

HOWARD COUNTY

EMPLOYEE HANDBOOK

Last Revised and Approved by Commissioners' Court

November 13, 2023

HOWARD COUNTY
EMPLOYEE HANDBOOK

Contents

HOWARD COUNTY HISTORY	4
EMPLOYEE HANDBOOK ACKNOWLEDGEMENT	5
SECTION 1: GENERAL POLICIES	9
A. COUNTY EMPLOYMENT	10
1A-1 EMPLOYMENT AT-WILL	10
1A-2 EMPLOYEE STATUS POLICY	10
Elected Officials.....	10
Appointed Officials	10
Exempt Employees.....	10
Non-exempt Employees.....	11
Full-time regular	11
Part-time regular.....	11
1A-3 EQUAL EMPLOYMENT OPPORTUNITY	11
1A-4 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT	11
1A-5 PERSONNEL FILES.....	12
1A-6 NEPOTISM.....	12
B. WORK RULES AND EMPLOYEE RESPONSIBILITY.....	15
1B-1 ATTENDANCE	15
1B-2 DRESS CODE	15
1B-3 TOBACCO/SMOKE FREE WORKPLACE	15
1B-4 CONFLICT OF INTEREST	15
1B-5 HARASSMENT.....	16
1B-6 SEXUAL HARASSMENT	17
1B-7 POLITICAL ACTIVITY	18
1B-8 OUTSIDE EMPLOYMENT	18
1B-9 BREAKS	19
1B-10 GRIEVANCES.....	19
1B-11 DISCIPLINE	19
1B-12 LICENSE AND CERTIFICATIONS	20

1B-13 WEATHER CLOSINGS AND EMERGENCIES	20
1B-14 CONFIDENTIALITY	20
1B-15 WHISTLEBLOWER	21
C. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY	21
1C-1 COUNTY PROPERTY USAGE	21
1C-2 COUNTY VEHICLE USAGE	21
1C-3 CELL PHONE USAGE.....	23
1C-4 COMPUTER AND INTERNET USAGE	23
D. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY	24
1D-1 WORKERS COMPENSATION	24
1D-2 RETURN TO WORK.....	25
1D-3 EMPLOYEE SAFETY	26
1D-4 DRUG AND ALCOHOL- ALL EMPLOYEES	26
1D-5 DRUG AND ALCOHOL- CDL EMPLOYEES.....	29
1D-6 WORKPLACE VIOLENCE	30
1D-7 SOCIAL MEDIA.....	30
SECTION 2: EMPLOYEE COMPENSATION AND BENEFITS.....	32
A. EMPLOYEE PAYROLL	33
2A-1 FAIR LABOR STANDARDS ACT SAFE HARBOR	33
2A-2 INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS	34
2A-3 COMPENSATION	34
2A-4 PAYROLL DEDUCTIONS	36
2A-5 WORK WEEKS AND WORK PERIODS	36
2A-6 TIMESHEETS	36
Electronic Time Slips	36
Paper Time Slips.....	36
2A-7 PAY PERIODS.....	37
2A-8 WORK SCHEDULES	37
2A-9 HOURS WORKED	37
2A-10 LAW ENFORCEMENT PAY AND OVERTIME	37
2A-11 OVERTIME CALCULATIONS AND RULES	38
2A-12 DEMOTIONS.....	38
2A-13 TRANSFERS.....	38
2A-14 PROMOTIONS	38

2A-15 SEPARATIONS	39
2A-16 RETIREE REHIRES.....	39
B. EMPLOYEE BENEFITS.....	40
2B-1 HEALTH AND DENTAL PLANS.....	40
2B-2 OTHER PLANS – LIFE, SUPPLEMENTAL, CAFETERIA PLAN (SECTION 125).....	40
2B-3 VACATION	41
2B-4 SICK.....	43
2B-5 HOLIDAY	45
2B-6 JURY DUTY.....	45
2B-7 BEREAVEMENT LEAVE.....	46
2B-8 MILITARY LEAVE.....	46
2B-9 PAID QUARANTINE LEAVE	47
2B-10 RETIREMENT	47
2B-11 SOCIAL SECURITY/MEDICARE	48
2B-12 FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE (FMLA/MFL).....	49
SECTION 3: OTHER GENERAL ADMINISTRATION POLICIES	55
3A-1 PERSONAL ITEMS.....	56
3A-2 COUNTY NOTARY BONDS AND FEES.....	56
3A-3 DRIVER’S RECORD.....	56
Pre-Employment Requirement.....	56
Insurability	56
Termination	56
3A-4 OUT-OF-COUNTY TRAVEL.....	56
3A-5 PURCHASING POLICY.....	60
MOBILE TECHNOLOGY DEVICE POLICY WHILE DRIVING	61
MOBILE TECHNOLOGY DEVICE POLICY WHILE DRIVING for R&B and EO.....	64
HOWARD COUNTY TECHNOLOGY USAGE POLICY	66
Table of Contents.....	67
Introduction	68

HOWARD COUNTY HISTORY

The first recorded history of Howard County is from the journal of Captain R. B. Marcy. Marcy was ordered by the Army to escort and protect immigrants moving to new territories. With a well-written journal, Captain Marcy, on October 03, 1849, stated, “Fourteen and a half miles travel over a beautiful road brought us to a spring, which we found flowing from a deep chasm in the limestone rocks into an immense reservoir of some fifty feet in depth.”

The flow of the spring decreased as wells were drilled in the valley above, and eventually, the source of supply was completely cut off, and the beautiful spring was no more.

An abundance of Indian arrows and grinding stones, used in grating corn into a course meal, have been found near the spring, indicating it was a favorite stopping place for the Indians. Major General E.M. Dodge, in his book, “How We Built the Union Pacific,” tells of a fight his men had with Indians at Sulphur Draw (Big Spring) at the foot of the Staked Plains.

Howard County, before its organization, was connected with Mitchell County for Judicial purposes. Big Spring, then generally called Big Springs, grew rapidly and an election that officially created Howard County was held within a year after the first passenger train entered the town. Permission to hold the election was granted by the Commissioners’ Court of Mitchell County. One of the first acts of the Commissioners’ Court was “to adopt” the statutes of the State of Texas. On December 02, 1882, Judge George Hogg, in the name of the County, accepted the gift of all of Block 21 in Big Spring from W. H. Abrams, Land Commissioner of the Texas and Pacific Railway, for a Courthouse site. On February 12, 1883, the court accepted the bid of J. H. Milliken and Co. of \$33,700.00 for the erection of a courthouse and jail combined.

Howard County was named for Volney Erskin Howard, who was born in Oxford County, Maine in 1809. In young manhood, he came to Mississippi where he studied law and became actively engaged in politics. In 1844, he came to San Antonio, and the following year, was made a member of the State Constitutional Committee, which framed the first constitution for the state. He later represented his adopted state for two terms in Congress. At the expiration of his second term, he was appointed to a federal position in the State of California by President Franklin Pierce. He was a member of the commission that framed the first constitution for the State of California, and, later, he was appointed to a position on the Supreme Bench of California, but declined the office on account of his advanced age and ill health. He died in 1889.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I have received a copy of the Howard County Employee Handbook that outlines my benefits and obligations as a Howard County employee. I understand that I am responsible for reading and familiarizing myself with the information in this handbook and understand that it contains general personnel policies of the County. If I need clarification on any of the information in this handbook, I will contact my immediate supervisor.

I further understand that the Howard County Employee Handbook is not a contract of employment. I understand that I am an at-will employee and that either the County or I may terminate my employment at any time, with or without cause, and with or without notice.

I understand that this employee handbook is intended to provide guidance in understanding Howard County's policies, practices and benefits. I understand that Howard County retains the right to change this handbook at any time, and to modify or cancel any of its employee benefits when the need for change is recognized.

I understand as a County employee, I shall have no expectation of privacy when using county computers, networks, or other county owned equipment. Improper use may result in discipline up to an including termination.

I further understand that as a Howard County employee, I am expected to provide quality service to the public; to work towards the highest degree of safety possible for my fellow workers', to continually make suggestions for improvements, and to display a spirit of teamwork and cooperation.

I understand that I may be subject to reasonable suspicion or post-accident drug and alcohol testing. If I am required to have a Commercial Driver's License (CDL) for my county position, I will be subject to random, reasonable suspicion, post-accident and follow-up drug and alcohol testing.

I have read these policies and understand these policies and I agree to abide by and adhere to these policies.

Printed Name of Employee

Signature of Employee

Date Signed

**COUNTY OF HOWARD
COMMISSIONERS COURT ORDER**

WHEREAS the Howard County Commissioners Court desires to provide the employees of Howard County with a uniform format for dealing with various employment related issues; and

WHEREAS the Howard County Commissioners Court wish to adequately communicate to employees the policies and procedures of the County:

THEREFORE, BE IT RESOLVED that the Howard County Commissioners Court and hereby approve, and adopt, the HOWARD COUNTY EMPLOYEE HANDBOOK.

ADOPTED THIS _____ DAY OF _____, 20__

County Judge

Commissioner Pct. 1

Commissioner Pct. 2

Commissioner Pct. 3

Commissioner Pct. 4

Witnessed and Attested By:

County Clerk

RESOLUTION FOR HOWARD COUNTY

I the undersigned have read the Howard County Employee Handbook that the Howard County Commissioner's Court has adopted. As an ELECTED OFFICIAL of Howard County, I endorse and approve the Employee Handbook. I approve the document as it reflects my commitment to Howard County employees and it reflects my commitment to conform to appropriate state and federal laws.

I agree to be bound by the terms and conditions of the Howard County Employee Handbook, as witnessed by my signature below.

EACH ELECTED OFFICIAL WILL NEED TO HAVE THEIR OWN RESOLUTION PAGE SIGNED.

Printed Name of Elected Official

Office of Elected Official

Signature of Elected Official

Date Signed

Howard County Employee Handbook

Welcome to Howard County!

We are excited to have you as an employee of Howard County. You were hired because the elected official, appointed official or department head believes you can contribute to the success of Howard County, and share our commitment to serving the public and our constituents with excellence.

Howard County is committed to providing excellent service to the public in all of our county offices. As part of the team, we hope you will discover that the pursuit of excellence is a rewarding aspect of your career here.

This employee handbook contains some key policies, benefits, and expectations of Howard County, and other information you will need. Each elected or appointed official may have detailed policy and procedures for their office.

Your job is essential to fulfilling our mission of serving our county constituents every day and to meet or exceed their expectations. We achieve this through dedicated hard work and commitment from every Howard County employee. You should use this handbook as a ready reference as you pursue your career with Howard County. Please consult with your elected official, appointed official or department head regarding questions you may have concerning this employee handbook.

Welcome aboard!

Sincerely,

County Judge

Commissioner Pct. 1

Commissioner Pct. 2

Commissioner Pct. 3

Commissioner Pct. 4

SECTION 1: GENERAL POLICIES

A. COUNTY EMPLOYMENT

1A-1 EMPLOYMENT AT-WILL

All employment with Howard County shall be considered “at will” employment. No contract of employment shall exist between any individual and Howard County for any duration, either specified or unspecified. No provision of this employee handbook shall be construed as modifying your employment at will status.

Howard 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.

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

1A-2 EMPLOYEE STATUS POLICY

Elected Officials - duties and responsibilities defined by state law. They shall be governed by state law where it is in conflict with the provisions stated within this manual. In general, elected officials are exempt from the overtime and minimum wage requirements of the Fair Labor Standards Act (FLSA), and thus do not receive additional compensation (time or cash) for working more than 40 hours per week. Elected officials do not accrue vacation and sick leave.

Appointed Officials - those department heads/supervisors who are non-elected but rather appointed by the Howard County Commissioners Court or by the District Judge of Howard County in accordance with state law. Appointed officials are exempt from the overtime and minimum wage requirements of the FLSA, and thus do not receive additional compensation (time or cash) for working more than 40 hours per week. Appointed officials do not accrue vacation and sick leave.

Exempt Employees – those employees, in addition to elected and appointed officials, who serve in a position that the Commissioners Court has declared to be exempt, based on the Fair Labor Standards Act. Exempt employees do not earn overtime (time or cash) for hours worked over 40 hours in a seven-day work period; law enforcement employees do not earn overtime for hours worked over 80 hours in a 14-day work period. Exempt employees must be salaried, meaning that their weekly pay is not subject to deductions except as allowed by law. The employee will be treated the same as all other employees as far as earning and using sick and vacation leave. Hours worked will not be entered on the time clock but sick and vacation leave will be entered as it is used.

Non-exempt Employees - employees whose positions do not meet FLSA exemption test and who are given overtime at one and a half times their regular rate for hours worked in excess of 40 hours in a seven-day work period, or, for law enforcement employees, 80 hours in a 14-day work period.

Full-time regular - employees regularly scheduled to work 40 hours per week. Full-time employees are eligible for all employee benefits stated herein when applicable service requirements are met.

Part-time regular - employees regularly scheduled to work less than 40 hours per week. They may be eligible for some County employee benefits if specifically included in the policy.

All employees are considered to be “at will” employees and employee status shall not be considered a contract of employment.

1A-3 EQUAL EMPLOYMENT OPPORTUNITY

Howard County is an equal opportunity employer. The county will not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, including lesbian, gay, bi-sexual or transgender status, age, genetic information, pregnancy, veteran status, disability, or any other condition or status protected by law in hiring, promotion, demotion, raises, termination, training, discipline, use of employee facilities or programs, or any other benefit, condition, or privilege of employment except where required by state or federal law or where a bona fide occupational qualification exists. If an employee needs an accommodation as a result of a condition or status protected by law, please advise your elected official, appointed official, department head or the county attorney.

1A-4 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT

It is the policy of Howard County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels they have been subject to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, appointed official, department head or the county attorney. All elected officials, appointed officials, department heads and employees with responsibilities requiring knowledge are instructed to treat the employee’s disability with confidentiality.

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

county attorney. Reasonable accommodation shall be determined through an interactive process of consultation.

1A-5 PERSONNEL FILES

The Howard County Treasurer’s department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, employee information, W-4, direct deposit information, insurance application, as well as records concerning performance, discipline and compensation.

It is important that the personnel records of Howard County be accurate at all times. In order to avoid issues, compromising your benefit eligibility or having W2's returned, Howard County requests employees to promptly notify the appropriate personnel representative of any change in name, home address, telephone number, marital status, number of dependents, or of any other pertinent information.

The Public Information Act allows county employees to keep their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether the employee has family members confidential. Employees may keep this information private by requesting in writing not to allow this information to be released to the public no later than 14 days after their first day of employment.

