

**AGENDA ITEM 34**

Consider amending budget order to clarify payments in arrears for benefits premiums.

Julie Kiley addressed the Court to seek advice on how to set Oracle regarding payments in arrears for benefits premiums.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To amend budget order to clarify payments in arrears for benefits premiums so that county employees who are on un-paid leave (not to exceed 90 days) under the provisions of the 1993 Family and Medical Leave Act (FMLA) would have their insurance contributions paid by the County, with the understanding that such funds be repaid to the County within six (6) months upon the employee's return to work.

Vote: **5 - 0**

< Attachment >

STATE OF TEXAS

COUNTY OF WILLIAMSON

**AN ORDER ADOPTING THE 2004 COUNTY BUDGET**

(as amended 9/23/03-Overtime Policy sec 2-F)  
as amended 12/16/03-sec F Family Medical Leave Section)

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 2004;

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:

**Policies Related to Compensation and Benefits**

**Salary**

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

a. Judge of the County Court	87,149.35\$ per year
b. Judge of the County Court at Law #1	107,163.75\$ per year
c. Judge of the County Court at Law #2	107,163.75\$ per year
d. Judge of the County Court at Law #3	107,163.75\$ per year
e. County Attorney	107,163.75\$ per year
f. County Sheriff	87,149.35\$ per year
g. County Clerk	69,341.25\$ per year
h. County Tax Assessor/Collector	73,543.75\$ per year
i. District Clerk	71,442.50\$ per year
j. County Treasurer	68,290.63\$ per year
k. Each County Commissioner	63,927.91\$ per year
l. Each Justice of the Peace	56,996.41\$ per year
m. Each Constable	53,624.01\$ per year

2. 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 annual approved county budget filed with the County Clerk. 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 may not exceed the maximum or vary from the county's new hire and promotion salary policies without prior approval from the County Judge's office. Any merit increases must adhere to the county grade and step policy. Merit increases shall be limited to no more than three steps for any one individual during any specific budget year. The actual salary 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 action sheets to the Payroll Department. Overtime compensation shall be determined in accordance with the Overtime Policy below.

**Holidays**

The established holiday schedule for paid holidays for the 2003/2004 budget year is as follows:

Veterans Day, Tuesday,	November 11, 2003
Thanksgiving Holiday,	Thursday, November 27, 2003
	Friday, November 28, 2003
Christmas Holiday,	Wednesday, December 24, 2003

New Year's Holiday

Martin Luther King Birthday

Presidents Day

Good Friday

Memorial Day

Independence Day

Labor Day

Thursday, December 25, 2003

Friday, December 26, 2003

Thursday, January 1, 2004

Friday, January 2, 2004

Monday, January 19, 2004

Monday, February 16, 2004

Friday, April 9, 2004

Monday, May 31, 2004

Monday, July 5, 2004

Monday, September 6, 2004

1. 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 with the exception of EMS who shall be granted Holiday in 12 hour shifts. [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.

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

3. Only full time, 40 hour per week employees, are entitled to full holiday pay. Those employees defined as being P $\geq$ 20 hours and PT $\geq$ 30 hours are entitled to holiday pay at half the rate of a full time employee. Those employees defined as PT $<$ 20 (this includes seasonal staff) are not entitled to holiday pay.

4. Unused holiday time will be banked to a maximum of 200 hours. All accrued/banked holiday balances below the maximum will be paid out upon termination/resignation of employment.

#### PAYROLL DEFINITIONS

1. "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.

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

3. "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 Emergency Medical Service, Juvenile Detention and Academy, Communications, and Deputy Constables.

4. "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.

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

6. "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 not apply to elected officials, the County Auditor, or the Chief Juvenile Probation Officer.

7. "Part-time employees,  $\geq$ 20" includes all employees who are scheduled to work greater than 20 hours per week but less than 40 hours per week. The elected official or other department head must identify all such employees to the Human Resources Department to assure that their compensation and benefits will be properly calculated and paid.



8. "Part-time employees,  $\geq 30$ " includes all employees who are scheduled to work greater than 30 hours per week but less than 40 hours per week. The elected official or department head must identify all such employees to the Human Resources Department to assure that their compensation and benefits will be properly calculated and paid.
9. "Part-time employees,  $< 20$ " includes all employees who are scheduled to work less than 20 hours per week (this definition includes seasonal staff).
10. "Full-time employees", includes all employees whose positions have been established and authorized by the annual approved county budget filed with the county clerk.

