

# Chapter 10. Travis County Personnel Benefits Guidelines and Procedures Manual for All Travis County Employees<sup>1</sup>

## Contents:

### 10.001 General Provisions 3

#### [Subchapter A.] Conditions of Work 3

- 10.002 Hours of Work 3
- 10.0023 Circumstances Associated with Expression of Breast Milk 4
- 10.003 Exempt/Non-Exempt Status of Positions 4
- 10.004 [Repealed] 5
- 10.005 Solicitation 5
- 10.006 Political Involvement 5
- 10.007 Outside Employment 5
- 10.008 Smoking 6
- 10.009 Personal Property 6
- 10.010 Personnel Records 6
- 10.011 Withholding of Wages 6
- 10.012 Licenses/Certifications 7

#### [Subchapter B.] Employment and Staff Development 7

- 10.013 Purpose 7
- 10.014 Employment 8
- 10.015 Employment of Temporary Employees 8
- 10.0155 Employment of Special Project Employees 9
- 10.016 Nepotism 10
- 10.017 Reduction-In-Force 11
- 10.018 Reemployment 12
- 10.019 Training and Development 14
- 10.0191 Leadership Training-Funding Guidelines 15
- 10.0192 Purpose 15
- 10.0193 Program Criteria 15
- 10.0194 Application Process 16
- 10.0195 Awards 16
- 10.0196 Amount of Allocation 17
- 10.020 Tuition/Fee Reimbursement Program 17
- 10.021 Tuition/Fee Reimbursement Eligibility 17
- 10.022 Tuition/Fee Reimbursement Rates, Funding, Deadlines 19
- 10.023 Literacy Services 20

#### Subchapter C. Reserved for Expansion 21

- 10.024 - 10.034 [Reserved for Expansion] 21

#### [Subchapter D.] Employee Benefits 21

- 10.035 Purpose 21
- 10.036 Vacation Leave 21
- 10.037 Sick Leave 23
- 10.0371 [Catastrophic Sick Leave Pool] General Provisions and Establishment 24
- 10.0372 Definitions for Sections 10.0371 through 10.0379 24
- 10.0373 Coordination with Other Benefits and Policies 25
- 10.0374 Contributions to CSL Pool 26
- 10.0375 Eligibility to Apply for CSL 27
- 10.0376 Employee Procedures for Award of CSL Due to Catastrophic Illness or Injury 27

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<sup>1</sup> Chapter 10 was adopted March 28, 1995, Item 3. Amendments added through April 26, Item 13.

10.0377	Restrictions on Use of CSL and Return of Unused CSL to the CSL Pool 30
10.0378	Procedures for Awarding CSL 30
10.0379	Recordkeeping and Confidentiality 32
10.038	Family Medical Leave 33
10.039	Emergency Leave 41
10.040	Court Leave 42
10.0401	Mentoring Leave 42
10.041	Military Leave 45
10.042	Leave without Pay 48
10.043	Holidays 49
10.044	Personal Holidays 50
10.045	Leave with Pay 51
10.04501	Timesheets and Leave Requests by Certain Employees 51
10.0451	Unpaid Transferred Vacation Leave 52
10.04515	Paid Transferred Vacation Leave 53
10.0452	Vacation Leave Accrual by Transfer Employees 54
10.0453	Unpaid Transferred Sick Leave 54
10.0454	Paid Transferred Sick Leave 55
10.046	[Reserved for Expansion (Benefits)] 56
10.0461	Health, Dental, and Vision Benefits 56
10.047	Flexible Benefits Accounts (FSA) 57
10.048	Deferred Compensation 58
10.049	Enrollment in Benefits 58
10.050	Retirement System 58
10.051	Employee Assistance Program 59
10.052	Unemployment Benefits 59
10.053	[Reserved for Expansion] 59
10.0535	On-site Park Ranger Residence Policy 59
10.054	On-Duty Meals for Sheriff's Staff 64

[Subchapter E.] Workers' Compensation 64

10.055	Purpose 64
10.056	Types of Claims 64
10.057	Submitting Workers' Compensation Forms 65
10.058	Time Off-Lost Time Claims 67
10.059	Filing of Forms for Lost Time Claims 68
10.060	Salary Continuation 68

[Subchapter F.] Travel 69

10.061	Travel Eligibility 69
[10.068 – 10.070	Parking] 70

[Subchapter G.] General interpretative provisions 70

10.071	Authority 70
10.072	Jurisdiction 70
10.073	Effective Date 70
10.074	Construction, Precedents, and Interpretation 70
10.075	Computation of Time 71
10.076	Definitions 71
10.077	Acknowledgment 73

[Subchapter H.] Travis County Job Banding System: Process Methodology for Position Analysis, Position Classification, and Job Evaluation 73

10.078 – 10.087	[Reserved for Expansion] 73
10.0875	Criteria for Approval of Salary above Midpoint at Hire 73
10.088	[Reserved for Expansion] 74

[Subchapter I.] [Reserved for Expansion] 74

**10.001 General Provisions**

- (a) This manual is a general guide for information purposes only and these guidelines do not constitute an employment contract or a guarantee of continued employment. Travis County reserves the right to change any provision of these guidelines unilaterally at any meeting of the Commissioners Court without specific notice of the potential change to the employees.
- (b) No employee, department head, supervisor, official, or representative of Travis County has any authority to change any portion of this manual without the express and specific authorization to do so granted by the Commissioners Court.
- (c) By virtue of executing the acknowledgement statement pertaining to these guidelines, each employee agrees, as a condition of hire and continued employment, to be bound by the above purposes and limitations in the use of these guidelines and to be bound by any changes in the terms or conditions of employment implemented by Travis County.
- (d) No employee is guaranteed, by contract or otherwise, any term or condition of employment, unless it is expressly set forth in an individually negotiated and written employment contract approved by the Commissioners Court and signed by the authorized agent of Travis County. As a condition of employment, each employee acknowledges and agrees that Travis County may make changes in his or her terms of employment, and each employee agrees to be bound by these changes. The only effective objection an employee may make to any such changes is to resign from employment.

***[Subchapter A.] Conditions of Work***

**10.002 Hours of Work**

- (a) An elected official or the Commissioners Court, through the appropriate department head, may establish reasonable work hours, safety regulations, and working conditions necessary to the county's successful discharge of its service and work requirements.
- (b) The county judge or his/her designee has the authority to direct the county workforce not to report to work if emergency situations such as an unsafe work environment or weather conditions compromise the safety of the employees. Regular employees will be granted administrative leave and, therefore, their personal benefits will not be impacted.
- (c) Regular county office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday, with the exception of those departments/offices whose mission requires 24-hour operations or alternate work schedules. However, the commissioners' court encourages elected officials/department heads to implement flex time schedules for their employees where it is feasible and can be done within the operating budget, without impacting service delivery.

Only with written authorization and instructions from the elected official/department head can an employee begin a flexible work schedule.

**10.0023 Circumstances Associated with Expression of Breast Milk<sup>2</sup>**

- (a) In accordance with Texas Government Code, chapter 619, Travis County, Texas, supports the practice of expressing breast milk and shall make reasonable accommodations for the needs of employees who express breast milk.
- (b) Travis County provides a reasonable amount of break time for an employee to express breast milk each time the employee needs to express milk. Employees should notify their supervisor as much in advance as possible of the need to express breast milk.
  - (1) If the employee uses regular break time to express breast milk, the time is paid time.
  - (2) If not, or if additional time is needed, the additional time needed is provided and the employee must use accrued paid leave time, if any; otherwise the time is unpaid.
- (c) Travis County provides a place, other than a bathroom, that is shielded from view and free from intrusion from other employees and the public where an employee can express breast milk. The location is determined on a case-by-case basis. Supervisors are responsible for working with employees to identify and designate an appropriate location.
- (d) If a permanent dedicated place is not available, employees should notify their immediate supervisor (or HR designee) of the need as much in advance as possible. The supervisor (or HR designee) should work with the employee to establish reasonable accommodations for break times and ensure that a place is available that meets the requirements under this section.
- (e) Travis County shall not suspend or terminate the employment of an employee, or otherwise discriminate against an employee because the employee asserted rights under this section.

**10.003 Exempt/Non-Exempt Status of Positions**

All county positions shall be classified by the Human Resources Management Department as either exempt or non-exempt in accordance with the Fair Labor Standards Act and the department of labor regulations and guidelines, based on the duties and responsibilities in the job description.

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<sup>2</sup> Section 10.0023 added 9/1/2015, Item 16.

**10.004 [Repealed]<sup>3</sup>**

**10.005 Solicitation**

- (a) An employee shall not be forced to contribute to any fund or collection. No solicitation or office collection may proceed without the approval of the elected official/department head.

**10.006 Political Involvement**

- (a) Employees are encouraged to vote on Election Day. Elected officials/department heads shall grant a reasonable amount of time off, at full pay, to employees who wish to vote during working hours. However, employees are encouraged to vote during extended voting hours or absentee to avoid taking time away from work duties, if possible.
- (b) Employees are not allowed to perform or be involved in political campaigning or related activities during their working hours, while in county uniform, or while using county property. Employees may be granted leave of absence without pay, if approved by the elected official/department head to pursue elected public office and may be reinstated according to leave of absence policies.
- (c) Employees shall not be required to participate in political campaigns or related activities as a condition to obtain, retain, or advance in employment. Additionally, employees shall not be disciplined, terminated, nor deprived of their employment for refusal to participate in political activities, or for participating in political activities while off duty and out of uniform.

**10.007 Outside Employment**

Employees shall not engage in other business or employment during the hours they are scheduled to work for the county. Employees under the Commissioners Court may be employed at times other than the hours they are working for the county in any capacity in a business, trade, occupation or profession as long as that employment does not interfere with their county duties and does not represent a conflict of interest, as determined by the employee's department head. Employees may notify their elected official/department head of outside employment that represents a potential conflict of interest.

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<sup>3</sup> Section 10.004 was repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.

#### **10.008 Smoking<sup>4</sup>**

Smoking is not allowed in any county-owned or leased vehicles or buildings, including restrooms and hallways. Employees should deposit their materials associated with smoking in appropriate receptacles.

#### **10.009 Personal Property**

Travis County assumes no liability for personal property brought into the workplace. Any employee who brings personal property into the workplace assumes the full risk for it should it be lost, stolen, or damaged.

#### **10.010 Personnel Records**

- (a) The Human Resources Management Department will maintain employee records for each active employee. These records will contain information and forms required by law and anything authorized by the employee. The complete personnel record will be maintained at the employee's office/department. Records will also be maintained in the Human Resources Management Department on former county employees for at least two years after separation. Employee records are available in the Human Resources Management Department to the employee, any individual who has a written release from the employee, the employee's immediate supervisor, and elected official/department head of his/her designee. In response to requests by agencies or individuals outside the county, the Human Resources Management Department and the employee's office/department will release the name, sex, ethnicity, salary, title, and dates of employment for an employee. In addition, home addresses and telephone numbers must be provided unless the employee has requested that public access not be allowed.
- (b) Personnel records maintained within each office/department are subject to the same provisions as those records maintained by the Human Resources Management Department. An employee has the right, at all times to inspect any inclusion made a part of his/her personnel records and may, at any time, submit work history information that will be included into his/her personnel records. No inclusion shall be made without the review and knowledge of the employee.

#### **10.011 Withholding of Wages**

The county auditor has the authority to withhold wages from an employee's paycheck if the employee owes the county for money, goods or services. At the discretion of the county auditor, the employee may be allowed to make arrangements to cover their debt to the county.

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<sup>4</sup> Section 10.008 Firearms or Other Deadly Weapons was relocated to 9.006 on 1/12/2016, Item 15.

**10.012 Licenses/Certifications**

- (a) Employees must obtain and maintain all licenses and certifications that are legally required to do the duties of the position for which they are hired. If a legally required license or certification of an employee is suspended, that employee must report the suspension to their supervisor and department head in writing within one business day after the employee becomes aware of the suspension. Any employee who does not maintain all licenses and certifications that are legally required to do the duties of the position for which he/she was hired is not eligible to be compensated for the period during which the license or certification is suspended, unless the employee has accrued vacation or compensatory time and is prohibited from operating or using any county equipment for which the licenses or certifications are required.
- (b) If the legal requirements for licenses or certifications change after an employee is hired, the employee must fulfill the new requirements before they become effective. Travis County may notify employees of changes in legal requirements applicable to their positions and may assist regular employees to comply with the new requirements. If an employee is not successful in complying with the new requirements, elected officials and department heads may, at their option, terminate that employee or consider that employee for other positions or assign that employee tasks not requiring the license or certification if any are included in the duties of the position for which that employee is hired.
- (c) Elected officials and department heads may, at their option, adopt procedures to assist in uniform application of this condition of employment within their departments. If procedures are adopted, copies should be provided to the Human Resources Management Department and the county attorney.

***[Subchapter B.] Employment and Staff Development***

**10.013 Purpose**

- (a) The county is an equal employment opportunity (EEO) employer. The county shall conduct its employment activities (i.e., Selection, promotion, demotion, transfer, training, and separation). In accordance with federal, state and local EEO laws and regulations that affect the county. There will be no discrimination in selection and advancement based on sex, race, color, religious beliefs, national origin, age, or physical/mental handicap.
- (b) To ensure compliance with the Fair Labor Standards Act and to promote employment opportunities to as many persons as possible, Commissioners Court should be notified by the Human Resources Management Department, through the weekly personnel amendments, when an employee holds more than one temporary or regular position.

#### **10.014 Employment<sup>5</sup>**

- (a) Selection of regular employees should be the responsibility of each elected official or department head. The Human Resources Management Department may provide assistance to department heads and elected officials to promote appropriate hiring and employment procedures being completed for each new employee.
- (b) If the hiring office or department wishes to recruit through a newspaper advertisement or other targeted recruitment methods, the Human Resources Management Department is available to provide assistance. This may include, but not be limited to, professional journals, selected WBE/MBE networks, radio, and cable broadcasts.
- (c) A new job bulletin is produced and printed weekly for distribution each Monday. Positions are posted from Monday through Friday except on occasions when holidays occur.
- (d) The Human Resources Management Department accepts applications for currently advertised positions until the close of business on the deadline date.
- (e) After the deadline, applications are processed, and a list is prepared of the persons applying for each job. The hiring office or department is notified when its applications are ready to be picked up.
- (f) The Human Resources Management Department offers the service of pre-screening applications upon request. An office or department requesting this service should notify the Human Resources Management Department at the time the position is posted.
- (g) The Immigration Reform and Control Act of 1986 requires all new employees to provide proof of identity and eligibility to work in the United States. New employees who have not satisfied the above conditions before or during new employee orientation will not be placed on the county's payroll. It is the duty of the Human Resources Management Department to see that the county complies with this law. This does not apply to county employees who are transferring between county departments or offices without a break in service.
- (h) The final stage of the selection process occurs when new employees sign up for their insurance and other county benefits at a new employee orientation session, which is held weekly. Attendance is required before an employee will be placed on the county payroll.

#### **10.015 Employment of Temporary Employees<sup>6</sup>**

- (a) Temporary employee is defined in section 10.076.

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<sup>5</sup> Section 10.014 was amended on 9/16/1997, Item 7.A

<sup>6</sup> 10.015 was replaced 5/19/2015, Item 16 Revised. Replaced 10.015 became effective 5/19/2015 along with amendments to 10.046, 10.461, 10.0462, 10.047-10.051, and 10.076.

- (b) Temporary employees may be Full-time or Part-time.
- (c) A temporary employee may not continue to work for more than six months, unless approved, in advance, by the Commissioners Court. Temporary employees are not guaranteed continued employment, and may be terminated, without notice, at any time. The Reduction-in-Force Policy, section 10.017, does not apply to temporary employees.
- (d) A temporary employee authorized by Commissioners Court to work longer than six continuous months, is required to contribute into the Texas County and District Retirement System (TCDRS), unless otherwise specified by Commissioners Court. If the temporary employee is normally and regularly expected to work more than six continuous months when hired, both Travis County and the temporary employee are required to contribute to TCDRS from the first day of employment and the department must allocate a sufficient budget for the cost, unless otherwise specified by Commissioners Court.
- (e) Temporary employees must be assigned a classification and pay range. Temporary employees may be paid greater than entry salary of the appropriate range based on completion of a compensation matrix as allowed by the Travis County Code.
- (f) Benefits for Temporary employees are described in section 10.046 through 10.052.