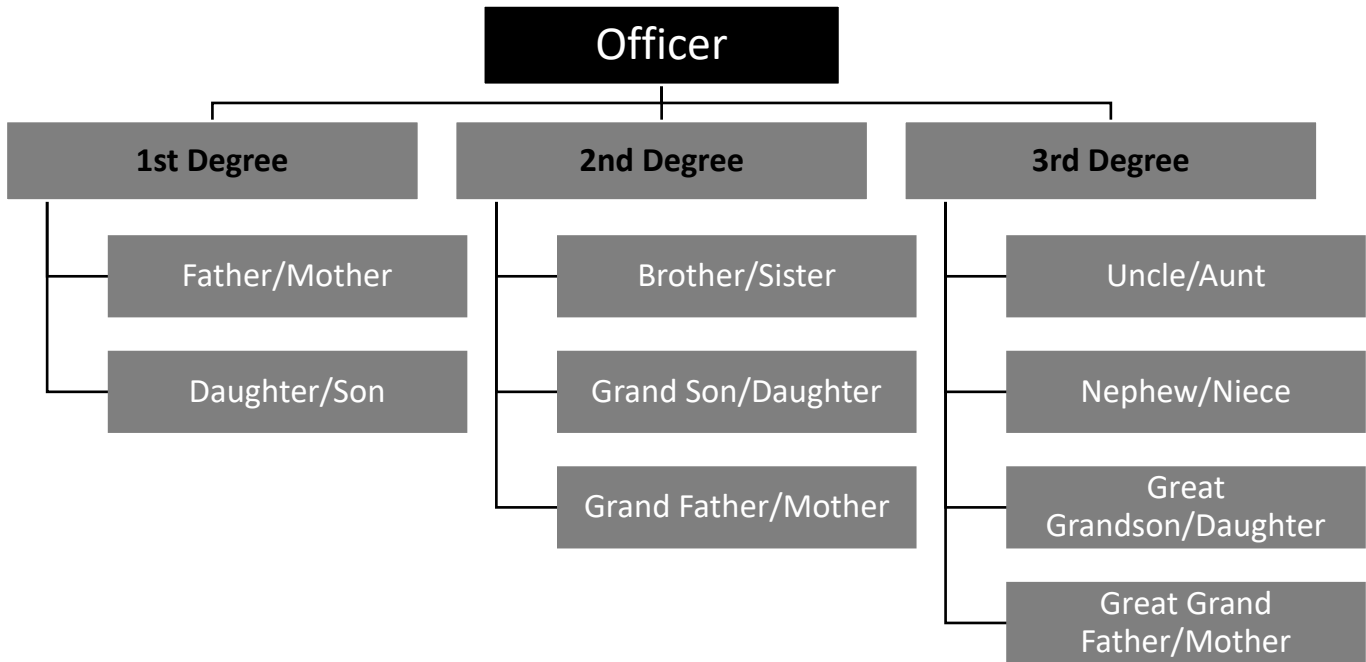
1A-6 NEPOTISM

Texas Government Code Chapter 573, a Public Official of Howard 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.

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

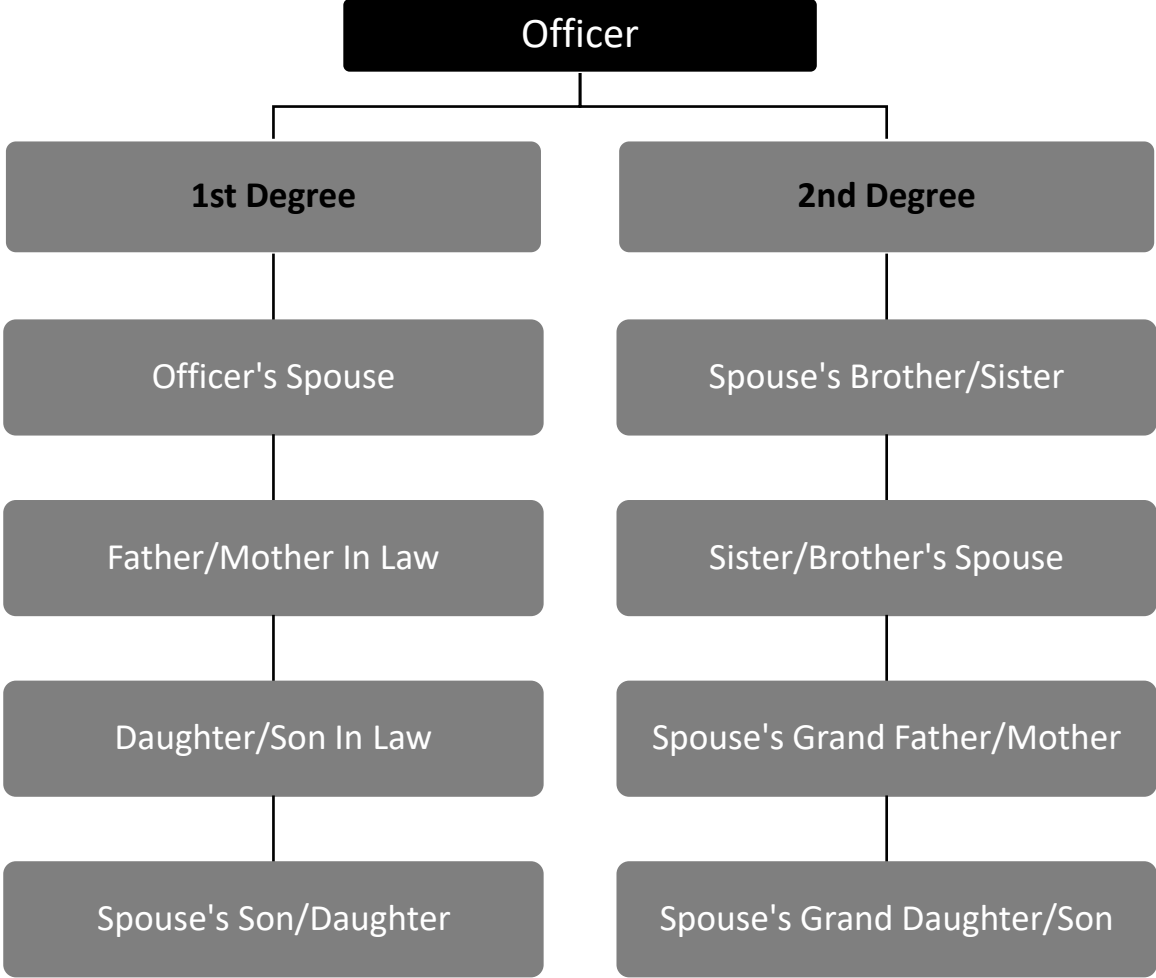
CONSANGUINITY KINSHIP CHART

(Relationship by Blood)



AFFINITY KINSHIP CHART

(Relationship by Marriage)



B. WORK RULES AND EMPLOYEE RESPONSIBILITY

1B-1 ATTENDANCE

As a Howard County employee you are expected to be punctual and demonstrate consistent attendance.

Each employee shall report to work on each day they are scheduled to work and at the starting time set by their supervisor unless prior approval for absence is given by the supervisor or the employee is unable to report for work because of circumstances beyond the control of the employee. If an employee is unable to be at work at their normal reporting time, they shall be responsible for notifying their supervisor or cause their supervisor to be notified of that fact at the earliest practicable time, as soon as the employee is aware of the need for time off. i

Each employee shall remain on the job until the normal quitting time established by the supervisor unless permission to leave early is given by the supervisor.

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 your immediate supervisor, may make an employee subject to disciplinary measures, up to and including termination of employment.

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

1B-2 DRESS CODE

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

1B-3 TOBACCO/SMOKE FREE WORKPLACE

Howard 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 25 feet of the exterior entranceways.

1B-4 CONFLICT OF INTEREST

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

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

Activities which constitute a conflict of interest shall include but not be limited to:

- 1) Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
- 2) Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
- 3) Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the County;
- 4) 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; or
- 5) Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

1B-5 HARASSMENT

Howard County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, including lesbian, gay, bi-sexual or transgender status, sexual orientation or gender identity, race, color, religion, national origin, age, genetic information, pregnancy, disability, family or military leave status or veteran's status. Such conduct becomes harassment when (1) the submission to the conduct is made a condition of employment; (2) the submission to, or rejection of, the conduct is used as the basis for an employment decision; or (3) the conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Howard County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the county does business.

Employees who feel they have been harassed should immediately report the situation to the elected official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the official or department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. While all claims of harassment shall be handled with discretion, there can be no complete assurance of full confidentiality. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Retaliation against an employee who reports harassment or who cooperates in the investigation is prohibited by law as well as this policy. Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected official, appointed official, or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the official or department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Remedial action will be taken in accordance with the circumstances when the county determines unlawful harassment or retaliation has occurred, up to and including termination.

1B-6 SEXUAL HARASSMENT

Sexual harassment is strictly prohibited by Howard County, whether committed by an elected official, an appointed official, a department head, a co-worker or a non-employee the county does business with. It is the policy of Howard County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.

Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where: (1) the submission to such conduct is either an expressed or implied condition of employment; or (2) the submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or (3) the conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

All claims of sexual harassment shall be taken seriously and investigated promptly and thoroughly. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.

Employees who feel they have been sexually harassed should immediately report the situation to the elected official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the official or department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Use the following procedures so that your complaint maybe resolved quickly and fairly.

- a) When practical, confront the harasser and ask them to stop the unwanted behavior.
- b) Record the time, place and specifics of each incident, including any witnesses.
- c) Report continuing sexual harassment to the Elected Official, Appointed Official, or Department Head who is responsible for your department or to the County Judge or the County Attorney.
- d) If a thorough investigation reveals that unlawful sexual harassment has occurred, Howard County will take effective remedial action in accordance with the circumstances, up to and including termination.

Retaliation against an employee who reports sexual harassment or who cooperates as a witness in the investigation is prohibited by law as well as this policy.

Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the official or department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Reporting or failing to report claims in accordance with the procedure given in this policy shall not limit other legal recourse an employee may have in regard to sexual harassment charges.

1B-7 POLITICAL ACTIVITY

Employees of Howard County shall have the right to support candidates of their choice and to engage in political activity during their personal time.

County employees shall not: 1) Use their official authority or influence to interfere with or affect the result of any election or nomination for office; 2) Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political reason; or 3) Use any equipment, property or material owned by the County for political activity or engage in political activity while on duty for the County.

1B-8 OUTSIDE EMPLOYMENT

Howard County employees are expected to give their full and undivided attention to their job duties. They should not use Howard County facilities or equipment or their association with Howard County to carry on a private business or profession. Unless express approval is obtained in advance and in writing from their immediate supervisor, county employees should not engage in a profit-making business nor become involved with a non-profit organization outside of their employment with Howard County that interferes with the employee's assigned duties with Howard County.

1B-9 BREAKS

The Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk. The Texas Right to Express Breast Milk in the Workplace Act also imposes duties on public employers and, under other state law, is applicable for the duration of a nursing mother's need to express breast milk. Howard County supports the practice of expressing breast milk.

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

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

Howard County does not allow any retaliation against a nursing mother for asking for this break. Nursing mothers are entitled to this break for the duration of the time they are expressing breast milk. A reasonable accommodation will be given for the needs of employees who express breast milk. An employees of the county who needs to express breast milk may not be discriminated against.

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

1B-10 GRIEVANCES

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

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

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

1B-11 DISCIPLINE

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

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

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.

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

1B-12 LICENSE AND CERTIFICATIONS

Howard County has many positions that require licenses and certifications. It is the responsibility of each employee to maintain all required licenses and certifications. If an employee is unable to renew or loses a license or certification, they must immediately notify their supervisor. If this license is a requirement for the position, the employee may be demoted, transferred or terminated. Under no circumstances will the employee be allowed to continue in the position where a license or certification is required if failure to have such license or certification is illegal under either Federal or State Law.

1B-13 WEATHER CLOSINGS AND EMERGENCIES

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

The County Judge will notify the following entities for a public announcement: Big Spring Herald, Big Spring Radio Stations, Sheriff’s Department. Announcements of an emergency closing will, to the extent possible, specify the starting and ending times of the closing. However, each elected official controls the working hours of their employees, even in an emergency situation.

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

1B-14 CONFIDENTIALITY

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

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

1B-15 WHISTLEBLOWER

An employee may, in good faith, report an alleged violation of a Howard County Policy or federal or state law to their supervisor, department head, or county treasurer, unless all of these persons are the alleged perpetrators of the alleged violation of policy or law. If all of the listed persons are alleged to be involved in the violation, the employee may report the allegation to the County Attorney or District Attorney. The county will investigate the reported activity.

An official, supervisor, department director, or any other employee is prohibited from taking adverse employment action against an employee who, in good faith, reports an alleged violation of County policy or federal or state law to a designated person, pursuant to this policy.

An employee who intentionally makes a false report of wrongdoing may be subject to discipline up to and including termination.

An employee who, in good faith, believes they are being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact Treasurer's Office, County Attorney or the County Judge.

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

C. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY

1C-1 COUNTY PROPERTY USAGE

Each county employee shall be responsible for the care, maintenance, proper use, and upkeep of any County equipment assigned to them. County employees shall only use equipment, tools, and other County property that they are authorized to use. Personal use of county equipment, supplies, tools, and any other county property is not permitted and may result in discipline up to and including termination. Improper use may subject employees to criminal prosecution.

1C-2 COUNTY VEHICLE USAGE

County-owned vehicles will be used for official County purposes only. No official, department head or employee may use or permit usage of a County-owned vehicle or equipment for private purposes. Only County personnel authorized by a department head/supervisor or by Commissioners' Court shall use County owned vehicles or equipment.

A current, valid Texas Driver's License is required for all personnel using County owned vehicles or equipment. An Operator's License is required for all operators and a Commercial or Chauffeurs License when specified.

Operators of County owned vehicles or equipment are responsible for:

1. Operating the vehicle or equipment in a legal, safe and sensible manner.
2. Taking vehicle or equipment to Vehicle Maintenance facility for regularly scheduled maintenance functions as instructed. (Minimum requirements for vehicles: Oil and filter change every 3,000 miles; Preventive maintenance checks every 12,000 miles).
3. Checking and maintaining proper crankcase oil level, tire inflation pressures and radiator water level.
4. Reporting any and all problems or abnormal conditions to the Vehicle Maintenance Department immediately.
5. Completing a form ("squawk sheet") identifying the work requested when submitting a vehicle or equipment to Vehicle Maintenance for regular maintenance or repairs.

The following is the County's Tire Repair Policy:

GROUP I - (All vehicles with Gross Vehicle Weight, GVW, rating of 3/4 ton and below and equipped with a spare tire).

1. *Operators will change flat tire and deliver it to Vehicle Maintenance for repair.*

GROUP II - (All vehicles with GVW of 1 ton and above or vehicles without a spare tire.)

1. *Operators will be expected to change flat tires for repair by Vehicle Maintenance.*
2. *Exception: Where vehicle is rendered inoperable because of a flat tire (i.e. front axle of a dual tired equipment) service will be provided by Vehicle Maintenance, however, the vehicle operator will be expected to assist in the changing of the flat.*

GROUP III - (All other vehicles and equipment not included in GROUP I OR II. General lawnmowers, farm tractors, forklifts, loaders and other miscellaneous equipment).

- *Operators will remove flat tire and deliver it to Vehicle Maintenance for repair.*
- *Vehicle Maintenance will attempt to repair or replace tire while operator waits.*

If a department head feels a need for personnel training in tire changing, Vehicle Maintenance will provide this training as requested.

Every employee who operates a County-owned vehicle is responsible for being familiar with this complete policy.

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

authority immediately. A copy of all accident and incident reports prepared by the employee shall be sent to the supervisor and the County Judge.

1C-3 CELL PHONE USAGE

Howard County determines on a case by case basis the need for county provided cell phones. County cell phones are to be used for business purposes only.

Howard County strongly discourages the use of any cell phone while operating any vehicle. Employees should plan calls to allow placement of calls either prior to traveling or while on rest breaks.

Howard County bans all employees from texting while operating any county owned vehicle. County employees who are driving their own personal vehicle are also banned from texting while driving on county business. Federal law prohibits any CDL driver operating any vehicle over 10,000 GWR from texting with fines and penalties, up to including loss of CDL.

Employees in possession of a Howard County owned cellular phone are required to take appropriate precautions to prevent theft and vandalism.

Each department may set their own rules and regulations regarding personal cell phone usage while at work.

1C-4 COMPUTER AND INTERNET USAGE

The use of Howard County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for Howard County business and for authorized purposes only.

Use of Howard County computers, networks, and Internet access is a privilege granted by officials or department heads and may be revoked at any time for inappropriate conduct carried out on such systems. County employees shall have no expectation of privacy when using county computers, networks, or other county owned equipment. Improper use may result in discipline up to an including termination.