### Paydays

1. 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.
2. At the end of each pay period, all employees (including non-elected 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 Human Resources Department and Auditor. The reports are to be reviewed by the department head and, if approved, forwarded to the Payroll Department which must receive them no later than 9:00am on the 7<sup>th</sup> day prior to payday. Any corrections or additions to Payroll resulting in less than or equal to 16 hours will not be processed until the following pay period.
3. 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.
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 employees who are regularly scheduled for less than 20 hours per week shall not earn any longevity credit.
  - c. Longevity pay shall be paid twenty-six (26) times per year, as follows for current full time staff:  
\$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 shall be the maximum allowable longevity.
  - d. Longevity pay shall be paid twenty-six (26) times per year, as follows for current part-time employees:  
\$6.00 per pay period after completing five years of employment;  
\$12.00 per pay period after completing ten years of employment;  
\$18.00 per pay period after completing fifteen years of employment;  
\$24.00 per pay period after completing twenty years of employment;  
\$30.00 per pay period after completing twenty-five years of employment.
  - e. An individual who terminates employment with Williamson County and is rehired within one year of termination will be reinstated with longevity at the rate they were receiving upon termination. This excludes any individual being paid under the tenure plan upon termination.

- f. An employee is reinstated with everything earned to the new date of hire just as though they never left employment with the county (break in service does not apply). Longevity is reinstated and vacation accrual is reinstated and longevity keeps accruing from the original date of employment less the break in service. This applies only if employee returns within one year.
- g. The longevity rule as it applies to breaks in service is applicable to all current employees and those being hired/rehired after May 23, 2003. If there is a break in service of more than one year the employee will lose all accrued longevity and must start earning longevity from the new date of hire.

#### Vacation

Any elected official's employees, and non-elected department heads and employees, shall accrue vacation hours as follows:

a. With the exception of EMS employees, 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. EMS employees with less than 10 years of employment will accrue 5.538 hours vacation per pay period. After completing 10 years of employment, 6.46 hours will be accrued per pay period.

b. Part-time  $\geq 20$  employees may accrue vacation equivalent to HALF the accrual for full time employees. For example, anyone working greater than 20 hours but less than 30 hours per week will accrue vacation at 1.54 hours per pay period, no more and no less.

Part-time  $\geq 30$  employees may accrue vacation equivalent to THREE-FOURTHS accrual for full time employees. For example, anyone working greater than 30 hours but less than 40 hours per week will accrue vacation at 2.31 hours per pay period, no more and no less.

However, part-time employees who are regularly scheduled for less than 20 hours per week (including seasonal staff) shall not accrue any vacation.

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.  
 EMS employees with less than ten years of employment – 144 Hours  
 EMS employees with ten (10) or more years – 168 Hours

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

d. Employees on shift work may take vacation one shift at a time instead of consecutively, with the approval of their department head.

d. 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.

e. All vacation accruals will be pro-rated based on an employee's hire date and an employee's term date. For example, if a new employee only works one week during the normal two week pay period, they will accrue  $\frac{1}{2}$  or  $3.08/2$  or 1.54 hours of vacation the first pay period worked.

f. An individual who terminates employment with Williamson County and is rehired within one year of termination will have their vacation accrual rate reinstated at the rate they were receiving upon termination. This excludes any individual being paid under the tenure plan upon termination. Vacation balances at time of termination will not be reinstated.

#### Sick Leave

Any elected official's employees, and non-elected 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  $\geq 20$  employees may accrue sick leave equivalent to HALF the accrual for full time employees. For example, those employees working greater than 20 hours but less than 30 hours per week are entitled to an accrual of 2.0 hours per pay period of sick leave, no more and no less.  
  
Part-time  $\geq 30$  employees may accrue sick leave equivalent to THREE-FOURTHS the accrual for full time employees. For example, those employees working greater than 30 hours but less than 40 hours per week are entitled to an accrual of 3.0 hours per pay period of sick leave, no more and no less.  
  
