse* - as recognized under Texas law for purposes of marriage, including common law.

*Child* - means a child either under 18 years of age or older if incapable of self-care because of a mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, foster, or step child.

*Parent* - means a biological parent of an employee or an individual who stood in place of a parent to an employee when the employee was a child.

*Covered service member* - means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary disability retired list for a serious injury or illness incurred in the line of active duty and which may render the member medically unfit to perform the duties of the member's military position.

*Next of kin* - means the nearest blood relative of a Covered Service member.

*Active duty* - means duty under a call or order to active duty during a contingency operation.

*Contingency operation* - means a military operation that

- is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force, or
- results in the call or order to active duty of members of the uniformed services during a war or national emergency declared by the President or Congress.

An employee eligible for FMLA will be required to utilize leave in this order:

1. FMLA bank
2. Compensatory time
3. Personal leave
4. Leave without pay

FMLA leave may be paid or unpaid leave. The total cumulative maximum period of time which an employee may be absent from work on FMLA during any 12-month period is 12 weeks (or 26 weeks if combined with Service Member Family Leave time), regardless of whether all or a portion of the leave period is paid or unpaid. The County will measure the 12-month period as a rolling 12-month period measured forward from the date an employee begins using any FMLA under this policy.

During the paid portion of FMLA, the employee will accrue personal leave and holidays will be paid. While on unpaid FMLA, an employee will not accrue personal leave or be eligible for holidays.

Unless otherwise arranged with the employee's department leadership, while on FMLA, employees must maintain weekly contact with their supervisor.

While on unpaid leave under this policy, the County will continue to pay the regular portion of the employee's medical and dental premiums. The employee shall be required to pay their portion of elected benefits by the date listed on the invoice, or coverage will be discontinued. Payment arrangements are the employee's responsibility.

Intermittent leave will be allowed where it is necessary for the care and treatment of the serious



health condition of the employee or the employee's eligible family member.

An employee requesting FMLA is required to submit a completed FMLA application form to their department leadership or Human Resources. Except where leave is unforeseeable, an employee should give their department leadership reasonable notice before beginning FMLA. The employee can expect a Notice of Eligibility within five business days of their request. Forms for requesting FMLA may be obtained from the Human Resources Department. In the event of leave arising out of the active duty or call or impending call to active duty of a spouse, child, or parent in support of a contingency operation, the employee shall provide as much notice as is reasonable and practical under the circumstances.

An employee requesting or using leave under this policy may be required to provide a certification of the serious health condition for the employee or the employee's eligible dependent within 15 calendar days of the request. The County also reserves the right to ask for a second opinion from a physician of the County's choice, at the expense of the County. If a conflict exists between the first and second certifications, the County will require a third certification at the expense of the County. The third physician will be mutually agreed upon by the employee and the County. The third opinion will be considered final. The County will notify the employee within five business days of the receipt of the certification whether the leave is designated FMLA leave.

An employee requesting leave related to a family member's active duty or call to active duty shall provide supporting documentation of such status or call issued by the applicable Armed Services branch and complete and submit the appropriate FMLA forms.

The County will require employees to utilize all forms of paid time off during a FMLA leave, regardless of whether the employee has requested FMLA. The County will provide written notice of an employee's effective date of being placed on FMLA. A department may declare leave as FMLA retroactive to the first day of qualified leave.

Employees on leave because of their own serious health condition must provide a physician's release to their department leadership and Human Resources prior to returning to work.

Employees returning from FMLA and who have not exceeded the 12 week maximum allowed (or 26 weeks if combined with Service Member Family Leave time) will normally be returned to the same job or a job equivalent to the one the employee held prior to going on FMLA. If an employee is placed in another position, it will be one which has equivalent status, pay, benefits, and other employment terms which entails substantially equivalent skill, effort, responsibility, and authority.

Employees who fail to return to work after the maximum FMLA leave has expired may be separated for job abandonment unless a request for accommodation of a qualifying disability is submitted and approved by Human Resources.

Documentation regarding FMLA will be filed in the employee's medical file, which is maintained separately from the personnel files.

If a husband and wife both work for the County and each request to take leave for the birth, adoption, or placement of a child, or to attend to urgent matters arising out of a child's active duty in support of a contingency operation may only take a combined total of 12 weeks of leave (or 26 weeks if combined with Service Member Family Leave for a child or next of kin).

An employee may not work or volunteer for another employer while using Family Medical Leave.

Any provisions of this employee Handbook which may conflict with the provisions of the FMLA should be read to comply with the provisions of the FMLA.

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## 8.12 *Limitations on Leave*

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With the exception of leaves of absence for military duty, no leave of absence or other period of inability or failure to perform work, by itself or in combination with other periods of leave, may last longer than six months. Any employee who for any reason or

combination of reasons misses a total of six months of full-duty work in a twelve-month period may be separated from employment due to unavailability for work. In addition to not working at all, an employee will be considered unavailable for work if the employee cannot perform the essential functions of the job with or without reasonable accommodation. Prior to termination, each case must be evaluated by the Human Resources Department for compliance with the ADAAA.

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### 8.13 *Pregnancy/Lactation/Breastfeeding*

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The County will abide by the Pregnant Workers Fairness Act (PWFA) by providing reasonable workplace accommodations for an employee's known limitations related to pregnancy, childbirth, or related medical conditions unless the accommodation will cause an "undue hardship." Employees seeking a reasonable accommodation under the PWFA should contact Human Resources to begin the interactive process.

The County is a "Mother-Friendly" workplace in accordance with the Texas Health and Safety Code §165.003. The County has a worksite lactation support program that is supportive of lactating mothers and encourages breastfeeding of their children for up to one year following their birth in accordance with the Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act.

Employees may use the dedicated employee lactation rooms designated for the purpose of expressing breastmilk. Where dedicated space is not feasible or available, the County will provide a mixed-use space for lactating mother. In cases such as the latter, lactating mothers will have priority over all other business uses of the space.

Supervisors are responsible for alerting pregnant and breastfeeding employees about this policy prior to and upon return from an employee's period of leave for the reason of childbirth.

