

AGENDA ITEM # 45September 8, 1998

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Consider approving amendments to 1999 adopted budget order.

Judge Doerfler informed the court of the committee meeting with representatives of the offices of the County Judge, Auditor, Treasurer and again on September 7, 1998, with representatives from the Sheriff's Department. Recommendation of the committee is to leave the budget order as is and amend: 6.b on page 5 to 85 hours from 80 hours; 6.d on page 5 to half time from straight time until an in depth report is received from Kathy Wierzowiecki on costs and prices on straight time and overtime.

Moved: Judge Doerfler

Seconded: Commissioner Boatright

Motion: To adopt budget order as approved August 25, 1998, in Volume 99, pages 682 through 702 of the Commissioners Court minutes with revisions of 6.b from 80 hours to 85 hours and 6.d from straight time to half time.

Vote: Motion carried 4 - 1 with Commissioner Hays voting against the motion.

Judge Doerfler asked the Commissioners if they would consider rescinding the \$30,000.00 incentive pay for Sheriff Department Field Training Officers until an in depth study could be completed on a county wide incentive program.

Commissioner Boatright felt the court could possibly be approached for a county wide incentive program and a study was in order.

Commissioner Hays expressed his opinion that the 1999 budget was dedicated to a program of competitive salaries with Williamson County being able to keep capable and competent employees in all departments. He felt the proposed Sheriff Department salaries were not as competitive as they should have been in order to retain quality employees.

Moved: Judge Doerfler

Seconded: Commissioner Boatright

Motion: To rescind \$30,000.00 incentive program for Sheriff Department Field Training Officers.

Vote: Motion passed 3 - 2 with Commissioners Heiligenstein & Hays voting against the motion.

< Clerk copy here >

STATE OF TEXAS

COUNTY OF WILLIAMSON

**AN ORDER ADOPTING THE 1999 COUNTY BUDGET  
(AS AMENDED SEPTEMBER 10, 1998)**

WHEREAS, the Williamson County Commissioners Court is authorized and required to adopt an annual budget for all Williamson County officials and their departments after due consideration;

WHEREAS, the Williamson County Commissioners Court did invite and encourage public participation from County officers, precinct officers, department heads, and the general public, as to the various needs of the citizens of Williamson County for the fiscal year 1999;

WHEREAS, the Williamson County Commissioners Court, after a full discussion of the needs, did make changes in the proposed budget filed by the County Judge in accordance with law;  
NOW

THEREFORE, BE IT ORDERED BY THE WILLIAMSON COUNTY COMMISSIONERS COURT that the proposed budget filed by the County Judge and amended by the Commissioners Court be adopted with the following provisions:

**1. Definitions.**

a. "Authorized paid leave" includes holidays, sick leave, vacation, compensatory time taken, personal leave, military leave, jury duty, and all similar forms of compensation allowed by the annual budget order.

b. "Employees not subject to the plan" includes all employees who are not subject to the guaranteed salary with fluctuating hours plan ("the plan").

c. "Employees subject to the plan" includes all employees who are subject to the plan, as defined above. These employees include only those working in the Sheriff's Department, the Emergency Medical Service, Juvenile Detention, Communications and Deputy Constables.

d. "Exempt employees" include all county and precinct officials, department heads, and employees who are not subject to the overtime regulations of the Federal Fair Labor Standards Act, or whose working hours are not restricted by that Act. Exempt employees will be identified as such by the Williamson County Human Resources Department after consultation with the elected official or other department head.

e. "Nonexempt employees" include all county and precinct employees who have not been identified as exempt employees by the Williamson County Human Resources Department.

f. "Officials" includes District, County and Precinct officials and any other officials for which the Commissioners Court has the authority to adopt a budget, and any official, employee, or agency that receives County funds. The provisions of this Order relating to authorized paid leave do no apply to elected officials, the County Auditor, or the Chief Juvenile Probation Officer.

g. "Part-time employees" includes all employees, other than temporary or seasonal employees, who are scheduled to work less than 40 hours per week. The elected official or other department head must identify all such employees to the County Treasurer to assure that their compensation and benefits will be properly calculated and paid.

h. "Temporary and seasonal employees" include all employees hired for a period not to exceed 90 days. Such employees do not accrue longevity, sick leave, or vacation (but shall receive any paid holidays that occur during a week in which the employee works at least 24 hours). If an employee originally intended to be temporary remains for more than 90 days, they will be treated like all other employees for salary and benefit purposes, but will receive no retroactive salary or benefits.