However, part-time employees who are regularly scheduled for less than 20 hours per week (including seasonal staff) shall not 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.
- h. 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.
- i. All sick accruals will be pro-rated based on any employee's hire date and any employee's term date. For example, if a new employee only works one week during the normal two week pay period. They will accrue  $\frac{1}{2}$  or 4.00/2 or 2.00 hours of sick time their last pay period worked.

#### Family and Medical Leave

- 1. 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. FMLA leave can run concurrently with an employee's lost work time under workers' compensation and may provide for medical insurance continuation if the employee is receiving workers' compensation income benefits.
- b. 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.
- c. While on unpaid FMLA leave, or any other form of unpaid leave, the employee shall not accrue any vacation or sick leave hours or receive pay for scheduled county holidays.
- d. Any employee is eligible for FMLA after completing 12 months of employment with the county and working at least 1250 hours for the county during the 12-month period immediately preceding FMLA leave.
- e. Employees on FMLA leave who have "exempt" pay status under FLSA regulations, will be required to use paid accrued leave to cover the hours they are not at work. When paid accrued leave is exhausted and employee is placed on unpaid FMLA leave status, exempt employees will not receive pay.
- f. The County will provide benefits as part of the compensation for an employee who is on authorized unpaid FMLA leave only, and will collect from the employee during or after the unpaid FMLA leave any premium payments that are due. Such payments must be made within six months of the employee's return to paid status.

#### Other Leave

1.
  - 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 for all full time, 40 hours per week, employee. 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." Emergency leave is not paid out upon termination or resignation from Williamson County.
  - b. Any official or department head may also grant one (1) floating holiday per fiscal year to full time, 40 hour per week employees 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." Floating holidays are not paid out upon termination or resignation from Williamson County.
2. 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.
3.
  - 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.
  - d. Military Leave – The first 15 days of military leave will be paid without "loss of time, vacation time, or salary." All military leave after the first 15 days is considered "unpaid leave". Those individuals on military leave may choose to use vacation time accrued, compensatory time accrued, or holiday time accrued to compensate for a portion of this unpaid leave. Those individuals on guaranteed salary will be entitled to a full two weeks' pay if they have worked any time during that particular pay period and are put on military leave simultaneously.

#### **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 HMO plan.
  - b. A Benefits Committee composed of the County Judge, one County Commissioner, and three other persons selected from department heads and employees 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. (except for retirees)
  - 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 retires directly from active duty with Williamson County and 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 becomes eligible for Medicare or b) 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). All other retirees will have health insurance coverage until age sixty-five (65).
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 Payroll



Department 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 Associate Director of Human Resources 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 Williamson County Human Resources Department will report all injuries to the county's workers compensation provider as they are reported. Claims for lost time are forwarded to the Texas Workers' Compensation Commission. More information about workers compensation rights may be obtained from the Texas Workers Compensation Commission, or by calling (512) 448-7900.

#### **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.

24. The employee termination date for an employee who is terminating employment with Williamson County will be their last date of active duty in person at his/her usual and customary place of work. Any accrued vacation or comp time balances remaining for the employee as of their last date of active duty will be paid in a lump sum to the employee on their final pay check. A terminated employee's final paycheck is processed in the pay period which includes their termination date.

#### **OVERTIME POLICY**

##### **1. 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 Human Resources Department 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, sick leave, emergency leave, floating holidays, compensatory time taken and any 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, compensatory time 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 ice storm 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 banked and used at a later date as provided below.

**2. 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 in a week or 85 (as the case may be) during the work period.

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 holiday time, by the Human Resources Department's payroll processes and the employee's holiday time will be reflected in their holiday bank for use at a later time.

e. Non-exempt law enforcement officers and corrections officers employed by the Sheriff's Department who work the 85-hour work period may be paid their regular salary for the first 80 hours worked plus their regular hourly rate ("straight time") for additional hours up to 85 hours worked; after 85 hours these employees may be paid at a rate of 1.5 their regular hourly rate, although the County Judge and Commissioners' Court may at their discretion limit or suspend paid overtime compensation and provide compensatory time at the rate of 1.5 times the overtime hours worked in excess of 85 hours in a work period, or provide some combination of paid overtime and compensatory time. The County Judge and the Commissioners' Court may also at their discretion limit or suspend the "straight time" compensation for additional hours worked between 80 and 85 hours in a work period.

f. All non-exempt Road & Bridge employees will earn the equivalent of 1.5 hours of comp time for every hour worked over forty in a work period with the exception of Crew Members, Truck Drivers, Inspectors and Operators who will earn overtime pay at the rate of 1.5 times their hourly rate for every hour worked over 40 hours in a work period.