Howard County owns the rights to all data and files in any computer, network, or other information system used in the county. Howard County also reserves the right to monitor electronic mail messages and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using county equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by county officials at all times. Howard County has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate county official. No employee

shall break any copy right laws, download any illegal or unauthorized downloads. Howard County monitors its entire informational systems and employees may be subject to discipline up to and including termination for any misuse of county informational systems.

Inappropriate use of the County's electronic communication systems includes but is not limited to the following: transmitting, accessing, displaying, posting, downloading or distributing obscene, harassing, sexually explicit, racially offensive, or other material that would the County's discrimination or harassment policies; and, transmitting any of the County's confidential or proprietary information. Transmissions covered by this policy include email, text messages, instant messages, and online applications and postings.

Officials, staff and volunteers who post material on non-County social media and other Internet sites, blogs, or other public forums must take extreme caution not to appear to be representing the County in any manner, whether during or after their working hours. On-line behavior, whether on or off duty, must not disparage, reflect badly upon, or misrepresent the County or its interests in any manner. Harassing or disparaging coworkers through on-line posting violates this policy. The County has the right to monitor such sites and protect its interests. This policy does not, however, prohibit employees from exercising their First Amendment rights.

Employees should not bring personal computers to the workplace or connect them to Howard County electronic systems, unless expressly permitted to do so by their supervisor and or IT department. Violation of this policy, may result in disciplinary action, up to and including termination of employment.

The County retains the right to access communication and/or electronic records stored or communicated through Howard County infrastructure.

D. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY

1D-1 WORKERS COMPENSATION

All Howard County employees are covered by workers' compensation coverage while on duty for the County. 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, with the exception of Law Enforcement employees who receive salary continuation.

Employees may use paid leave for all workers' compensation time off less than 8 days.

All employees who are placed on Worker's Compensation leave will fall under the Family Medical Leave Act. Howard County runs FMLA and Worker's Compensation concurrently.

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 payments.

An employee who has lost time because of a work related accident or illness is required to provide a release from the attending physician 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 or while the employee is engaging in horseplay.

Howard County will make every effort to bring the injured employee back to work as soon as reasonably possible. Howard County has a return-to-work policy in place and if a position is found that will meet all the restrictions, the employee will be given a bona fide offer of employment. If the employee refuses to return to work, and family medical leave has been exhausted, workers' compensation benefits may be affected, and the employee may be terminated.

1D-2 RETURN TO WORK

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

An employee on leave due to a work related injury or illness may return to work only when Howard County receives a medical release from the treating doctor. 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.

Return to work options:

- Return to prior position at full duty with doctor release stating that the injured employee can perform the job functions without restrictions.
- Light 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, Howard County will try to accommodate light duty when possible but **cannot guarantee** the availability of light duty.

Employees on light duty are not guaranteed the rate of pay they received for the position they held at the time of injury or illness. The pay rate for light duty is based on the knowledge skills and abilities required for that job, as well as general market conditions. Employees in a light duty position are not permitted to supplement their workers' compensation benefits by using their vacation, holiday, compensatory or sick leave.

Four (4) week limit - Light duty assignments are **temporary** arrangements intended to complement and facilitate the healing process. Light duty may be initially offered for a period of four (4) weeks and then will be reviewed and evaluated by the supervisor based, in part, on the recommendation of the physician (unless FMLA time is still available).

Employee refusal of work - In the event an employee refuses to return to regular or light duty work in response to a written, bona fide offer of employment by Howard County, the employee may be separated from employment with Howard County subject to FMLA qualification and his/her position may be filled permanently. A written, bona fide offer of employment must clearly state:

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

Medical Information

All employees' medical information is held in strict confidence in accordance with the Americans with Disabilities Act Amendments Act (ADAAA). Medical inquiries are limited to those permitted under Texas Workers' Compensation Statute and applicable federal law.

Coordination with FMLA

Nothing in this policy should be construed as denying employees their rights under the Family Medical Leave Act (FMLA) or any other federal or state law. It is Howard County's policy to designate an employee's leave due to a work-related injury or illness as FMLA, if eligible. Howard County counts the period of any employee's light duty assignment toward the employee's FMLA entitlement.

Until employees have exhausted their twelve (12) week FMLA entitlement, they have the right to be reinstated to their original job or an equivalent job provided they are able to perform the essential functions of the job.

1D-3 EMPLOYEE SAFETY

Howard County is committed to providing a safe workplace for our employees.

Each County employee must adhere to the general safety standards established for all employees as well as comply with their departmental safety requirements. Safety procedures may differ at each county department. Your supervisor will provide you with specific information pertaining to your position.

Failure to follow the safety standards set by the County or your supervisor subjects an employee to disciplinary action, up to and including termination.

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

1D-4 DRUG AND ALCOHOL- ALL EMPLOYEES

Howard County is a drug and alcohol free workplace. A county employee may not be present at work during a period the employee's ability to perform their duties is impaired by drugs or alcohol. The

County believes that a drug and alcohol-free workplace will help ensure a healthy, safe, and secure work environment.

This policy applies to all employees of Howard County regardless of rank or position and shall include full time, part time and temporary employees. The only exception to this policy is the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

An employee may not unlawfully manufacture, distribute, dispense, possess, sell, purchase, or use a controlled substance or drug paraphernalia on County property or while conducting County business not on County property.

An employee may not be under the influence of alcohol or illegal drugs while on County property or while on duty for the County.

An employee may not possess or use unauthorized prescription or over-the-counter drugs while on County property or while on duty for the County. An employee may not use prescription or over-the-counter drugs while on County property or while on duty for the County in a manner other than that 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 a 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 used appropriate personnel procedures (e.g., call in sick, use leave, request 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. 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 the Treasurer's Office.

Any employee who violates this policy shall be subject to disciplinary measures up to and including termination.

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 bona fide

inpatient treatment facility, the employee will be subjected to a volunteer drug testing program as often as monthly 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 may 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 may be terminated.

Reasonable Suspicion – If an employee is having work performance problems or displaying behavior that may be alcohol or drug related, or is otherwise demonstrating conduct that may be in violation of this drug and alcohol policy where immediate action is necessary, the elected official or supervisor will require that employee to submit to alcohol or drug test. Under the influence shall be defined as having a blood alcohol concentration of more than 0.00. The following conditions might be signs of possible alcohol or drug use (not an all-inclusive list):

- Abnormally dilated or constricted pupils
- Glazed stare – redness of eyes (sclera)
- Flushed face
- Change of speech (faster, slower, slurred)
- Constant sniffing
- Increased absences
- Redness under nose
- Sudden weight loss
- Needle Marks
- Change in personality (i.e. paranoia)
- Increased appetite for sweets
- Forgetfulness, performance faltering, poor concentration
- Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for money
- Constant fatigue or hyperactivity
- Smell of alcohol
- Difficulty walking
- Excessive, unexplained absences
- Dulled mental processes
- Slow reaction rate

Elected Officials or supervisors must take action if they have reason to believe one or more of the above listed conditions is indicated and that the substance abuse is affecting their employee's job performance or behavior. The following steps will be taken:

1. Confront the employee involved and keep them under direct observation until the situation is resolved. Inform the employee of the problem with their job performance and specific violations of the County Policy.
2. If the supervisor believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately

- required to submit to a drug or alcohol test. If the employee refuses to submit to testing for any reason, the employee may be terminated.
3. Employees will be asked to release any evidence, such as alcohol or drug paraphernalia, relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline, up to and including termination. All confiscated evidence will be receipted for with signatures of either the elected official or supervisor as well as the employee.
 4. The elected official or supervisor will **remove** the employee from the county work station and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence. Under no circumstances will the employee be allowed to drive a vehicle until a confirmed negative test result is received.
 5. The elected official or supervisor shall, within 24 hours or before the results of the controlled substance test are released, document the particular facts related to the behavior or performance problems and present such documentation to the County Judge Office for filing.

Post-Accident Testing:

All employees directly involved in an on-the-job accident or incident resulting in property damage and/or medical treatment may be required to be tested. This will be at the discretion of their elected official or supervisor.

Testing Procedures –

1. The employee will be escorted and driven to the designated facility for specimen collection and/or testing.
2. The employee will be required to follow the drug testing protocol of the medical facility providing the testing.
3. If the employee desires another test to be given, they may do so within 2 hours of the specimen being collected and the same specimen will be used. The cost of this request will be paid for by the employee. All initial costs will be paid for by Howard County.
4. The employee will be placed on paid administrative leave until the results of the test are known. The elected official or supervisor will make arrangements to ensure that the employee is safely returned to their residence.
5. Under no circumstances, unless required or authorized by law, will alcohol or drug testing information be released without written consent from the employee.

Each employee is expected to cooperate and consent to a drug test when requested under the terms of this policy. Refusal to consent to a drug and/or alcohol test when requested is cause for termination.

Any employee who violates this drug and alcohol policy may be terminated.

1D-5 DRUG AND ALCOHOL- CDL EMPLOYEES

CDL Drivers are an extremely valuable resource for Howard County's business. 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, which require the County to implement a controlled substance testing program. The County will comply with these. 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 Howard 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. Howard County will conduct pre-employment, random, reasonable suspicion and post-accident drug testing in accordance with federal law.

It is the policy of Howard County to comply with the U.S. Department of Transportation, FMCSA Clearinghouse, a secure online database that provides employers with real-time information about CDL driver drug and alcohol program violations. Howard 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.

A detailed policy and procedure is available at the Treasurer's office.

1D-6 WORKPLACE VIOLENCE

Howard County is committed to providing a workplace free of violence. Howard County will not tolerate or condone violence of any kind in the workplace. The county will also not tolerate or condone any threats of violence, direct or indirect, this includes jokes. All threats will be taken seriously and will be investigated. Employees must refrain from any conduct or comments that might make another employee suspicious or in fear for their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surroundings at all times and report any suspicious behavior from the public, former employees or current employees to their immediate supervisor or the sheriff's department. No employee may possess a firearm or other weapon other than an authorized law enforcement official, with or without permits in all county offices and buildings owned or used by Howard County, this also includes county owned vehicles. If employees believe that a person is violating this policy, they should immediately report to their immediate supervisor or the sheriff's department. Employees found in violation of this policy may be subject to discipline up to and including immediate termination.

1D-7 SOCIAL MEDIA

For purposes of this policy “social media” includes, but is not limited to, online forums, blogs and social networking sites, such as **TikTok**, Twitter, Facebook, LinkedIn, YouTube, and Instagram, etc.

Howard County recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee's work and/or position in the county; is used to harass supervisors, co-workers, customers or vendors; creates a hostile work environment; or harms the goodwill and reputation of Howard County among the community at large. Howard County encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

Where no policy or guideline exists, employees are expected to use their best judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.

- If your posts on social media mention Howard County make clear that you are an employee of Howard County and that the views posted are yours alone and do not represent the views of Howard County.
- Do not mention Howard County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Howard County, respond respectfully with factual information, not inflammatory comments.
- Remember, you are responsible for what you write or present on social media. You can be sued by other employees, supervisors, customers or vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees can be subject to disciplinary action, up to and including termination for what they post on social media platforms, even if the employee did not use a county computer or if the post did not occur during work hours or on county property.
- Employees may not use Howard County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Howard County monitors its computers to ensure compliance with this restriction.
- You must comply with copyright laws, and cite or reference sources accurately.
- Do not link to Howard County's website or post Howard County material on a social media site without written permission from your supervisor.
- All Howard County policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment and code of conduct.
- Any confidential information that you obtained through your position at Howard County must be kept confidential and should not be discussed through/in social media forum.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

It is the policy of Howard County that supervisors do not engage in social media activities with their employees.

SECTION 2: EMPLOYEE COMPENSATION AND BENEFITS

A. EMPLOYEE PAYROLL

2A-1 FAIR LABOR STANDARDS ACT SAFE HARBOR

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

Employees who are classified as non-exempt employees must maintain an accurate record of the total hours you work each day. It is the responsibility of each employee to verify that their time sheets are correct. Your time card must accurately reflect all regular and overtime hours worked; any absences, late arrivals, early departures, and meal breaks. Do not sign your time card if it is not accurate. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked each work week.

Non-exempt employees, unless authorized by your supervisor, should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so. That time worked is to be recorded on your time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination. If anyone directs you to work without documenting your time worked, you must tell the Treasurer's Office.

It is a violation of Howard County policy for any employee to falsify a time card, or to alter another employee's time card. It is also a serious violation of County policy for any employee, supervisor or official to instruct another employee to incorrectly or falsely report hours worked, or to alter another employee's time card to under- or over-report hours worked. If anyone instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to Howard County Treasurer 300 S. Main St Rm 201 Big Spring TX 79720 (432) 264-2218.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours worked for the County. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a pre-determined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

For exempt employees, your salary may also be reduced for certain types of deductions such as your portion of health, dental or life premiums; state, federal or local taxes, social security, retirement; or, voluntary contributions to a deferred compensation plan. In any workweek in which you performed

any work, your wages may be reduced for any of the following reasons: 1) absence from work for one or more full days for personal reasons, other than sickness or disability; or 2) full day disciplinary suspensions for infractions of our written policies and procedures; or 3) full day for violating safety rules of a major significance; or 4) Family and Medical Leave or Military Leave absences; or 5) to offset amounts received as payment for jury and witness fees or military pay; or 6) the first or last week of employment in the event you work less than a full week.

If you are an exempt employee, in any workweek in which you performed any work, your salary will not be reduced for any of the following reasons: 1) partial day absences for personal reasons, sickness or disability; or 2) your absence because the facility is closed on a scheduled work day; or 3) your absence because of the County's operating requirements; or 4) absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or 5) any other deductions prohibited by state or federal law.

Please note: it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to the Treasurer's Office, 300 S Main St, Rm 201, (432) 264-2218. If you are unsure of who to contact or if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the County Attorney, 2nd floor of Courthouse, (432) 264-2205. Every report will be fully investigated and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including termination.

2A-2 INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS

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

2A-3 COMPENSATION

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

Howard County complies with the Fair Labor Standards Acts as outlined in the Fair Labor Standards Safe Harbor policy.

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

All non-exempt County employees shall be paid an hourly wage.

Temporary employees shall be paid hourly at least the minimum wage established by the Fair Labor Standards Act, as amended.

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

Howard County Commissioners' Court adopted a mandatory Direct Deposit Policy for paychecks to all employees and elected officials on January 10, 2022 to begin on April 1, 2022. All new hires will be required to fill out a Direct Deposit form from the banking institution of the employee's choice in the new hire process in the Treasurer's Office.

LONGEVITY PAY

Each full-time Howard County employee will be eligible for longevity pay after three years' employment with the County.

Longevity will begin on the employee's third year anniversary date and then will increase thereafter on October 1 according to the budget.

Longevity pay will be figured as follows: \$25.00 per month for each year of service.

Example: Three years' employment would result in payment of \$75.00 longevity pay per month.

Prior Service: Employees returning to work with the County will be considered a new employee and will go through the above process to receive longevity pay with no prior credit in amount previously received before leaving employment with the County.

CERTIFICATE PAY

Certificate Pay for Sheriff's Office Law Enforcement employees will be paid as follows when written Certification is completed and received by the Sheriff's Office and turned in to the Treasurer's Office.

Intermediate Certificate: \$180.00 annual/\$15.00 monthly

Advanced Certificate: \$300.00 annual/\$25.00 monthly

Masters Certificate: \$420.00 annual/\$35.00 monthly

Certificate Pay will be paid on the second pay period of each month.