### Salary

2. Salaries for County and Precinct Officials are set as follows:

a. Judge of the County Court	\$62,153.44	per year
b. Judge of the County Court at Law #1	\$84,000.00	per year
c. Judge of the County Court at Law #2	\$84,000.00	per year
d. County Attorney	\$84,000.00	per year
e. County Sheriff	\$62,153.44	per year
f. County Clerk	\$50,852.81	per year
g. County Tax Assessor/Collector	\$57,950.00	per year
h. District Clerk	\$54,150.00	per year
i. County Treasurer	\$49,400.00	per year
j. Each County Commissioner	\$50,852.81	per year
k. Justice of the Peace #1	\$44,650.00	per year
l. Justice of the Peace #2	\$40,862.25	per year
m. Justice of the Peace #3	\$44,650.00	per year
n. Justice of the Peace #4	\$40,862.25	per year
o. Constable, Pct. 1,2 &4	\$41,800.00	per year
p. Constable, Pct. #3	\$35,513.18	per year

3. The number of employee positions established and authorized for each official and/or department, and the maximum allowable salary for each position is reflected in the minutes of the Commissioners Court meetings. No County or Precinct Official or Department Head is required to pay the maximum salary allowed; the actual salary to be paid to each employee is to be decided by the employing officials or department head, and is to be certified by the County Judge's office before the last day of the pay period. The County Judge's office will forward all approved payroll information sheets to the County Treasurer. Overtime compensation shall be determined in accordance with the Overtime Policy below.

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4. a. All employees of officials or employees in any other department, including any

department head appointed by the Commissioners Court, shall be paid longevity pay above their regular salary set by the employing official or department head. Longevity pay is related solely to length of total service with the county.

b. Longevity pay shall begin with the pay period following the completion of five years employment and shall increase with the pay period following each additional five years of employment, to a maximum of twenty five (25) years. However, temporary and seasonal employment shall not contribute to longevity, and part-time employment after October 1, 1998, shall be credited only on a pro-rated basis.

c. Longevity pay shall be paid twenty-six (26) times per year, as follows:

\$12.00 per pay period after completing five years of employment;

\$24.00 per pay period after completing ten years of employment;

\$36.00 per pay period after completing fifteen years of employment;

\$48.00 per pay period after completing twenty years of employment;

\$60.00 per pay period after completing twenty-five years of employment.

\$60.00 per pay period shall be the maximum allowable longevity.

#### **Overtime Policy**

##### **5. General Provisions on Overtime.**

###### **a. Statement of Intent.**

i. The following rules regarding overtime represent an effort to go over and beyond the minimum requirements imposed by Federal law in the interest of fairness. The examples are designed as general illustrations of the principles involved, as well as of the sort of situations that the policy is intended to address.

ii. The Texas Constitution absolutely forbids counties from making a gift. Therefore, Williamson County cannot pay an employee any compensation that is not authorized in its budget. The allowances for authorized paid leave in the budget order are the exclusive forms of paid leave provided by the county to its employees. The county cannot legally pay someone for unworked hours that do not fall under one of these categories, or that exceed the maximum amount allowed. The department head may grant employees unpaid leave if they have exhausted their paid leave, but may not agree to make any payments not authorized by Commissioners Court. Except as otherwise provided in this Budget Order, the Treasurer and Auditor shall reject any departmental request to pay a full-time employee who has not actually worked 40 hours during a 7-day work period and is not entitled to authorized paid leave.