**10.0155 Employment of Special Project Employees<sup>7</sup>**

- (a) "Special Project" means an initiative or one-time effort with specific goals, defined tasks, completion criteria, and timelines that is approved as a "Special Project" by the Commissioners Court. This initiative includes the development of programs or processes to meet County business needs like the conversion of an information technology system but does not include the continuing support of an on-going County activity.
- (b) "Special Project regular employee" means an employee hired for any position that is designated as a Special Project position by the Commissioners Court approval, and may be either full-time, or part-time.
- (c) The Commissioners Court may designate certain full-time positions as Special Project Positions. The Commissioners Court considers the following criteria in designating positions as Special Project positions:
  - (1) Whether the duration of the following is expected to last more than 6 months and less than 2 years
    - (A) The Special Project as a whole and
    - (B) The need for the position to perform duties related to the completion of a Special Project

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<sup>7</sup> 10.0155 added 4/23/2002, Item 13.A.

- (2) Whether the position accommodates a temporary increase in workload or a planned initiative, rather than providing continuing support of an on-going County activity
  - (3) Whether the initiative has specific goals, defined tasks, completion criteria, and timelines
- (d) A department or office responsible for completion of an initiative that qualifies as a Special Project may request that the initiative be designated as a Special Project and that the employees needed to complete the initiative be designated as Special Project employees during the annual budget process or in extenuating circumstances at any voting session of the Commissioners Court. The request should include the following information:
- (1) A description of the initiative which defines its goals, objectives, and tasks
  - (2) A statement of the expected duration of the project
  - (3) The number of employees needed and the skills level required for each employee
  - (4) The fiscal impact of the initiative and
  - (5) Any other relevant information necessary for the Commissioners Court to make its decision.
- (e) The Commissioners Court review and fund new and continuing Special Project requests annually. The Commissioners Court may approve Special Project Positions for a specified limited duration for temporary projects expected to last from six months to two years. The employees in these positions are regular employees eligible for the following benefits: retirement; deferred compensation; group health, dental, life and disability insurance; leave accruals for vacation, sick, and personal holidays; and Employee Assistance Program (EAP). Special Project regular employees have no guarantee of continued employment and may be terminated, without notice, at any time prior to the project ending date. The County's Reduction-in-Force Policy, 10.017, does not apply to Special Project regular employees.

**10.016 Nepotism**

- (a) The members of the Commissioners Court and other elected officials are prohibited by Texas law from appointing, voting on or confirming the appointment to any office, position, clerkship, employment or duty of any person related to that official within the second degree of affinity or the third degree of consanguinity unless that person was continuously in the position for at least one year before the election of the related member of the Commissioners Court or the elected official.
- (b) Relationships by affinity are those created by marriage. Relationships of consanguinity are "blood kin." The number of degrees of affinity or

consanguinity are determined by the number of "begots" between the 2 persons involved. In order to determine this, it is necessary to find the nearest common ancestor shared by the officer and the person to be hired and count the begots. For example, a man is related to his nephew in the third degree of consanguinity because his father begot him, his father begot his brother, and his brother begot his nephew. Three begots, therefore, three degrees. The wife of this man is related to his blood relatives by marriage and the degree of the relationship is determined in the same way that the husband's relationship to them is determined. Therefore, the man's wife is related to his nephew in the third degree of affinity. The man would have a problem with nepotism because he is within the third degree of consanguinity. His wife would not have a problem with nepotism because her relationship to the nephew is not within the second degree of affinity.

**10.017 Reduction-In-Force<sup>8</sup>**

- (a) It is the intent and desire of the Commissioners Court to invoke this guideline only when there is a need to reduce staff due to budgetary requirements and to promote governmental efficiency.
- (b) It is also the intent of the Commissioners Court to attempt to place those affected employees into positions for which they are qualified in the same or other County departments as determined by the Elected/Appointed Official.
- (c) Reduction-in-Force (RIF) is a reduction in the number of positions allocated to a department because of reduction in budget or workload. This includes the reduction or termination of grant funding. The Director of the Human Resources Management Department will provide notice to the Commissioners Court 120 days prior to the expiration of grant funds.
- (d) An official written notice of a RIF should be transmitted from the Commissioners Court to employees affected by a RIF at least 90 days prior to effective date of separation. The RIF notice should include the effective date of separation. If a position is vacant at the time the Commissioners Court anticipates or decides to eliminate it, then the RIF notice shall be sent to the Elected/Appointed Official or Executive Manager responsible for that position. Such notice shall be effective against any employee subsequently placed in the empty position as if the notice had been given to the employee personally on the date it was received by the Elected/Appointed Official. Failure to provide notice at least 90 days prior to the effective date of separation shall not affect the effective date of separation.
- (e) The County will award a minimum of 90 days of combined employee benefits, salaries, and outplacement assistance, such as job counseling and resume development (to employees released through a RIF) for each position which

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<sup>8</sup> 10.017 was amended 6/27/1995, Item 3.

is eliminated as a result of a RIF. The 90 days of benefits shall begin on the date of receipt of the notice that the position is being eliminated. The benefits attach to the position, not to the employee. Therefore, if a new employee is placed in a position after the date on which the RIF benefits have begun, such new employee shall be entitled to such benefits only for the portion of the 90 day period allocated to that position. If an employee leaves a position for any reason after the date on which the RIF benefits have begun, the right of the employee to receive such benefits shall cease on the date of their departure.

- (f) When a RIF employee is placed in another County position, the following are the guidelines:
  - (1) Placement at the same classification level will result in no salary change for the employee.
  - (2) Placement at a higher classification level will result in a promotional increase as indicated by the current promotional procedure.
  - (3) Placement at a lower classification level may result in a salary decrease [the same as the demotion procedure found in 10.030 (c) (1) and (2)]. However, an analysis of the employee's qualifications (see 10.027 (b) (1) to (4) will be made in an effort to maintain the income level of the affected employee. The salary of the employee should be in line with other incumbents within the department functioning in the same classification.<sup>9</sup>
- (g) Under no circumstances can a position exceed the maximum rate of pay for its classification without approval by the Commissioners Court.
- (h) An employee affected by a reduction-in-force whose position is reinstated by the Commissioners Court within six months from the effective date of separation, shall be afforded the opportunity to be reinstated with no loss of benefits, and at their old rate of pay.

**10.018 Reemployment<sup>10</sup>**

- (a) Purpose. The purpose of this policy is to identify the eligibility for reemployment with the County and for receipt of benefits after reemployment.
- (b) Definitions. In this policy:
  - (1) Regular employee: An employee, hired by the County for whom there is no termination date specified at the time of employment or whose specified termination date has passed, who is eligible for employee benefits, and who usually works more than 19 hours per week.
  - (2) Former regular employee: A person who was previously employed by the County or any of the elected or appointed officials in Travis County.

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<sup>9</sup> See Chapter 14 Classification & Cash Compensation adopted 9/15/2015, Item 14.

<sup>10</sup> Section 10.018 was replaced 3/7/2006, item 6.

- (3) Retiree: A former regular employee of the County who is receiving an annuity from the Texas County and District Retirement System based on service to County.
  - (4) Reemployment: Rehiring of a former regular employee, who resigned, was terminated or was laid off due to a reduction in force (RIF) and the rehiring of a retiree.
- (c) Policy
- (1) This policy applies to both a former employee and a retiree who seeks reemployment with County as a regular employee.
  - (2) County requires a regular employee to participate in TCDRS. A former regular employee who is reemployed must continue his or her membership with TCDRS and must contribute to that system as legally required. A retiree who is reemployed and continues to receive an annuity from TCDRS must establish a new membership with TCDRS and must contribute to that system as legally required, based on reemployment status.
- (d) Process and Procedure
- (1) A regular employee who is planning to retire must complete the Travis County Retiree Declaration and Authorization form at the time of submitting a letter of retirement.
  - (2) In addition, a regular employee who is planning to retire may not seek, make, or have an agreement, promise or have an understanding about being reemployed after retirement, or be given a preferential status related to being reemployed with any elected or appointed official, employee or representative of the County.
  - (3) A retiree who applies for reemployment with the County must have a break in service of at least ninety (90) days, between the last date on which salary or benefits are paid to that retiree through the payroll system and the date of submitting an application or being considered for reemployment or being offered a position as a regular or temporary employee.
  - (4) Neither a former employee nor a retiree is guaranteed reemployment with the County. All applicants, including former employees and retirees, shall receive equal employment opportunity for each position.
  - (5) To be considered for a position, a former employee or retiree must comply with the County employment application process and submit information required of applicants who are not former employees or retirees. A former employee or retiree is not eligible to apply for positions only open to current employees.
- (e) Determining Pay. When a former employee or retiree is reemployed, the employee's salary is determined in accordance with the County's policy for

determining pay without considering the amount that he/she was paid while previously employed by County.

(f) Employee Benefits

- (1) A former employee, who is reemployed, is eligible for the same benefits on the same terms as any other new regular employee who was not previously employed by the County. A former regular employee who is reemployed, is not entitled to a reinstatement of any accrued leave benefits that were not paid at separation or increase in the accrual amount of any leave benefit resulting from longevity that existed when the former employee separated from the previous employment with the County. For example, no service credit for accrual of vacation and calculation of longevity applies unless one of the exceptions in the Reduction in Force policy (RIF) applies.
- (2) A retiree, who is reemployed, is eligible for the same benefits on the same terms as any other new regular employee who was not previously employed by County except that a retiree who is participating in a retiree insurance benefit program is eligible to continue the health benefits in which the retiree is participating as an employee benefit without a waiting period if the retiree is reemployed in a regular position that has these associated benefits.
- (3) A retiree, who is reemployed, is not entitled to a reinstatement of any accrued leave benefits that were not paid at retirement or increase in the accrual amount of any leave benefit resulting from longevity that existed when the former regular employee retired from the previous employment with the County. For example, no service credit for accrual of vacation and calculation of longevity applies unless one of the exceptions in the Reduction in Force policy (RIF) applies.
- (4) A retiree who is reemployed, as a regular employee in a position that has health associated benefits is eligible for retiree health insurance upon separation from the position. Retiree benefits are described in the county retirement policy.

**10.019 Training and Development**

To meet employee and county needs, it is the intent of the county to provide training and development opportunities to encourage high-quality performance, to prepare employees for new or increased responsibilities, and to provide opportunities for individual growth, promotion, development, and self-fulfillment, to the extent possible.

## **10.0191 Leadership Training-Funding Guidelines<sup>11</sup>**

### **10.0192 Purpose<sup>12</sup>**

The purpose of this policy is to benefit Travis County and the community by providing an opportunity for county employees to participate in leadership training as funds are available and to provide written guidelines for consideration in awarding of those funds. This program is separate from the Tuition Refund Program and will not overlap.

### **10.0193 Program Criteria<sup>13</sup>**

- (a) Eligibility
  - (1) All Travis County employees are eligible to apply for financial assistance to attend a leadership-training program.
  - (2) Any department or group of employees may also apply for financial assistance to sponsor an in-service leadership program.
- (b) Program Content. The program should offer training and skills to the participant, which would result in direct benefit to Travis County by providing the following:
  - (1) Training or improving the leadership skills and abilities of the participant.
  - (2) Networking opportunities with other community leaders on community issues.
  - (3) A curriculum, which includes issues such as
    - (A) community projects,
    - (B) diversity,
    - (C) public service,
    - (D) employee development,
    - (E) organizational development,
    - (F) leadership skills, and
    - (G) empowerment; and
  - (4) the opportunity for applicants to learn about broad-based community issues that affect Travis County citizens and to interact with individuals in the public and private sectors.

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<sup>11</sup> Section 10.0191 added February 7, 2012, item #8.

<sup>12</sup> Section 10.0192 added February 7, 2012, item #8.

<sup>13</sup> Section 10.0193 added February 7, 2012, item #8.

**10.0194 Application Process<sup>14</sup>**

- (a) The employees or department shall submit a Memorandum of Request to the Human Resources Management Department (HRMD) which includes:
  - (1) employee's name and department.
  - (2) name of the program.
  - (3) program curriculum.
  - (4) total costs of the requested program,
  - (5) comprehensive explanation of the benefits his or her attendance would have for Travis County.
  - (6) supervisor and elected or appointed official's Statement of Support, and
  - (7) supervisor's approval if requested attendance is during regular work hours.
- (b) All applicants are encouraged to pursue program scholarships and/or departmental training funds prior to submitting an application and to provide evidence of that attempt with the application.
- (c) All applications should be pre-approved prior to beginning a program. Failure to get pre-approval could negatively impact the funding decision.

**10.0195 Awards<sup>15</sup>**

- (a) Final awards will be made by Commissioners Court, and sole discretion remains with the Travis County Commissioners Court.
- (b) Disbursement of Funds
  - (1) Awards will be paid directly to the organization sponsoring the program unless the employee has paid the fees and is seeking reimbursement. All requests for reimbursement must include necessary documentation of payment and be submitted within 30 days after payment was made to the organization.
  - (2) All employees are required to complete their program. Employees who fail to complete programs for which they have received awards will be required to reimburse the county unless there are major compelling reasons for non-completion, as determined by the Travis County Commissioners Court.

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<sup>14</sup> Section 10.0194 added February 7, 2012, item #8.

<sup>15</sup> Section 10.0195 added February 7, 2012, item #8.

#### **10.0196 Amount of Allocation<sup>16</sup>**

Each employee who applies for an award under this policy will be eligible to receive an award that will cover 80 percent of tuition and fees up to \$800 per employee, per fiscal year.

#### **10.020 Tuition/Fee Reimbursement Program<sup>17</sup>**

- (a) Purpose. The purpose of the tuition refund program is to improve public services through the enhancement of employee skills, and retain qualified and highly motivated personnel through the extension of an additional benefit.
- (b) Program Administration
  - (1) Employee Responsibility. The employee seeking reimbursement through the Tuition Reimbursement Program is responsible to contact the Human Resources Management Department to determine employee, school, course, and expense eligibility before enrolling in any class for which the employee will seek reimbursement, and in any case, before the first day of class for the course. The employee is also responsible for procedural compliance with the Tuition Reimbursement Program once enrolled, including submitting course descriptions, receipts, and grade reports before each semester's deadline.
  - (2) Management Responsibility. Supervisors and Managers are responsible to ensure that the employees who report to them are aware of the Tuition Reimbursement Program. Supervisors and Managers are also responsible to direct employees who express an interest in the Tuition Reimbursement Program to the Human Resources Management Department.
  - (3) Human Resources Management Department Responsibility. The Director of HRMD or his/her designee is responsible to administer the program including assisting employees, determining whether eligibility requirements are met, processing reimbursements, submitting agenda items for the Court's consideration, and submitting approved reimbursement requests to the Treasurer's Office.

#### **10.021 Tuition/Fee Reimbursement Eligibility<sup>18</sup>**

- (a) Employee Eligibility
  - (1) To be eligible for reimbursement under this program, an employee must be a regular, full-time employee:

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<sup>16</sup> Section 10.0196 added February 7, 2012, item #8.

<sup>17</sup> Section 10.020 was amended February 28, 2012, Item 5.

<sup>18</sup> Section 10.021 was amended 2/28/2012, Item 5.

- (A) who has been employed with Travis County continuously for at least six months prior to the start of the semester in which classes are taken and reimbursement is requested, and
  - (B) who remains continuously employed with Travis County through the completion of any class for which reimbursement is requested, and
  - (C) who remains continuously employed with Travis County for at least six months after the completion of any class for which reimbursement is requested.
- (2) Temporary and Part-Time employees are not eligible for tuition reimbursement. Elected and Appointed Officials are not eligible for tuition reimbursement.
- (b) **School Eligibility.** To be eligible for reimbursement, the course(s) must be taken from an accredited college, university, or technical school that is located within the United States. Accreditation will be verified by the Human Resources Management Department.
- (c) **Course Eligibility**
  - (1) **Undergraduate Classes.** To be eligible for reimbursement, course(s) must be directly related to the employee's current position and duties or related to the duties of a position within the County that the employee may reasonably hope to advance.
  - (2) **Graduate Classes.** To be eligible for reimbursement, courses must be directly related to the employee's current position and duties or related to the duties of a position within the County that the employee may reasonably hope to advance.
  - (3) **Continuing Education Courses and Developmental Courses.** Continuing Education Courses and Developmental Courses are not eligible for the Tuition Reimbursement Program.
- (d) **Expense Eligibility**
  - (1) Tuition and required fees that are waived by the school or reimbursed or paid for by another party (i.e. company, organization, scholarship, etc.) are not eligible for the Travis County Reimbursement Program.
  - (2) Fees that could have been avoided or are not necessary to enroll in the course (i.e. late fees, parking fees, graduation fees, etc.) are not eligible for the Tuition Reimbursement Program.