2A-4 PAYROLL DEDUCTIONS

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

Employees eligible for membership in the Texas County and District Retirement System shall have their contributions to that system deducted from each paycheck. Any optional deductions authorized by the Commissioners' Court and approved by the employee shall also be made from the employee's paycheck.

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

2A-5 WORK WEEKS AND WORK PERIODS

For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the work week for Howard County shall begin at 12:01 a.m. on each Saturday and end on Friday at midnight, seven (7) consecutive days later, for all employees except those in Law Enforcement. Law Enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of (14) consecutive days and shall begin at 12:01 a.m. on Saturday and end on Friday at midnight, as established by the Howard County Commissioners Court.

2A-6 TIMESHEETS

Electronic Time Slips - All non-exempt employees are responsible for clocking in and out on the time clock if one is provided. The electronic time sheet must reflect actual hours worked and paid time-off hours used such as sick leave and vacation time. The department head is responsible for including hours that cannot be added by the employee. Overtime hours worked will be calculated in the County Treasurer's office at the rate of one and one-half hours for each hour actually worked over 40 in one seven-day work week, or over 86 in two weeks for law enforcement employees.

Each electronic time slip must have all hours checked off by the employee and the department head certifying that the hours are an accurate reflection of the time shown. The check mark represents a signature.

AN EXPLANATION FOR OVERTIME WILL BE NOTED BESIDE THE HOURS ON THE TIME CLOCK OR HANDWRITTEN ON THE PAPER TIME SHEET.

Paper Time Slips - For non-exempt employees who are unable to use the time clock for whatever reason, the employee must submit a time slip to the County Treasurer's office, setting out payment due for actual hours worked as well as paid time off used such as sick leave and vacation time. Overtime earned will be calculated in the County Treasurer's office at the rate of one and one-half for hours actually worked over 40 in one seven-day work week or 86 in two weeks for law enforcement employees.

Each time slip must be signed by the employee and the department head certifying that the time slip is an accurate reflection of the time actually worked.

NOON on Monday following the last day of the pay period is the deadline for electronic time slips to be complete with hours and checkmarks, and for paper time sheets to be completed and in the County Treasurer's office. NO CHANGES ARE TO BE MADE AFTER MONDAY AT NOON. IF THERE IS A PROBLEM, NOTIFY THE TREASURER'S OFFICE TO LET THEM KNOW.

Time sheets are governmental documents and as such require accurate and truthful information. Falsifying a time sheet, a governmental record is a criminal offense. Employees shall only use appropriate available leave to account for their regular weekly work schedule. (SECTION 37.10 of Texas Penal Code)

2A-7 PAY PERIODS

The pay period for Howard County shall be a 14 day pay period with the pay period dates established by the Commissioners' Court (bi-weekly, on every other Friday). If a payday falls on a holiday, paychecks will be issued on the last workday immediately preceding the holiday or weekend.

The Texas Payday Law does not apply to political subdivisions of Texas (Counties), therefore final wages will be issued on the regularly scheduled payday.

2A-8 WORK SCHEDULES

The normal hours of work for most positions in the County shall be from 8:00 a.m. until 5:00 p.m., Monday through Friday. Each official or department head shall determine the exact working schedules for their employees. In order to meet the needs of the County, certain departments or employees may be required to work a schedule that varies from the normal work schedule, or they may be subject to call back in case of emergency or special need.

2A-9 HOURS WORKED

Hours worked shall include all time actually spent in the service of the County as defined in the Fair Labor Standards Act (FLSA) and its regulations. For purposes of calculating overtime pay, the seven-day work period for all employees, (except those on a 14-day work period), begins on Saturday at 12:01a.m. and ends on Friday at midnight.

2A-10 LAW ENFORCEMENT PAY AND OVERTIME

Howard County Commissioners Court has adopted the 207(k) exemption under the Fair Labor Standards Act for law enforcement employees, which includes deputies and jailers. These employees have a work period of 14 days and overtime will be due after 86 hours actually worked. Law enforcement employees' salary covers all hours up to 86 hours. 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.

2A-11 OVERTIME CALCULATIONS AND RULES

Overtime to all non-exempt employees of Howard County shall include all time actually worked for the county in excess of 40 hours in any workweek, with the exception of law enforcement. (See policy on “Law Enforcement Pay and Overtime.”). Overtime pay will be paid at the rate of one and one-half. Overtime pay will not be provided to or for elected officials and for those who are classified as exempt employees under FSLA.

Paid leave (e.g., holidays, vacation leave, sick leave) shall not be counted in determining if overtime has been worked in any work week, this may mean adjusting sick/vacation hours down so weekly total is an even 40 hours. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime. If you must work overtime on a particular day, make every effort to take time off at another time within the same pay period so as not to create overtime pay at the end of the pay period. **An explanation for overtime must be noted beside the hours on the Time Clock/Time Sheet.**

2A-12 DEMOTIONS

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

2A-13 TRANSFERS

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

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

2A-14 PROMOTIONS

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

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

2A-15 SEPARATIONS

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 Howard County shall be designated as one of the following types:

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

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

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

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

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.

2A-16 RETIREE REHIRES

Retired employees shall be eligible to apply for open positions with Howard County as long as the following provisions are met: 1) The retiree has been retired for at least two calendar months, 2) No prior arrangement or agreement was made between Howard County and the retiree for re-employment, and 3) strict adherence to normal leaving employment procedures were followed at the time of the employee's retirement.

The retiree must have a bona fide separation of employment and have been retired for a minimum of 2 calendar months. A bona fide separation means there is no prior agreement or understanding between Howard County and the retiree that the retiree would be rehired after retirement. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Newly elected officials who have recently retired from the county cannot draw their retirement because they have an arrangement to return to work for the county. Employees also cannot retire with an agreement to go work in a different department or different position. Changing employee status does not matter when determining if someone is still working for the county. Also, an employee cannot retire from the county with an arrangement to begin work as an independent contractor either.

Rehired retirees who did not have a bona fide separation of employment may owe a 10 percent excise tax and be required to repay all of their monthly retirement payments. Abusing the retirement provisions in such a manner would violate a qualification requirement for retirement plans under Section 401(a) of the Internal Revenue Code, potentially resulting in significant tax consequences for the employer, its participating members and those retired employees.

Any retiree who meets all other TCDRS requirements, who is rehired consistent with this policy, must establish a new membership with TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selections.

B. EMPLOYEE BENEFITS

2B-1 HEALTH AND DENTAL PLANS

All full time regular employees of Howard County shall be eligible for the group medical plan and dental plan benefits. Regular part time will not be eligible for health insurance.

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

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

Employees who leave the employment of Howard 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 the County Treasurer's Office and may be obtained during the normal working hours for that office. 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.

2B-2 OTHER PLANS – LIFE, SUPPLEMENTAL, CAFETERIA PLAN (SECTION 125)

Howard County may provide a limited amount of life insurance on eligible employees as part of the group medical plan coverage. Howard County provides supplemental insurance coverage under the

group medical plan coverage. All supplemental insurance coverage premiums are the responsibility of the employee. Information regarding these supplemental insurances may be obtained from the Treasurer’s Office.

Howard County Cafeteria Plan (Section 125)

The Cafeteria Plan (Section 125) is available to interested employees, allowing employees to use pre-tax dollars for certain medical and child care expenses. Whether you choose to participate or you choose not to participate in the Cafeteria Plan it is required that you sign the form stating you will participate in the pre-tax benefits or you will waive the pre-tax benefits every year during Howard County’s Annual Open Enrollment period. Contact the County Treasurer’s Office for additional information.

2B-3 VACATION

All full-time regular County employees who are not elected or appointed by various judges in accordance with the law or appointed by the Commissioners’ Court will be entitled to a certain number of vacation days with pay. Employees will accrue five days’ vacation upon successful completion of a six-month employment, and then vacation time will be earned monthly thereafter, provided the employee is physically at work for all or part of the month. Vacation time will not be accrued during leaves of absence extending for periods more than one month.

Vacation time will accumulate in the following manner:

YEARS OF SERVICE	PAID VACATION DAYS
6 months - 5	10
6	11
7	12
8	13
9	14
10 - 20	15
21	16
22	17
23	18
24	19
25 or more	20

Employees may take their accrued vacation at any time after six months of full-time service with the County. In order to take vacation time, the employee must give notice of the request to their department head at least one week (this may vary in different departments) prior to the time they desire the vacation time to begin. Granting of vacation will depend on the needs of the department and the final decision for granting vacation requests rests with each department head.

In no event will any employee carry over more than 40 hours vacation time over the one year allotment:

YEARS OF SERVICE	MAXIMUM CARRY-OVER
6 months - 5	15
6	16
7	17
8	18
9	19
10 - 20	20
21	21
22	22
23	23
24	24
25 or more	25

Should an employee terminate employment with Howard County and afterward, be re-employed by Howard County, none of the prior service shall be considered in granting vacation time. The employee will be granted vacation time in the same manner and rate as any new employee. No employee will be entitled to take unearned vacation time nor will any employee take vacation time in advance of earning said vacation credit.

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

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

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

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

Only the appropriate amount of vacation hours will be used to account for the minimum number of hours needed for the designated work week/work period. (i.e. 40 or 86)

2B-4 SICK

The following employee classification shall be eligible for the sick leave benefit: Full Time. These employee classifications shall not be eligible for the sick leave benefit: Part Time and Temporary.

Eligible employees shall accrue sick leave at a rate of 8 hours per month. Accrual of sick leave shall start at the time an individual begins work for the County in a position eligible for the sick leave benefit. Sick leave shall not be accrued while an employee is on leave without pay.

The maximum amount of unused sick leave an employee shall be allowed to have at any time is 240 hours.

Sick leave may be used for the following purposes: 1) illness or injury of the employee; 2) appointments with physicians, optometrists, dentists, and other qualified medical professionals; or 3) to attend to the illness or injury of a member of the employee's immediate family. For purposes of this policy, immediate family shall be defined as spouse, child, parent, foster child or other relative living in the employee's home who is dependent on the employee for care.

Where sick leave is to be used for medical appointments, an employee shall be required to notify their supervisor of the intent to use sick leave as soon as the employee knows of the appointment. Where use of sick leave is not known in advance, an employee shall notify their supervisor of the intent to use sick leave within 15 minutes of the employee's normal time to begin work, when practicable. Where it is not practicable to notify the supervisor within 15 minutes of the normal starting time, the employee should notify their supervisor as soon as is reasonably practicable. If the employee feels that the situation will cause the employee to miss more than one day of work, the employee should notify their supervisor of the anticipated length of absence. The employee will be placed on FMLA, if event and employee is eligible. If an employee uses three (3) or more consecutive days of sick leave, the supervisor shall have the right to require a physician's statement or some other acceptable documentation of injury or illness, for either the employees' own illness or the illness of an immediate family member. Employees who have a pattern of abusing sick leave may be required to provide a physician's statement for those absences as required by their supervisor.

Employees shall not be allowed to borrow sick leave against future accruals. Employees shall not be paid for unused sick leave at the termination of employment.

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

Only the appropriate amount of sick hours will be used to account for the minimum number of hours needed for the designated work week/work period. (i.e. 40 or 86)

SICK LEAVE POOL

The County's sick leave pool is regulated by L.G.C. 157 and allows employees to donate accrued sick leave to the sick leave pool to be used for regular, full-time employees who have completed 12

continuous months of service with the County, who have suffered a catastrophic illness or injury, and who have exhausted all paid leave accruals.

An employee wishing to receive sick leave from the sick leave pool must submit a written request to the County Treasurer. The Commissioners Court will make the final decision concerning use of the pool.

The County Treasurer must keep documentation of:

HOURS DONATED TO THE POOL:	Date of donation
	Name of donor
	Department of donor
	Number of hours donated

HOURS GRANTED FROM THE POOL:	Name of employee
	Date of request
	Number of hours requested
	Number of hours granted
	Illness requiring leave

Eligibility:

Any employee of Howard County who is entitled to accrue sick leave and has completed 12 months of continuous service with the County and is eligible to use and to be compensated for personal accrued leave may apply to use leave from the pool. If an employee is separated from employment with Howard County and then returns to County employment, the employee must complete another 12 months of continuous service to be eligible to use the pool.

Employees seeking to utilize time from the pool must exhaust all accrued sick leave and vacation leave before they are eligible to withdraw leave from the pool.

Employees will continue to earn vacation and sick leave while on periods of extended leave of not more than one month. However, accrued personal leave balances must be exhausted prior to withdrawal of hours from the pool.

Contributing to the Pool:

Contributions to the pool are strictly voluntary.

Employees may contribute not less than eight hours or more than 40 hours of sick leave to the pool each fiscal year. Leave must be earned and recorded on the books at the time of the contribution. All donations to the pool must be in whole hours only. Contributions shall be made through the County Treasurer.

Employees leaving the employment of Howard County, who have not donated the 40 hour maximum in the current fiscal year, may donate any portion of their sick leave balance not to exceed the allowable fiscal year maximum, prior to their departure from Howard County service.

Employees who make contributions to the pool may not restrict their contributions for use by a specific person; nor may they restrict their contributions from being used by any specific person.

Employees who contribute to the pool cannot recover that leave unless they are eligible to use the pool due to illnesses or injuries described above.

Using Pool Leave

The County Treasurer will determine the amount of pool leave granted for each catastrophic illness or injury. The amount of the pool leave granted may not exceed one-third (1/3) of the balance available in the pool or 90 days (720 hours) whichever is less. The maximum leave granted in any fiscal year is 90 days.

Any unused balance of pool leave granted to an employee returns to the pool. The estate of a deceased employee is not entitled to payment for unused pool leave.

2B-5 HOLIDAY

The following employee classifications shall be eligible for the holiday benefit: All regular full-time employees will be eligible for eight hours of pay. Part-time employees will be eligible for holiday pay at the regular number of hours they would have worked on the designated holiday.

The County holidays shall be determined by the Howard County Commissioners' Court.

If a paid holiday occurs during other paid leave of an eligible employee, that day shall be paid as a holiday and not be charged against the employee's leave balance. If an employee is on unpaid leave of absence when the holiday occurs, the employee will not be paid for the holiday, and the holiday will not be credited against the total allowed leave. An employee shall not be allowed to take a day off with pay prior to a holiday in anticipation of working on the holiday.

An eligible employee scheduled to work or called in to work on a holiday because of an emergency, or other special need of the County, shall be given paid time off during the same week equivalent to the amount of time designated for the holiday if possible, otherwise it will be paid.

Special consideration shall be given to employees requesting time off for religious or other special observances which are not designated as paid holidays for Howard County. Each supervisor is responsible for granting this leave based on the needs of their individual departments. Vacation or leave without pay may be used for special leave granted.

Holidays do not accrue and if they are not taken, they will not be paid at termination.

2B-6 JURY DUTY

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

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

All employees who are subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the County shall be entitled to leave with pay for such period as their court attendance may require. 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 vacation, other eligible paid leave, or leave without pay.

2B-7 BEREAVEMENT LEAVE

All employees shall be allowed up to 24 hours of leave with pay for a death in the immediate family. For purposes of this policy, immediate family shall include the employee's spouse and the child, foster child, parent, sibling, grandparent, grandchild of the employee or the employee's spouse. If leave is needed beyond the limits set in this policy, it may be charged to available vacation or leave without pay.

2B-8 MILITARY LEAVE

All Howard County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) days off per federal fiscal year with pay for active duty or to attend active or inactive authorized training sessions and exercises. The fifteen (15) day paid military leave shall apply to the Federal Fiscal year and any unused balance at the end of the year shall not be carried forward into the next Federal Fiscal year. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule. An employee may use vacation leave, earned compensatory time, or leave without pay if they must attend Reserve or National Guard Training sessions or exercises in excess of the fifteen-day maximum.