###### **b. Work Period.**

i. Except as provided below, the "work period" for purposes of calculations under the Fair Labor Standards Act shall be a 7-day week. Generally, nonexempt employees may only work 40.00 hours during a week without incurring an overtime obligation for the county.

ii. Employees who are trained peace or corrections officers primarily involved in law enforcement or corrections activities shall have a 14-day "work period" for purposes of calculations under the Fair Labor Standards Act. Nonexempt employees in these categories may work 85.00 hours during a work period without incurring an overtime obligation.

iii. Only hours actually worked count toward the overtime limit for nonexempt employees. Holidays, vacation, and other forms of paid leave do not contribute to the total number of hours worked in a work period.

iv. Although employees who are exempt or not subject to the Fair Labor Standards Act never have any federally-guaranteed right to overtime compensation, a department head may allow such employees flexible hours, even if this occasionally results in full pay for a week in which the employee works less than 40 hours, so long as the average work week of the employee exceeds 40 hours (including authorized paid leave).

*Example 1:* a felony prosecutor puts in 60 hours during a jury trial week, and the DA lets her take 2 days off a few weeks later; she gets no extra compensation for the long week, but (at the discretion of the DA) the short week is not charged against her accrued paid leave.

#### **c. Controls on Overtime**

i. Nonexempt employees may only work on a county holiday or outside normal working hours at the express direction of their supervisor or with the express permission of their department head or designee. Additional hours worked without such authorization will not be compensated, except to the limited extent required by Federal law, and may result in discipline or termination. **It is the responsibility of the department head to enforce this policy and to prevent the filing of claims for unauthorized compensation.**

*Example 2:* An employee is sick on Monday, then gets permission to work 8 extra hours later in the week; under the policies described below, the employee will not be charged with any expenditure of sick leave.

*Example 3:* Another employee is sick the same day, then works 8 extra hours without permission; the employee is charged with 8 hours sick leave and accrues no compensatory time.

ii. Department heads are responsible for controlling overtime so as to avoid creating an excess liability for the county. The Commissioners Court is not required to amend the budget or approve line-item transfers to allow for the payment of unnecessary overtime compensation, or for hiring any additional employees required to keep an office open while the regular employees are taking their compensatory time. Employees are encouraged to take any accrued compensatory time as soon as they possibly can, rather than allowing it to accumulate.

*Example 4:* five employees, each with 80 hours of accrued compensatory time, quit a department at once; the department head may have to do without any replacements for 10 employee-weeks or risk running out of salary money before the end of the year.

#### **d. Adjustments to Working Hours.**

i. Sick leave, holiday time, personal leave, vacation, and other authorized paid leave shall be charged against an employee only to the extent that the employee actually works less than 40 hours during a 7-day work period (or 85 hours in a 14-day work period, if applicable). This policy shall be administered so as to preserve accrued sick leave as the highest priority, with the other categories following in the order set out above.

*Example 5:* an employee takes personal leave all day Monday, but works 6 extra hours (with permission) before Thursday; the employee is only charged for 2 hours leave, not 8.

*Example 6:* an employee takes a Friday vacation day, is called out on an icestorm emergency for ten hours on Sunday, and has the flu on Tuesday; the employee is charged with no sick leave and only 6 hours of vacation leave.

ii. Whenever possible, an employee who works on a holiday with permission is to be given another day off within the same 14-day pay period. County holiday hours that the department head determines cannot be taken off during the current pay period shall be compensated as provided below.

**6. Provisions only applicable to employees not subject to the plan.**

a. Except as required by Federal law or allowed by this policy, employees not subject to the plan shall receive only compensatory time in lieu of overtime payments.

b. In the event that a nonexempt employee not subject to the plan is required or requested to work outside his or her normal working hours or on a county holiday, the employee shall be entitled to compensatory time at the rate of time-and-a-half, but only to the extent that hours actually worked exceed 40 or 85 (as the case may be) during the work period. The employee shall be entitled to compensatory time at a flat rate to the extent that the sum of hours worked (or 40 [85, when applicable], whichever is less), plus authorized paid leave taken after the adjustments described above, exceeds 40 (or 85) hours during the work period.