Work schedule and work pattern flexibility will be provided to accommodate a reasonable break time for an exempt or non-exempt employee to express

breastmilk for their nursing child or breastfeed each time such employee has the need to express the milk or breastfeed for one year or longer after the child's birth. Lactating mothers may use time during the standard workday for milk expression. This may include combinations of standard paid break periods, lunch periods, and other times as necessary. Lactating mothers must be afforded flexibility in their work schedules, such that the use of accrued leave or leave without pay is not required to cover time used for milk expression. While in general, this may require two to three lactation breaks a day, scheduling will be arranged on a case-by-case basis to accommodate the milk-expression needs of the employee.

The County encourages employees and management to have a positive, accepting attitude toward working mothers and breastfeeding. The County promotes and supports breastfeeding and the expression of breast milk by employees who are breastfeeding when they return to work by providing information to all employees about the benefits of breastfeeding and the policy. This policy is to ensure that managers and employees are supportive of employees' needs related to combining working and breastfeeding.

The County recognizes that an employee is entitled to breastfeed their baby in any location in which they are authorized to be. County employees shall welcome clients, customers, and members of the public who are mothers who want to breastfeed. Mothers may also breastfeed in any location within the client/customer area. All staff members will support the needs of breastfeeding mothers in this regard.

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### 8.14 *Paid Quarantine Leave*

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#### Definitions

*Peace officer* - means an individual described by Article 2.12, Code of Criminal Procedure, who is elected for, employed by, or appointed by the County.

*Detention officer* - means an individual appointed or employed by a county as a County jailer or other individual responsible for the care and custody of individuals incarcerated in County jail.

*Emergency medical technician* - means an individual who is employed by the County and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

*Health authority* - has the meaning assigned by Section 121.021, Health and Safety Code. A health authority is a physician appointed under the provisions of Chapter 121 to administer state and local laws relating to public health within the appointing body's jurisdiction. A health authority must be a competent physician with a reputable professional standing who is legally qualified to practice medicine in the state and a resident of the state. They must take an official oath and file with the department.

The County shall provide paid quarantine leave for peace officers, detention officers, and emergency medical technicians employed by the County and ordered by a supervisor or the health authority to quarantine or isolate due to possible or known exposure to a communicable disease while on duty.

Eligible employees who are on qualifying paid quarantine leave shall receive all employment benefits and compensation, including leave accrual, retirement, and health benefits for the duration of the leave; if applicable, they shall also be reimbursed for reasonable costs related to the quarantine, including lodging, medical, and transportation. An employee on qualifying paid quarantine leave will not have their leave balances reduced.

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### 8.15 *Peace Officer & Telecommunicator Mental Health Leave*

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The purpose of this policy is to provide guidance in accordance with the Texas Local Government Code 614.015 regarding mental health leave for peace officers and telecommunicators (covered employees) who experience a traumatic event in the scope of that employment.

### *Definitions*

*Traumatic event* – An event that occurs in the peace officer's or telecommunicator's scope of employment when the covered employee is involved in the response to, or investigation of, an event that causes the covered employee to experience unusually strong emotional reactions or feelings that have the potential to interfere with their ability to function during or after the incident. These events may include but are not limited to the following:

- major disasters which may include response to weather-related events involving one or more casualties; explosions with one or more casualties; or search and recovery missions involving one or more casualties;
- incidents involving one or more casualties which may include shootings, violence, or accidents;
- line of duty death or suicide of a department member;
- officer(s) involved in the shooting of a person.

*Mental health leave* – Administrative leave with pay granted in response to a traumatic event that occurred in the scope of the peace officer's employment.

*Mental health professional* – A licensed social or mental health worker, counselor, psychotherapist, psychologist, or psychiatrist.

*Peace officer* - An individual described by Article 2.12, Code of Criminal Procedure, who is elected for, employed by, or appointed by the County.

*Telecommunicator* - a full time employee authorized to act as a telecommunicator under Section 1701.405, Occupations Code.

A covered employee directly involved in a traumatic event may request the use of mental health leave. A covered employee shall be allowed up to five days of paid mental health leave per traumatic event.

The request shall be made by the employee or their supervisor through the chain of command or through the Human Resources department. The request shall be treated as a priority matter and a decision on granting the leave shall be made no later than 24 hours following the submission of the request. The

request shall be granted unless the chain of command can articulate specific compelling reasons to deny granting the leave.

A supervisor or coworker who becomes aware of behavioral changes in an officer directly involved in a traumatic event should suggest to the officer that they seek mental health leave and the assistance of a mental health professional.

Any request for mental health leave shall be treated as strictly confidential by all parties involved; it shall be discussed only as necessary to facilitate the use of the leave and shall not be discussed or disclosed outside of the officer's chain of command. Any officer or supervisor who becomes aware of behavioral changes and suggests the officer seek mental health leave shall not discuss that matter with any third party. Any breach of this confidentiality shall be grounds for discipline. Confidentiality may be waived by the officer seeking mental health leave.

Confidentiality may be waived under circumstances that indicate the officer is a danger to themselves or others and department personnel must confer with mental health professionals.

The department will not reduce an eligible employee's paid leave balance for mental health leave taken under this policy.

Mental health services available to the officer include the Employee Assistance Program, medical insurance, and telemedicine.

## 9.00 Workplace Safety

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### 9.01 Safety Policy

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The County makes a concerted effort to provide a safe working environment, free from hazard and harm for all employees. Each County employee must adhere to the safety standards established within their department.

### 9.02 Employee Responsibilities

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Any employee who suffers a job-related illness or injury is required to notify their supervisor as soon as possible. Failure to promptly report job-related injuries or illnesses may affect an employee's eligibility for benefits or delay benefit payment.

- Employee Report of Injury is due within 24 hours of incident.
- An employee involved in an on-the-job accident or incident, that requires medical treatment other than first aid and or damages property, is required to be drug and or alcohol tested. Refusal to submit to a professionally-administered drug and or alcohol test will result in termination of employment (see §2.13).
- Supervisor Incident Investigation is due within 48 hours of incident.