Any Howard 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 up to 7 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, personal time, sick leave, or vacation time.

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

Upon request of the employee, Howard County will provide a statement that contains the number of workdays used for military leave in the fiscal year as well as a statement of the number of workdays left for use during the fiscal year.

Howard 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 re-employment in accordance with state and federal laws in effect at the time of their release from duty.

2B-9 PAID QUARANTINE LEAVE

Howard County shall provide paid quarantine leave for peace officers, detention officers, and emergency medical technicians employed by Howard County and ordered by a supervisor or the health authority to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. This includes peace officers, detention officers and emergency medical technicians, as defined by this policy, who are employed by, appointed to, or elected to their position.

"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 a county jail.

"Emergency medical technician" means an individual who is certified as an emergency medical technician under Chapter 773, Health and Safety Code; and employed by the county.

"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.

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; and, if applicable, shall 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. Contact the Treasurer's Office if you have questions. Off duty exposures will not be covered under this policy.

2B-10 RETIREMENT

There is no mandatory retirement from Howard County unless specifically required by state or federal law.

The employee contribution to the Texas County and District Retirement System (TCDRS) is seven percent of gross salary, which is deducted from the employee's paycheck. The County contributes 200 percent of the employee's contribution toward the employee's retirement plus an additional amount for supplemental death benefits. This life insurance policy is the sum of \$5,000.00 after retirement.

Should an employee leave the employment of the County prior to qualifying for retirement benefits, that employee shall have the right to apply for a refund of the employee's contribution along with interest earned on their contribution. The employee shall not be entitled to the County's portion contributed to the system on their behalf, should the employee make a withdrawal.

County employees eligible for membership in TCERS include elected officials, appointed officials or department heads, regular full-time employees and regular part-time employees.

An employee is eligible to receive lifetime monthly pension payments after terminating employment if they have:

Eight or more years of service credit at age 60 or older; or

Twenty or more years of service credit at any age; or

A combined age and total service (each rounded down to whole years) of 75 or more.

Retiree Insurance

For certain retirees, Howard County provides additional retirement benefits beyond what is provided under TCDRS. An employee who retires directly from Howard County without a break in service, with at least 12 years' service with Howard County, will be allowed to continue to receive benefits in the County's health program as follows:

A retiree who became employed with Howard County on or before August 25, 2003 and who retires under TCDRS, and

- a. Who is 65 or older with at least 12 years of service with Howard County, or
 - b. Whose age plus years of service with Howard County equals at least 75,
- will be allowed to continue to receive benefits in the County's health program at no cost to the retiree at the same level as currently employed county employees until age 65 and then they will be changed to a supplemental policy with Howard County.

Employees hired by Howard County after August 25, 2003 will not be eligible for retiree health insurance benefits, regardless of age, years of service or disability status.

For further information on the TCDRS, please refer to your Texas County and District Retirement System Manual, or contact the County Treasurer's office for further information.

2B-11 SOCIAL SECURITY/MEDICARE

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

2B-12 FAMILY MEDICAL LEAVE ACT/MILITARY FAMILY LEAVE (FMLA/MFL)

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

- 1) the basic 12-week FMLA entitlement; and
- 2) the Military Family Leave (MFL) entitlement described in this policy.

ELIGIBILITY:

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

- 1) have worked for Howard County at least 12 months (it is not required that these 12 months be consecutive; however, a continuous break in service of 7 years or more will not be counted toward the 12 months); **and**
- 2) have worked at least 1250 hours during the previous 12 months; **and**
- 3) are employed at a work site that has 50 or more employees within a 75-mile radius.

Any employees with any questions about their eligibility for FMLA leave should contact the Treasurer's Office for more information.

QUALIFYING EVENTS:

Family medical leave under this policy may be taken for the following reasons:

- 1) the birth of a child and to care for that child;
- 2) the placement of a child in the employee's home for adoption or foster care;
- 3) to care for a spouse, child (under the age of 18 or if over 18 incapable of self-care due to a disability), or parent with a serious health condition;
- 4) the serious health condition of the employee that make the employee unable to perform the essential functions of their job;
- 5) a qualifying exigency arising out of the fact that an employee's spouse, child or parent is a covered military member of the Armed Forces (Regular, Reserve or National Guard), deployed to a foreign country or has been notified of an impending call or order to active duty in a foreign country;
- 6) to care for a covered service member (Regular, Reserve or National Guard) with a serious injury or illness if the employee is the spouse, child, parent or next of kin (nearest blood relative) of the service member; or
- 7) to care for a covered veteran who is undergoing medical treatment, recuperation or therapy, for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of 5 years preceding the date on which the veteran began that medical treatment, recuperation or therapy.

SERIOUS HEALTH CONDITION:

Serious health condition is defined as a health condition that requires overnight inpatient care at a hospital, hospice, or residential care medical facility or continuing treatment by a health care provider.

A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

- 1) a period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - a) Treatment two or more times within 30 days of incapacity; or
 - b) Treatment by a health care provider on at least one occasion within first seven days of incapacity that results in a regimen of continuing treatment by a health care provider.
- 2) Any period of incapacity due to pregnancy or pre-natal care.
- 3) Any period of incapacity or treatment due to a chronic serious health condition that requires periodic visits to a health care provider and continues over an extended period of time.
- 4) Any period of incapacity that is permanent or long term due to a condition for which treatment is not effective.
- 5) Any period of incapacity or absence to receive multiple treatments by a health care provider.

QUALIFYING EXIGENCY LEAVE:

An eligible employee may be entitled to use up to 12 weeks of their FMLA leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, child of any age or parent in the Armed Forces (Regular, Reserves or National Guard) is on active duty or called to active duty status in a foreign country.

Qualifying exigencies may include:

- 1) short-notice deployment (up to seven days of leave);
- 2) attending certain military events and related activities;
- 3) arranging for alternative childcare;
- 4) addressing certain financial and legal arrangements;
- 5) periods of rest and recuperation for the covered military member (up to fifteen days of leave);
- 6) attending certain counseling sessions;
- 7) attending post-deployment activities (available for up to 90 days after the termination of the covered military member's active duty status);
- 8) other activities arising out of the covered military member's active duty or call to active duty in a foreign country and agreed upon by the county and the employee;
- 9) attending family support or assistance programs and informational briefings;
- 10) acting as the covered military member's representative before a governmental agency;
- 11) addressing issues that arise from the death of a covered military member while on active duty status in a foreign country; and
- 12) other activities arising out of the covered military member's active duty or call to active duty that the agency and employee agree qualify as an exigency and agree to timing and duration of leave.

LENGTH OF LEAVE:

An employee may use up to 12 weeks leave per 12-month period under this policy. Howard County sets the 12-month period used under this policy as a "rolling" 12-month period measured backward from the date an employee uses FMLA Leave.

A married couple who both work for the county is entitled to a maximum combined leave of 12 weeks in any 12-month period for the birth of healthy newborn child (i.e., bonding time) or placement of a

child, or care for a parent with a serious health condition. The combined limit for a married couple employed by the county is 26 weeks in a single 12-month period if leave is to care for a covered service member or veteran with a serious injury or illness.

MILITARY CAREGIVER LEAVE:

An eligible employee may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is either a current member or veteran of the Armed Forces (Regular, Reserve or National Guard).

An eligible employee may take up to 26 weeks of leave to care for a covered service member of the Armed Forces (Regular, Reserve, or National Guard) who has been rendered medically unfit to perform their duties due to a serious injury or illness incurred in the line of duty while on active duty for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

An eligible employee may take up to 26 weeks of leave to care for a veteran (Regular, Reserve, or National Guard) who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The MFL entitlement is applied on a per-injury basis and an eligible employee may be entitled to take more than one period of 26 weeks of leave if the leave is to care for different covered service members or covered veteran with a subsequent serious illness or injury, except that no more than 26 weeks may be taken within any single 12-month period.

An eligible employee may begin taking military caregiver leave up to five years after their family member was discharged or released from the military. The eligible employee's first date of leave must be within the five-year period; however, the employee may continue to take such leave throughout the single 12-month period that is applicable to military caregiver leave, even if the leave extends beyond the five-year period.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the county's operations.

WORK RELATED INJURY:

Howard County will always designate qualifying work related injuries with lost time as FMLA qualifying.

SUBSTITUTION OF PAID LEAVE:

Howard County requires substitution of paid leave for all FMLA or MFL events. An employee must follow the vacation and sick leave policy guidelines. The balance of FMLA is unpaid leave. FMLA and MFL run concurrently with all substituted paid leave, including Workers' Compensation leave.

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

CONTINUED EMPLOYEE BENEFITS:

While an employee is on leave under this policy, the county will continue to pay the employee's medical plan premium at the same rate as if the employee had been actively at work. The employee is required to pay for dependent coverage and for any other coverage for which the employee would normally pay, or the coverage will be discontinued. An employee's obligation to pay for coverage will be made through regular payroll deduction while the employee is on paid leave status. While on unpaid leave, the employee is required to pay for premiums due to the county no later than 30 days after the date of the pay period in which the premium comes due. The county may cancel unpaid coverage by providing the employee advance written notice, not less than 15 days before the coverage will be cancelled for non-payment.

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

INTERMITTENT LEAVE AND REDUCED SCHEDULE:

An employee may take intermittent leave under this policy if it is necessary for the care and treatment of a serious health condition of the employee, the employee's eligible family member or the care of a covered military member or veteran.

An employee may work a reduced schedule under this policy if it is necessary for the care and treatment of a serious health condition of the employee, the employee's eligible family member, or the care of a covered military member or veteran.

All work time missed as the result of intermittent leave or a reduced work schedule under this policy will be deducted from the employee's 12-week or 26-week leave eligibility in a single 12-month period.

CERTIFICATION REQUIREMENTS:

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

The county may send a request for medical certification to an employee who has been out of work for three or more days to determine the employee's FMLA eligibility. The employee is requested to have their physician complete and return the medical certification, or provide appropriate documentation,

within 15 days of the employee's receipt of the form to be eligible for FMLA. An employee's failure to return the medical certification may result in denial of FMLA by the county.

The employee must respond to the county's request for certification within 15 days of receipt of the request or provide a reasonable explanation for the delay in writing before the 15th day after receipt of the request. If an employee does not provide certification or otherwise respond, the county may deny leave under this policy.

If an employee requests intermittent leave or a reduced work schedule, the certification submitted must also include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. The county may request re-certification for intermittent or reduced schedule leave every six months in connection with an eligible absence.

The county may ask for a second opinion from a health care provider of the county's choice, at the expense of the county, if the county has reason to question the certification, unless the leave is necessary to care for a seriously injured or ill covered service member supported by an invitational travel order (ITO) or invitational travel authorization (ITA) to join an injured or ill service member at their bedside.

If there is a conflict between the certification submitted by the employee and the second certification obtained by the county, the county may require a third certification, at the expense of the county, from a health care provider agreed upon by both the employee and the county. The third opinion is final and binding on the county and the employee.

REQUESTING LEAVE:

Unless FMLA leave is unforeseeable, an employee is required to submit a written request for leave under this policy to their immediate supervisor.

Where reasonably practicable, an employee should give their immediate supervisor a minimum of 30-days' notice before beginning leave under this policy. Where it is not reasonably practicable to give 30-days' notice, the employee is required to give as much notice as possible.

REINSTATEMENT:

An employee returning from leave under this policy, and who has not exceeded the 12-week maximum leave period allowed, will be returned to the same job or a job equivalent to the job the employee held before going on FMLA leave. An employee who has not exceeded the 26-week maximum leave period in a single 12-month period, allowed to care for a seriously ill or injured covered military member, will be returned to the same job or a job equivalent to the job the employee held before going on leave.

If an employee is placed in a different position, it will be one with equivalent status, pay, benefits, and other employment terms and which entails substantially equivalent skill, effort, responsibility, and authority.

The county has no obligation to reinstate an employee who takes more than the 12 weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave allowed, including an employee with available sick or vacation leave.

REPAYMENT OF BENEFITS:

Unless an employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or another situation beyond the control of the employee, an employee who does not return to work after using the maximum leave allowed under this policy will be required to reimburse the county for all medical premiums and other benefits paid by the county while the employee was on leave without pay related to their FMLA leave.

OTHER BENEFITS:

While on leave without pay under this policy, an employee does not earn vacation or sick leave, is not eligible for holiday pay, and does not earn other benefits afforded to employees actively at work, except as stated in this policy, unless other employees who go on leave without pay are allowed to do so.

An employee who is out on approved FMLA leave may not take trips outside of the county unless the travel is related to the employee's own serious health condition, the serious health condition of the child, spouse or parent of the employee or to attend qualifying military events. An employee may ask their immediate supervisor for written permission to take other trips outside of the county which may be granted at the supervisor's sole discretion.

Employees are forbidden from working another job while on approved FMLA leave from the county.

REGULATION:

Any area or issue regarding family and medical leave that is not addressed in this policy is subject to the basic requirements of the FMLA and the regulations issued to implement it.

RETURN-TO-WORK:

An employee is required to provide a fitness-for-duty certification before the employee returns to work.

ENFORCEMENT:

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer for unlawful discrimination under the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any federal or state law that provides greater family of medical leave rights.

All counties are covered under CFR 825.108 (d), which states "all public agencies are covered by FMLA regardless of the number of employees; they are not subject to the coverage threshold of 50 employees carried on the payroll each day for 20 or more weeks in a year". Once county reaches a payroll with 50 employees, not including elected officials, the county must fully comply with FMLA immediately.

Howard County will meet all requirements under the FMLA. Howard County employees to be eligible for FMLA must meet all of the requirements of eligibility, including the requirement that the employer employ 50 employees at the worksite or within 75 miles.

RESPONSIBILITIES:

Howard County will post the current FMLA poster as provided by the department of labor. If an employee asks for FMLA leave for any reason, Howard County will respond in writing and will use the FMLA forms (WH-381) Notice of Eligibility and Rights and Responsibility and form (WH-382) Designation Notice to notify the employee of their eligibility rights.

SECTION 3: OTHER GENERAL ADMINISTRATION POLICIES

3A-1 PERSONAL ITEMS

Any personal items that are in the work area are not covered by County insurance. Employees will bear all risk of loss. Howard County is not responsible for any personal items lost, stolen, burned, etc.

3A-2 COUNTY NOTARY BONDS AND FEES

The County will pay for notary bonds and fees where it is necessary to have a notary for transactions of official County business.

Should any notary, whose bond, fee and seal have been paid for by the County, charge for notary service, such revenue shall be receipted and reported to the County Treasurer at the end of each month.

3A-3 DRIVER'S RECORD

Pre-Employment Requirement

Prior to employment, each applicant being considered for employment which requires operation of a motor vehicle, shall be subject to a "Driver's Record Check" to ensure that the applicant's driving record will qualify them for liability insurance under the County's Liability Policy without any restrictions or increased premium.

Insurability

All personnel employed by Howard County, whose job requirements include the operation of a motor vehicle, must maintain a drivers' record which will qualify them for liability insurance under the County's liability insurance policy, without limitations and or increased premiums.

Termination

Failure to maintain insurability as stated above shall be cause for termination.

3A-4 OUT-OF-COUNTY TRAVEL

Purpose of the Policy

The purpose of this policy is to establish procedures for travel outside of the County. County employees are often required to travel in order to receive training, earn continuing education credits, attend conferences, or represent the County in an official capacity. The Auditor's office is responsible for the administration of this policy, and employees should contact the Auditor's office with questions and to obtain detailed procedures. All purchases must be of a reasonable and prudent nature that would pass public scrutiny and keeps in mind the taxpayers' interests.

Employees shall use their own judgment and make expenditure decisions as if they were paying for them personally.