*Example 7:* a deputy clerk takes holiday leave on Monday, then works from 5 until 10 PM at a jury trial on Wednesday; she has worked less than 40 hours, so she has earned no time-and-a-half, but the sum of 37 hours worked plus 8 hours paid leave is 45, so she gets 5 hours of flat-rate compensatory time. [If the Monday leave had been emergency leave instead, no compensatory time would be earned, but the employee would only expend 3 hours of her accrued emergency leave.]

*Example 8:* a road and bridge employee takes a Friday holiday, but then is called out for 10 hours on Sunday to cope with a flood; the employee has worked 42 hours, so he is entitled to just 3 hours of time-and-a-half compensatory time, but the sum of 40 plus the paid leave is 48, so he gets 8 hours of additional flat-rate compensatory time, for a total of 11 hours.

c. The Commissioners Court, at its sole option, may "purchase" employees' accrued compensatory time by paying them the overtime pay mandated by the Fair Labor Standards Act. This may be necessary from time to time in order to properly manage the county's liability for outstanding overtime compensation.

d. County holiday hours worked by an employee not subject to the plan that the department head determines cannot be taken off during that pay period shall be converted hour-for-hour to flat-rate compensatory time, which shall be reported to the County Treasurer by the employee and department head not later than the following pay period or the employee will lose

the holiday entirely.

**7. Provisions only applicable to employees subject to the plan.**

a. Nonexempt employees who are subject to the plan are not eligible to earn compensatory time or "bonus time" in place of overtime pay. They must be paid additional cash compensation for their overtime as each pay period occurs. Because their salary is not subject to reduction if they work fewer hours, however, these employees are not paid time-and-a-half for their overtime hours.

b. They shall be compensated with additional pay for all overtime hours at an hourly rate equal to one-half their guaranteed salary for the work period divided by the number of hours that they actually worked during the period. However, since EMS employees are routinely scheduled to work overtime, they shall be compensated for overtime at the same hourly rate as for their first 40 hours per week (*i.e.*, their guaranteed weekly salary divided by 40).

c. The salary provided for a nonexempt employee subject to the plan is not subject to reduction because the employee worked fewer than 40 or 85 hours (as the case might be) during the work period. Salary may not be "docked" for absences, although an employee who willfully misses work is subject to disciplinary action. This might include unpaid disciplinary suspension or termination.

d. However, payment of a salary is **not** guaranteed if the employee does not work at all during the work period. An employee under the plan who performs no work during a given period will not be paid, except to the extent of any accrued leave that the employee has previously earned. Unpaid leave, under the Family and Medical Leave Act (FMLA) or otherwise, is regulated by the same rules that apply to employees who are not subject to the plan.

e. Employees subject to the plan accrue vacation, sick leave, and personal leave, and are entitled to leave under the FMLA, on the same basis as any other employee. Similarly, when the employee is absent from work, the absence is charged against accrued leave on the same basis as any other employee. The only difference is that the salary of an employee subject to the plan may not be reduced for absences—even if the employee has no accrued leave—in any work period during which the employee performed any work. Like any other employee, an employee subject to the plan may be disciplined or terminated for excessive tardiness or absences.

f. County holiday hours earned by an employee subject to the plan that the department head determines cannot be taken off during that pay period shall be converted hour-for-hour into additional vacation time. A report from the employee and department head reflecting the vacation credit shall be submitted to the County Treasurer not later than the following pay period or the employee will lose the holiday entirely. This is the exclusive form of compensation for holidays; no separate accounting of "holiday time" is to be kept or honored.

**Paydays**

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8. a. All officials, their employees, department heads and their employees shall be paid every other Friday for the two-week pay period ending on the Thursday 8 days prior to the payday. If that Friday falls on a holiday, payday shall be the last working day prior to the holiday.

b. At the end of each pay period, all employees (including nonelected department heads) must report to their supervisor any authorized paid leave they have taken during the pay period. In addition, all nonexempt employees are to report their actual working hours. These reports shall be in a form acceptable to both the County Treasurer and Auditor. The reports are to be reviewed by the department head and, if approved, forwarded to the County Treasurer (not later than 7 days prior to the following payday) for use in preparation of the payroll.

c. In the event that one of these payroll reports is omitted or incorrect, a corrected report should be submitted not later than the end of the following pay period. Except in exceptional cases, it will not be possible to correct the payroll records at a later date. The burden is equally on the department head and the individual employee to avoid falsification of the government records reflecting hours worked and leave taken.