**10.022 Tuition/Fee Reimbursement Rates, Funding, Deadlines<sup>19</sup>**

- (a) Reimbursement Rates. Reimbursement will be paid at the following rates, up to the employee's yearly reimbursement cap.
- (1) Tuition for graded courses:
    - (A) Completed with a grade of C- or better (70-100): 80% reimbursement
    - (B) Completed with a grade of D+ or below (0-69), incomplete: 0% Reimbursement
  - (2) Tuition for pass/fail courses:
    - (A) Completed and passed: 80% reimbursement
    - (B) Completed and failed, incomplete: 0% reimbursement
  - (3) Required Fees for graded courses:
    - (A) Completed with a grade of C- or better (70-100): 80% reimbursement
    - (B) Completed with a grade of D+ or below (0-69), incomplete: 0% reimbursement
  - (4) Required Fees for pass/fail courses:
    - (A) Completed and passed: 80% reimbursement
    - (B) Completed and failed, incomplete: 0% reimbursement
- (b) Reimbursement Cap. Undergraduate and Graduate classes: Eligible employees may receive up to \$2000 per fiscal year in reimbursement under this program from Travis County; reimbursement in any given semester may not exceed \$1000.
- (c) Funding. The Tuition Reimbursement Program budget is funded through the budget process and approved by the Commissioners Court each year. Reimbursements are considered by the Commissioners Court three times per year:
- (1) Courses completed in the Spring Semester (January through May) will be considered for reimbursement in November of that year;
  - (2) Courses completed in the Summer Semester (June through August) will be considered for reimbursement in February of the next calendar year; and
  - (3) Courses completed in the Fall Semester (September through December) will be considered for reimbursement in June of the next calendar year.
- (d) Deadlines

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<sup>19</sup> Section 10.022 was amended 2/28/2012, Item 5.

- (1) A Tuition Reimbursement Program Application must be received in the Human Resources Office before the first day of class
  - (2) Itemized receipts for Tuition and Fees and official grade reports must be received in the Human Resources Office by June 15th for courses completed in the Spring Semester, September 15th for courses completed in the Summer Semester, and January 15th for courses completed in the Fall Semester.
  - (3) Reimbursement must be requested in the fiscal year in which the course is completed.
- (e) Taxation
- (1) Employees should be aware that some reimbursements under the Tuition Reimbursement Program may be considered taxable income to the employee based on the tax code in effect at the time of reimbursement.
  - (2) If the County is able to determine that a reimbursement(s) is taxable income to the employee based on information provided by the employee, it will be included in the employee's income as reported on the W2 for the year in which the reimbursement is received. The employee is responsible for the payment of income and payroll taxes for any course reimbursements which are determined to be taxable income.
  - (3) If, from the information provided to the County, a reimbursement does not appear to be taxable income to the employee but it is later determined to be taxable income, the employee is responsible for reporting the income as well as the payment of income and payroll taxes for any course reimbursements which are determined to be taxable income under the federal tax laws in effect at the time of reimbursement.

**10.023 Literacy Services**

- (a) Travis County offers all regular employees the opportunity to receive literacy services, free of charge, offered through Travis County adult literacy council.
- (b) Travis County and affected employees will benefit from having this tutoring available. Travis County employees will gain self-sufficiency; will be able to become more promotable and productive employees.
- (c) The Travis County human resources department will make employees aware of the program.
- (d) To encourage participation, two (2) paid hours off from the work-site per pay period is allowed for tutoring time. The time off will be coordinated confidentially with the department heads. The affected department head will have final authority in awarding the two hours. If operational needs do not

allow the employee time off, department heads are encouraged to use flexible scheduling to make the literacy support more accessible to employees.

- (e) The adult literacy council will evaluate and determine the appropriate method based on client's needs. This program is set-up as a one to one tutoring method to help the students move at his/her own pace toward the students own learning goals.
- (f) Travis County will provide the materials necessary at no expense to the employee (approximately \$30 per student).
- (g) The literacy council will provide the county with confidential statistical information on utilization of the program.
- (h) The county will also promote the program to help gain volunteers through the volunteer center, Supervision and Corrections Department (Community Service Resolution Program), and other county employee volunteers.

***Subchapter C. Reserved for Expansion<sup>20</sup>***

**10.024 - 10.034 [Reserved for Expansion]**

***[Subchapter D.] Employee Benefits***

**10.035 Purpose<sup>21</sup>**

It is the intent of the county to provide all regular employees with a competitive benefit package. The Commissioners Court determines the level of benefits that will be provided based on the financial resources of the County. Employee benefits are subject to change at any time by order of Commissioners Court through the budgetary process.

**10.036 Vacation Leave<sup>22</sup>**

- (a) Purpose. Travis County recognizes that employees need to have time away from work for a variety of purposes including rest, relaxation, and attending to personal business that must be conducted during normal business hours. The County has established this vacation leave policy to allow employees the flexibility of scheduling time away from work, while still meeting the needs of the County.
- (b) Accrual

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<sup>20</sup> Subchapter C, sections 10.024 through 10.034, was repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.

<sup>21</sup> Section 10.035 was amended 7/5/11, Item 20.

<sup>22</sup> Section 10.036 was amended 6/26/2012, Item 11.

- (1) The employee's vacation leave accrual rate is based on years of continuous service with the County. Regular, full-time employees accrue vacation leave at the following rates:
 

0-5 years	4.0 hours per pay period
6-10 years	4.5 hours per pay period
11-15 years	5.0 hours per pay period
16-20 years	5.5 hours per pay period
21+ years	6.0 hours per pay period.
- (2) Regular, part-time employees accrue vacation leave on a pro-rated basis. The rate is based on the rate for that employee's number of years of service multiplied by the number of hours in that employee's regularly assigned weekly work schedule and divided by 40.
- (3) Each pay period's accrual is available for use on the subsequent pay period or thereafter, subject to the maximums in this policy

(c) Maximums

- (1) Law Enforcement Positions include any rank of corrections officers, deputy sheriffs, park rangers, deputy constables, investigators, and detectives, but do not include administrative positions within the offices employing these positions.
- (2) Regular employees who are not in Law Enforcement Positions may accrue up to 240 hours of vacation leave.
- (3) Employees in Law Enforcement Positions have no limit on the amount of vacation leave they may accrue.
- (4) Employees who transfer out of a Law Enforcement Position may keep a vacation leave accrual that is higher than 240 hours; however, the employee does not accrue additional vacation leave until their unused accrued vacation leave is under 240 hours.

(d) Usage

- (1) Employees must request and obtain approval from their supervisors before using vacation leave. Vacation leave is granted to the employee at the discretion of the Elected Official, County Executive, Department Head, or designee, who gives due consideration to the needs of the department and the ability of the remaining staff to perform the necessary work of the County.
- (2) Vacation leave may not be used in increments less than one-hundredths of an hour.

- (e) Pay Upon Separation Upon separation from the County, the employee is compensated for up to 160 hours of unused accrued vacation leave at his/her final rate of base pay.

**10.037 Sick Leave<sup>23</sup>**

- (a) Purpose. Travis County recognizes that employees need to have time away from work when they are ill, need to seek medical attention, or need to provide care for a family member who is ill or needs assistance in getting medical attention. The County has established this sick leave policy to allow employees the flexibility to attend to these needs, while still meeting the needs of the County.
- (b) Accrual
  - (1) Regular, full-time employees accrue 4 hours of sick leave per pay period.
  - (2) Regular, part-time employees accrue sick leave on a pro-rated basis. The rate is based on 4 hours multiplied by the number of hours in that employee's regularly assigned weekly work schedule and divided by 40.
  - (3) Each pay period's accrual is available for use on the subsequent pay period or thereafter.
- (c) Maximums. There is no limit on the amount of sick leave that an employee may accrue.
- (d) Usage
  - (1) The Elected Official, County Executive, Department Head, or designee should authorize the use of sick leave when an employee is unable to perform work due to the employee's illness, injury, medical appointments, other medical issues, or when the employee needs to assist the employee's immediate family with any of these medical issues.
  - (2) An employee must obtain approval from his/her immediate supervisor prior to attending non-emergency medical appointments that are scheduled during the employee's normal working hours.
  - (3) An employee must follow his/her department's notification procedures when the employee cannot report to work as scheduled due to unexpected medical issues.
  - (4) Sick leave may not be used in increments less than one-hundredths of an hour.
- (e) Pay Upon Separation. Upon separation from the County, the employee is compensated for unused sick leave accrual. Compensation for unused sick leave accrual is the lesser of:
  - (1) One half of the unused accrued sick leave at the employee's final rate of base pay.

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<sup>23</sup> Section 10.037 was amended 6/26/2012, Item 11.

- (2) 240 hours of the employee's final rate of base pay.

**10.0371 [Catastrophic Sick Leave Pool] General Provisions and Establishment<sup>24</sup>**

(a) General Provisions

- (1) Effective Date. Sections 10.0371 through 10.0379 are effective upon adoption by the Commissioners Court.
- (2) Construction. Sections 10.0371 through 10.0379 shall be construed liberally to accomplish their purpose.
- (3) Severability. If any provision of sections 10.0371 through 10.0379 or the application of them to any person or circumstances is held invalid, the validity of the remainder of sections 10.0371 through 10.0379 and the application of them to other persons and circumstances shall not be affected.

(b) Authority. Sections 10.0371 through 10.0379 are adopted by the Commissioners Court acting in its capacity as the governing body of Travis County under the authority granted to it under Texas Local Government Code Annotated sections 157.071-157.075 (2014).

(c) Purpose. The purpose of these sections are to create a catastrophic sick leave pool (CSL Pool) to allow Full-time Employees to voluntarily contribute Accrued Leave into the CSL Pool so that they may apply for and receive leave from the CSL Pool after exhausting all accrued paid leave because of their own catastrophic injury or illness or that of an immediate family member. (See Immediate family member definition 10.076 (a)(7).)

(d) Designation of Administrator. The Administrator of the CSL Pool is the Director of the Human Resources Management Department.

**10.0372 Definitions for Sections 10.0371 through 10.0379<sup>25</sup>**

In sections 10.0371 through 10.0379, the following terms have the meaning adjacent to them:

- (1) Accrued Leave. Either accrued sick leave or accrued vacation leave earned by the employee.
- (2) Catastrophic Illness or Injury. A catastrophic illness or injury is a serious debilitating illness, injury, impairment, or physical or mental condition that is:
  - (A) present for a minimum of seven consecutive calendar days, and
  - (B) involves:

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<sup>24</sup>Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

<sup>25</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

- (i) A period of illness or injury or treatment connected with inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential medical care facility; or
  - (ii) A period of illness or injury requiring absence from work of seven or more consecutive work days, and that also involves continuing treatment by (or under the supervision of) a licensed health care provider; or
  - (iii) A period of illness or injury that is long-term due to a condition for which treatment may be ineffective (e.g., stroke, terminal disease, etc.); or
  - (iv) An absence of at least seven consecutive work days to receive multiple treatments (including any period of recovery there from) either for restorative surgery after an accident or other injury, or for a chronic condition, e.g., cancer or kidney disease.
- (3) CSL. Leave from the Catastrophic Sick Leave Pool that may be transferred to the credit of an employee.
  - (4) CSL Pool. The catastrophic sick leave pool which is funded by contributions of Accrued Leave made by employees, which is maintained as the number of hours of Accrued Leave contributed, and from which awards of CSL being made to employees who qualify are deducted.
  - (5) Health Care Provider. A licensed professional who is legally certified to carry out the process of providing health treatment to patients. Includes physicians, podiatrists, dentists, clinical psychologists, optometrists, and chiropractors authorized to practice in the State and performing within the scope of their practice as defined under State law. This includes nurse practitioners, Christian Science Practitioners and any health care provider that is recognized by the employer or accepted by the group health plan (or equivalent plan) of the employer.
  - (6) Full-time Employee. A, person hired by the County without limitation as to duration of employment, who is eligible for employee benefits, and who has physically worked for an average of 40 hours per week for the 12 months before the date of contribution.

**10.0373 Coordination with Other Benefits and Policies<sup>26</sup>**

- (a) Family Medical Leave. All eligible events that qualify for Family and Medical Leave (FML) may not qualify as a Catastrophic Illness or Injury; however a Catastrophic Illness or Injury may qualify as FML. If the employee is eligible for Family and Medical Leave, all days away from work as a result of

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<sup>26</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

Catastrophic Illnesses or Injuries must be counted against the employee's Family and Medical Leave entitlement. (See Family Medical Leave 10.038.)

- (b) Workers' Compensation. Employees who have applied for or are eligible to receive Workers' Compensation benefits may not use CSL.
- (c) Short and Long Term Disability. Hours from the CSL Pool will be considered in the same way an employee's use of accrued sick leave hours are considered in determining eligibility for employees who are participating in the short and/or long term disability benefits.
- (d) Grievance Policy. Denial of CSL is not grounds for filing a grievance. CSL is not a right and is awarded based on availability of CSL in the CSL Pool and the eligibility of the employee as determined by the Administrator.

**10.0374 Contributions to CSL Pool<sup>27</sup>**

- (a) Effective Date of Contributions. Contributions made during open enrollment are effective and transferred out of the employee's Accrued Leave balances on October 1<sup>st</sup> of each fiscal year. Contributions made when the person is ceasing to be a county employee for any reason are effective on the day prior to the employee's termination date. The balances are transferred as part of the employee's termination pay process.
- (b) Contributor Eligibility. To be eligible to make any contribution, an employee must have been employed full-time by Travis County for at least twelve consecutive months before the contribution is effective. To contribute Accrued Leave to the CSL Pool, a Full-time Employee must have a minimum balance of at least a total of 40 hours of accrued sick and vacation leave after the contribution has been made to the CSL Pool.
- (c) Requirements for Contributions. Contributions to the CSL Pool:
  - (1) must be voluntary,
  - (2) must be in 8 hour increments,
  - (3) must not total more than 40 hours of Accrued Leave in any fiscal year unless the employee is ceasing to be a county employee and in that case must not total more than an additional 80 hours of Accrued Leave,
  - (4) cannot be contributed for a particular person,
  - (5) are permanent and cannot be reversed after they are contributed, and
  - (6) must be made during open enrollment or when ceasing to be a county employee in the manner prescribed by HRMD.

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<sup>27</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

- (d) Notification to Contributors. To ensure voluntariness of contributions, the Administrator must notify any employee who asks to contribute that the contribution must be voluntary and ensure that the employee is voluntarily making the contribution.
- (e) Administration of Contributions
  - (1) The Administrator receives CSL Pool contributions, reviews them for accuracy and completeness and verifies that the employee is eligible to make a contribution.
  - (2) If the employee is not eligible to contribute to the CSL Pool, the Administrator sends a notice to an employee who is not eligible to make the proposed contribution with an explanation of the eligibility criterion of the CSL Pool and the reason the proposed contribution does not meet the criterion.
  - (3) If the employee is eligible to contribute, the Administrator processes the CSL Pool contribution.
  - (4) The Administrator processes CSL Pool contributions that are received during open enrollment. The Administrator processes CSL Pool contributions for terminated employees that may be submitted directly to the Administrator or through the departmental liaison during the year and enters by the end of the pay period in which they are submitted.
  - (5) The Administrator enters the contributions into the payroll records of each employee who contributed Accrued Leave by deducting from the employee's appropriate Accrued Leave and noting the employee's CSL Pool contribution effective date in accordance with 10.0374(a).
  - (6) The Administrator increases the balance in the CSL Pool by the number of hours in each transfer to the CSL Pool as noted on the CSL Pool contribution submitted by the employee to the Administrator.

**10.0375 Eligibility to Apply for CSL<sup>28</sup>**

Full-time Employees may apply for CSL if they have contributed at least 8 hours of Accrued Leave to the CSL Pool for eligibility in the fiscal year for which they are applying for benefits and they have exhausted all of their Accrued Leave because of a catastrophic injury or illness.

**10.0376 Employee Procedures for Award of CSL Due to Catastrophic Illness or Injury<sup>29</sup>**

- (a) Effective Date of Award of CSL. Awards of CSL are not effective until the employee receiving the award has exhausted all accrued paid leave and compensatory time to which the employee would otherwise be entitled.

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<sup>28</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

<sup>29</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

- (b) Request
- (1) To apply for CSL, an employee must:
    - (A) be a regular Full-time Employee who has contributed at least 8 hours to the CSL Pool during open enrollment for the fiscal year in which they are applying to receive benefits;
    - (B) have exhausted all or will exhaust all accrued paid leave to which the employee would otherwise be entitled as a result of a Catastrophic Illness or Injury as defined in this policy and have exhausted all compensatory time to which the employee would otherwise be entitled;
    - (C) complete an Application for CSL which states the number of days requested and submit it to the Administrator at least 10 working days before the first day on which CSL awarded will be needed to ensure continuation of pay if the need can be anticipated, or in the case of an unanticipated emergency need, as soon as practical;
    - (D) provide a certification from a Health Care Provider that the employee or immediate family member as defined in section 10.076(a)(7) has or had an illness or injury that is catastrophic as defined in section 10.0372(2) and a statement of the diagnosis, prognosis and anticipated recovery time for the illness or injury;
    - (E) provide a signed release of medical information to each Health Care Provider involved in the care of the employee or the person for whose care the County policy allows the employee to use sick leave who has medical documentation supporting the existence of a Catastrophic Illness or Injury that caused the employee to exhaust all Accrued Leave so that the Administrator can obtain additional information from them, if needed; and
    - (F) if the initial medical record information supplied is not adequate, the employee must provide further sufficiently detailed medical record information and additional releases of medical information to the Administrator, if requested.
  - (2) Failure to comply with a request for additional medical information may result in delay or denial of the application.
  - (3) Employees participating in the CSL Pool may apply for an award of CSL each time that all Accrued Leave is exhausted or will be exhausted because of a Catastrophic Illness or Injury.
- (c) Proxy Requests for CSL. If an Employee who is participating in the CSL Pool has suffered a Catastrophic Illness or Injury and is not able to complete an application for CSL or provide the certification from a Health Care Provider

due to the effects of that illness or injury, the following persons may complete the application, certification and release requirements for the employee:

- (1) any person who is legally qualified to authorize a release of medical information on behalf of the employee, or
- (2) any person whom the employee has designated to complete these requirements, or
- (3) the employee's supervisor may initiate the application and seek the cooperation of any person who is legally qualified to provide the certification and to authorize the releases required.