Expenses Not Covered

Items specifically prohibited include but are not limited to the purchase of personal items, alcoholic beverages, pay-for-view movies, health club charges, Internet access, and laundry or dry cleaning charges. Prohibited also are the expenses of the employee's family who accompany the employee on a trip. The expense report must be prepared to reflect only those expenses incurred by the employee.

Types of Travel

The following restrictions apply for travel, seminars/conferences, etc.

1. Overnight – Business Travel Away From Home

Reimbursable charges for this type of travel include lodging, per diem for meals, travel expenses, and registration.

Travel Days - If you can leave by 7:00 a.m. to reach your destination in time for the start of your conference, using MapQuest or other reliable driving directions, then a hotel room is not allowable for the night preceding the conference start day.

If the conference concludes before or around noon, then the concluding day is considered a travel day and a hotel room is not allowed for that night.

If the conference concludes after noon, and you cannot reach your home destination by 7:00 p.m. then a hotel room is allowable for that night.

2. Local Business Travel

If your business travel does not require you to be away from your home substantially longer than an ordinary day's work, and you do not need to sleep or rest, this is considered Local Business Travel.

Reimbursable charges for this type of travel include mileage reimbursement (for those not receiving an automobile allowance), registration and, in some cases, meals.

Several departments in the County require their employees to travel within the County on official County business. When a County employee uses a personal automobile for this purpose, the employee may be reimbursed for mileage at the approved IRS rate.

Reimbursement for local transportation is made from speedometer readings on the personal auto and a description of the purpose of the official County business.

Meals

Employees will not:

- Use the County credit card for employee meals;
- Be reimbursed or provided per diems for meals that are included in conference registration costs or are otherwise provided at no cost to the employee; or
- Be reimbursed for snacks for any of the below listed travel.

1. **Overnight – Business Travel Away from Home**

A “per diem allowance” is a payment made for meals and incidental expenses. The daily allowance paid is set by the Commissioners’ Court.

“Incidental expenses” include, but are not limited to: fees and tips for services, such as waiters and baggage handlers. Employees are required to adhere to the per diem limit, which includes tips.

When using this flat rate for meals purchased while traveling away from home, employees will not need to return meal receipts to the Auditor’s Office. For partial days away from home (example - flight returns in the early afternoon), the per diem allowance must be prorated. Employees can contact the Auditor’s Office to learn the current per diem rate.

2. **Local Business Travel**

The County will reimburse for meals for local travel (when there is no overnight stay). This is usually limited to the lunch meal. To be reimbursed, the employee must submit a receipt and travel voucher to the Auditor’s Office and will be reimbursed through payroll. ***There will be no per diem for day trips.***

3. **Inmate Transport & Juvenile Transport**

Employees can use the County credit card to pay for meals of the inmate or juvenile they are transporting. They must turn in a travel expense form with receipts and must specify the number of people eating if more than one. *This does not include snacks and drinks between meals.* The receipt should be an itemized receipt, not just the credit card receipt. The employees should leave no more than the standard tip (15 - 20%). ***County employees may not use the County credit card for their own meals under any circumstances.*** To pay for their own meals, County employees who are transporting inmates or juveniles must follow the meal policy outlined above.

Transportation

Transportation to the conference or meeting should be the least expensive mode that is reasonable under the circumstances.

1. **Air Travel**

Air travel is usually more economical in time and money when making a long trip. Only “coach” flights will be authorized. Traveling County employees are encouraged to take advantage of reduced rates for advance reservations. The County will reimburse at the lowest available airline fare for the most direct airline route. Flight insurance is not reimbursable.

2. **Car Rental**

Car rentals are sometimes the most expensive mode of transportation; therefore, local transportation such as taxis, shuttles, etc. should be utilized whenever possible. If a car is rented, County employees are covered under the County's insurance; consequently, all optional insurance should be declined.

3. Private Automobile

Employees should ensure that they have adequate automobile insurance, as the County will not be responsible for costs incurred in the event of an accident.

The standard business mileage rate set by the IRS will be used to determine the mileage reimbursement amount. Employees traveling to the same destination should make every attempt to travel together where possible.

Mileage shall be calculated using an online mapping source such as MapQuest, or a reliable GPS system. Mileage is calculated based on the distance from the point of departure (home or office) to the travel destination, and back to the final destination (home or office) that concludes the travel event.

4. County-Owned Vehicles

The County will pay only actual expenses, such as gas, oil or other such maintenance items. Receipts are required for all these items.

5. Taxicabs and Shuttles

Taxicab and shuttle expenses will be reimbursed at cost. Receipts required.

6. Parking

Parking will be paid for both private and County-owned vehicles. If valet parking is required at the destination, the employee will be reimbursed at cost. Documentation must be provided about *requirement* of valet parking. Receipts required.

Lodging

The cost of lodging will be reimbursed by the County. The County will reimburse only for single room rates (unless two employees share a room). County employees may be accompanied by their spouse or family while on travel status. However, the employee will be expected to pay all expenses incurred by the spouse and family including the incremental difference charged for a hotel accommodation for two or more persons.

If the conference has reserved a room block for attendees at a lower price and time constraints allow, employees are required to participate at the reduced cost.

Expenses *not* covered include:

- Meal charges and snacks
- Personal expense items such as cleaning or laundry
- Alcoholic beverage charges
- Hotel Club charges
- Internet charges
- Recreation facilities use charges
- Movies and personal phone calls

County Credit Cards and Travel

The County credit card is to be used for County-related business only. It should not be used for local trips—only overnight trips. Credit cards may be used for the following; lodging, fuel, airline tickets, rental car, etc. *The County credit cards are not to be used for employee meals.*

If a County employee has to use the County credit card to reserve a hotel room, they must remember to cancel the room in the event the trip is cancelled. The employee will be responsible for any charges that may occur if the room is not cancelled.

Personal charges on hotel bills, such as movie rentals and personal phone calls, as well as meals, should be paid for at checkout time by the employee and not charged to the County credit card.

If the employee has some expenses paid for with cash and they need reimbursement from the County, then they must turn in two separate Travel Expense Forms, one for all credit card receipts and one for all cash receipts. *All receipts charged to the County should be turned in as soon as possible when the employee returns from their trip.*

All other travel rules found in this Travel Policy regarding out-of-town travel apply to the use of the County credit card. Any abuse of the County credit card by an employee will result in withdrawal of the privilege to use the County's credit card.

3A-5 PURCHASING POLICY

All contracts proposed by the County for the purchase of supplies, materials and services or for the construction, maintenance, repairs, or renovation of buildings, or for materials used in such construction, maintenance, repair, or renovation, shall be submitted to competitive bidding when such contracts are valued at \$50,000 or more.

In ordering supplies, materials, equipment, and/or services, the department shall use the requisition form provided by the County Auditor's office, and follow the purchasing policies approved by the Commissioners' Court.

Additional information on County purchasing may be obtained by contacting the County Auditor's office.

Mobile Technology Device Policy While Driving

Location: All Employees except Law Enforcement and Road & Bridge/Equipment Operating Employees

Purpose

This policy establishes how Howard County will comply with restrictions of mobile device use when operating a motor vehicle.

Scope

This policy applies to all employees who use company vehicles, rented vehicles on the company's behalf or personal vehicles used for company purposes.

Background

Use of mobile technology devices such as cellular phones, laptops, personal digital assistants, navigation systems, and portable digital audio and video players have been shown to distract drivers and can increase the risk of motor vehicle accidents. To help reduce the possibility of vehicle accidents in connection with the use of mobile technology, Howard County has adopted this policy applicable to all employees while driving a company vehicle or any other vehicle (including rented, leased, borrowed, or personally owned vehicle) while conducting company business.

- Employees should comply with all federal, state, and local laws and regulations regarding the use of mobile technology devices including cellular phones.
- Use of handheld cellular phones while driving is prohibited, with limited emergency exceptions.
- Cellular phone calls using hands-free technology while driving is prohibited, except by emergency vehicles.
- Sending or reading text messages or e-mails, dialing cellular phones, viewing television, videos or DVDs and inputting data into laptop computers, personal digital assistants or navigation systems should be prohibited while driving.

Receipt and acknowledgement of the written mobile technology device use policy by each employee is documented.

Definitions

Hand-held mobile device (also known as **cellphone, mobile phone, smart phone, hand-held cell, handset**): Any mobile communication device that falls under or uses any commercial mobile radio service, as defined in the Federal Communications Commission (FCC) 47 CFR § 20.3. Wireless communication devices such as satellite phones and broadband radio service are also included in this definition. Two-way radios, walkie-talkies, citizens band radios and compliant mobile devices (i.e. hands-free headsets) are not considered hand-held mobile devices.

Driving: Operating a motor vehicle on the highway—including while temporarily stationary because of traffic, a traffic control device or other momentary delay. Driving does not include operating a motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.

General Procedures

Use of hand-held mobile devices while driving is strictly prohibited under Howard County policy. This includes all functions of the device, including phone calls, text messaging/SMS, email, MMS, internet use and camera use.

Passengers making or taking calls for the driver is permissible, provided the interaction does not affect the driver's performance.

Regular callers must be informed that the driver will not be available while driving and should be notified beforehand of the best times to call based on driving schedule.

Employees who receive calls from co-workers who are driving are obligated to ask that the co-worker to call back at a more appropriate time.

Headset/ Hands-free Use

Howard County prohibits employees from making calls regardless of the use of hands-free devices or headsets. Due to the increased risk of injury from distracted driving, Howard County prohibits the use of mobile devices in company vehicles to keep those on the road safe and reduce the liabilities of our drivers and Howard County, as a whole.

If the need arises for the use of a mobile device, employees must pull over and find a safe place to park their vehicle prior to making the phone call. This can include parking lots, gas stations or, if necessary, the side of the road. The vehicle must not be in motion at any point of time that a phone call is being made.

Exception in Cases of Emergency Vehicles

Drivers are permitted to use a hand-held mobile device if necessary to communicate with law enforcement or other emergency services.

Howard County is not responsible for any traffic violations or parking tickets acquired by a violation of city ordinance, state or federal laws regarding your driving habits and during your operation of a company motor vehicle. Any ticket issued is the employee's responsibility, even if the ticket is issued while conducting business for our company. Drivers must report any traffic violations or parking tickets to their supervisor by the end of the shift during which they received the violation.

it is our policy that employees are prohibited from using a mobile device during the operation of a company vehicle, a company leased vehicle, or a personal vehicle being used for company purposes.

All company employees must comply with this Hand-held Mobile Device policy, and failure to follow the policy will result in discipline and/or termination. It is Howard County's mission to reduce the risk of traffic-related fatalities due to distracted driving caused by using a mobile device.

Acknowledgment

If you have any uncertainty or questions regarding the content of this policy, you are required to contact your supervisor. This should be done prior to signing and agreeing to this policy.

I have read and understand Howard County's Hand-held Mobile Device Policy, and I understand the requirements and expectations of me as an employee. I agree to adhere to all provisions and procedures outlined in the policy, and I understand that failure to do so will result in discipline up to and including termination.

Print Employee Name

Date

Employee Signature

Mobile Technology Device Policy

While Driving For Road & Bridge / Equipment Operating

Location: All Howard County Road &
Bridge/Equipment Operating Employees

Purpose

This policy establishes how Howard County will comply with restrictions of mobile device use when operating a motor vehicle.

Scope

This policy applies to all employees who use company vehicles, rented vehicles on the company's behalf or personal vehicles used for company purposes.

Background

Use of mobile technology devices such as cellular phones, laptops, personal digital assistants, navigation systems, and portable digital audio and video players have been shown to distract drivers and can increase the risk of motor vehicle accidents. To help reduce the possibility of vehicle accidents in connection with the use of mobile technology, Howard County has adopted this policy applicable to all employees while driving a company vehicle or any other vehicle (including rented, leased, borrowed, or personally owned vehicle) while conducting company business.

- Employees should comply with all federal, state, and local laws and regulations regarding the use of mobile technology devices including cellular phones.
- Use of handheld cellular phones while driving is prohibited, with limited emergency exceptions.
- Cellular phone calls using hands-free technology while driving is allowed.
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Passengers making or taking calls for the driver is permissible, provided the interaction does not affect the driver's performance.

Regular callers must be informed that the driver will not be available while driving and should be notified beforehand of the best times to call based on driving schedule.

Employees who receive calls from co-workers who are driving are obligated to ask that the co-worker to call back at a more appropriate time.

Exception in Cases of Emergency Vehicles

Drivers are permitted to use a hand-held mobile device if necessary to communicate with law enforcement or other emergency services.

Howard County is not responsible for any traffic violations or parking tickets acquired by a violation of city ordinance, state or federal laws regarding your driving habits and during your operation of a company motor vehicle. Any ticket issued is the employee's responsibility, even if the ticket is issued while conducting business for our company. Drivers must report any traffic violations or parking tickets to their supervisor by the end of the shift during which they received the violation.

it is our policy that employees are prohibited from using a mobile device during the operation of a company vehicle, a company leased vehicle, or a personal vehicle being used for company purposes.

All company employees must comply with this Hand-held Mobile Device policy, and failure to follow the policy will result in discipline and/or termination. It is Howard County's mission to reduce the risk of traffic-related fatalities due to distracted driving caused by using a mobile device.

Acknowledgment

If you have any uncertainty or questions regarding the content of this policy, you are required to contact your supervisor. This should be done prior to signing and agreeing to this policy.

I have read and understand Howard County's Hand-held Mobile Device Policy, and I understand the requirements and expectations of me as an employee. I agree to adhere to all provisions and procedures outlined in the policy, and I understand that failure to do so will result in discipline up to and including termination.

Print Employee Name	Date
Employee Signature	

Contact Sheriff's Office for Law Enforcement Policies and Procedures on Mobile Technology and Operation of Howard County Vehicles

Howard County, Texas Technology Usage Policy

Howard County, Texas
Technology Usage Policy
Revision

2 Table of Contents

2 Table of Contents	67
3 Introduction	68
3.1 Information Technology Services Vision Statement.....	69
3.2 Goals	69
3.3 Guiding Principles:	69
4 Communication	69
5 Standards	70
5.1 Hardware Standards	70
5.2 Software Standards.....	70
5.3 Unauthorized Software.....	71
6 Network Resource Usage – Internet, Email & Data	71
6.1 Limited Personal Use	72
6.2 Inappropriate Use	73
6.3 Network Monitoring	74
6.4 E-Mail Records Retention	75
6.5 Data Storage	76
6.6 Cloud Storage.....	76
7 Security	76
7.1 Network / Internet Security.....	77
7.2 Anti-Virus Protection	79
7.3 WIFI	80
7.4 IDs & Passwords.....	81
7.5 Third Party Access.....	82

7.6 Desktop Security	82
7.7 Portable Memory	82
7.8 Computer Data Backup	82
7.9 Security Access Removal	83
7.10 Related Laws and Statutes	83
8. Weather Emergencies and Protection of Computer Equipment.....	84
9. Policy Infraction.....	84
10. Computer Support / Technology Requests	85
7.1 Help Desk	85
11. Definitions.....	85
12. Signature of Agreement	87

3 Introduction

The policies and procedures set forth in this manual provide guidelines for management of employees during employment, but do not create contractual rights regarding termination or otherwise. This policy **DOES NOT** supersede any policies already in effect in county departments as enacted by the official or department head over the respective department. This document is used as a guideline to create base policies for users that will be connected to, accessing, storing data on, or transmitting any other data across the computer network owned and operated by Howard County for the purposes of conducting IT business. The purpose of this document is to provide the county, IT officials, IT department heads, agents, contractors, and employees the basis for acceptable use of the county’s technology resources. This policy **DOES NOT** replace any policy currently in effect as found in the “*Howard County Personnel Policies and Procedures Manual*”.