### **Expenses**

9. The expense allowance for all officials and all employees is as follows:

a. Any County official or employee who is required to use a personal vehicle while on official County business may be entitled to receive mileage at the Internal Revenue Service allowable deduction for mileage, upon submitting the required documentation to the County Auditor.

b. The officials and employees who are listed in the section entitled "County Vehicles," below, are to be provided with a County vehicle in lieu of mileage.

c. All officials, their employees, and the employees or reserve deputies of other departments may be entitled to full reimbursement for lodging expenses when traveling out of the County, beyond a 50-mile radius of Williamson County on official County business, if said travel is approved by the employing official or department head and the required documentation is submitted to the County Auditor.

d. All officials, their employees, or the employees or reserve deputies of other departments may be entitled to per diem reimbursement for any meals eaten when traveling out of the County on official County business, if said travel is approved by the employing official or department head, and the required documentation is submitted to the County Auditor. No reimbursement shall be made for alcoholic beverages. The per diem shall be \$28.00 per day for overnight travel, and an amount approved by the department head of up to \$14.00 for meals on an out-of-county day trip. No receipts are required for per diem requests.

e. Incurred costs of personal calls made on portable telephones, vehicle-mounted telephones, or long-distance telephone accounts owned by the County shall be reimbursed to the County upon receipt of the telephone bill. Unpaid bills may result in withholding all or part of a paycheck.

All County-owned communications equipment, services and accounts must be acquired through the normal County purchasing process, with approval by the department head, the County Judge, and the purchasing department or Auditor as in other purchases.

f. For any official, their employee, or the employees or reserve deputies of other



departments to receive expense allowances under a., c., or d. above, the funds to be used to pay the reimbursement must have been appropriated by the Commissioners Court prior to the expenses being incurred.

g. Transfer of funds out of the following line items will not be allowed:

1) Salaries; 2) Fringe Benefits; 3) Training; 4) Vehicle Deductible.

Transfer of funds into the above line items may be allowed, except that funds will not be transferred into a salary line item to cover an avoidable overtime obligation that was--in the judgement of the Commissioners Court--unnecessary.

### County Vehicles

10. The use of County equipment or vehicles for personal use is prohibited by law, but because of the need for specific officials and specific employees to respond to emergencies at night or on weekends, the following officials and employees (with the concurrence of their department head) are authorized to take a County vehicle to their home at night, even though this involves the use of a County vehicle for travel to and from their home each day:

- a. Each County Commissioner;
- b. The County Sheriff and paid Deputy Sheriffs;
- c. Each Constable and paid Deputy Constable;
- d. Sheriff's and prosecutors' investigators;
- e. Sheriff's and Constable's Reserve Deputies under conditions agreed between the elected official and the Commissioners Court;
- f. The Unified Road Superintendent;
- g. Any road and bridge employees designated by the Unified Road Superintendent and approved by the Commissioners Court;
- h. The County Maintenance Supervisor;
- i. One maintenance employee for the Cedar Park facilities designated by the Maintenance Supervisor and approved by the Commissioners Court;
- j. The EMS Director.