(d) Award

- (1) The Administrator may take into consideration the length of time recommended for recovery by the patient's Health Care Provider in conjunction with the number of hours of Accrued Leave available in the CSL Pool when determining the exact amount of CSL that may be awarded to an eligible employee.
- (2) If an Employee has complied with these requirements and qualifies for it, the Administrator must award CSL which may be sufficient for the employee to be able to use CSL for the entire period that is medically necessary for recovery from the Catastrophic Illness or Injury but in a 12 month period may not exceed the lessor of:
  - (A) one third of the number of hours in the CSL Pool at the time of submission of the application for the CSL, or
  - (B) 240 hours or 30 work days.

(e) Amendment Provision

- (1) If an employee's medical circumstances change after the original request and the amount of CSL awarded is not adequate to meet the continued or changed circumstances, then a request can be made to the Administrator to amend the amount of CSL originally awarded to provide additional CSL. If it is anticipated that the CSL balance will not be sufficient, the employee, or any person who is authorized to act for the employee in applying for CSL, may initiate a request for an amended award on the employee's behalf. To avoid loss of a pay check, this request should reach the Administrator 10 days before the initial CSL award is exhausted.
- (2) There is no automatic right or guarantee that an amendment request will be approved. If a request for an amendment is approved, the CSL awarded on the original application, all amendments, and previous awards for other catastrophic conditions must not exceed the maximum award amount for an employee in any twelve month period.
- (3) The total award in a fiscal year cannot exceed the total award described in 1 0.0376(d)(2).

**10.0377 Restrictions on Use of CSL and Return of Unused CSL to the CSL Pool<sup>30</sup>**

- (a) Employees who are awarded CSL:
  - (1) may receive payment for the CSL awarded if the employee had unpaid time while the application was being processed and these payments will be processed based on regular deadlines during the next payroll payment cycle,
  - (2) may ONLY use CSL for the purposes for which County policy allows an employee to use sick leave earned, and
  - (3) may only use CSL after all available leave that is earned while on CSL has been exhausted.
- (b) If the employee, for any reason, terminates employment with the County while on CSL the employee is not entitled to payment for any CSL awarded that is unused.
- (c) The estate of any deceased employee is not entitled to payment for any CSL awarded that is unused at the time of death.
- (d) An employee on CSL is treated for all purposes as if the employee were absent on earned sick leave. Employees on CSL continue to accrue leave. Leave accruals are posted to the employee's pay report each pay period.
- (e) Employees who use CSL are not required to pay back the CSL to the CSL Pool.
- (f) Return of Unused CSL to the CSL Pool. The Administrator must track each employee receiving CSL for 6 months following the date the award is initially used by the employee. Any balance of CSL remaining after the period for which the CSL was awarded must be returned to the CSL Pool. This action should also be taken if, anytime within the period following the date the award was initially used, any of the following situations is met:
  - (1) employee is deceased,
  - (2) employee terminates employment, or
  - (3) employee retires.

**10.0378 Procedures for Awarding CSL<sup>31</sup>**

- (a) Administrator Responsibilities
  - (1) The Administrator is responsible for:
    - (A) receiving all applications for CSL;

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<sup>30</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

<sup>31</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

- (B) reviewing the application for award of CSL and the authorization to release and certification of medical information and documents form for completeness and accuracy;
  - (C) determining whether to award or deny all applications for CSL and to determine the amount of CSL to be awarded;
  - (D) certifying by signature that the employee meets the general eligibility and CSL Pool criteria of being a regular employee, having exhausted all sick leave because of a Catastrophic Illness or Injury, having completed the application form and submitted all required releases and certifications;
  - (E) notifying the applicant of award or denial of the application for CSL and, if awarded, the amount of CSL awarded;
  - (F) providing notification of an award to:
    - (i) the employee's office or department for time records and
    - (ii) the Administrator to credit the employee sick leave account and deduct from the CSL Pool.
- (2) The Administrator must process the applications on a first come, first served basis determined by the date or time when all necessary information, certifications and releases have been provided.
- (3) In determining all administrative aspects of eligibility for an award of CSL, the Administrator has the sole authority to make the determination of whether to award or deny CSL and the amount of CSL to be awarded.
- (4) If the Administrator is uncertain whether a particular employee is eligible for an award of CSL, the Administrator may request that the employee or person with the Catastrophic Illness or Injury be examined by a second Health Care Provider selected by the Administrator and may consider the opinions of that Health Care Provider to the extent that the Administrator deems appropriate. If such a request is made, the employee must obtain the examination and provide releases of medical information to that Health Care Provider as well and the county will pay for the examination fee or co-pay required.
- (5) The Administrator shall not award any employee more than a total of 240 hours (30 workdays) of CSL during any 12-month period for all awards of CSL without regard to the number of illnesses or injuries.
- (6) The Administrator may not award CSL to be effective more than 30 calendar days prior to the date on which the application for CSL was first submitted to HRMD. The date of submission is determined by the Administrator's receipt of the first written application for CSL, even if all of the information, certifications and releases are not provided at that time.

- (7) After determining that an employee is eligible and before awarding any CSL, the Administrator, must
  - (A) divide the number of hours in the CSL Pool by 3 to determine the maximum number of hours of CSL that may be awarded to that employee,
  - (B) determine the amount of CSL that should be awarded to the employee based on the circumstances of the application,
  - (C) award the employee the lessor of the amount that could be awarded and the maximum allowable, and
  - (D) decrease the balance in the CSL Pool by the number of hours of CSL awarded to the employee from the CSL Pool.
- (b) Departmental/Office Responsibilities. The department or office is responsible for annotating CSL used on the time record for the employee each pay period.

**10.0379 Recordkeeping and Confidentiality<sup>32</sup>**

- (a) The Administrator must maintain a confidential record of all CSL Pool records, and submit annual fiscal year reports to the Commissioners Court on the usage and status of the CSL Pool. The annual reports will include:
  - (1) the total number of hours contributed,
  - (2) the total number of hours awarded,
  - (3) the total number of awarded hours that were used,
  - (4) the total number of applications for CSL received,
  - (5) the total number of applications approved, and
  - (6) the total number of applications denied.
- (b) Applications for CSL and all documents related to the application, including the notice of an award or denial, must be treated as confidential at all times. All notices to be sent to any person involved in the process (such as HRMD, or the Administrator) must be sent in envelopes clearly labeled "confidential" and directed to the attention of the intended receiver.
- (c) The applications for award of CSL and all supporting documentation must be kept in a separate file for confidential medical information. The employee must approve and sign a form to authorize the release of medical information and other documents before any information can be released. If the employee is medically unable to sign the required release form, the next of kin or person who is legally authorized to do so must sign the form before any documentation can be released.

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<sup>32</sup> Sections 10.0371 through 10.0379 added 7/29/2014, Item 23 Revised.

- (d) Failure to keep the information on an application for CSL or any document associated with it as confidential may result in termination.

**10.038 Family Medical Leave<sup>33</sup>**

- (a) Purpose. The purpose of this policy is to...
  - (1) Balance the demands of the workplace with family needs, and
  - (2) Accomplish this purpose in a manner that accommodates the interests of Travis County.
- (b) Effective date. This policy was adopted by commissioners' court and went into effect on August 5, 1993, and was last revised on April 12, 1994.
- (c) Summary of benefits. Travis County must provide eligible employees up to 12 weeks of unpaid leave per year for certain family reasons. This leave is only paid during that portion of leave for which the employee has sick, vacation, compensatory or personal leave accrued.
  - (1) If the employee complies with his/her obligations as outlined in this policy,
  - (2) Then Travis County must...
    - (a) Return the employee to the same or equivalent position and employment benefits if the employee returns to work after the leave, and
    - (b) Continue to pay its share for employee-only health care coverage during the leave.
- (d) Eligible employees. Employees eligible to request family or medical leave are those who...
  - (1) Have been employed by the county for at least 12 months,
  - (2) Worked at least 1,250 hours of service during the previous 12 month period, and
  - (3) Have not used 12 or more weeks of family or medical leave in the previous 12 months, or
  - (4) Are temporary/seasonal employees who have accumulated one (1) year of service over an indefinite period of time (calculated from August 5, 1993 to present) and have worked at least 1,250 hours during the 12 months immediately preceding the request for FML.
- (e) Eligible Employees. Employees eligible to request family or medical leave are those who:
  - (1) Have been employed by the county for at least 12 months.

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<sup>33</sup> Section 10.038 amended 3/9/1999, Item 5.

- (2) Worked at least 1,250 hours of service during the previous 12 month period and
  - (3) Have not used 12 or more weeks of family or medical leave in the previous 12 months or
  - (4) Are temporary/seasonal employees who have accumulated one (1) year of service over an indefinite period of time (calculated from August 5, 1993 to present) and have worked at least 1,250 hours during the 12 months immediately preceding the request for Family Medical Leave.
- (e) Eligible events. Travis County is required to grant up to 12 weeks of leave in any 12 month period for the...
- (1) Birth of a son or daughter, and care after such birth,
  - (2) Placement of a son or daughter for adoption or foster care,
  - (3) Serious health condition of an immediate family member, or
  - (4) Serious health condition of the employee whether on or off the job injury/illness, when the employee is unable to perform the essential functions of his/her position.
- (f) Immediate family members. An immediate family member is an employee's...
- (1) Spouse
  - (2) Child (birth, adopted, foster or step-)
  - (3) Parent
  - (4) Sibling (brother or sister)
  - (5) Grandparent
  - (6) Grandchild
  - (7) Person living in the employee's household with whom the employee shares a significant relationship of mutual caring.
- (g) Unable to perform the functions of the position. An employee is considered unable to perform the functions of his/her position when he/she is incapable of carrying out the essential functions Of his/her position within the meaning of the Americans With Disabilities Act.
- (h) Serious health condition. A serious health condition is a physical or mental condition which requires...
- (1) Continuing treatment by a health care provider,
- And
- (2) Inpatient care in a hospital, hospice, or residential medical facility,
  - (3) An absence from work/school/other regular daily activities for more than three days,

Or

- (4) If left untreated, will result in one of the above.
- (i) Continuing treatment. Continuing treatment results when an employee or family member...
  - (1) Makes at least two visits to a health care provider for the same condition,
  - (2) Is referred by a health care provider to a provider of health care services, such as a physical therapist,
  - (3) Is prescribed continued treatment through medication or therapy, or
  - (4) Is under the continuing supervision of a health care provider because of a serious long term or chronic condition or disability which cannot be cured.
- (j) 12 month period-for the purposes of this policy, the 12 month period will be calculated by taking the 12 calendar months immediately preceding the request for leave.
- (k) Health care provider. A health care provider is a...
  - (1) Doctor of medicine
  - (2) Dentist
  - (3) Chiropractor
  - (4) Clinical psychologist
  - (5) Optometrist
  - (6) Nurse practitioner
  - (7) Nurse-midwife
  - (8) Christian science practitioner
- (l) Family leave. Leave for the birth or placement for adoption/foster care must be taken...
  - (1) Within 12 months of birth or placement,
  - (2) All at once,Unless
  - (3) Agreed otherwise by the elected/appointed official, or
  - (4) Intermittent or reduced schedule leave is medically required.The leave may begin before the birth of the child.
- (m) Medical leave. Travis County will require certification of the condition and may require a second opinion.

- (1) After an absence of more than three consecutive days on sick leave, the elected/appointed official must obtain the specific information outlined in the family and medical leave procedures for unplanned or unscheduled leave from the employee in order to evaluate (along with the Human Resources Management Department), The absence for consideration under family and medical leave.
  - (2) The family and medical leave procedures for unplanned or unscheduled leave are available from the Human Resources Management Department.
- (n) Combined leave limits. If two or more employees wish to take leave to care for the same individual, then there is...
- (1) A combined leave limit of 12 weeks to care for a...
    - (a) Parent
    - (b) Sibling
    - (c) Grandparent
    - (d) Grandchild
    - (e) Child (birth or placement)
    - (f) Person in the same household with whom the employees have a significant relationship of mutual caring.
  - (2) No combined limit to care for...
    - (a) Child (illness)
    - (b) Employee's own illness
    - (c) Spouse
- (o) Paid/unpaid leave. Whether paid or unpaid, all Travis County employees are entitled to a total of 12 weeks of family and medical leave in a 12 month period. The employee must exhaust all
- (a) Vacation leave
  - (b) Sick leave
  - (c) Holiday credit
  - (d) Personal holidays, and
  - (e) Compensatory time
- Leave before going on unpaid leave.
- (p) Example. An employee with 120 hours of accrued sick time and 80 hours of accrued vacation time wishes to take off for 8 weeks after the birth of a child. The employee's sick leave is exhausted first. 3 weeks (120 hours)  
 Then the employee's vacation leave is exhausted. 2 weeks (80 hours)  
 The balance of time is taken as unpaid leave. 3 weeks (120 hours)  
 The employee's total time away from work has been 8 weeks (320 hours)

The employee has a remaining balance of 4 weeks of family and medical leave available for the next 12 months.

- (q) Reduced schedule. Leave for a serious health condition may be taken intermittently or on a reduced schedule if medically necessary.
  - (1) Reduced schedule leave means that an employee works fewer than the normally scheduled hours during the week.
  - (2) Intermittent leave means that an employee takes leave in separate blocks or time because of a single condition. This may be as little as one hour at a time, or as much as several weeks at a time.
  - (3) An elected/appointed official may temporarily transfer an employee to an alternative position to accommodate these types of leave.
  - (4) The employee must make the attempt to schedule medical care outside of his/her working hours, or with consideration to the needs of his/her department.
- (r) Health care. Travis County will continue to pay for group health plan coverage for the benefits employee for up to 12 weeks of family or medical leave.
  - (1) The employee is responsible for paying the premiums not normally covered by Travis County.
  - (2) Travis County may discontinue dependent health care coverage if an employee's required share of the premium is more than 30 days late.
  - (3) In order to alleviate the financial strain on an employee of paying for benefits during an unpaid leave, the employee may choose to temporarily drop any coverage (such as dependent coverage, additional life insurance, etc.) during the leave, and be reinstated upon his or her return.
- (s) Recovery of premiums. If the employee does not return to work following family or medical leave then Travis County is allowed to recover its share of the premiums paid during the unpaid portion of the leave unless the failure to return is due to a qualifying serious health condition or other circumstances beyond the employee's control.
- (t) Job requirements. Travis County will reinstate an employee returning from family or medical leave to the same or an equivalent...
  - (1) Position,
  - (2) Pay,
  - (3) Benefits,
  - (4) Shift, and
  - (5) Schedule.
- (u) Note: if a temporary/seasonal employee has no medical benefits before asking for FML, they have no medical benefits during or after FML. Also, if the

eligible temporary/seasonal employee is working on a project, or for a specified length of time and it ends during the middle of FML and he/she was made aware of it before they requested FML, you do not have to hold the position open until they return.

- (v) General notification requirements for employees. An employee must satisfy several requirements under this policy when he/she is unable to report to work due to an illness or injury, whether it is his/her own, or that of a family member.
  - (1) In order to be considered for family medical leave, the employee must...
    - (A) Personally notify his/her supervisor of an illness or injury which will prevent the employee from coming to work as scheduled, or
    - (B) Have a responsible third party (spouse, family member, medical staff, etc.,) contact his/her supervisor when he/she is physically unable to do so.
  - (2) The employee must also...
    - (A) Work cooperatively with the elected/appointed official to schedule leave so as not to disrupt his/her departmental operations, subject to the health care provider's approval, and
    - (B) Complete and return all necessary forms associated with this policy by the appropriate deadlines.
  - (3) Under this policy, employees will be requesting leave for two different categories of events:
    - (A) Planned/scheduled events, such as the birth or adoption of a child, scheduled surgery, or other scheduled medical treatments, and
    - (B) Unplanned/unscheduled events. Such as a sudden illness or an injury.
  - (4) For each event the employee must follow the appropriate procedures for notification, given below.
- (w) Planned or scheduled events. The employee must
  - (1) Notify his/her supervisor of the need for family or medical leave...
  - (2) At least 30 days prior to the day the employee last expects to work, or if this is not possible then...
    - (A) Within 2 days of the day the employee becomes aware of the need for leave, and
    - (B) Provide the supervisor with all required information regarding the need for leave.
  - (3) Notice can be given verbally, but the employee must complete the associated request forms (available from the employee's department or

the Human Resources Management Department) as soon as possible to ensure that continuation of medical benefits takes place.