This policy has been reviewed and approved by the commissioners court of Howard County. All authority granted to the parties named within was vested in the open meeting of the Howard County Commissioner’s Court on: _____

In order to maximize the benefit of the Information Technology investments across Howard County, the Information Technology Services (IT) department has created this Technology Usage Policy as a way to address and communicate existing and new policies. Goals of this policy are:

1. Support the overall Vision and Goals of Information Technology Services.

2. Protect confidential, proprietary information of the county from theft or unauthorized disclosure to third parties;
3. Be cost-effective and prevent waste of information technology (IT) resources;
4. Reduce, and if possible, eliminate, potential legal liability to employees and third parties

This policy requires that all new and existing employees sign a written statement that they have read this policy and understand these guidelines.

3.1 Information Technology Services Vision Statement

Provide value-added technical services and solutions to Howard County that enhance or enable better service to our citizens and employees.

3.2 Goals

- Ensure the availability and security of our network
- Enable ease of obtaining and sharing of data.
- Lower costs - Achieve IT Standardization where feasible
- Better enable disaster recovery of critical systems.

3.3 Guiding Principles:

- IT will provide quality customer service and solutions.
- IT will demonstrate professionalism and be customer focused – to our citizens, County teammates, and business partners.
- IT will maximize our information technology investment by fully leveraging our solutions and services possible across the County.
- IT will promote and implement standard technology and solutions, where feasible, throughout all County offices to support common business processes.
- IT will use commercially available software packages wherever possible.
- IT will dynamically re-engineer our business processes around the functionality of available application packages.
- IT will work efficiently using best practices.

4 Communication

IT will update this policy, as needed, and once approved, will communicate the updates to all Department Heads and IT Contacts, as appropriate. IT will also provide access to this policy on the County website. The

County will use reasonable efforts to notify Users when software patches or other software is deployed to User PCs and where there may be a disruption to the User. There will be times where software will need to be deployed where prior notice may not be feasible, as in the case where there is a **security risk or legal/statutory compliance requirement** or where such deployment is transparent to the user, as in the case of operating system or application upgrades; asset inventory data collection, data collection for license management and compliance, or for new software that the county deploys and which can occur in the background without disruption to the User.

5 Standards

IT has the responsibility for support and problem resolution for the County's PCs and network. To effectively and efficiently carry out that role, IT must be able to rely on standard hardware and software configurations on the desktop. Users must request hardware and software through Information Technology.

5.1 Hardware Standards

Department Heads who have a need to deviate from the standards must request an exception. The IT Director will review the request and either approve request as is or suggest alternate solution to ensure support can be provided. If a satisfactory solution cannot be agreed upon, the issue will be raised to the appropriate member of the Howard County Commissioner's Court.

The IT Department is responsible for the configuration and acquisition of **ALL** county-owned technology equipment that will interface with the county computer network at any level or connected to any computer or device that is connected to the county computer network, regardless of what fund pays for said equipment. **Any county-owned technology equipment that is purchased without prior IT approval SHALL NOT be allowed to be connected to ANY county-owned computer, or to the computer network.** The IT Department shall have uninhibited access to all county-owned computer equipment that is connected to the county computer network for inspection and inventory control upon request at any time.

Due to security configurations of the county network, no County official, department head, employee, or contractor shall move or authorize to be moved any county-owned computer equipment that is connected to the county computer network without first notifying the IT Department. The IT Department shall either move the equipment or approve a user to move said equipment. If a user moves any equipment, and does not inform the IT Department, the device will not function at IT new location due to network configurations.

5.2 Software Standards

IT must first acquire and test programs and executables before employees save them to their desktop computer. Software may only be used in compliance with the terms of the applicable license agreements.

The Software Standards specify the technologies supported by the organization and serves as a guideline for all technology purchasing and use decisions, including hardware, software, peripherals, and network components. Current software standards are listed on the County's intranet site.

5.3 Unauthorized Software

Use of unauthorized software can degrade the county's network and Internet service, create security risks and personal computer problems, divert focus from county-related issues, reduce employee productivity and increase costs. It is the responsibility of all Users in all departments to comply with maintaining the County standard by not downloading or installing unauthorized software onto any County owned PC or laptop. Any software which needs to be downloaded and installed is to be done by IT. **Unauthorized software is any software that is not approved for use by IT to conduct the business of Howard County.**

Information Technology Services will 1) immediately inform the department head and if warranted, remove the unauthorized software in use when encountered and 2) on a routine basis, check and remove unauthorized software, unless the software has a legitimate business purpose for the User as determined by the IT Department and the appropriate Department Head

6 Network Resource Usage – Internet, Email & Data

Access to and use of the Computer network, Internet and/or e-mail systems is provided to employees of Howard County for the purpose of advancing the goals of the County. This access imposes certain responsibilities and obligations on County employees, (full-time, part-time and temporary employees), officials, and as well as any companies or individuals (third parties) contracted to do work for the County, or use County IT resources, (hereinafter termed "Users") and is subject to County government policies and local, state and federal laws. All data, e-mails, e-mail attachments, documents and other electronic information within the network/e-mail system are the property of Howard County. **THERE SHOULD BE NO**

EXPECTATION OF PRIVACY OR CONFIDENTIALITY IN COMPUTER NETWORK USE,

INTERNET ACCESS AND E-MAIL USE ON THE COUNTY'S SYSTEMS. The County, acting through IT managers and supervisors, has the capability to view data and e-mail at any time. Whereas all county employees are allowed access to the Internet, only full time employees are allowed E-Mail accounts within the County's system. Part-time and temporary employees are not granted e-mail address by default. If

a need exists for said employees to have access to the county e-mail system the department head should express that to the IT Director who will determine if there is enough free e-mail boxes to make the allocation and inform the Department Head making the request. The IT Director shall have the final decision in the allocation of e-mail resources. This policy does not supersede any state or federal laws regarding confidentiality and appropriate use.

The primary purpose for using the County's Computer or Telephone network, Internet and e-mail connection is in advancing the business of the County. This includes, but is not limited to:

- Communication with, and providing service to, clients and citizens of Howard County.
- Conducting the business of your department or unit
- Communicating with other employees for work-related purposes.
- Gathering information relevant to your duties or to expand your expertise.

Acceptable use always is lawful, ethical, reflects honesty, and shows restraint in the consumption of shared resources. Users shall refrain from monopolizing systems, overloading networks with excessive data or wasting computer time, connect time, disk space, printer paper, manuals or other resources. County users may be subject to limitations on their use of the networks, or other action, as determined by the appropriate supervising authority. Users are also expected to cooperate with any investigation regarding the use of your computer or your activities associated with Information Technology resources.

Content of all electronic communications should be accurate. Users should use the same care in drafting email and other electronic documents as they would for any other written communication.

As with internal e-mail messages, Internet e-mail can be changed by outside parties and forwarded to others without the employee's knowledge or permission. Users must use caution in using Internet e-mail and must comply with all state and federal laws. Access or interception of other's e-mail is a violation of state and federal law and will be reported to the appropriate authority for investigation and possible prosecution.

User data and documents are a County asset and should be treated as such. For this reason, Users who have access to a shared network drive should store all data files on the shared drive as these files are backed up daily. Recovery of data stored on desktops is the User's responsibility. Storage only on a PC hard drive is a risk in that if the hard drive fails, the data may not be recovered.

6.1 Limited Personal Use

Authorized Users of the County may also use the Internet and e-mail for **limited personal use**. This is defined as any personally initiated online activity (including e-mail and Internet usage) that is conducted for purposes other than those listed above. ***This is a privilege***, not a right, and may be limited or removed at any time by management. Howard County does not accept liability for any loss or damage suffered by an employee as a result of that employee using the County Internet connection

for personal use. Occasional, limited, appropriate personal use of the computer system is permitted when the use does not:

1. interfere with the User's work performance (It shall be infrequent and brief.).
2. interfere with the normal operation of your department or work unit.
3. interfere with any other User's work performance or have a negative impact on overall employee productivity.
4. have undue impact on the operation of the computer system.
5. cause any additional expense or load to the County or department.
6. compromise your department or the County in any way.
7. violate any other provision of this policy, any other policy guideline, any law/regulation, i.e., HIPAA, or standard of Howard County.

6.2 Inappropriate Use

The use of public resources for personal gain and/or excessive private use, such as but not limited to the items listed below, by any User is absolutely prohibited and punishable by applicable County disciplinary procedures, which may include termination and/or criminal prosecution depending upon the nature and severity of the transgression. The term public resource as used in this policy includes not only the unauthorized use of equipment, hardware, software or tangible articles, but also the employee time expended in the engagement of the unauthorized use while on County time.

Examples of unauthorized use of software include streaming music, stock tickers, news reels, etc., to the desktop, movie downloads, games, screensavers used from the Internet, unauthorized messaging software such as AOL, YAHOO, Windows Messenger; TIC TOC, and "chat" software.

Employees may not:

1. Use IT resources for personal gain, or to support or advocate for non-County related business or political purposes.
2. Create, distribute, upload or download any disruptive, abusive, harassing, threatening, or offensive messages, including offensive comments or graphics about sex, race, gender, color, disabilities, age, sexual orientation, pornography, religious beliefs and practice, political beliefs, or national origin.
3. Use IT resources for illegal or unlawful purposes or to support or assist such purposes.
4. Use IT resources for wagering, betting, or selling chances or to support or assist such purposes.
5. Use IT resources for personal long distance telephone calls.
6. Attempt to circumvent or subvert system or network security measures, provide internal network access to any non-Users or use your account to gain unauthorized access to external networks and systems.
7. Mount an attack on the security of any system (i.e. attempting to hack or introduce viruses into a system).

8. Use the network to disrupt network Users, services or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer "worms" and viruses, and sustained high volume network traffic that substantially hinders others in their use of the network.
9. Intercept network traffic for any purpose unless engaged in authorized network administrative duties.
10. Install or use encryption software on any Howard County computers without first obtaining written permission from your Department Head and IT. Users may not use encryption keys or encryption passwords that are unknown to their Department Head.
11. Engage in online fundraising (unless approved by Department Head or Official)
12. Engage in mass-mailing or send County-wide messages without department head approval.
13. Send County-wide mailings about viruses, or other warnings about outside computer attacks (these are almost always a hoax and should be turned over to IT for disposition).
14. Initiate or forward chain letters by email.
15. Spoof (disguise) your identity or send anonymous e-mails or send e-mail under another employee's name without permission.
16. **Download any non-standard or non-business-related files or software, including "freeware" and/or "shareware" programs unless previously approved.**
17. Load personal Internet Service Provider accounts (i.e. AOL, CompuServe, etc.) on County owned equipment.
18. Unless expressly authorized, sending, transmitting, or otherwise disseminating proprietary data, trade secrets, or other confidential information of the county is strictly prohibited. Unauthorized disseminating of this information may result in substantial civil liability as well as severe criminal penalties under the Economic Espionage Act of 1996. Employees must obtain permission from their Department Head to gain access to the County's Internet facility.
19. Make or use illegal copies of copyrighted software or other mediums, store such copies on County systems, or transmit them over the County network.
20. "Rip" music CDs and store said music in the My Documents folders or any other folders that are located on county owned servers. This is a waste of county resources and server storage space and can potentially have a negative effect on county business.

It is the shared responsibility of all county employees, the supervisor, manager and/or department head, and the IT Department to be aware of how the County's Internet facility is being utilized by his/her employees and ensure that employees are periodically informed and aware of the IT policies at a minimum on an annual basis.

6.3 Network Monitoring

All computer applications, programs, data and work-related information created or stored by County employees on County information systems and resources are the property of Howard County. Howard County employees shall have no expectation of privacy in anything they store, send, or receive on the

County's computer systems. Data may be monitored without prior notice. The County IT Department reserves the right to access and monitor e-mail use and any other computer related transmissions, as well as stored information, created or received by County Users with County Information Technology systems and resources under the following circumstances:

1. Performance monitoring or problem-solving purposes
2. Necessary during an investigation for possible violation of County policies
3. There is reasonable suspicion that a User has committed, or is committing a crime against the County or for which the County could be liable
4. Random or automated monitoring to ensure that content is in compliance with the business's established policies.
5. Request for monitoring is made by appropriate authority
6. Required to do so by law

The reservation of this right is to ensure that public resources are not being wasted and to ensure the County's information systems are operating as efficiently as possible in order to protect the public's interests. This includes blocking access to certain Web sites for which access is deemed to be in conflict with County policy.

6.4 E-Mail Records Retention

Users are cautioned that deleting an e-mail message from a User's own mailbox does not mean all copies of the message are also deleted. The message may still reside in the recipient's mailbox, may have been saved in some other folder, or forwarded to other recipients. Also, any message sent the day before may be saved in the nightly system backup and retained for 5 years.

IT will NOT be held liable for any e-mail that is deleted that should have been retained pursuant to records management requirements it is the responsibility of the user to ensure they comply with records management requirements.

As with other records, no e-mail record may be destroyed after it is requested for reasons including but not limited to: employee termination & disciplinary action, until: a) the request is granted, or b) 60 days have elapsed after the request is denied or c) litigation on the records availability is complete and any court order has been obeyed.

Managers and supervisors may, with Department Head approval, access, as necessary, an employee's e-mail if employees are on leave of absence, extended leave, or are transferred from one department to another.

6.5 Data Storage

IT provides a dedicated area for employees to store their data either on a server (Courthouse, Sheriff's Office, County of Howard Office Building), or a designated folder on a designated computer (JP's and Precincts). These folders will be backed up to the IT backup system nightly.

IT holds backups for about 90 days. However the amount of time the data is held varies by the amount of data vs storage available.

IT is NOT responsible for loss of any data that is not stored in the designated areas.

6.6 Cloud Storage

Any data owned by Howard County that will be stored in any Cloud environment MUST be stored in their county One Drive account.

7 Security

Howard County has a comprehensive computing environment that encompasses a broad array of networking, server and desktop computing platforms as well as the complimentary systems software. Users should never consider electronic communications to be either private or secure. E-mail and data could potentially be stored indefinitely on any number of computers, in addition to that of the recipient. Copies of email messages or altered messages may be forwarded to others either electronically or on paper. In addition, e-mail sent to nonexistent or incorrect user names may be delivered to persons that the sender never intended.

Each User is responsible for ensuring that his or her use of outside computer and networks, such as the Internet, does not compromise the security of Howard County's computer network. This duty includes taking reasonable precautions to prevent others from accessing the County's network without authorization and to prevent introduction and spread of viruses.

7.1 Network / Internet Security

Standards and requirements exist to ensure security and availability of the data and systems. The County's network connects to the Internet through a firewall and Intrusion Prevention System (IPS).

The County also employs a web content filtering system in an effort to ensure that county internet resources are not being mis-used. Examples of mis-use would be visiting websites for extended periods of time, or repeatedly that have no value to the operation of business activities of Howard County. There are some sites that will be blocked by the I.T. Director whenever use of those sites is felt to have a negative influence on employee performance by a department head. Department heads can request that sites become black-listed to the I.T. director and he shall make every effort to investigate the feasibility of such a block.

At times there will be other technology that will be employed by other departments for the operation of that department. It is the I.T. Department's responsibility to ensure network security at all times. It is suggested that before ANY technology is connected to the County's network, that was not procured by the I.T. Department, the I.T. Director should be contacted and be present at any meetings with the vendor prior to purchasing and installation of said technology, in the interest of network security. Failure to follow this guideline can result in denial of installation of said equipment / software.

Security Patches -The County has a process to update all computers with the latest security patches to enhance security. The application vendors should adhere to the industry practice of compliance to the latest version of system software levels to ensure maximum security to information and services provided by the County.