### Holidays

11. a. The established holiday schedule for paid holidays for the 1998-99 budget year is as follows:

Veterans Day	Wednesday, November 11, 1998;
Thanksgiving	Thursday, November 26, 1998 Friday, November 27, 1998;
Christmas Holidays	Thursday, December 24, 1998, Friday, December 25, 1998;

New Years Day	Friday, January 1, 1999;
Martin Luther King Day	Monday, January 18, 1999;
Presidents' Day	Monday, February 15, 1999;
Good Friday	Friday, April 2, 1999;
Memorial Day	Monday, May 31, 1999;
Independence Day	Monday, July 5, 1999;
Labor Day	Monday, September 6, 1999.

b. In departments with regular assigned shifts that take no account of a holiday, so that some employees are normally scheduled for that day and others are not, all employees shall equally be given one shift of paid leave. [*Example:* If some deputies are scheduled for Monday, Wednesday, and Friday during the week of Memorial Day, while others are scheduled for Tuesday, Thursday, and Saturday, all of them receive the same amount of paid leave, even though only half of them worked on the holiday Monday itself.] This leave should normally be scheduled and taken within the pay period when the regular holiday occurs (and preferably on the holiday itself). If the department is unable to schedule the employee for a shift of holiday leave within that pay period, the time shall be added to another form of authorized paid leave as provided in the Overtime Policy above.

c. Other employees scheduled to work on a paid holiday will be allowed alternative leave as provided in the Overtime Policy above.

#### Vacation

12. Any elected official's employees, and nonelected department heads and employees, shall accrue vacation hours as follows:

a. Employees with less than five years of employment will accrue 3.08 vacation hours per pay period. After completing five years of employment, four (4) hours vacation will be accrued per pay period, and after ten years employment, five (5) hours vacation will be accrued per pay period.

b. Part-time employees who are not temporary or seasonal, may accrue vacation on a pro-rated basis. *Example:* 40 hours per pay period accrues 1.54 hours vacation. No temporary or seasonal employees may accrue any vacation hours.

c. Vacation will be accrued on the payroll system. Employees may carry-over their accrued vacation balances as follows:

Employees with less than five years of employment—80 Hours;

Employees with 5-10 years—120 Hours;

Employees with 10 or more years—160 Hours.

If an employee reaches maximum accrual, no further vacation will be accrued until the employee has taken vacation hours.

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d. Employees on shift work may take vacation one shift at a time instead of consecutively,

with the approval of their department head.

e. No vacation may be "sold" or "bought." However, to encourage employees to give advance notice of their separation, employees who leave county employment will be paid for their accrued untaken vacation as of the date of termination.

#### **Sick leave**

13. Any elected official's employees, and nonelected department heads and employees, shall accrue thirteen (13) days of sick leave per fiscal year.

a. Sick leave will accrue at the rate of four (4) hours per pay period. Sick leave hours will be accrued on the payroll system. Paid sick leave is cumulative up to sixty days (480 hours).

b. Part-time employees who are not temporary or seasonal, may accrue sick leave on a pro-rated basis. *Example:* 40 hours per pay period accrues 2 hours sick leave. No temporary or seasonal employees may accrue any sick leave.

c. No sick leave may be "sold" or "bought." Employees who leave county employment will not be paid for unused accrued sick leave.

d. Sick leave may only be used for sickness of the employee, to care for immediate family (as defined in the Family and Medical Leave Act policy adopted by Commissioners Court), or for paid leave under the Family and Medical Leave Act; it is not an alternate form of vacation or personal leave. Sick leave may not be converted to another form of leave to avoid entering unpaid leave status.

e. The Family and Medical Leave Act policy adopted by Commissioners Court will be the official guideline for serious illness of employee, maternity leave, adoption, foster care placement, or the serious illness of an employee's child, spouse or parent.

#### **Family and Medical Leave**

14. a. Under the Family and Medical Leave Act (FMLA) policy all employees will be required to use all accrued sick, vacation and earned compensatory time to have paid leave under FMLA. When employees have exhausted all forms of paid leave, they shall be placed on unpaid leave as provided in the FMLA policy. However, if employees on leave are receiving workers' compensation, they will receive that as their sole compensation and will neither receive county pay nor expend previously accrued leave.

b. At the end of the twelve (12) weeks for FMLA, or for reasons other than FMLA, employees may be placed on unpaid leave if the department head can discharge the responsibilities of their office without the presence of the employee. However, employees may not be placed on unpaid leave unless they have previously exhausted their accrued paid leave in all categories applicable to their situation.

c. As long as an employee is on FMLA leave or leave without pay, the employing official or department head may not hire another regular, full-time employee to fill that position, unless

expressly authorized to do so by the Commissioners Court. Requests for intermittent leave will be strictly scrutinized to assure both compliance with FMLA and minimum disruption to the workplace.

d. While on unpaid FMLA leave, or any other form of unpaid leave, the employee shall not accrue any vacation or sick leave hours.

e. Any part-time employee working for the County at least 1250 hours for one or more years will be included within the Family and Medical Leave Act policy adopted by the Commissioners Court.