### 9.03 Workers' Compensation

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Workers' Compensation coverage pays for medical bills resulting from a covered injury or illness an employee incurs while carrying out the duties of their job. Workers' Compensation also pays Temporary Income Benefits (TIBs) for time lost from work in excess of seven calendar days as the result of eligible work-related injuries or illnesses. Law Enforcement employees will receive wage or salary continuation in accordance with state law.

All employees who are placed on Workers' Compensation leave will fall under FMLA, if eligible. The County runs FMLA and Worker's Compensation concurrently.

An employee who has lost time because of a work-related incident or illness is required to provide a release from the treating provider before being allowed to return to work.

An employee's Workers' Compensation benefits may be adversely affected if the employee is injured while under the influence of alcohol or drugs, while the employee is engaging in horseplay, or for other exclusions identified in the Workers' Compensation law.

The County will make every effort to bring the injured employee back to work as soon as reasonably possible. The County has a return-to-work policy in place and if a position is found that will meet all the restrictions, the employee may be given a bona fide offer of employment.

### 9.04 Workers' Compensation— Return to Work

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This policy covers employees who are on leave due to a work-related injury or illness. Because employees are our most valuable resource, the County attempts to help employees return to work as soon as is feasible.

An employee on leave due to a work-related injury or illness may return to work only when the County receives a medical release from the treating provider. It is a violation of County policy for any employee receiving Worker's Compensation benefits of any kind to be employed with a third party on a full-time or part-time basis. Violation of this policy may result in termination of employment.

#### *Return to work options*

- Return to position at full duty with provider release stating that the injured employee can perform the job functions without restrictions.
- Restricted Duty – for any employee who is not able to return to their prior position and perform

the regular duties of that job but can return with certain restrictions, the County will attempt to accommodate the restrictions when possible but cannot guarantee the availability of restricted duty. Restricted duty assignments are temporary.

A written, bona fide offer of employment must clearly state:

- the position offered and the duties of the position,
- the County's agreement to meet the conditions set out by the treating provider, and
- the job's wage, working hours and location.

In the event an employee refuses to return to regular or restricted duty work in response to a written, bona fide offer of employment by the County, the employee may be separated from employment.

#### *Coordination with FMLA*

Nothing in this policy should be construed as denying employees their rights under the FMLA or any other federal or state law. It is County policy to designate an employee's leave due to a work-related injury or illness as FMLA, if eligible.

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### *9.05 Tobacco and Smoke-Free Environment*

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The County endeavors to provide a healthy environment. Therefore, any form of tobacco or vaping consumed in County buildings and County vehicles is strictly prohibited. Additionally, no smoking is allowed within twenty feet of the exterior entranceways.

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### *9.06 Scents in the Workplace*

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In order to provide a healthier and safer workplace for all County employees and citizens, the burning of candles and incense or other scents that involve a flame, smoke, or airborne soot are prohibited in County buildings.

Supervisors should be aware that some individuals may be allergic to a particular scent or

perfume/cologne or may be subject to Multiple Chemical Sensitivity.

If an individual has a complaint about a particular scent or a chronic problem with the source of a scent, they should notify their supervisor.

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### *9.07 Workplace Violence*

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The County is committed to providing a workplace free of violence. The County will not tolerate or condone violence of any kind in the workplace. The County will also not tolerate or condone any direct or indirect threats of violence, which includes jokes. All threats will be taken seriously and will be investigated. Employees must refrain from any conduct or comments that might make another employee suspicious or in fear for their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surroundings at all times and report any suspicious behavior from the public, former employees, or current employees to their immediate supervisor and the sheriff's department.

## 10.00 County Property

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### 10.01 County Property Usage

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Each County employee shall be responsible for the care, maintenance and proper use of any County equipment assigned to them. County employees shall only use equipment, tools, and other County property that they are authorized to use.

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### 10.02 Purchasing

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Some personnel may be authorized to purchase for the County. All purchases must be in accordance with the Purchasing Policy. All Purchase Orders are processed through the Purchasing Office and will be coordinated with the requesting department. Personal purchases charged to the County by purchase order or credit card are strictly prohibited. To see the complete County purchasing policy contact the Purchasing Office.

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### 10.03 Use of Tools, Equipment, Property, and Vehicles

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Employees who are assigned tools, computing equipment, phones, equipment, vehicles, or any other County property by their departments are responsible for them and for their proper use and maintenance. The assigned tools, equipment, vehicles, or other County property must be returned immediately when instructed by department leadership.

*De minimis* (incidental use) of tools or equipment is allowed.

Department leadership may impose additional restrictions for the use of County property, materials, supplies, tools or equipment. If an employee is in doubt about a circumstance, they should check with their department leadership before proceeding.

Property that is stolen, lost, or damaged must be reported by department leadership in writing to the Purchasing Department immediately after discovery.

Property purchased with State or Federal grant funds must be utilized only by the County department staff from which the funds were acquired. The equipment must be used only for the intended purpose of the grant. Once grant funds are exhausted, the equipment can continue to be used by the funded project. When the equipment is no longer needed, it may be used in other activities previously supported by a Federal or State agency. To dispose of equipment, County departments adhere to the Uniform Grants Management Standards for disposal of equipment acquired under a grant. When purchasing replacement equipment, the County department must use the equipment to be replaced as trade-in to offset the cost of the replacement property. Approval from the awarding agency, if required, must be obtained prior to purchasing replacement equipment.

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### 10.04 County Vehicles

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County vehicles are provided to certain County officials and employees to conduct County business and efficiently carry out their assigned duties. Departments with assigned County vehicles shall have a departmental vehicle policy that covers general maintenance, protocol and other operational procedures. All employees will be expected to display prudent behavior when operating and maintaining an assigned County vehicle or a privately owned vehicle used to conduct official County business. Furthermore, employees must abide by all applicable State law and Federal law.

County vehicles are to be used for County business and limited personal use. Employees who utilize County vehicles for any personal purposes will be subject to taxation in accordance with Internal Revenue Service guidelines.

Items or equipment not authorized by the County or department leadership will not be mounted on, or attached to, any County vehicle. Authorized equipment will not be relocated, added to, or taken

off of any County vehicle by the employee to whom the vehicle is assigned.