Network Devices – Prior approval from IT must be obtained before any of the following activities are attempted. These are not allowed by default:

- Connecting any networking devices to the County network.
- Usage of modems on individual servers / desktops /workstations for remote access purposes.
- Allowing non-county agencies or entities to access the County network without prior IT approval.
- **Allowing ANY person who is not employed by Howard County access to any computer or private network connection.**

The following activities should only be carried out by IT or IT authorized designees:

- Connecting networking devices to the County network.
- Interconnecting external networks by routers or VPN.

To maintain the security of the County network, all the Virtual Private Network (VPN) Users should ensure that:

- Their County PC has the most current virus protection installed • Operating system has all the recommended patches installed • Browsers have all the recommended patches installed.

Security Issues – The Howard County Information Technology department has several levels of potential security related issues, such as security breaches, or violations, that should all be handled in the appropriate manner according to severity.

- **Level I Incident**
 - User feels that their user name and password have been compromised and feel that an un-authorized person can gain access to the County’s computer system with their account.
 - Suspected sharing of user account information with other users and or non-employees • **Level II Incident**
 - Involuntary employee termination ○ Employee arrest
- **Level III Incident**
 - Suspected Computer break-in or computer virus ○ Loss or suspected compromise of VPN password
 - Physical Intrusion (unauthorized entry of both criminal and non-criminal type)
 - Disaster or any form of major damage at computer site (Howard County Courthouse
Data Processing Room and Howard County Sheriff Office) ○ Sudden employee resignation.

Actions to take upon level of severity – The following should be followed upon learning of a security issue guided by the severity set forth above.

- **Level I Incident** – Notify the Howard County Information Technology Department within one working day of the suspected violation. The IT department will then determine the action required, if any, from the user.
- **Level II Incident** – Notify the IT Department and District Attorney’s Office within one hour of the security issue, at which time the IT staff will take appropriate actions to suspend or terminate the user’s account.
- **Level III Incident** – Notify the IT Department immediately of the incident, regardless of time of day, by the appropriate means of contact. The IT staff will then immediately rectify the situation or respond to the location the issue occurred at.

The I.T. director, may, at his discretion remove computer access from any user account that could potentially constitute a security breach of the Howard County System for any of the above reasons WITHOUT notice or request from an Official or Department head if the potential security breach could compromise the data and network security of the County network (e.g. computer virus, backdoor, data collector, employee arrest, sudden resignation, etc.)

If contact cannot be made with the IT director, contact the Howard County Sheriff's Department, who will at all times, have contact with the IT director or IT Technician for Level III incidents.

7.2 Anti-Virus Protection

The County network is protected from viruses with the help of firewalls, e-mail scanning software and desktop scanning software. However, Users must follow these guidelines:

In some cases, simply reading an e-mail can spread a virus to a User's computer, and from there to many other internal and external County recipients. The County will take prudent measures to scan incoming e-mail and attempt to intercept viruses. However, no safeguard is foolproof, and viruses can find their way into County Users' computers from a variety of other ways (e.g., USB drives, internet file transfer, etc.). Each User is responsible for taking reasonable precautions to avoid introducing viruses into the County network, including but not limited to:

- Always run the County standard, supported anti-virus software that the County provides.
- NEVER open any files or macros attached to an e-mail from an unknown, suspicious or untrustworthy source. Delete these attachments immediately, then "double delete" them by emptying your Trash.
- If you receive an email with an attachment from someone you know, verify the email and attachment is something you were expecting. If not then contact the sender to verify that the attachment was something they intended to send.
- Delete and never forward spam, chain, and other junk e-mail.
- Never download files from unknown or suspicious sources.
- Avoid USB drive sharing with read/write access unless there is absolutely a business requirement to do so.

Viruses and Laptops/Mobile Device

Viruses can gain back door entry via laptops and mobile devices that are normally outside the network and which may get infected. To eliminate such risks, the following guidelines should be used while using laptops on the County network.

1. Always make sure that you have current antivirus protection on the laptops. County provided laptops should have Bitdefender antivirus software on them. If it is not present, please contact IT.
2. If connected on the county network, the antivirus signature for this software is updated daily. All other county laptop Users should ensure that they periodically, (monthly) connect the laptops to the county's network overnight to get the signature updates.
3. Scan your hard disk periodically for any virus. Once a week is an ideal frequency as this would help the ongoing detection of any virus, or new virus, on your machine.
4. If required, IT will schedule a maintenance window with the department head to turn in their laptop to be scanned and updated.

Non-County laptops or mobile devices are not be connected to the County network. If it is totally unavoidable then the user must use the Guest Wifi Network.

Following these steps while using your laptop or mobile device will help ensure the safety and security of the County's data and network. For questions, please call the IT Department.

7.3 WIFI

Wireless access is available at multiple locations throughout the county. Sharing the Pre Shared Key to other people without authorization is prohibited.

Wireless access at the Justice of the Peace and Precinct Barns are designed for County Employee use only. Wireless access at the Sheriffs Office, Courthouse, and library are defined by two separate SSID's. All devices that need access to the wifi at these locations MUST be registered with the IT.

SSID HowCO is designed for county employees only that need to access the servers with their county owned laptop or tablet.

SSID Court_Public is designed for all other devices owned by County Employees, vendors, and guest that are working on location on behalf of Howard County.

Devices to be used on the HowCo and Court_Public network MUST be registered with IT prior to use.

7.4 Remote Access

Remote access is limited to employees authorized by their department heads and IT.

7.5 IDs & Passwords

Passwords are an important aspect of computer security. They are the front line of protection for User accounts. A poorly chosen password may result in the compromise of Howard County's entire corporate network. The scope of this policy includes all personnel, including third parties, who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any Howard County facility, has access to the Howard County network, or stores any non-public Howard County information. As such, all are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords.

Users are responsible for safeguarding their passwords for access to the computer system. Users are responsible for all transactions made using their passwords. No User may access the computer system using another User's password or account without express permission or portray oneself as another User.

In order to provide appropriate network security, this policy mandates that County IT utilize passwords and periodically require Users to select a new password, one that they have not used before. Although Users have confidential passwords, this should not be construed to mean that the application data is the property right of the User or that network, internet nor that e-mail access is for personal confidential communications or that the password is to protect the employee's privacy. Users are expected to follow these guidelines:

- Passwords shall remain confidential and should not be printed, stored online or given to others.
- Passwords are recommended to be changed every 90 days.
- Passwords shall be at least eight characters long.
- Passwords shall contain characters from at least three of the following four classes: (i) English upper case letters, A, B, (ii) English lower case letters, a, b, (iii) Westernized Arabic numerals, 0,1,2, and (iv) Non-alphanumeric ("special characters") such as punctuation symbols.
- Passwords may not contain your User name or any part of your full name.
- Passwords must not be inserted into e-mail messages or other forms of electronic communication.
- The password shall not be a word found in a dictionary (English or foreign)
- The password shall not be a common usage word such as names of family, pets, friends, co-workers, fantasy characters,
- The password shall not be a computer term, name, command or a site, company, hardware, or software name.
- The password shall not be your birthday or other personal information such as address and phone number.

- The password shall not be a word or number pattern like aaabbb, qwerty, zyxwvuts, 123321, etc.
- The password shall not be any of the above spelled backwards.
- The password shall not be any of the above preceded or followed by a character (e.g., secret!, lsecret).

7.6 Third Party Access

ALL Third-party access, or outside consultants MUST be approved by the IT Director of Howard County, before access is granted.

7.7 Desktop Security

Please follow the guidelines below to avoid security breaches:

- Close sensitive or confidential applications and lock your workstation when you leave your desk.
- Do not leave portable media unattended such as CDs or USB drives.
- Log off or lock your computer when you leave for extended periods.
- Never write your passwords on a sticky note nor try to hide them anywhere in your office.
- Remove printouts from printers before leaving your office.
- Shred sensitive printouts or paper when you are done with them.
- Where appropriate:
 - Use a screen filter to minimize the viewing angle on a computer monitor.
 - Enable a password-protected screen saver. (Must be disabled for technical support.)
 - Clear cache files on computer and memory on devices like printers regularly.

7.8 Backup Policy

All back ups are done by the Microsoft Cloud and there is a 5-year retention policy for all data.

7.9 Computer Data Backup

For all servers in the county's data center in the Courthouse, the following backup policy is administered.

Full Backup: Every day each vital server is backed up. This includes the application files and data files. Individual work stations are not backed up. A Master is performed with incremental

forever. However a new master is created at random intervals for backup cleanup. Backups occur at night so any new data lost between backups can not be recovered.

Retention Policy: Backups are retained for a 30 days duration.

User Data Backup: All users of the County network are allocated a network share drive that will be connected as the I:\ Drive, J:\ Drive or K:\ Drive on your computer under the My Computer option. The IT Department has allocated the network drives to safeguard all electronic property of the county and to allow users to quickly recover from a crashed computer by not having their data located directly on their computer. Users are STRONGLY encouraged to participate in this method of document storage.

7.10 Security Access Removal

Computer System Security: Department heads shall notify IT immediately of when a user is or will be terminated so their computer and email account can be deactivated. Terminated employees email will be archived off the server for 3 years before deletion unless the department head request something different.

Persons no longer employed have no right to the contents of their e-mail messages or data stored in County systems, and should not be allowed access to the internal system.

7.11 Retirement/Destruction

All computers, network equipment, and peripherals replaced will be reviewed to see if it can be recycled for County use or if it must be retired. The recycling of a device is determined on whether it will support the current operating system and run without error.

All computers that are brought into IT will have the hard drive removed and held for a minimum of 90 days. This includes SSD drives, mechanical drives, and M.2 Storage devices. After 90 days if the drive can be reused then it will be formatted and held as a spare. If the drive is an obsolete drive then it will be destroyed.

7.12 Related Laws and Statutes

The State of Texas has established laws relating to computer and electronic security and crimes related thereto. Texas Penal Code Chapter 33 details the definitions, offenses, and penalties for computer crimes committed in the State of Texas. All logged computer transactions are logged

by a user's access credentials, (username / password). Users of the County network are advised to NOT give ANYONE their password or username for security of the county network, and to protect the user. Different users inside departments may have different levels of access to the computer system, and by sharing their password to someone who may not have the same access, a security risk is introduced, and possible violation of criminal / civil law may occur.

Texas Penal Code Chapter 16 relates to the interception of electronic communications including telephone "tapping", interception of electronic mail (e-mail), interception of telephone calls, and disclosure of said information.

8 Weather Emergencies and Protection of Computer Equipment

Upon activation of the Emergency Operations Center (EOC) for weather emergencies the following steps are to be taken by each User to help protect both computer hardware and software.

- All computer equipment should be powered off. This applies to personal computers; workstations, printers and any associated peripheral devices (i.e., scanners, etc.). After powering down the equipment, disconnect the power cables from the receptacles to protect equipment from potential surges from lightning.
- Any equipment located on the floor should be moved to a higher location and away from any windows. All monitors should be turned so that no screens face the direction of any windows.
- Cover all equipment with plastic sheeting/bags and secure with masking tape. The purchasing of plastic bags and/or masking tape is the responsibility of the individual departments.

9 Policy Infraction

County employees who violate this policy may have their access removed and may be subject to disciplinary action up to and possibly including termination. Other legal remedies, including criminal prosecution, may also be pursued if warranted.

It is the policy of Howard County to handle infractions as follows:

1. The violation shall be reported to the User's supervisor or manager.

2. The User's supervisor should approach the violator(s) directly with the findings, ensure the User is aware of the policy, and give them the opportunity to cease and desist; or, depending on the severity, follow disciplinary procedures consistent with the guidelines and policies of "Howard County Personnel Policies and Procedures."

10 Computer Support / Technology Requests

10.1 Help Desk

Information Technology Services offers support for existing County computer systems by calling a local number during business hours, 8:00am-5:00pm, Monday through Friday. For those departments that require 24/7 support, (Sheriff and Emergency Services), cell phone numbers have been provided.

11 Definitions

- Attachments - Files created in other applications (such as Word, Excel).
- E-Mail - An electronically transmitted message, along with any attachments and any information appended by the e-mail system.
- E-Mail System - Computer hardware and software system that allows personal computer users to send, receive and store messages, documents and files with other individuals or groups of people over an internal network or the Internet.
- Employee – Any person who is currently on the Howard County payroll and works in a county office. Any elected or appointed County official. Can be full-time (40 work hours in a week) or part-time (less than 40 hours in a week).
- Encryption - A means of coding messages so they appear to be random characters. Encryption has two benefits. First, it prevents disclosure of sensitive information to unauthorized third parties. Second, encryption allows for "authentication" of the information sent.
- Freeware - programming that is offered at no cost, which is copyrighted so that one can't incorporate IT programming into anything one may be developing.
- Hacking – the unauthorized attempt or entry into any other computer or system.

- Internet – a world wide computer network through which you can send a letter, chat to people electronically or search for information on almost any subject you care to think of. Quite simply it is a "network of computer networks".
- Internet Browser - an application that displays HTML and other information found on the Internet. Netscape Communicator, Internet Explorer, and Mosaic are examples of browsers. This type of client software accesses the World Wide Web and Gopher services and lets you drift from link to link without having to have a purposeful search.
- Internet Service Provider (ISP) - an entity that charges startup and monthly fees to users and provides them with the initial host connection to the rest of the Internet usually via a dialup connection.
- Intrusion Alarm System – An electronic system that is designed to detect unauthorized entry into a building or secure location during a set time period and to report any unauthorized entry to the appropriate authority.
- IT - Information Technology Services Departmental label referring to the employees of Howard County Information Technology and current information technology outsource vendor.
- Panic System - A system installed that is used to immediately report danger or request officer assistance due to an unforeseen or unknown situation. The panic system is created utilizing wireless “pendant” panic buttons that, when activated, cause a pre-recorded message to broadcast over the Howard County Sheriff’s Department main radio channel.
- Public Record – as defined in Texas Open Records Act.
- Public Resource - Includes not only County equipment, hardware, software or tangible articles, but also the employee’s time expended while on duty with the County.
- Risk - Those factors that could affect confidentiality, availability, and integrity of Howard County's key information assets and systems. Howard County is responsible for ensuring the integrity, confidentiality, and availability of critical information and computing assets, while minimizing the impact of security procedures and policies upon business productivity.
- Shareware - software that is distributed free on a "trial basis" with the understanding that the user may need to pay for it later. Some software developers offer a shareware version of their program with a built-in expiration date (after 30 days, the user can no longer get access to the program). Other shareware (sometimes called liteware) is offered with certain capabilities disabled as an enticement to buy the complete version of the program.
- Third Party – Any individual from an outside source (contracted or otherwise) who requires access to our information systems for the purpose of performing work. A third party could consist of, but is not limited to: software vendors, contractors, consultants, business partners, and security companies.
- Trade Secret – as defined by law.
- World Wide Web (WWW) - a hypertext-based distributed information system for linking databases, servers, and pages of information available across the Internet.

RELEVANT PENAL CODE AND OTHER STATUTES

- 1.) Texas Penal Code CHAPTER 33. COMPUTER CRIMES
 - 2.) Texas Penal Code CHAPTER 16. CRIMINAL INSTRUMENTS, INTERCEPTION OF WIRE OR
ORAL COMMUNICATION, AND INSTALLATION OF TRACKING DEVICE
 - 3.) USC – Electronic Communications Privacy Act
 - 4.) Other related State and Federal Law
 - 5.) CJIS Security Policy Manual dated: April 2007 (Version 4.4)
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12 Signature of Agreement

I, _____ have read and agree to abide by the Technology Usage Policy while employed, affiliated with, or doing business with Howard County.

Signature: _____ Date: _____