#### **Other Leave**

15. a. Any official or department head may grant paid emergency leave up to two (2) days per fiscal year in addition to vacation or paid sick leave. Emergency leave may be granted only for one of the following: funerals of relatives or close friends, auto accidents, or emergency repairs of home or autos. Emergency Leave is non-cumulative and may not be "sold" or "bought."

b. Any official or department head may also grant one (1) floating holiday per fiscal year to an employee for personal or business reasons. The floating holiday may be used for any reason other than sick or recreational. The floating holiday is non-accumulative and may not be "sold" or "bought."

16. Each official or department head shall grant paid jury duty leave to any employee, as well as any leave for national service required by law.

17. a. Extra holidays, bad weather days, public disasters, official funerals, and similar occasions that involve the suspension of all routine county business may only be declared by the County Judge or his designated representative.

b. If the emergency situation is prolonged beyond 7 days, the Commissioners Court or department head may, at their discretion, place employees whose services are not required on unpaid leave (in which case the employee may use any accrued paid leave).

c. So long as an office is open, its employees are expected to be there unless there are special circumstances, distinct from those affecting other employees, that make their travel or attendance unsafe. Whether an individual will be paid under these circumstances, or must use some form of authorized paid leave, is left to the sound discretion of the department head.

#### **Benefits**

18. a. All eligible County and Precinct officials, employees and retirees will have the opportunity to enroll in one of the health benefit plans under the Self-Funded Williamson County Benefits Programs or the Scott and White HMO plan.

b. A Benefits Committee composed of the County Judge, one County Commissioner, and two department heads will serve as trustees of the Williamson County Benefits Program. This committee will act in compliance with the Texas Local Government Code, Chapter 172, sec.

172.001-172.015, Texas Political Subdivisions Uniform Group Benefits Program.

c. All employee health premium rates will be paid on a pretax basis through payroll deduction. The employee health premium rates will be determined each year by the Williamson County Benefits Committee and approved by the Commissioners' Court. The County will fund the balance of the total health premium that is over and above the portion paid by the employee.

d. County and Precinct officials, employees and retirees may also cover their eligible dependents under the same health benefit plan that they elect. The appropriate additional premium for dependent coverage will also be deducted through payroll on a pretax basis.

e. The eligible retiree will be provided health benefits for a specified premium rate, again, with the County funding the balance of the total health premium. The retiree may also cover their eligible dependents for an additional specified premium rate. A retiree is defined as someone who is receiving lifetime monthly Texas County and District Retirement System (TCDRS) pension benefit payments. The County will stop insurance coverage on the retiree when a) the retiree reaches age sixty-five (65) or becomes eligible for Medicare, whichever occurs first; b) the retiree qualifies for other health insurance coverage; or c) the retiree fails to submit the required set premium. Anyone that retired before April 1, 1994 will have health insurance coverage until age seventy (70).

19. All officials, their employees and employees of other departments that work over eighteen (18) hours per week, per year, are required to participate in the Texas County and District Retirement System. The County Treasurer shall deduct the required amount from the employee's salary and the County shall make the required County contribution. The Commissioner's Court has appointed the County Treasurer as custodian of the County Retirement System. Temporary workers may be exempted from participation as provided by Retirement System regulations.