County vehicle general guidelines:

- Alcoholic beverages will not be stored or transported in a County vehicle.
- Tobacco use is not permitted in County vehicles.
- County vehicles will not be used during outside employment.
- Family members will not be allowed to drive County vehicles.
- Legal prescription or non-prescription drugs may be used as directed.

Misuse or abuse of a County vehicle may result in disciplinary action up to and including termination of employment.

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### 10.05 Valid Driver License

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All employees that operate County vehicles or their own personal vehicle on County business are required to have a valid Texas driver license necessary for legal operation of the vehicle in the State of Texas and must keep their supervisors informed of any change of status in their license. If at any time department leadership believes that an employee does not meet minimum requirements for a required vehicle license, the County has the right to have the employee evaluated for licensing requirements. Human Resources will periodically check the driving records of all employees who operate County vehicles or are required to drive personal vehicles on County business. Failure of those employees to maintain a safe driving record or required licensure may result in a demotion, reassignment, or termination of employment.

Every County employee who is required to drive a County vehicle on County business must maintain a safe driving record. Human Resources may recheck an employee's driving record as needed after employment in such a capacity. Employees who drive County vehicles are required to report any violations involving a motor vehicle to their

supervisor. This reporting requirement applies to violations incurred both on and off duty.

Suspension or revocation of the driver's license of an employee who operates a County vehicle or is required to drive a personal vehicle regularly on County business may result in a demotion, reassignment, or termination of employment.

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### 10.06 County Credit Cards

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Some employees may be issued a County credit card at the request of department leadership and subject to approval by the County Auditor. The cards are for official County business use and personal use is strictly prohibited. Misuse of County credit cards will result in cancellation of the card.

Credit cards may be used for travel to pay for airline tickets, registration fees, lodging, ride sharing, rental car, and fuel for the rental car.

Meals may not be purchased with the County credit card, except for the following:

- group meals purchased for County sponsored training or meetings which are authorized by the Commissioners Court,
- to feed election workers on Election Day,
- group meals purchased in response to emergencies or situations critical to the health and safety of Lubbock County citizens for an extended period of time and outside of normal working hours, which are authorized by the Commissioners Court, or
- juror meals purchased outside normal County business hours.

Credit cards may not be used to purchase fuel for personal vehicles.

Credit cards may not be used to purchase inventoriable items (as defined by the Lubbock County Purchasing and Credit Card Policy). All items in this category must be purchased on a purchase order following the procedures outlined in the Lubbock County Purchasing and Credit Card Policy.



Each person is personally responsible for their card. A lost, stolen, or missing card must be reported immediately to the Card Provider. The Cardholder must also immediately notify their department leadership and the County Credit Card Manager during normal business hours.

All purchases must comply with the Lubbock County Purchasing and Credit Card Policy. It is the department leadership's responsibility to monitor and ensure compliance.

Detailed receipts must be provided to the Department each time a credit card is used for purchase.

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### *10.07 Vehicle Insurance*

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The County maintains insurance coverage on all vehicles owned or leased by the County. Employees who drive a personal vehicle on County business are required to have automobile liability insurance as required by the State of Texas.

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### *10.08 County Vehicle Accident Reporting—Non-Law Enforcement*

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Any employee operating County vehicles must report all vehicular accidents, property damage, personal injury, or liability claims, regardless of the amount of claim or damage, to their supervisor and to the appropriate law enforcement authorities immediately so that an official accident report can be filed. The employee involved in the accident shall prepare a written statement describing the incident within 24 hours. The employee's department leadership must notify Human Resources of the accident.

County employees and department leadership are not authorized to accept responsibility for any damages on behalf of the County. Employees involved in accidents should exchange coverage information with all parties and refer all claims and calls regarding claims to the County Auditor.

A copy of any accident report involving County equipment or vehicles must be forwarded to department leadership as soon as the law enforcement investigation is completed.

Any employee involved in an accident shall immediately contact their supervisor and submit to a professionally administered test to determine the presence or absence of drugs or alcohol (see §2.13).

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### *10.09 County Vehicle Accident Reporting—Law Enforcement*

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The law enforcement officer whose vehicle has been in an accident will immediately notify the dispatcher of the accident, the location, and the need for assistance or medical attention of persons who may be injured.

The Texas Department of Public Safety or the local police department having jurisdiction shall be immediately notified and asked to investigate the accident and make a report. Any employee involved in an accident shall submit to a professionally administered test to determine the presence or absence of drugs or alcohol (see §2.13).

The supervisor will be promptly notified of the accident by the officer involved, unless the officer is unable to do so due to injury. In that case, the dispatcher will notify the appropriate supervisor. The officer(s) involved or the supervisor will submit a report within 24 hours documenting the accident through the chain of command to department leadership and to Human Resources.

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### *10.10 Use of Buildings and Premises*

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Use of County buildings, premises, and vehicles by employees shall be in compliance with the law and with County policies regarding authorized use.

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## 10.11 Uniforms/Clothing Provided by the County

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The value of work clothing provided by the County is not taxable to the employee if:

- The employee wears the clothing as a condition of employment and
- The clothes are NOT suitable for everyday wear.

To be excluded from the employee's income, it is not enough to wear distinctive clothing; the clothing must be specifically required by the County.

The cost of protective clothing required, such as safety shoes or boots, safety glasses, hard hats, and work gloves is not taxable.

The value and upkeep of work clothes provided to law enforcement officers is nontaxable to the employee.

*Note: Jeans, t-shirts, non-safety shoes, etc. are all considered suitable for everyday wear and thus are taxable to the employees who receive these articles of clothing or an allowance for such clothing. The IRS requires the County to report the value of such clothing as taxable wages to the employee on Form W-2 and the value is subject to the appropriate income, Social Security, and Medicare taxes.*

## 11.00 Technology Services Policy

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### 11.01 Technology Use and Scope

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This policy applies to all County employees, contractors, vendors and other persons or firms, hereafter “users”, designated by authorized County officials for the purpose of County business.