(x) Unplanned or unscheduled events. On the fourth consecutive day the employee is absent from work due an illness or injury, he/she must personally provide his/her supervisor with the following information...

- (1) The nature of the illness or its symptoms,
- (2) An estimate of the amount of time the employee might be absent from work, and
- (3) The name of the health care provider, if one has been seen.

This information may be provided verbally, or in writing.

If the employee becomes ill or sustains an injury and knows that this injury or illness will prevent him/her from returning to work for more than three days, then the employee should notify the supervisor on the next working day, and, provide the information listed above.

Example-the employee is in a car accident on Saturday and sustains a serious injury that will require him/her to be absent from work for at least two weeks. The employee or a responsible third party must provide tiffs information to the employee's supervisor on his/her next scheduled work day, in this case: Monday.

(y) Notification requirements-elected/appointed official. Once family and medical leave has been requested, or the supervisor has determined that the employee may be eligible for family and medical leave, his/her supervisor must...

- (1) Give or send the employee a copy of this family and medical leave policy which
- (2) Employee's rights under the family and medical leave act, as required by law,
- (3) Specific expectations and obligations of the employee when requesting family or medical leave, and
- (4) Consequences to the employee if he or she fails to meet these obligations
- (5) Provide the employee with copies of the forms associated with this policy, and
- (6) Inform him/her of the deadlines for completing and returning them.

(z) Approval. When the requested medical information has been provided by the employee the elected/appointed official has seven working days to notify the employee if the leave qualifies for family and medical leave.

If leave is granted, then the employee's supervisor must notify him her of...

- (1) The effective start date of the leave, and

(2) The proposed ending date.

Leave starts on the fourth consecutive day of absence.

(aa) Medical certification. When the employee requests medical leave, Travis County will require that the employee provide medical certification from a health care provider that a serious health condition exists. A Family and Medical Leave Certification form is available from the employee's department or the Human Resources Management Department.

The medical certification must include...

- (1) The name, address, and telephone number of the health care provider,
- (2) The name of the patient,
- (3) Expected date of return to work,
- (4) Diagnosis, and
- (5) A statement that the employee's absence from work is required.

This certification must be furnished by the employee within 15 calendar days of the leave being requested.

(bb) Additional certification. Travis County may require a second opinion be obtained from a health care provider selected by Travis County, and at the county's expense. Should the first and second opinions vary, a third opinion may be sought from a mutually agreed upon provider, at the county's expense:

An elected/appointed official or the Human Resources Management Department will require certification of continued need for leave...

- (1) Every 30 days,
- (2) When the employee requests an extension of leave,
- (3) If the circumstances surrounding the leave change, or
- (4) When Travis County receives information that casts doubt upon the continuing validity of the certification.

(cc) Failure to comply. Family and medical leave are granted by Travis County in the expectation that the employee will comply with her/his obligations outlined in this policy. Failure to do so could result in leave being darned.

(dd) Returning to work. If the employee has been away on medical leave for her/his own serious health condition, then an elected/appointed official will require that a 'fitness for duty' release from the health care provider be provided before allowing the employee to return to work.

(ee) Seniority. For the purposes of retirement family or medical leave will not be considered a break in service. However, Travis County is not required to grant accrual of seniority during the leave.

(ff) Options-

- (1) If an employee...
  - (A) Requires additional time away from work, beyond the 12 weeks guaranteed by family and medical leave, and
  - (B) Has vacation, sick, personal or other leave accrued,
  - (C) Then, at the discretion of the elected/appointed official, the employee may continue to exhaust the accrued leave. As is the case with all such accrued leave, Travis County continues to pay its share of the employee's health insurance benefits.
- (2) If an employee...
  - (A) Requires additional leave, and
  - (B) Has no vacation, personal, sick or other leave accrued,
  - (C) Then the employee may request leave without pay as outlined in that policy. Should the employee be placed on leave without pay, he/she should be made aware that, as is the case with all leave without pay, the employee is responsible for his/her health insurance premiums during the leave.
- (3) Employees and or their supervisors seeking further information or help in arranging family or medical leave should contact the Human Resources Management Department for assistance.
- (4) If an employee feels that her/his rights under the family and medical leave act have been violated, she/he may...
  - (A) Contact the Human Resources Management Department,
  - (B) File a complaint the with U.S. Department of labor, or
  - (C) Bring a civil action against the county for violations of this policy.
- (gg) Questions. Questions regarding this policy and its accompanying procedures should be directed to the Human Resources Management Department (473-9165)

**10.039 Emergency Leave**

- (a) Emergency leave should be extended to employees for the purpose of attending funerals, making arrangements for, or attending to the affairs of a deceased immediate family member. An employee may be asked to provide information which will document the death of the immediate family member.
- (b) Regular full-time and regular part-time employees should be granted emergency leave for a period of at least one day but not to exceed 3 consecutive work days in case of the death of an immediate family member. This leave shall not be charged against sick leave, personal holidays, or vacation leave. Additional time off, if approved by department/supervisor, must be taken as vacation leave, personal holidays, compensatory time, or leave without pay.

**10.040 Court Leave**

- (a) All regular employees shall be granted paid leave when: (1) Required to serve as a juror; or (2) Required to appear as a witness, or participate in other official court proceedings, when the matter to be considered in the proceedings arises out of or within the scope of the employee's county employment or as a result of an appearance to assist in the prosecution of any criminal matter with Travis County. Employees shall notify his/her immediate supervisor upon receiving notice of court appearance, and shall return to work during those periods when they are not actually required to remain in the courtroom.

**10.0401 Mentoring Leave<sup>34</sup>**

- (a) Purpose. Travis County recognizes that mentoring is an effective method of improving student performance which leads to improved schools and the general well-being of a community. Travis County desires to encourage its regular full time employees to become involved in these activities by establishing this program to provide paid leave while mentoring. This policy outlines the minimum standards for using the County's Mentoring leave. Individual departments may have additional requirements to enable employees' participation.
- (b) Definitions. When used in this policy,
- (1) "ISD" means an independent school district that serves territory within Travis County.
  - (2) "Mentee" means a student assigned to a Travis County employee who is Mentoring that student.
  - (3) "Mentor" means a trusted and faithful friend who listens, supports and guides young people on a consistent basis over a specified period of time and includes providing encouragement, advice, or similar support. A Mentor typically works with a Mentee once a week for 30 to 60 minutes during school hours. A Mentor is not a counselor, substitute parent or disciplinarian.
  - (4) "Mentoring" may include any one or more of the following:
    - (A) Weekly meetings with individual students;
    - (B) Tutoring or providing individual or small group teaching assistance with specific subjects, especially math, using the ISD's curriculum;
    - (C) Specific purpose Mentoring for an event or special assistance like helping Mentees prepare college applications, coaching for

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<sup>34</sup> Section 10.0401 was added on 2/11/2014, Item 27, and ordered effective 3/1/2014.

college entrance exams, judging academic competitions, serving as a guest speaker, and similar activities; or

- (D) Technology assistance to teachers and administrators on a scheduled basis.
- (c) Departmental Implementation of Program. The supervisor makes recommendations to the department head regarding who participates in the Mentoring program; there is no requirement to participate. The department head determines department participation goals, supports employee participation by committing to allow employees to be a Mentor with a school for one full school year, and assigns an employee who is interested and has appropriate skills to be the department's Program Coordinator. The Program Coordinator does not have to be a supervisor or manager.
- (d) Role of Department Program Coordinators. The Program Coordinator keeps a written record of approved department Mentors, the school they are assigned to and the schools' contact information including each school's on-site mentor resource. The department Program Coordinator is responsible for the following:
  - (1) confirming the supervisor has approved employee participation in the program,
  - (2) creating and keeping a list of all department mentors, and
  - (3) serving as a point of contact for the department and school(s).
- (e) Role of Supervisor. The supervisor determines appropriate participation levels of individual employees based on business needs of the department and participation goals for the program. The supervisor approves weekly program time on the time sheet in compliance with time allowances for the program and addresses any concerns with the employee raised by the independent school district. The Human Resources Management Department (HRMD) is available to assist supervisors resolve any concerns. The employee's supervisor is responsible for verifying that an employee is eligible to participate in this program based on the following:
  - (1) Regular full-time employee status of the employee;
  - (2) Absence of any disciplinary action, such as suspension or disciplinary probation, within the prior 12 months;
  - (3) Absence of any Performance Improvement plan while Mentoring; and
  - (4) Approval of mentoring is based on the business needs of the department.
- (f) Termination of Participation in Mentoring Program. Mentors may terminate their commitments at any time by notifying the school and their supervisor. The school may terminate an individual Mentor's participation at any time by notifying the Mentor and the department Program Coordinator. The supervisor in consultation with the department head may terminate an

employee's participation as a Mentor when at least one of the following occurs:

- (1) The employee is not meeting the County requirements related to discipline or performance or restrictions on activities of Mentors,
- (2) The business needs of the Department change,
- (3) The employee's job performance or behavior is diminished,
- (4) The employee does not maintain the terms of the Mentor commitment, and
- (5) The employee's criminal background changes unacceptably.

(g) Eligibility for Use of Mentoring Leave. Employees Mentoring for an ISD before approval of this program may request that their Mentoring be considered part of this program but approval is subject to the requirements of this program and is not guaranteed. To be eligible to use Mentoring leave, employees must:

- (1) Be eligible to participate in the program as verified by their supervisor,
- (2) Complete any application and pre-Mentoring training provided by the ISD and the school at which Mentoring occurs,
- (3) Make a commitment to fulfill the specific time commitment associated with the duration of the event or purpose,
- (4) Provide Mentoring in a school program designed by the ISD,
- (5) Continue to fulfill the responsibilities of the Travis County work assigned to the employee,
- (6) Be subject to supervision by their department, and
- (7) Be subject to the values and work ethic of the County as a County representative while mentoring.

(h) County Restrictions on Use of Mentoring Leave. An employee may not use Mentoring leave for the following activities:

- (1) Mentoring for a school district that does not serve territory in Travis County,
- (2) Mentoring to help a member of the employee's family or any person who resides in the employee's home, or
- (3) Mentoring that in any way provides advertising for or benefit to a private business.

(i) Restrictions on Activities of Mentors. A Mentor shall only perform Mentoring activities and have contact with Mentees at the Mentee's school during school hours or at activities sponsored by the Mentee's school under the supervision of school faculty. A Mentor shall not have contact with Mentees or other students encountered while mentoring by any means outside of the mentoring

program. This includes but not limited to ground mail, telephonic or electronic communications, or any form of social media. A mentor may not transport students or meet students outside of school hours.

- (j) **Mentoring Leave.** An employee who is eligible to use Mentoring leave may use a maximum of two hours of Mentoring leave each week during the regular school year. Mentoring leave does not accrue or have cash value if not used. Employees using Mentoring leave record the time mentoring on their timesheets with the appropriate designation. Time includes traveling to and from the school; as an alternative, mentors may use their lunch break for traveling to and/or from the school for mentoring. Mentoring and travel time during the work day that exceeds two hours per week shall be taken as other leave such as vacation, compensatory time, or unpaid leave. The supervisor may approve the use of a flexible work schedule. Time spent as a Mentor that is outside an employee's regular work day cannot be reported as mentoring leave. Mentoring leave is not considered productive time for overtime compensation. Mentors may not claim mileage reimbursement for travel to and from the school for Mentoring. County vehicles cannot be used for any Mentoring activity, including traveling to and from the school. A separate code for Mentoring leave is used on Time Sheets for tracking and reporting purposes.
- (k) **Role of ISD.** The ISD designates the schools that will participate in a Mentoring program. The ISD is responsible for providing program guidance, program criteria, program application and its eligibility requirements for Mentors and screening applicants, selecting and assigning Mentors.
- (l) **Responsibility for Criminal Background Checks.** The ISD is responsible for all Mentor screening, including criminal background checks if desired.

**10.041 Military Leave<sup>35</sup>**

- (a) A regular employee who is a member in a reserve unit of the United States Armed Forces or of the state military forces, as defined by law, and who is called to active duty shall be granted a maximum of 15 working days each federal fiscal year (October 1 through September 30) for military leave without loss of pay or accrued sick or vacation leave. Employees who have exhausted all of their benefits under this subsection and have not been discharged from service are called Extended Military Leave Employees in this section.
- (b) If the military service does not last more than four or five years as required by federal law, any person who
  - (1) Is inducted, or enlists in the armed forces other than a reserve component, or enters upon active duty, whether voluntarily or not, in

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<sup>35</sup> Section 10.041 was amended on 11/27/2001, item 9A.

the armed forces or the public health service in response to an order or call to active duty or is called to active duty as a member in a reserve unit of the United States Armed Forces or of the state military forces, as defined by law;

- (2) Leaves a regular position;
- (3) Receives an honorable discharge, and
- (4) Makes application for re-employment within ninety (90) days after that person is discharged from service or from hospitalization continuing for not more than one (1) year after discharge,

shall be restored to the position that person left or to a position with similar seniority, status and pay, if that person is still qualified to perform the duties of that position, and, if not qualified to perform the duties of that position because of a disability sustained in military service but qualified to perform duties of any other position in the employ of that employer, then the person shall be employed in the position that the person is qualified to perform that is the nearest approximation to the person's seniority, status and pay that is consistent-with the circumstances of that person's case if the person requests employment.

- (c) Any person who is re-employed in a position under (b) after military service leave shall not be discharged from that position without cause within one (1) year after the re-employment.
- (d) Military leave may be used for routine drills or meetings and will be granted when requests are accompanied by written orders.
- (e) Military leave and Extended Military Leave shall not count against an employee for the calculation of service to the county in terms of duration of service for calculation of longevity pay, rate of vacation accrual or service credits for retirement.
- (f) Extended Military Leave Employees must exhaust all accrued personal holiday time and non-designated holiday credit before being placed on leave without pay. Extended Military Leave Employees who have accrued compensatory time, accrued vacation time, or accrued sick leave may elect not to use all or part of these accrued leaves while on active duty if the election is submitted in writing to the Department Head or Elected Official when the request for military leave is made. If an election is not made, all accrued compensatory time, accrued vacation time and accrued sick leave is exhausted before an Extended Military Leave Employee is placed on leave without pay. Copies of the election must be provided to HRMD and the County Auditor within 5 business days after the request for military leave is made. Extended Military Leave Employees who have exhausted all but the portion of their accrued compensatory time, accrued vacation time or accrued sick leave that they elected not to use shall be placed on leave without pay

until 90 days after they are discharged from service or they return to work, whichever occurs sooner.

- (g) If County provides health care coverage through a self-funded program, Extended Military Leave Employees who are on leave without pay may continue health care coverage for eighteen months for 102% of the premium rates payable by regular employees for the type of coverage selected. This coverage may be continued for the following persons:
- (1) the Extended Military Leave Employee,
  - (2) their dependents who are covered under the County health care program at the time their military leave began,
  - (3) any dependents who become eligible for coverage while on active duty as a result of a qualifying event as defined by COBRA and HDPAA.

This continuation coverage shall be administered through the administration process for COBRA continuation coverage...

- (h) HRMD may assign the Military Leave Slots authorized by Commissioners Court for that fiscal year to Offices and Departments for Extended Military Leave Employees who are on leave without pay without further approval from Commissioners Court. Departments may transfer Extended Military Leave Employees who are on leave without pay from their regular slots to Military Leave Slots and hire temporary regular employees in the vacated regular slots or transfer current employees to these slots. If 90% or more of the approved Military Leave Slots for Extended Military Leave Employees who are on leave without pay are filled, HRMD may petition the Commissioners Court for additional Military Leave Slots for Extended Military Leave Employees who are on leave without pay.
- (i) If Office or Departmental operations require the replacement of Extended Military Leave Employees while they are exhausting some or all of their accrued compensatory time, personal holidays, non-designated holiday credit, accrued vacation time and accrued sick leave, Offices and Departments may petition the Court to create an additional group of Military Leave Slots for these Extended Military Leave Employees within their department. Petitions for groups of Military Leave Slots for Extended Military Leave Employee who are on leave with pay must include an analysis of the funds available within the departmental budget to fund the compensation for both the employees on leave and their replacements for the time during which dual funding is expected to be required and the amount of additional funding that the Commissioners Court may have to provide during the current fiscal year. Commissioners Court may authorize groups of Military Leave Slots for the duration of the Fiscal Year into which Extended Military Leave Employees who are on paid leave may be transferred without further review by the Commissioners Court. The Department Head or Elected Official may transfer Extended Military Leave Employees who are on paid leave from their regular slots to the Military Leave Slots authorized by Commissioners Court and hire

temporary regular employees in the vacated regular slots or transfer current employees to these slots. When Extended Military Leave Employees who are placed in Military Leave Slots authorized by the Commissioners Court have exhausted all but the portion of their accrued compensatory time, accrued vacation time, or accrued sick leave that they elected not to use, they may be transferred to Military Leave Slots assigned by HRMD under (h).