20. a. In compliance with the Texas Workers' Compensation Insurance Act, all Williamson County employees are provided Workers' Compensation coverage.

b. The County's coverage is provided through the Texas Association of Counties Workers' Compensation Claims Fund. More information about Workers Compensation rights may be obtained from the Texas Workers Compensation Commission, or by calling (512) 448-7900, or by contacting the Williamson County Employee Benefits Department.

c. The Williamson County Employee Benefits Department will report all injuries to the Third Party Administrator for the Texas Association of Counties Workers' Compensation Claims Fund as they are reported. Claims for lost time are forwarded to the Texas Workers' Compensation Commission by the Third Party Administrator.

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**Additional Provisions**

21. In compliance with the Texas Department of Transportation's regulations for drug and alcohol testing, Williamson County employees or potential employees who possess CDL (Commercial) licenses and operate County owned equipment or vehicles are subject to pre-employment, random, and post-accident testing. Potential employees of the Williamson County Sheriff's Department and Emergency Medical Service are subject to pre-employment testing. All

employees are subject to testing on probable cause to suspect intoxication while on duty.

22. An Employee Assistance Program (EAP) is available to Williamson County Employees and their eligible dependents. The EAP may be used for individual, confidential treatment of work-related problems or personal problems. It may also be utilized, at the supervisor's discretion, as treatment for various work-related personnel problems.

23. Williamson County will comply with all Fair Labor Standards Act Rules and Regulations. Employee records will be maintained for a minimum of four (4) years as mandated by the Act. The County is an Equal Opportunity Employer and will also comply with the Americans With Disabilities Act and the Family and Medical Leave Act. Williamson County has adopted a firm policy on sexual harassment and will not tolerate such behavior.

WHEREUPON MOTION MADE AND SECONDED, the ORDER ADOPTING THE 1999 WILLIAMSON COUNTY BUDGET was passed on a vote of 4 for, 1 against. This ORDER being adopted, the County Judge is authorized to sign the ORDER and the County Clerk is instructed to record the ORDER and the Budget in the official minutes of the Commissioners Court.

Approved and signed this 10 day of September, 1998.

John C. Doerfler 9-10-98  
John C. Doerfler, County Judge

ATTEST  
Nancy E. Rister  
Nancy E. Rister, County Clerk

COMMISSIONERS COURT ADJOURNED TO EXECUTIVE SESSION AT 11:59 A.M. ON TUESDAY, SEPTEMBER 8, 1998.

AGENDA ITEM # 46

September 8, 1998

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Discuss various Right-of-Way tracts (EXECUTIVE SESSION REQUESTED AS per VTCA Govt. Code sec 551.072 pertaining to real property)

No action was taken in executive session.

COMMISSIONERS COURT RECONVENED AT 12:33 P.M. ON TUESDAY, SEPTEMBER 8, 1998.

AGENDA ITEM # 47

September 8, 1998

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Discuss and take any appropriate action on various Right-of-way tracts.

Moved: Commissioner Heiligenstein

Seconded: Commissioner Hays

Motion: To authorize participation with the City of Round Rock and Texas Department of Transportation for right-of-way and utility relocation along Highway 79 in an amount up to 10% of the total project but not to exceed \$255,000.00 to be paid from State Highway 130 bond money.

Vote: Motion carried 5 - 0

AGENDA ITEM # 48

September 8, 1998

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Hear comments from commissioners.

Discussion of the Salary Grievance Committee meeting at 7 p.m. on September 8, 1998, in which 9 elected officials will request salary increases. If all 9 committee members are present and vote for a salary increase that amount would automatically become effective. If 6, 7 or 8 members vote for an increase the matter will be presented to Commissioners Court for consideration.

Those elected officials scheduled to appear before the committee are District Clerk, Treasurer, Tax Assessor-Collector, County Attorney, Constables Gary Griffin (Precinct #1), Jim Wilson (Precinct #2), Marty Ruble (Precinct #4). Justice of the Peace Precinct #1 Patricia Ott and Justice of the Peace Precinct #3 Jim Bitz.

COMMISSIONERS COURT RECESSED TO 9:30 A.M. THURSDAY, SEPTEMBER 10, 1998 AT 12:37 P.M. ON TUESDAY, SEPTEMBER 8, 1998.