This policy applies to all technology resources. Examples include but are not limited to desktop and laptop computers, servers, printers, software application systems, operating system software, wireless/mobile devices, network equipment or specialized networked-based appliances, and technical/functional computer services including but not limited to domain names, hosting services, cloud-based software, or software as a service (SaaS), regardless of location or connectivity. This policy applies to all individuals accessing the County network system, whether or not they are employees of the County. The intent of this policy is to permit freedom of use consistent with federal and state law, County policy, and a productive working environment. These rules and standards are in place to protect the users and the County.

Use of County technology resources must comply with Texas law and County policies. Therefore, County technology resources may not be used for commercial, profit-making, or political purposes, or to disseminate unsolicited information regarding religious or political beliefs. With the rapidly changing nature of electronic media developing among users of external on-line services and the Internet, this policy cannot provide guidelines for every possible situation. Instead, it expresses the County's philosophy and sets forth general principles for the use of Internet service and email by all County departments.

These standards shall be amended as necessary to remain current with various needs and risks and are included in this policy by reference. Failure to comply with these rules and requirements shall be considered an improper use of County technology resources.

In some instances, law enforcement shall have exceptions to this policy to perform law enforcement duties; these exceptions will be reviewed and approved by department leadership and the Technology Director.

To see the complete County technology policy contact LCITS.

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### 11.02 Computer Information Security

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#### *User Accounts*

Each person authorized to access the County's computer and network resources must do so using a unique username (login name) assigned by the Technology Department. The use of group accounts will be limited to only those circumstances approved by the Technology Director. Users shall not share their account information or permit other users to log in using their credentials. Electronic communications authored by the user must clearly originate from the user's unique account.

All County computer information, resources, and data are considered confidential unless specific permission is granted for its use. Accessing or attempting to access confidential data is strictly prohibited. Confidential information should only be used for its intended purpose.

All information on user computers, shared computers, databases, and other storage locations is considered County property. Deleting, altering or sharing confidential, proprietary, or any other information upon termination of employment or any other time is a violation of state law and may be investigated and prosecuted.

Departments should notify the Technology Department at least three working days prior to the start date of any new employee or authorized user who needs access to the County's technology resources so that appropriate access can be granted in a timely manner.

Departments should notify the Technology Department when user access is no longer needed due to termination, resignation, or retirement

(includes 3rd party agencies and agreements) of users within their department who previously had access to County computers and/or technology resources so that such user accounts may be properly terminated.

Departments should notify the Technology Department when a user's position/responsibilities change so that proper access can be granted.

Each department and each user must maintain a high level of physical security for each terminal entrusted to the care of that department and that individual to prevent unauthorized access to County applications, network, and systems. To prevent unauthorized use, the following steps shall be taken by all users:

- At the end of the day, or end of the shift, users must log-off their workstation.
- Users who are in the office but away from their workstation need to lock or log-off their workstation.
- Users cannot allow others to know or use their password for any reason. If any person requests your password for any reason whatsoever, please report this immediately to the Technology Department. Allowing others to use your password or passphrase is a serious breach of security.
- Non-users are expressly forbidden to use any terminal except the public access terminals.
- Users must select a complex password or passphrase to include a combination of letters, numbers, and special characters.
- Users must never write, type, or verbally communicate their password or passphrase.
- User accounts are set to require new passwords every 90 days.

The County has the ability to monitor usage patterns over its data infrastructure. All messages or files created, sent, retrieved, or downloaded over the County's technology systems is the property of the County, except as otherwise prescribed by law. With the exception of judicial records and privileged information, the County reserves the right to access and monitor all messages and files on the County's systems. Users should not assume electronic

communications are totally private and should not transmit highly confidential data using this medium.

*Users shall not:*

- attempt to seek, read, or "hack" into other systems or other persons' logins; "crack" passwords; or breach computer or network security measures;
- develop programs designed to harass other users or infiltrate a computer or computer network or to damage or alter hardware or software;
- use their computer or network services in a manner that is likely to cause network congestion or significantly hamper the ability of others to access and use the services or equipment;
- intentionally seek access to or copies of information, files, or data which is confidential under federal, state, or local law, unless specifically authorized to do so once the legal conditions for release are satisfied;
- attach private equipment and/or use private services for the express purpose of circumventing this policy. Private equipment will be confiscated by the Technology Department;
- use personal USB, external drives, or media of such type; or
- participate in the development, propagation, or forwarding of computer viruses.

*Data Storage*

Users should not store information exclusively on the local computer drive (e.g., C:, D:). By storing the file outside of County-provided network or cloud storage, the data is neither searchable nor backed up. Users are instead required to utilize network drives, County-provided network or cloud storage, or County-owned content management systems for the purposes of data storage.

Users shall not use personal storage devices such as USB drives, external storage devices, or personal cloud storage such as iCloud, DropBox, OneDrive, etc. to store County data, either on County-owned devices or personal devices.

### *Remote Access*

Remote access must be approved by department leadership and the Technology Director.

A user must not store credentials for remote access. Credentials must be entered manually upon each login.

Any remotely connecting workstation must meet County security requirements for updates, antivirus software, etc.

### *Applicable Laws*

*Federal Copyright Law* - Many intellectual works are copyrighted. The owner of a copyright holds the exclusive right to reproduce and distribute the work. Most computer programs and manuals are copyrighted and care must be taken to comply with copyright laws.

*State and Federal Trade Secrets Laws* - Many intellectual works are protected under trade secrets laws. Some programs and many manuals are considered trade secrets by the owner and there are civil and criminal penalties associated with disclosing this information to anyone not authorized to use the material. Unless authorized in writing by the owner of the trade secret, you should not disclose any material that contains trade secret declarations to anyone outside the County.

*Software License Agreements* - Most computer software is licensed to a specific user or a group of specific users and the license agreement is very specific as to the rights that the user has to operate the program and make additional copies of the program. There are civil and criminal penalties associated with breaking a license agreement.

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## 11.03 Computer Hardware

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Computer hardware is defined as items such as PCs, laptops, tablets, scanners, cameras, external drives, printers, keyboards, label printers, specialty mice or other pointing devices, etc.