- (j) When Extended Military Leave Employees return to work, they must be transferred out of the Military Leave Slot and placed back in their previous regular slot, or a similar regular slot in the same job classification.
- (k) In addition to the benefits described in (g), Extended Military Leave Employees who have exhausted all of their accrued compensatory time, non-designated holiday credit, personal holidays, accrued vacation time and accrued sick leave are eligible to continue their health care coverage for a premium of 102% of the full coverage rates applicable to the level of coverage selected for eighteen months under USERRA through the administration process for COBRA continuation coverage

**10.042 Leave without Pay**

- (a) The purpose of this policy is to provide a means by which the county may choose to retain employees who...
  - (1) Have exhausted all other types of leave, and
  - (2) Have a compelling reason for being away from their work.
- (b) If an employee wishes to request leave without pay, then he/she must submit a written request to his/her elected/appointed official, giving the reason for the need and the expected duration. The elected/appointed official must evaluate the impact of granting the leave upon his/her department's operations. If the elected/appointed official determines that the leave may be granted without adverse effect upon his/her department, then the elected/appointed official may grant up to one year of leave without pay.
- (c) Leave without pay is a matter of discretion, and an employee may not demand that such leave be granted. It is generally discouraged because of its negative impact upon the department, co-workers, and service to the taxpayers.
- (d) An employee who is on leave without pay will not accrue...
  - (1) Vacation leave,
  - (2) Sick leave,
  - (3) Longevity,
  - (4) Merit review service, or
  - (5) Retirement service.

- (e) Travis County will not extend any employee benefits to an employee while he/she remains on leave without pay. The employee may choose to make arrangements with the County Auditor to pay both the employee and the employer portions of benefit premiums in order to maintain health and insurance coverage during the leave.

**10.043 Holidays<sup>36 3738</sup>**

- (a) Regular full-time and regular part-time employees are allowed the holidays designated by the official action of the Commissioners Court, unless required by their supervisor to work.
- (b) Regular part-time employees receive pay for the holidays on a pro-rated basis.
- (c) An updated list of county holidays is available from the Human Resources Management Department after approval by Commissioners Court. This list is distributed to all new employees during new employee orientation. Current employees receive an updated list of county holidays each fiscal year
- (d) Regular non-exempt employees who are required by their supervisor to work on a holiday accrue non-designated holiday time credit on an hour for hour basis for scheduled hours worked. This credit may be used at a later date.
  - (1) Regular nonexempt aviation employees who are required by their supervisor to work on a holiday may choose either to receive holiday time pay on an hour for hour basis for scheduled hours worked in addition to pay for the hours worked or to accrue non-designated holiday time.
  - (2) Regular exempt aviation employees who are required by their supervisor to work on a holiday and work more than the number of hours in their normal work shift receive straight time pay for twice the number of hours actually worked on the holiday minus the number of hours in their normal work shift because holiday pay for those hours is already included in the exempt pay.
  - (3) Regular exempt aviation employees who are required by their supervisor to work on a holiday and work equal to or less than the number of hours in their normal work shift receive straight time pay for the number of hours actually worked on the holiday in addition to the exempt pay. Holiday pay for those hours and the rest of their normal shift is already included in the exempt pay.

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<sup>36</sup> Section 10.043 was replaced 9/25/2001, Item #16.

<sup>37</sup> 10.043 was amended 7/10/2007, Item 37.A to include the aviation exception.

<sup>38</sup> Section 10.043(d) and 10.043(e) amended 6/16/2015, Item 6 Revised, effective 6/30/2015.

- (e) Regular non-exempt employees whose regularly scheduled day off falls on a holiday accrue non-designated holiday time credit on an hour for hour basis for the number of hours for which they are normally scheduled. This credit may be used at a later date.

Regular non-exempt aviation employees whose regular scheduled day off falls on a holiday may either accrue non-designated holiday time credit on an hour for hour basis for the number of hours for which they are normally scheduled or receive holiday time pay on an hour for hour basis for the number of hours for which they are normally scheduled.

- (f) Employees must obtain approval from their supervisor before using non-designated holiday time credit.
- (g) If an employee is requesting leave, the employee must use non-designated holiday time credit before using vacation leave unless the employee is subject to losing vacation leave if it is not taken within the following three months. It is the employee's responsibility to request the appropriate type of leave.
- (h) Non-designated holiday time credit accrues until it is used or until an employee separates from County.
- (i) Upon separation, non-exempt employees are not paid for more than 16 hours of unused non-designated holiday credit. Unused non-designated holiday credit is paid at the regular rate of pay.

**10.044 Personal Holidays<sup>39</sup>**

- (a) Personal holiday time is reviewed each year during the budget process. Personal holiday time does not accumulate from one calendar year to the next.
- (b) If personal holiday time is approved by the Commissioners Court for the current calendar year,
  - (1) Regular full-time employees are eligible for up to 24 hours of personal holiday time during that calendar year.
  - (2) Regular part-time employees are eligible for personal holiday time on a prorated basis. The rate is based on the number of hours in that employee's regularly assigned weekly work schedule divided by 40.
- (c) A new employee earns personal holiday time for the calendar year in which the employee begins employment based on the month in which he/she begins work as shown below:

January- March:	24 hours of personal holiday time
April- June:	16 hours of personal holiday time

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<sup>39</sup> Section 10.044 was amended on April 26, 2016, Item 13.

July – September: 8 hours of personal holiday time  
October- December: no personal holiday time

- (d) Former employees who have been re-employed by Travis County earn personal holiday time based on their new hire date, except that no employee may use or earn more than 24 hours of personal holiday time in one calendar year.
- (e) Personal holiday time is in addition to vacation leave. It may be scheduled at the discretion of the elected official/department head, or his/her designee. The employee must request personal holiday time and obtain approval from the elected official/department head or his/her designee.
- (f) Personal holidays may not be taken in increments less than one-hundredths of an hour.
- (g) An employee must be employed for 90 calendar days before taking any personal holiday time.
- (h) Personal holiday time may not be used on the last day of employment.
- (i) Unused personal holiday time is not paid at separation.

**10.045 Leave with Pay<sup>40</sup>**

- (a) An Elected/Appointed Official may grant an employee up to five working days per fiscal year of leave with pay when it's in the county's best interest to:
  - (1) Protect the health and safety of employees, or
  - (2) Relieve the employee of his/her duties pending the results of an investigation, when an employee could be suspended, demoted, or terminated.
- (b) For non-exempt employees, the leave with pay hours will be counted as productive hours and qualify for overtime/compensatory time calculation.
- (c) The Commissioners Court, prior to being granted, must approve an extension of leave with pay beyond the original five days, except in the case of Title VII claims where the County Judge, at his/her discretion, may approve an extension of leave with pay of up to ten days working days beyond the five original days.

**10.04501 Timesheets and Leave Requests by Certain Employees<sup>41</sup>**

- (a) All employees who are supervised directly by the Commissioners Court (Executive Managers, Legislative Liaison, Special Assistant, etc.), like all

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<sup>40</sup> Section 10.045 was amended 10/14/2003, Item A1.

<sup>41</sup> Section 10.04501 was added 7/28/2009, Item 40.

other employees, are subject to the leave provisions in Chapter 10 of the Travis County Code.

- (b) Any employee who is supervised directly by the Commissioners Court shall submit timesheets and requests for any type of leave to the County Judge.
- (c) The County Judge is authorized to act as the Elected/Appointed Official or the supervisor for employees supervised directly by the Commissioners Court in relation to taking appropriate action regarding timesheets and requests to use any type of leave.
- (d) In his discretion, the County Judge, on his own or upon request of the employee, may present the request for leave to the Commissioners Court for consideration at a meeting of the Travis County Commissioners Court.

**10.0451 Unpaid Transferred Vacation Leave<sup>42</sup>**

- (a) The purpose of this section is to provide a means by which a transfer employee who has been paid for the vacation leave accrued while an employee at the City of Austin to be away from work without pay for up to the amount of time for which the employee would have been eligible for vacation as an employee of the City of Austin.
- (b) A transfer employee shall receive a credit to unpaid transferred vacation leave for all of the vacation leave accrued while an employee at the City of Austin for which the employee paid on termination.
- (c) Travis County will extend employee benefits to a transfer employee while he/she remains on unpaid transferred vacation leave. A transfer employee who is on unpaid vacation leave accrues:
  - (1) Vacation leave.
  - (2) Sick leave.
  - (3) Longevity.
  - (4) Merit review service. and
  - (5) Retirement service.
- (d) Transfer employees must obtain approval from their supervisor before using transfer vacation leave. Fulltime and part-time transfer employees shall be eligible to use unpaid transferred vacation leave upon employment with the county.
- (e) Transfer employees may use unpaid-transferred vacation leave for two years after the day on which the transfer employee became a county employee. The right to use unpaid transferred vacation leave expires two years after the date on which the transfer employee became a county employee.

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<sup>42</sup> Section 10.0451 added 3/19/1999, Item 4

- (f) Upon separation, a transfer employee shall not be compensated for unpaid transferred vacation leave.

**10.04515 Paid Transferred Vacation Leave<sup>43</sup>**

- (a) The purpose of this section is to provide a means by which a transfer employee who has not been paid for the vacation leave accrued while an employee at the City of Austin may retain the right to be away from work with pay for up to the amount of time for which the employee would have been eligible for additional paid vacation as an employee of the City of Austin.
- (b) A transfer employee shall receive a credit to paid transferred vacation leave for all of the vacation leave accrued while an employee at the City of Austin for which the employee was not paid on termination.
- (c) A transfer employee must exhaust all personal holiday, holiday, compensatory and vacation leave earned and accrued as a county employee before using any paid transferred vacation leave. Full-time and part-time transfer employees shall be eligible to use paid transferred vacation leave upon employment with the county. Transfer employees may use paid transferred vacation leave in one hour increments.
- (d) Travis County will extend employee benefits to a transfer employee while he/she remains on paid transferred vacation leave. A transfer employee who is on paid transferred vacation leave accrues:
  - (1) Vacation leave,
  - (2) Sick leave,
  - (3) Longevity,
  - (4) Merit review service, and
  - (5) Retirement service.
- (e) Transfer employees must obtain approval from their supervisor, before using transfer vacation leave. Full-time and part-time transfer employees shall be eligible to use paid transferred vacation leave upon employment with the county.
- (f) Transfer employees may use paid transferred vacation leave for two years after the date on which the transfer employee became a county employee. The right to use paid transferred vacation leave expires two years after the date on which the transfer employee became a county employee.
- (g) Upon separation, a transfer employee shall not be compensated for paid transferred vacation leave.

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<sup>43</sup> Section 10.04515 was added 9/16/2008, Item 10

**10.0452 Vacation Leave Accrual by Transfer Employees<sup>44</sup>**

- (a) The purpose of this section is to provide transfer employees with vacation accrual equivalent to the rate of accrual that would have applied if the source of their employment had not changed.
- (b) Transfer employees shall earn vacation leave each pay period as long as county employment continues. Part-time transfer employees shall earn vacation leave on a prorated basis.
- (c) Based on the combined years of county service and with the City of Austin full-time transfer employees shall earn vacation leave at the following rate:
  - (1) 0 - 5 years of combined employment 4 hours pay period
  - (2) 6 - 10 years of combined employment 4.5 hours per pay period
  - (3) 11 - 15 years of combined employment 5 hours per pay period
  - (4) 16 - 20 years of combined employment 5.5 hours per pay period
  - (5) 21 years of combined employment 6 hours per pay period
- (d) Section 10.036 (c) and (d) apply to vacation leave earned by transfer employees.

**10.0453 Unpaid Transferred Sick Leave<sup>45</sup>**

- (a) The purpose of this section is to provide a means by which a transfer employee who has been paid for the sick leave accrued while an employee at the City of Austin to be away from work without pay for up to 320 hours of the time for which the employee would have been eligible for sick leave as an employee of the City of Austin.
- (b) A transfer employee shall receive a credit to unpaid transferred sick leave for up to 320 hours of the sick leave accrued while an employee at the City of Austin for which the employee paid on termination.
- (c) Travis County will extend employee benefits to a transfer employee while he/she remains on unpaid transferred sick leave. A transfer employee who is on unpaid transferred sick leave accrues:
  - (1) Vacation leave,
  - (2) Sick leave.
  - (3) Longevity,
  - (4) Merit review service, and
  - (5) Retirement service.

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<sup>44</sup> Section 10.0452 added 3/9/1999, Item 4.

<sup>45</sup> Section 10.0453 added 3/9/1999, Item 4.

- (d) Transfer employees may use unpaid transferred sick leave for two years after the date on which the transfer employee became a county employee. The right to use unpaid transferred sick leave expires two years after the date on which the transfer employee became a county employee. Full-time and part-time transfer employees shall be eligible to use unpaid transferred sick leave upon employment with the county. Transfer employees may use unpaid transferred sick leave in one hour increments.
- (e) An elected, official/department head, or, his/her designee, should authorize use of unpaid transferred sick leave for a transfer employee who is unable to perform his/her duties because of illness, injury, or other temporary disabilities. A transfer employee may use unpaid transferred sick leave to care for a member of the transfer employee's immediate family, or a person within the same household with whom the transfer employee shares a significant relationship of mutual caring, or who is ill or incapacitated. A transfer employee must obtain approval from his/her immediate supervisor prior to attending an appointment for non-emergency dental or medical examinations for himself or an immediate family member scheduled during normal working hours.
- (f) An elected official/department head or his/her designee may ask a transfer employee to provide a doctor's statement to substantiate sick leave requests after a transfer employee has been on unpaid transferred sick leave for three (3) consecutive work days or more or if his/her supervisor believes a pattern of questionable absences exists.
- (g) Unpaid transferred sick leave usage requires the employee to notify their immediate supervisor if at all possible, at least one hour prior to the start of the work period scheduled by the office/department, or as specified by departmental/office policy.
- (g) Upon separation a transfer employee shall not be compensated for unpaid transfer sick leave.

**10.0454 Paid Transferred Sick Leave<sup>46</sup>**

- (a) The purpose of this section is to provide a means by which a transfer employee who has not been paid for the sick leave accrued while an employee at the City of Austin to be away from work with pay for up to the amount of time for which the employee would have been eligible for sick leave as an employee of the City of Austin.
- (b) A transfer employee shall receive a credit to paid transferred sick leave to all of the sick leave while an employee at the City of Austin for which the employee was not paid on termination.

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<sup>46</sup> Section 10.0454 added 3/9/1999, Item 4.

- (c) Transfer employees must exhaust all sick leave earned as a county employee before using any paid transferred sick leave. Full-time and part-time transfer employees shall be eligible to use paid transferred sick leave upon employment with the county. Transfer employees may use paid transferred sick leave in one hour increments.
- (d) An elected official/department head, or his/her designee should authorized use of paid transferred sick leave for a transfer employee who is unable to perform his/her duties because of illness, injury, or other temporary disabilities. A transfer employee may use paid transferred sick leave to care for a member of the transfer employee's immediate family or a person within the same household with whom the transfer employee shares a significant relationship of mutual caring, who is ill or incapacitated. A transfer employee must obtain approval from his/her immediate supervisor prior to attending an appointment for non-emergency dental or medical examinations for himself or an immediate family member scheduled during normal working hours.
- (e) An elected official/department head, or his/her designee, may ask a transfer employee to provide a doctor's statement to substantiate sick leave requests after a transfer employee has been on unpaid transferred sick leave for three (3) consecutive work days or more or if his/her supervisor believes a pattern of questionable absences exists.
- (f) Paid transferred sick leave usage requires the employee to notify their immediate supervisor if at all possible, at least one hour prior to the start of the work period scheduled by the office/department, or as specified by departmental/office policy.
- (g) Upon separation a transfer employee shall not be compensated for paid transferred sick leave.

**10.046 [Reserved for Expansion (Benefits)]<sup>47</sup>**

**10.0461 Health, Dental, and Vision Benefits<sup>48</sup>**

A variety of health, dental and vision benefits may be provided upon approval by Commissioners Court during the budget process. The county coordinates and contributes payments for group benefit programs for all regular employees who are scheduled to work 30 or more hours per week.