The County utilizes computer technology to enable our users to maximize the services they provide to

the citizens of Lubbock County. In order to make the best use of our limited resources, including both equipment and personnel, the following procedures must be adhered to:

- Only computer and network equipment specifically tested and approved by the Technology Department may be utilized.
- All equipment moves must be pre-authorized and scheduled with the Technology Department.
- Departments shall engage the Technology Department at the onset of any project to acquire computer hardware or to purchase or develop computer software to be utilized for County business.
- All County computer hardware shall be ordered by the Technology Department. Outside agencies must have the Technology Department's approval for any hardware or technology that is to be attached to the County's infrastructure.

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## 11.04 Computer Software

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The County provides computers to its users with approved software pre-installed. The County encourages users to use this technology to enhance their efficiency and effectiveness in providing services to the citizens of Lubbock County.

All software on any County computer or any other technology resource must be installed or uninstalled by the Technology Department. This includes software not originally installed on the computer. The County must own or have licenses for all software.

All software must be configured and/or updated by the Technology Department.

All County computer software shall be purchased by the Technology Department. Software must be registered in the name of the County. Software shall not be registered in an individual user's name or individual's email/username.

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### 11.05 Technology Acquisition

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All computer technology for County business must be purchased through the Technology Department or through the Technology Department's approved designee.

Funding for maintenance or support agreements must be coordinated with the Technology Department and Purchasing prior to purchase.

The Technology Department must approve any technology that incorporates any kind of wireless access to ensure it meets County guidelines prior to purchase.

The Technology Department must review and agree to recommend any cloud service, software, or hardware system prior to acquisition.

The need for additional technology equipment and software due to personnel growth shall be discussed during the annual departmental budget meetings with the Technology Department.

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### 11.06 County Internet/Email

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It is the policy of the County to offer connectivity to the Internet for users requiring its use. The purpose of this policy is not to discourage the use of the Internet but to provide a uniform approach to the usage of this resource, to safeguard County interests in the use of the Internet, to meet all applicable laws, and to protect County assets from unauthorized access. The County reserves the right to monitor all Internet usage including reviewing all sites that are viewed by the user's browser and the amount of time spent at each site.

To ensure that all users are responsible, the following guidelines have been established for using the Internet and email:

- All County-owned Internet resources are to be used only in the pursuit of County business interests.

- All Internet and email transmissions shall be routed through the official County gateway services; except for law enforcement purposes approved by department leadership and the Technology Director.
- Departments or users shall not operate any email servers, mail forwarding services, or other email transmission or reception services within the County.
- Departments shall not acquire and operate any Internet connections outside of those provided by the County Technology Department. Any separate Internet connections must be coordinated and approved by the Technology Director.
- Personal email messages or other non-County-related usage of Internet resources should be held to a minimum. Personal Internet usage or usage of electronic devices should not impede the conduct of County business; only incidental amounts of user time comparable to reasonable coffee breaks during the day should be used to attend to personal matters. Questions regarding the extent of this policy should be discussed with department leadership. Personal use of Internet resources is a privilege, not a right. As such, the privilege may be revoked at any time and for any reason. Abuse of the privilege may result in appropriate disciplinary action.
- All users shall use only their County-assigned email address during the performance of their assigned job duties. No personal or "ghost" accounts shall be used. Users shall not misrepresent their affiliation with the County. Users shall not impersonate someone else, except for law enforcement purposes approved by the user's department leadership and the Technology Director.
- Email received from citizens should be handled with the same seriousness as any other form of citizen contact. Users should always maintain professional decorum in their responses, seek approval from supervisors where appropriate, and reply to messages promptly.
- Internet traffic will be filtered to prevent access to inappropriate sites and those deemed detrimental to network services.

- County Internet, Intranet, and email resources, including emails sent or received using County email, are the property and records of the County. The release of County Records are governed by the Directives and Laws set forth within the Texas Local Government Code and the Texas Public Information Act. The use of electronic communication tools may be monitored to fulfill open records requirements, complaint, investigation requirements or County related litigation. Consult with the Criminal District Attorney's Civil Division before release.
- Users shall exercise extreme caution to protect the contents of County Information and email communications, including encrypting the contents of email by using County-owned encryption technology, where appropriate, or where encryption is otherwise required by contract, County policy, or by law, such as laws pertaining to Sensitive Information.

If a user receives notice or identifies such behaviors regarding a supposed virus or code threat, the user shall report the threat immediately to the Technology Department.

Department leadership has the authority to inspect the contents of any equipment, files, calendars, or electronic mail of their users in the normal course of their managerial responsibilities.

No software, Internet utilities, browser enhancements, or plug-ins may be downloaded or installed without the express approval of the Technology Department. Unauthorized files will be deleted by the Technology Department.

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### *11.07 The Lubbock County Website and Social Media*

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For the purposes of this policy, social media is defined as official County websites along with all forms of online community activities such as online social networks (e.g., Facebook), professional networking sites (e.g., LinkedIn), message boards (e.g., X), video sharing (e.g., YouTube), blogs, wikis,

chat rooms, and online forums. Personal use of social media shall be limited to mealtime, breaks or outside of work hours.

The official voice of the County shall be the County's website. All County existences on social media sites or services are considered an extension of the County's information networks and are governed by the rules and regulations set forth in this policy and any other applicable policy to include any future changes made. Official social media sites/pages representing the County will be the property of the County.

Accounts must be registered through the Technology Department with Commissioners Court approval.

Departments that maintain social media accounts are responsible for monitoring social media activity to verify that content is compliant with the County's goals, objectives, and ethical conduct policy.

The Technology Department will be responsible for:

- maintaining a list of social media domains as well as usernames and passwords;
- access to all administrative rights and privileges of all social media domains and accounts.

The content of the social media must contain:

- information about County events, activities or issues tied to something funded, operated, managed, etc. by the County;
- positive aspects of Lubbock County;
- content reflecting the goals and purpose of the account.

The County website will remain the official location for content regarding County business, services, and events. When possible, links from social media sites will be used to direct users back to the County's website for more information. Only designated users will have authority to change content of the social media site.

Communications through social media is public record; posts by County departments, employees, and any outside feedback will be part of the public records for the County.

### *Social Media Applications and Services Prohibited On County Devices*

In compliance with SB 1893, the County prohibits the installation or use of the social media service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited or a social media application or service specified by proclamation of the governor on any device owned or leased by the County and requires the removal of covered applications from those devices.

The installation and use of a covered application may be acceptable to the extent necessary for providing law enforcement; or developing or implementing information security measures. For the installation to be approved, the County must require the use and documentation of measures to mitigate risks posed to the state during the use of the covered application.

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## *11.08 Mobile Technology*

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The purpose of this policy is to ensure that privacy, security, and legal issues concerning the use of mobile technology are addressed and that a policy is formally established to define an appropriate procurement procedure and use of these services and equipment. This policy covers any mobile technology device issued by the County to include personally-owned cell/smart phones which may be used by employees for County business purposes.

County-owned mobile technology is defined as any mobile technology device purchased by the County, wherein the County is holistically responsible for paying the billed cost of that device's usage. Examples of mobile technology include but are not limited to cell/smart phones, tablets, SIM cards, mobile hotspots, and tethering devices. Personal use is defined as usage for purposes other than County business purposes. Smart phone pertains to cell phone devices that integrate the functionality of a mobile phone, email, web access, data plan, and other functionality.

County-issued mobile devices and all information created and stored therein are the property of the County. For the protection of the organization and its employees, County staff-issued mobile devices are required to review and abide by this policy. Departments can implement more restrictive conditions on the use of mobile technology than those defined within this policy.

Software services, cloud technology, and the data stored therein provided by the County and extended to personally owned smart phones and other mobile devices are the property of the County. Access to any County-provided cloud technology authorized for personally-owned smart phones and mobile devices can be revoked without notice at the discretion of department leadership or the Technology Director with Commissioners Court authorization. County technology services and data extended to personally-owned smart phones and mobile devices are subject to the Texas Open Records Act.

Employees are expected and obligated to leverage good judgment and care when using County-owned mobile and cellular devices. Access to these technologies is made available to County employees for the purpose of providing an effective method to communicate and increase productivity. Employees are permitted limited use for personal needs as long as it does not interfere with official business, result in the loss of employee productivity, or increase the County's financial burden for said device. Personal use of County technology must be kept to the minimum amount of time needed to address a situation. Excessive use will be determined on a case-by-case basis.

### *Equipment Purchase*

The Technology and Purchasing Departments will meet periodically with vendors to facilitate service contracts and to renegotiate price plans, equipment, and service information. All County mobile device purchases will be based on the selected vendors and contracts.

Requests for a County-owned cell/smart phone must be approved by department leadership. County-owned equipment requires approval through the



budget process or will require approval by department leadership.

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### *11.09 Violation of Policy*

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Violations of these policies by users may result in removal of access to technology resources by the Technology Director or designee. Further disciplinary action by their supervisor associated with resulting inability to perform the duties of the employee's job is also possible.

Violation of this policy can lead to internal disciplinary action, up to and including termination of employment, in addition to criminal or civil prosecution. Security violations will be reported to department leadership of the user's department and may result in the user's password and access to the network being revoked.

## 12.00 Disciplinary Guidelines

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### 12.01 Disciplinary Guidelines

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Each supervisor shall have the authority to administer discipline to employees in their department for poor performance, violation of policies, disruptive behavior, or any other behavior or activity which the supervisor deems is not acceptable as it relates to the employee's job or the best interest of the department or County. Depending on the severity of the situation, discipline may range from informal counseling up to and including immediate termination of employment.

The list below is for illustrative purposes and is not intended to be all-inclusive. Violations constituting grounds for disciplinary action, up to and including termination of employment, shall include but not be limited to the following:

#### Unsatisfactory attendance

- Excessive or unauthorized absences or tardiness, or a combination of the two
- Working overtime without prior permission and approval of the Department Director

#### Unsatisfactory performance

- Inability or unwillingness to satisfactorily perform assigned work
- Inability or unwillingness to perform duties at an acceptable level
- Failure to observe and follow the policies of the employee's department or the County
- Utilizing County data or information systems for any reason other than County business
- Violating confidentiality requirements

#### Indifference toward work

- Inefficiency, negligence, indifference, loafing, carelessness, failure to remain at work, performing personal business during working hours, abuse of eating or rest periods, sleeping or otherwise being inattentive during

working hours, interfering with the work of others, mistreatment of the public or other employees, leaving work without permission

- Negligently causing damage to County property. Failure to meet or maintain specified conditions of employment, such as failure to obtain or maintain a license or certificate required as a condition for performing a job

#### Insubordination

- Willful failure or refusal by an employee to perform assigned work or to fully comply with instructions or orders from a supervisor. May include lying, the use of abusive language and displaying open hostility in response to supervision
- If an employee believes that the instruction or order is improper, he or she should obey the order or instruction and question the order later. This practice does not apply to imminently dangerous situations or illegal acts
- If an employee believes an instruction or order, if followed, would result in personal injury or damage to County equipment, or is illegal he or she should request approval by the next higher level of supervision before performing the work

#### Violation of safety rules

- Improper removal of safety guards (e.g. fire extinguishers); failure to use safety equipment; failure to follow safety practice rules; failure to report an on-the-job injury, vehicle accident, or unsafe condition on the day of the occurrence; and smoking in prohibited areas
- Causing or contributing to an accident by operating County equipment in an unsafe or unauthorized manner

#### Dishonesty

- Stealing County property; stealing other employee's or citizen's property; misuse of County property or funds; cheating; lying; forging or willfully falsifying County reports,

documents, etc.; misuse of paid leave of absence; unauthorized charges against the County's accounts; falsifying origin of personal injury to collect workers' compensation; falsifying a time record; falsifying job qualifications; stealing or being apprehended with stolen property; illegal gambling on County property (on or off duty)

- Taking County property, including, but not limited to equipment, furniture, supplies or construction materials for personal purposes without Department Director's permission
- Falsely reporting illness or injury, or otherwise attempting to deceive or mislead any official of the County as to a health or medical condition
- Failure to report any current or past conviction which would prohibit the employee from working in any department or location in Lubbock County. There are numerous locations throughout the County where a person with a felony conviction is not allowed to work. The information needs to be disclosed to the Department Director immediately. Failure to report this information could result in disciplinary actions up to and including termination. Continued employment will be determined on a case-by-case basis