Temporary employees may be eligible for health, dental and vision benefits if working an average of 30 hours per week or more. Eligibility and enrollment dates will be determined using the measurement, administrative and stability periods in accordance with 26 Code of Federal Regulations Part 54.4980H. Travis County has elected to utilize a 12 month look back period in determining eligibility and enrollment dates. Please

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<sup>47</sup> Section 10.046 was repealed 5/19/2015, Item 16 Revised, effective 5/19/2015.

<sup>48</sup> Section 10.0461 was added 5/19/2015, Item 16 Revised, effective 5/19/2015.

contact the Human Resources Management Department for additional information regarding period length and start dates.

Employees who are eligible for group health, dental and vision benefits may elect to have coverage for their spouses and/or dependents under the Commissioners Court approved health care benefit plan. If the employee elects coverage for them, the employee must authorize the deduction of the additional premiums necessary for spouse and dependent coverage from the employee's paycheck.

#### **10.0462 Disability and Life Insurance Benefits<sup>49</sup>**

A variety of disability and life insurance benefits may be provided upon approval by Commissioners Court during the budget process. All Regular employees who are scheduled to work 30 hours or more per week are eligible to participate and enroll in the group life and disability insurance benefits.

#### **10.047 Flexible Benefits Accounts (FSA)<sup>50</sup>**

Regular employees who are scheduled to work 30 hours or more per week may participate in a flexible benefits plan established by the Commissioners Court pursuant to the Internal Revenue Code. The plan allows employees to realize tax savings through the use of salary reduction. Salary reductions that are placed in your flexible benefit plan are not subject to federal income tax, social security tax and Medicare tax. Maximum contribution limits are set annually by the Internal Revenue Service.

- (1) **Medical.** Salary reductions may be applied to reimburse the employee for qualified medical expenses you incurred during the plan year. The employee may receive the entire amount by which the employee has elected to reduce their salary for the plan year at any time during the plan year regardless of the amount salary reduction the employee has already experienced. Qualified medical expenses are those specified in the plan that would generally qualify for the medical and dental expense deduction in the regulations under the Internal Revenue Code.
- (2) **Dependent Care.** Salary reductions may be applied to reimburse for the qualified day care expense the employee incurs during the plan year, but the employee can only be reimbursed up to the amount by which their salary has already been deducted during that plan year.
- (3) **Transportation/Parking.** Salary reductions for parking or transportation allows the employee to pay parking or public transit expenses without paying tax on the amount spent for these expenses. Parking/transportation can only be reimbursed up the amount by

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<sup>49</sup> Section 10.0462 was added 5/19/2015, Item 16 Revised, effective 5/19/2015.

<sup>50</sup> Sections 10.047 – 10.051 were replaced 5/19/2015, Item 16 Revised, effective 5/19/2015.

which their salary has already been reduced during that plan year.

**10.048 Deferred Compensation<sup>51</sup>**

Deferred compensation, a tax-sheltered investment plan, is available to Regular Employees. Information on deferred compensation is available from the Human Resources Management Department.

**10.049 Enrollment in Benefits<sup>52</sup>**

- (a) The Human Resources Management Department provides each new employee with a description of all benefits available to them and online access to all forms necessary for selection of benefits and enrollment in coverages.
- (b) The Human Resources Management Department presents an open enrollment program once each year after the Commissioners Court has set the benefits. During open enrollment, the Human Resources Management Department informs the employees about the types of benefits available during the next plan year and provides descriptions of the extent of each benefit and its costs and the amount that the County pays toward these benefits. The Human Resources Management Department shall have persons available to answer any employee questions related to these benefits and assist employees in completing the enrollment process necessary to obtain the benefits the employee selects. The Human Resources Management Department provides online access to all forms necessary to enroll in selected benefits during open enrollment.
- (c) The Human Resources Management Department cooperates with the auditor and the technology departments in the preparation of enrollment processes for employee benefits.

**10.050 Retirement System<sup>53</sup>**

New Regular employees and Temporary employees who are approved at hire to be employed by the County for more than six continuous months with the County are required to become a member of the Texas County and District Retirement System.

An employee is fully vested after eight years of service.

Benefits from the Texas County and District Retirement System may be coordinated with retirement benefits from other governmental agencies.

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<sup>51</sup> Sections 10.047 – 10.051 were replaced 5/19/2015, Item 16 Revised, effective 5/19/2015.

<sup>52</sup> Sections 10.047 – 10.051 were replaced 5/19/2015, Item 16 Revised, effective 5/19/2015.

<sup>53</sup> Sections 10.047 – 10.051 were replaced 5/19/2015, Item 16 Revised, effective 5/19/2015.

#### **10.051 Employee Assistance Program<sup>54</sup>**

Because a wide range of problems, not directly associated with one's job function, can affect an employee's job performance, when funding is made available, the County maintains an employee assistance program that provides various services to support and assist Regular Employees. Problems which may affect an employee's work performance include physical and mental illness, financial and legal difficulties, personal relationship issues, marital and family distress, and alcohol and drug abuse.

#### **10.052 Unemployment Benefits**

- (a) The county will file a response to all contestable unemployment claims filed by former county employees.
- (b) Elected/appointed officials should notify the Human Resources Management Department when first notice of an unemployment claim is received.
- (c) The Human Resources Management Department will accompany all elected/appointed officials to hearings resulting from unemployment claims.

#### **10.053 [Reserved for Expansion]<sup>55</sup>**

#### **10.0535 On-site Park Ranger Residence Policy<sup>56</sup>**

- (a) Policy. The purpose of this policy is to establish rules, regulations, and procedures regarding Travis County Park Ranger residences.
- (b) Goals and Objectives. The goals and objectives of establishing park residences are to:
  - (1) Provide 24-hour emergency response for law enforcement incidents, search and rescue operations, medical emergencies, vehicle lock-ins, and severe weather notification, and
  - (2) Provide 24-hour protection of park assets and infrastructure and cultural and natural resources.
- (c) Residence Location Criteria. The location of each residence will play a key role in meeting the goals and objectives of this policy. Residences are to be located at Southeast Metropolitan Park (currently vacant and awaiting repairs), Northeast Metropolitan Park, East Metropolitan Park (currently no residence), Bob Wentz Park, and Pace Bend Park.

Residences will be constructed at Arkansas Bend Park and Milton Reimers Ranch Park as these two parks are developed. Each park within the Travis

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<sup>54</sup> Sections 10.047 – 10.051 were replaced 5/19/2015, Item 16 Revised, effective 5/19/2015.

<sup>55</sup> Section 10.053 was repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.

<sup>56</sup> Section 10.0535 amended 8/5/2008, Item 21.

County parks system does not need a residence; however, each residence shall be located to enable a resident park ranger to respond quickly to situations within a specific geographic area of the parks system. As the County continues to expand its park system, the following criteria will be used to determine where residences are to be located:

- (1) Threshold of risk to the County's investment; i.e., multi-million dollar investment of County funds in metropolitan parks require on-site protection in order to limit vandalism, discourage unauthorized use of parks after hours, and provide for asset and resource protection.
  - (2) Geographic area to respond to situations within a district; e.g., the Bob Wentz Park resident park ranger can respond to Mansfield Dam, Hippie Hollow, Balcones Canyonlands Preserve tracts, etc.
  - (3) Parks with significant overnight park activities, such as camping, that have a resulting impact on the health and safety of visitors and employees. (See attachment A- "Resident Ranger Response Areas Map")
- (d) Structural Criteria for Residences. Each residence must meet certain criteria in order to be approved as a Ranger Residence for Travis County. Any existing residences or new residences being considered for inclusion in the list of Ranger Residences should meet the following criteria:
- (1) The County shall equip kitchens with a stove, dishwasher, and refrigerator that meet "energy star" requirements.
  - (2) A residence with 3 bedrooms and 2 full bathrooms is desirable, and required if a new residence is constructed.
  - (3) Any new residence shall consist of a minimum of 1500 square feet of livable space.
  - (4) Each residence shall include pre-wired telephone and data lines.
  - (5) Each residence shall be separated from the park proper with a 6-foot privacy fence.
- (e) Minimum Resident Qualifications. Employee resident selection will be based on the following criteria:
- (1) Employee must be a Park Ranger, Park Ranger Supervisor, or Chief Park Ranger.
  - (2) Employee performance "Meets" current job expectations as determined by the employee's rating during the annual Performance Appraisal; any time the employee's job performance falls below "Meets Expectations" as a result of the annual Performance Appraisal, the Executive Manager, subject to terms of the Lease Agreement, may require the resident and all other occupants to vacate the residence.
  - (3) Employee must be a Certified Emergency Medical Technician - Basic, or higher certification level, and maintain TCEMS system credentials.

- (f) New Residence or Vacancy in Existing Residence. When a new residence becomes available or when a current residence becomes vacant, a park ranger who is interested in occupying the residence may submit a written request to a selection committee which will select a candidate to reside in that residence in accordance with the selection committee's procedures. A park ranger must meet the minimum qualifications set forth in Subsection (e) in order to submit a written request to reside in a new or vacant residence.
- (g) Resident assignments may change from year to year, requiring residents to move to another park location.
- (h) Persons qualified to occupy a residence are the qualified ranger and his/her "immediate family" as defined in Chapter 10.076, subsection (7), of the Travis County Code.<sup>57</sup>
- (i) Responsibilities of Resident Rangers. Each resident park ranger shall:
  - (1) Respond to emergency situations after operating hours.
  - (2) Provide surveillance and protection in the parks and preserves.
  - (3) Provide mutual aid assistance as needed or requested, for example, to TCSO, LCRA, EMS, ESDs, the Fire Department, etc.
  - (4) Provide 24-hour emergency response for law enforcement, search and rescue operations, medical emergencies, vehicle lock-ins, and severe weather notification.
  - (5) Provide 24-hour protection of the park infrastructure and cultural and natural resources.
  - (6) Open and close the parks and preserves as scheduled, or as necessary.
  - (7) Perform unscheduled emergency maintenance for park facilities, as needed.
  - (8) Act as a liaison to special groups who routinely utilize the parks and preserves or who live in the immediate vicinity, such as athletic organizations, volunteer response organizations, neighborhood associations, concessionaires, or special user groups.
  - (9) Assist staff, visitors, or those persons with park-related business, as necessary.
- (j) While job-related work could occur at the residence, the intent of the residence policy is that the residence serves as the domicile for the park ranger and family. The resident ranger shall not use the residence as a location to perform routine job duties unless preapproved by the Parks Division Manager.

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<sup>57</sup> See Chapter 14 Compensation.

- (k) Each resident ranger is required to complete a "Resident Ranger Response Log" weekly and submit to his/her supervisor. The Log will be factored into the resident's annual Performance Appraisal in order to determine if the resident is meeting the expectations outlined in this policy. (See attachment B- "Resident Ranger Response Log").
- (l) Criteria for Determining Taxable Value of Rent. All park ranger residents receive a taxable benefit equal to the Factored Rent of the property, based on an inspection of the housing, and the application of the formula shown in the table below.
- (1) The taxable value of rent for each residence is determined by the formula and method of assigning points to the specific residence as shown in the table below. Factors to determine the rent include the total square footage of the residence, HVAC, and appliances of the residence, condition, and age of the structure, degree or amount of privacy, and the current fair market rental value of the residence.
  - (2) The fair market rental value ("Gross Rental" in the table) of the house equals the total square footage of the house multiplied by the average rate per square foot for rental houses in the Austin area ("Austin Rental Rate"). The total is rounded to the nearest \$100. Then the fair market rental value ("Gross Rental") is multiplied by the Factor Points assigned and then by 0.01 to arrive at the Factored Rent:
 

Square Feet x Austin Rental Rate x Total Factor Points Assigned x 0.01 - Factored Rent.
  - (3) Each fiscal year the TNR Finance Division shall determine the Factored Rent for each residence utilizing the latest information available.
  - (4) Table of Factor Points and Formula for Determining Rent:
    - (A) Square footage of residence (select one category) Possible Factor Points
      - (i) < 1500 square feet 5 points
      - (ii) > 1 500 square feet 10 points
    - (B) Heating / AC system and appliances (combined)
      - (i) Central Heat 10 points
      - (ii) Central A/C 10 points
      - (iii) Major Appliances (stove, dishwasher) 10 points
    - (C) Structural/Age (select one)
      - (i) Requires substantial upgrading / repair 0 points
      - (ii) Requires minimal upgrading / repair 10 points
      - (iii) Good condition throughout 20 points
      - (iv) Superior condition 30 points

Degree of Privacy (select one)

- (i) Residence located within a Metropolitan park, or attached to maintenance area, headquarters, etc. 0 points
- (ii) Residence located in camping park (24 hour visitation) 10 points
- (iii) Residence located in day use only park 20 points
- (iv) Residence located within, or attached to maintenance area, headquarters, etc. AND residence located in day use only park. 10 points

Total Factor Points

(E) Current market value of residence (as rental property) is total square footage times local market rate. Total rounded to the nearest \$100. Total square feet x local market rate is = Gross Rental

(F) Calculation of Rate

Total Factor Points x 0.01 x gross rental amount

Points x .01 x \$\$\$\$ = Factored Rent

\*Residence data provided by Facilities Management and market rates are provided by TNR Right-of-Way.

\*\*Square footage was measured by TNR Inspectors.

(m) Lease Agreement. A park ranger, upon meeting the qualifications for residence occupation, will be required to sign a lease agreement. The agreement is typical of a residential lease contract. The lease agreement will be between the park ranger resident and Travis County. Pursuant to the terms of the agreement, occupants of the residence will include those listed, adults and minors, at the time of the signing, and a list of authorized occupants approved by the Executive Manager is required prior to occupation. Replacements or change of co-residents may be allowed upon Travis County's written consent, pursuant to the terms of the lease agreement.

(n) Obligations of Residents. Residents and occupants who violate any of the following may be asked to vacate their residence and may face possible disciplinary action, up to and including termination:

- (1) When responding from the residence, the resident park ranger must carry proper identification.
- (2) At no time should a resident park ranger approach a member of the public in an official capacity when under the influence of alcohol or any drug, or when impaired by the use of prescription or non-prescriptive medications.

(o) Obligations of the County.

- (1) Pursuant to the established preventive maintenance schedule, the County (Facilities Management) will perform, or have performed, annual mechanical, structural, and operational checkups, and will perform general repairs, including flooring replacement, and interior and exterior painting.
- (2) The County will provide gas hookups or propane storage tanks where needed.
- (3) The County (Facilities Management) will maintain, repair, or replace septic tanks and drain fields, and will maintain on-site sewage disposal system, including rodding of lines, septic pumping, and wastewater fees.
- (4) The County will provide water and/or a water system that conforms to State health standards.

**10.054 On-Duty Meals for Sheriff's Staff**

- (a) Any corrections staff member whose on-duty shift includes the time during which a meal is served to the prisoners may be given the same meal served to the prisoners during that shift at no charge.
- (b) Any law enforcement staff member who is engaged in activities involving a prisoner during the time when a meal is being served to the prisoners may be given the same meal served to the prisoners during that shift at no charge.
- (c) Corrections and law enforcement staff members are limited to one meal at no charge during each duty day. Each duty day is a full work shift.

***[Subchapter E.] Workers' Compensation***

**10.055 Purpose**

- (a) The county provides all employees with Workers' Compensation coverage with benefits in accordance with state statute.
- (b) A salary continuation program has been provided by the Commissioners Court through the budget process. All regular employees are eligible for salary continuation if they are injured or become ill due to a job-related incident and follow the required reporting procedures.

**10.056 Types of Claims**

- (a) The three (3) Types of Workers' Compensation claims which can be filed, as follows:
  - (1) Reporting purposes only. These are claims which appear to be minor injuries and which do not require any medical attention at the time of injury. These claims are maintained in the risk management division and are not submitted to the county's claims adjustor unless a problem

occurs at a later time. When these claims are submitted, "reporting purposes only" or "RPO" should be noted at the top of the E-1 (employer's first report of injury or illness).

- (2) Medical only. These are claims which involve injuries requiring medical attention, but which do not involve any time away from work, other than the time taken off for doctor's visits.
  - (3) Lost time. These are claims which involve injuries serious enough to require that the employee take time away from work as a result of these injuries. If an employee takes time away from work 'as the result of an injury, the supervisor should note this in the appropriate section of the E-1 employer's first report of injury or illness. All sections of the E-1 must be completed for all claims. If an employee loses any time from work, it should be noted as "Workers' Compensation" on the employee's time sheet only if the employee provides the necessary physician's report (EI6), both to begin or end time lost as the result of a Workers' Compensation injury.
- (b) If an employee misses any time, even one day, the employee must provide the employer with a physician's statement identifying the amount of time off that is required, the probable date of return, whether the employee returned to limited duty, and any physical limitations which apply. Before an employee may return to work, a physician's release, which identifies the specific date the employee may resume his/her duties must be submitted.
  - (c) If these documents are not provided the employee may not be compensated without reducing the employee's accumulated leave balances. If an employee subsequently loses additional time, after initially returning to work, a physician's statement must be submitted to support any additional lost time and another release to return to work must be submitted.

#### **10.057 Submitting Workers' Compensation Forms**

- (a) If a Travis County employee sustains an injury arising out of, or in the course of work, the employee must report such injury to his/her supervisor immediately. The supervisor initiates the paperwork necessary to report the injury to the risk management division upon notification from the employee. The documents used for reporting all injuries, whether major or minor, will be the same, with the exception of the EI-6 (physician's report).
- (b) If an injury occurs and medical intervention is requested by the employee or required by the supervisor, then the employee should seek treatment from the medical provider of his/her choice. The employee is required to obtain a EI-6 from the treating physician outlined above. Employees must submit the EI-6 to his/her supervisor within one (1) working day of the date the injury occurred. If the employee is unable to return to work, the employee has two (2) working days from the date of injury to submit the EI-6 to his/her supervisor which will allow the employee to mail the document. It is the

employee's responsibility to obtain and submit the EI-6 within these established time limits.

- (c) When an employee reports an injury, the following forms should be completed and submitted to the office-risk management division:
  - (1) E-1 employer's first report of injury or illness
  - (2) EI-1 supervisor's investigation report
  - (3) EI-2 employee's statement
  - (4) EI-3 witness statement
  - (5) EI-4 final clearance report
  - (6) EI-5 release-Workers' Compensation payments
  - (7) EI-6 physician's report
- (d) Forms EI-1, EI-2, and E-3 should be completed by the appropriate persons as soon as practical after the injury and submitted to the risk management division. In addition, any incident reports and police reports which would provide evidence about the case should be submitted.
- (e) The E-6 submitted by the employee must include the following information, when applicable:
  - (1) Date of injury
  - (2) Type of injury
  - (3) Work restrictions
  - (4) Date employee can return to full or light duty work
  - (5) Date of next appointment, if any
  - (6) Schedule of treatments, if any
  - (7) Information regarding any referrals to other physicians and
  - (8) If employee will have lost time, the dates on which lost time will begin and the expected date of return
- (f) The employee's supervisor must complete and submit the E-1 to the risk management division within four (4) working days of the date of injury. All sections of the E-1 must be completed for all claims. For reporting purposed only claims, all forms except the E-6 must be completed and submitted and "reporting purposed only" or "RPO" should be noted at the top of the E-1. For lost time claims, the supervisor should note the lost time in the appropriate sections of the E-1.
- (g) If there are extreme circumstances which prevent the department from submitting a claim, the risk management division must be notified of the existence of the claim within the four (4) working day period. If warranted, the

risk manager or his/her designee may allow an extension of the time for submitting the form if the request is made within four days of the injury.

- (h) Once received by the risk management division, all claims will be reviewed and, if properly completed, will be forwarded to both the Workers' Compensation claims adjustor and the Texas Workers' Compensation Commission (TWCC) within six (6) days of the date of injury.
- (i) The TWCC shall receive the original claim and the Travis County claims adjustor shall receive a copy of the claim within (8) days of the date of injury.
- (j) The county's Workers' Compensation claims adjustor will respond to all claims within twenty (20) days after receipt of the claim. If there are extreme circumstances which prevent the claims adjustor from responding to a claim, TWCC and the risk management division must be notified, by the claims adjustor, within that twenty (20) day period. If warranted, the TWCC will allow for an extension. When an extension is approved by the TWCC, the maximum extension will be ten (10) days.
- (k) Upon receipt of the E-1, the TWCC will send the employee a claim notice form which the employee is required to return within one (1) year of the date of injury or first sign of occupational disease. A copy of the claim notice and form should be forwarded to the risk management division by the employee at the same time it is submitted to the TWCC.
- (l) Monthly status reports on Workers' Compensation claims will be provided to each elected official/department head.
- (m) Fraud or misrepresentation of information concerning a Workers' Compensation claim is grounds for dismissal.

**10.058 Time Off-Lost Time Claims**

- (a) Any additional time taken off work in relation to a Workers' Compensation claim must be supported by an E-6 from the treating physician. Each time an employee takes time off from work to visit a medical professional or loses time from work due to a Workers' Compensation injury, the employee must provide adequate medical documentation to support both the lost time and return to work. Any Workers' Compensation time credited to an employee during a pay period which is not accompanied or covered by an existing medical statement will be replaced by sick leave, vacation leave, personal holiday, compensatory time or, if the employee has no accumulated paid leave, he/she will not be paid or compensated for the period of time being credited on the time sheets. Employees must use accumulated sick leave for this purpose before using any other type of leave or compensatory time.
- (b) Any visits to medical professionals subsequent to the initial visit will be limited to two hours unless the E-6 contains information supporting the need for additional time.

**10.059 Filing of Forms for Lost Time Claims**

- (a) Any time an employee has a change in status, either losing time due to a Workers' Compensation injury or returning to work after a Workers' Compensation injury, the risk management division must submit an E-2 (employer's supplemental report of injury) To the TWCC and the county's claims adjustor. This is the source document for all Workers' Compensation temporary total disability (TTD) benefits.
- (b) Each department must complete the WC3 (Workers' Compensation time report) For any time an employee loses as a result of a Workers' Compensation claim. However, as the time reports are generally received two to three (2-3) Weeks after payment is made, the appropriate department timekeeper should call the risk management division as soon as an employee begins to lose time, or returns to work from a Workers' Compensation injury.

**10.060 Salary Continuation<sup>58</sup>**

- (a) Any employee, except a Law Enforcement Officer as defined in Article 3, section 52e, of the Constitution of the State of Texas, who has a compensable claim and who loses eight or more calendar days will be reimbursed by the workers' compensation provider, on a weekly basis, at the rate set forth by statute. The County will in addition provide salary continuation for these regular employees (the difference between. the amount paid by workers' compensation and the employee's regular salary) for a period not to exceed six calendar months from date of initial injury. If recovery 6om the original injury occurs and the employee returns to work sooner than six months, but a re-injury occurs or a disability returns 6om the original injury (as certified by a physician), wage continuation may be paid for the remainder of the six month period of time not used from the original injury.
- (b) Any employee, except a Law Enforcement Officer as defined in Article 3, section 52e, of the Constitution of the State of Texas, who has a compensable claim and who loses less than eight days as the result of a workers' compensation injury, will be maintained on the County payroll at full pay, if the necessary claim forms and E-6's have been submitted in compliance with Section 3. If these forms are not submitted, the employee's accumulated leave, beginning with sick leave, will be used. If no sick leave, vacation leave, personal holiday, or compensatory time has been accumulated, the employee will not be paid or compensated for those hours taken off as a result of a workers' compensation injury
- (c) If an employee meets the criteria outlined in 10.057, he/she will be maintained on the County payroll until a determination is made by the workers' compensation claims adjustor. If the claim is found to be compensable, the

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<sup>58</sup> Section 10.060 was replaced 7/2/2002, Item 8.

workers' Compensation claims adjustor will pay workers' compensation weekly payments from the eighth (8th) calendar day the employee had lost time through the date the claim was found to be compensable. When the claims adjustor issues the initial TTD benefit check, that check will be made out to the employee, but will be mailed directly to the Risk Management Division. The Risk Management Division will contact the employee and request that they endorse the check. The check will then be deposited in the County payroll account, in order to reimburse the County for maintaining the employee on the payroll. The County Payroll Division will issue a check to the employee for any funds remaining after the overpayment has been corrected. Regular weekly TTD checks will be sent directly to the employee. The County Payroll Division will adjust Federal income and FICA taxes to ensure that TTD payments remain non-taxed income.

- (d) If the employee does not remit this initial TTD benefit check to Travis County, his/her Travis County paychecks will be reduced in order to reverse the overpayment. Each employee must sign a release (E-5) agreeing to these terms at the time the claim forms are completed
- (e) This subsection only applies to Law Enforcement Officers as defined in Article 3, section 52e, of the Constitution of the State of Texas while they are employed in law enforcement and does not extend to support staff or security personnel. If they are hospitalized or incapacitated, Law Enforcement Officers injured in the course of their official duties continue to receive their salary from the employing department for the shorter of the period of incapacity or the expiration of the term of the official who employed them during which the injury occurred without regard to whether the official was elected or appointed. The Temporary Income Benefits (TIBs) payable under the State of Texas Workers' Compensation rules is calculated and recorded for reporting purposes, but is not to be paid to Law Enforcement Officers who continue to receive the salaries. When the Law Enforcement Officer meets criteria for suspension of TIBs, the amount calculated and recorded is transferred to the employing department's payroll line item.

***[Subchapter F.] Travel***<sup>59</sup>

**10.061 Travel Eligibility**<sup>60</sup>

- (a) Travis County employees, officials, and persons who travel for county business may receive reimbursement for their travel expenses.

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<sup>59</sup> Sections 10.062 – 10.067 were repealed 9/17/2013, Item #29. See annual budget rules for rules related to travel.

<sup>60</sup> Section 10.061 was replaced 9/17/2013, Item #11.

- (b) It is the responsibility of the County Auditor to manage the travel reimbursement process and ensure that the county meets the Internal Revenue Service (IRS) requirements for an accountable plan.
- (c) Departments and offices are encouraged to submit a reimbursement request timely so as to avoid the reimbursement become taxable income.

**[10.068 – 10.070 Parking]<sup>61</sup>**

***[Subchapter G.] General interpretative provisions***

**10.071 Authority**

This manual is adopted by the Commissioners Court acting in its capacity as the governing body of Travis County. Travis County adopts this manual under the authority of the laws of the state of Texas.

**10.072 Jurisdiction**

This manual applies to all employees who are paid by Travis County.

**10.073 Effective Date**

This manual shall become effective upon adoption by the Commissioners Court.

**10.074 Construction, Precedents, and Interpretation**

- (a) This manual shall be construed strictly so that no rights are created that are not specifically created by this manual. This manual shall be applied prospectively.
- (b) Commissioners Court shall resolve any questions regarding any interpretation of this manual.
- (c) If there is any conflict between this manual and the state constitution, or state law or a rule adopted under a state law or the United States Constitution, a federal law or a rule adopted under federal law, the policy shall prevail to the greatest extent possible without violating the United States Constitution, the state constitution, any constitutional federal or state law, or any constitutional rule adopted under either of these.
- (d) The masculine, feminine, and neuter gender shall be construed to include the other genders if required. The singular and plural should be construed to include the other number if required. Words in the present tense shall be construed to include the future tense.

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<sup>61</sup> Sections 10.068 to 10.070 (Parking) were repealed 8/30/2011, Item 31. See Chapter 11 Parking for rules related to Parking.

- (e) Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by definition in this manual or otherwise, shall be construed according to that acquired meaning. Throughout the manual, words defined in this chapter are shown in italics. The use of italics shall be construed to mean that the definition of the italicized word or phrase shall be the definition provided in this chapter.
- (f) Throughout this manual, headings for chapters and sections are used for convenience only. These headings shall not be construed to expand or to limit the interpretation of the section that follows the heading.

**10.075 Computation of Time**

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

**10.076 Definitions**<sup>62 63 64 6566</sup>

- (a) In this manual, the following words and phrases shall have the meaning provided adjacent to the words below.
  - (1) [Repealed]<sup>67</sup>
  - (2) Compensatory time: authorized leave given to an employee as compensation for overtime worked, instead of monetary compensation.
  - (3) Conflict of interest: clash between the interests of the county and a person that exists when that person is making or participating in a decision on a matter involving a business in which that person has a substantial interest if it is foreseeable that an action on that matter would confer an economic benefit on the business.
  - (4) Effective date of separation: the final date the employee works for the county.
  - (5) Full-time employee: an employee who has regularly assigned work schedules of 40 hours per week.

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<sup>62</sup> Section 10.076 amended 4/2/1996, Item #8.

<sup>63</sup> Section 10.076 amended 4/16/1996, Item #4.

<sup>64</sup> Section 10.076 amended 2/23/1999, Item #5.

<sup>65</sup> Section 10.076 was amended 3/9/1999, Item #4.

<sup>66</sup> Section 10.076(13),(15) and (16) were replaced 5/19/2015, Item #16 Revised, effective 5/19/2015.

<sup>67</sup> Section 10.076(a)(1) was repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.

- (6) Holiday credit: a benefit category set aside for payroll purposes to allow the accumulation of hours accrued due to working on holidays, or for those employees who are regularly scheduled off on a holiday.
- (7) Immediate family: an employee's spouse, parents, children, grandchildren, sister, brother, grandparents, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law or person(s) within the same household with whom the employee shares a significant relationship of mutual caring, who are in or incapacitated.
- (8) Overtime: time worked in excess of 40 productive hours in one workweek by non-exempt employees. A workweek begins and ends at midnight on Saturday.
- (9) Part-time employee: an employee who has regularly assigned work schedules of less than 40 hours per week.
- (10) [Repealed]<sup>68</sup>
- (11) Peace officers: persons who are in a law enforcement activity, whose job mandates state peace officer certification. This includes constables, deputy constables, corrections officers, and sheriff's deputies.
- (12) Productive time: time spent performing job duties required of a county position, representing the county in an official capacity or attending official, county-required training. Time spent away from work on the following types of leave is not counted as productive time: such as vacation leave, emergency leave, personal holidays, sick leave, family and medical leave, holiday, military leave, and leave without pay. Jury duty is productive time; however, it will not be used to calculate overtime pay.
- (13) Regular employee: an employee hired without limitation as to duration of their employment, and who may be either Full-time or Part-time.
- (14) Separation: the discontinuance of an employee's service with the county as a result of resignation, dismissal, retirement, or death.
- (15) Seasonal employee: an employee who is hired into a position for which the customary annual employment is six months or less and who performs services that are performed exclusively at certain seasons or periods of the year and, because of the nature of the services, may not be carried on throughout the year
- (16) Temporary employee: an employee hired for a limited period of time for any position that is not an authorized regular position. Temporary employees may be fulltime or part-time.

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<sup>68</sup> Section 10.076(a)(10) was repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.

- (17) Transfer employee: a regular employee who became a county employee as a result of a decision by the Commissioners Court to perform a function, program, or other operation with county employees instead of contracting with the City of Austin for the services necessary to accomplish the function, program or other operation.

**10.077 Acknowledgment**

I have received, read, and understand all matters set forth in the Personnel Benefits Guidelines and Procedures Manual for all Travis County employees (blue book), and I agree to abide by its provisions, realizing that changes in the employment conditions may be unilaterally implemented by Travis County commissioners' court. Nothing in this manual is to be construed as a contract of employment or a provision guaranteeing the specific term or tenure of employment.

Prior to signing this acknowledgment, I was given an opportunity to ask any questions that I had about the matters described in this manual.

By placing my signature below, I specifically agree to all terms and conditions described in the text of the general provisions appearing on page ii of this manual.

Print name \_\_\_\_\_ signature \_\_\_\_\_

Social security number \_\_\_\_\_ date \_\_\_\_\_

***[Subchapter H.] Travis County Job Banding System: Process Methodology for Position Analysis, Position Classification, and Job Evaluation***

**10.078 – 10.087 [Reserved for Expansion]<sup>69</sup>**

**10.0875 Criteria for Approval of Salary above Midpoint at Hire<sup>70</sup>**

- (a) Elected and Appointed Officials and Department Heads may request Commissioners Court to consider approval of a salary above the midpoint of the pay range for a position when the office or department has an exceptional need that affects the county as a whole if:
- (1) the office or department requires a specialized skill.
  - (2) there is an identified shortage of qualified applicants for the position, or

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<sup>69</sup> Sections 10.078 through 10.087 were repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.

<sup>70</sup> Section 10.0875 was amended on 9/24/2002, Item 16. See Chapter 14, Classification & Cash Compensation, adopted 9/15/15, Item 14.

- (3) other extraordinary circumstances exist.
- (b) Request for approval of a salary above the midpoint of the pay range for a position must include the following information:
  - (1) the department name;
  - (2) the job title, the job code, the pay grade, and the slot number of the position for which the request is made;
  - (3) Justification for paying above midpoint should address the following criteria:
    - (A) Relevant education
    - (B) Relevant experience (including certification)
    - (C) Skill sets
    - (D) Other extraordinary skills.
- (c) The Elected or Appointed Official or Department Head shall not offer an applicant a salary above midpoint in the authorized pay range before approval by Commissioners Court. HRMD shall not process and the County Auditor shall not pay a new employee or newly promoted employee above midpoint unless the Commissioners Court has previously approved the salary requested or the payment is made in compliance with the compensation policy.

**10.088 [Reserved for Expansion]<sup>71</sup>**

***[Subchapter I.] [Reserved for Expansion]<sup>72</sup>***

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<sup>71</sup> Section 10.088 was repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.

<sup>72</sup> Subchapter I was repealed when Chapter 14, Classification & Cash Compensation was adopted 9/15/15, Item 14.