#### Disturbance

- Participation by an employee in any activity which inhibits County business occurring on County property either during or outside of normal work hours
- Entering County property at unassigned times without permission of the supervisor; fighting on County property; use of abusive, profane, or threatening language; horseplay; deliberately causing injury to fellow employees; harassment of other county employees or citizens; discourtesy to citizens; possession of explosives, dangerous weapons, or firearms without permission; creating dissension or discord between employees, between County and employees, or between employees and citizens (this

include spreading rumors about the County or any of its employees)

#### Abuse of drugs or alcohol

- Lubbock County will not tolerate on-premises or on-duty use, possession or distribution of illegal drugs or alcohol by County employees. All employees are required to report to work free of drugs (except under the direction of a physician), controlled substances, or alcohol
- Dispensing, using or possessing any illegal controlled substance during the performance of job duties, on the job site, on County property, or in County vehicles

#### Misuse of County equipment or services

- Using County equipment, credentials, or services for anything other than County business; careless, negligent or improper use of property or equipment; abuse, misuse, deliberate destruction, abandonment, or damaging of property, tools, facilities, or equipment belonging to other employees, citizens, or the County
- Failure to deliver to the Department Director any property found by, confiscated by, or relinquished to employees of the County before the workday is ended
- Failure to report damage to County equipment or property of others

#### Theft

- Taking County equipment, material or vehicles for personal use without Department Director authorization
- The improper use of County equipment, material or vehicles. Examples include but are not limited to: conducting personal business on County time; using County equipment, material or vehicles for personal business, improper use of the mail, copiers, fax machines, personal computers or telephones and time spent of non-County business related activities during the workday
- Willful waste of public supplies, service, or equipment

## Sabotage

- Deliberate damage or destruction of County equipment or property, advocacy of, or participation in, unlawful trespass or seizure of County property; encouraging or engaging in slowdowns, sit-ins, strikes or any other concerted effort to limit or restrict County employees from working. Removal of County property from the premises without permission
- Falsifying, altering, or destroying County records

## Misconduct

- Any conviction, or confession of, a felony or a misdemeanor involving moral turpitude, or other misconduct including lewd and immoral conduct during or after working hours, which could have an adverse effect on the County or the confidence of the public in the integrity of the County government

## Disqualification from operating County vehicles or equipment

- All operators of County vehicles and equipment must possess a valid Texas Driver's License in the classification required to perform their job and must maintain a driving record of less than three (3) moving violations within a running three (3) year period. Any employee having three (3) or more moving violations on his or her driving record may lose the privilege of driving any vehicle or equipment for the County of Lubbock. Employees who are required to have a valid Texas driver's license are required to report all violations involving a motor vehicle to their supervisor

## Job abandonment

- Being absent from work for three (3) or more working days or parts of days without directly notifying the proper supervisor and obtaining consent
- An employee leaving voicemail is not sufficient

- Failure to return from approved leave on the designated day and time constitutes job abandonment

## Violation of civil or criminal laws

- In addition to disciplinary actions up to and including termination, in an appropriate case, legal action may be taken against the employee by the County

## Abuse of authority

- Any employee who uses their official position to coerce, oppress or gain personally
- Supervisors or Department Directors using their position to pressure a subordinate into violating the law or County policy

All County employees are "at-will" employees and nothing in this policy gives an employee any contract of employment, guarantee of any duration of employment, or any other property interest in their job (see §2.01).

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## 12.02 Progressive Discipline

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All or a combination of the following progressive disciplinary measures may be taken by supervisors. Supervisors will evaluate each situation and take the appropriate level of discipline. Some infractions may warrant skipping steps in the process and very serious violations may result in immediate termination of employment with no prior warning.

### *Counseling*

The supervisor should advise the employee of their unsatisfactory performance or conduct and recommend specific areas for improvement.

Counseling sessions should be administered at the time the misconduct is observed, reported, and confirmed.

### *Written Reprimand*

Reprimands are written documents to an employee regarding unsatisfactory performance, policy, or procedural violations. Supervisors are

encouraged to have a witness present during the reprimand of any employee.

When a written reprimand is given, it should be administered in a timely manner. Supervisors shall provide employees with a copy of the reprimand. A copy should be included in the employee's permanent personnel file.

### *Suspension*

A suspension without pay of no more than five working days shall be administered in situations where reprimands have already been given for previous infractions or lack of performance, or they may be administered in situations that are serious enough in the opinion of the supervising authority to warrant this level of discipline. Exempt employees will not be suspended for less than five working days.

### *Termination of Employment*

Termination of employment may occur at any time during the employment relationship. A termination may be the first step if the situation warrants.

The employee's signature should be obtained on documents and merely indicates that the employee has received the document and does not imply agreement. In the event that an employee refuses to sign the form, the supervisor should simply write that the employee refused to sign and provide them a copy of the document.

## 13.00 Separations

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### 13.01 Separations

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

- Resignation
- Retirement
- Dismissal
- Reduction in force
- Death

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

A retirement shall be when an employee meets the requirements to collect benefits under the County's retirement program. An employee who is retiring should notify their supervisor of that intent at least 30 days prior to the actual retirement date to help prevent delays in starting the payment of retirement benefits.

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

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

An employee's insurance benefits will continue until the last day of the calendar month in which they separated employment with the County.

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

### 13.02 Final Pay

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Employees will receive their final pay in accordance with applicable State law. Any money owed by the employee to the County, including the cost of any unreturned County property, is due and payable to the County at separation. Employees who are indebted to the County are not eligible for rehire until all indebtedness to the County has been resolved.

### 13.03 Exit Process

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The separating employee will receive exit information from Human Resources.

Employees are responsible for returning items issued to them by the County or in their possession or control.

### 13.04 Verification of Employment

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Department leadership should refer all calls regarding employment verification and references on current or former employees to the Payroll Division of the Auditor's Office.