**3. 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 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 to flat-rate holiday time, by the Human Resources Department's payroll processes and the employee's holiday time will be reflected in their holiday bank for use at a later time.

#### Travel Policy

1. The employee shall be responsible for all excess costs and additional travel expense resulting from taking an indirect route or a delayed return trip for personal preference or convenience.
2. No advance travel expenditure will be paid directly to the employee. If an employee pays for an expense in advance, reimbursement will **not** be made until after the trip is taken.
3. Reimbursement for transportation costs will be at the most reasonable means of transport. (i.e.: airline cost will be reimbursed at coach rate)
4. The County will not be responsible for, nor reimburse for additional changes due to personal preference or personal convenience of the individual traveling.
5. Whenever possible, airfare prices should be checked on the State Travel Management Program which the county has subscribed to. The County need not reimburse for prices higher than the travel management program if it is available to use. For further information on the program contact Bob Space or Ginny Atkinson in the Purchasing Office.
6. Additional expenses associated with travel that is extended to save costs (i.e.: a Saturday night stay) may be reimbursed when the cost of airfare would be less than the cost of additional expenses (lodging, meals) if the trip had not been extended. Documentation will be required to justify the expense.
7. All expense reimbursement requests **must** include the following:
  - a) Date
  - b) Destination
  - c) Purpose
  - d) Name of traveler(s)
8. Each expense reimbursement must have an original signature of the person requesting the reimbursement & the department head approval.
9. A secondary authorization signature on a reimbursement is required if the individual is **not** an elected official.
10. All expense reimbursements must be **received in the Auditor's office** no more than 60 days after the incurrence of the expense. Any items over the 60 days will be denied reimbursement.
11. The County will not reimburse travel expenses incurred by a spouse or other individual accompanying an employee on business.
12. All expenses except mileage and meals must have a **paid** receipt. If a receipt cannot be obtained a written statement of the expense from the employee may be substituted for the receipt.
13. The Supreme Court has ruled that the Internal Revenue's ruling that "traveling expenses" incurred "while away from home" which are deductible under Section 162 (a) (2) of the Internal Revenue Code include the cost of meals only if the trip requires sleep or rest. Therefore, all meals not associated with an overnight stay are taxable to employees.
14. Credit card bills paid through Accounts Payable (i.e.: American Express) must have all receipts attached, excluding meal receipts. Meals for **day travel** should **NOT** be charged on a county credit card. (See item 11 above)
15. Sales tax on goods purchased will **not** be reimbursed. Sales tax for meals and hotel stays are the only sales taxes that will be reimbursed. Please request a sales tax exemption form from the Auditor's office before purchasing goods.
16. An employee who loses a required receipt should seek a duplicate. When an acceptable duplicate is unobtainable, the employee should submit a statement itemizing the expenditure with the expense report.
17. The County will not pay for any late charges incurred on County credit cards. It is the cardholder's obligation to make sure the bill is submitted in a timely manner.
18. Employees shall be responsible for repayment of inappropriately reimbursed expenses whenever an audit or subsequent review of the travel expense reimbursement documentation finds that such expenses were reimbursed contrary to these guidelines.
19. Any personal expense incurred by employees should be reimbursed to the County. Please attach your check made payable to Williamson County for these charges with your expense reimbursement.

## ACCOUNTS PAYABLE POLICIES

### ACCOUNTS PAYABLE DEFINITIONS

1. Authorized travel – any travel by a County official or employee for the purpose of official County business.
2. Day travel – travel **outside** the County but does not include an overnight stay.
3. Overnight travel – travel **outside** the County that **exceeds** a 50-mile radius and does include an overnight stay.
4. Emergency – the occurrence of an unforeseen circumstance, which may result in harm to the public good.
5. Official County business – business that relates directly to a person's work function and directly benefits the County.
6. Training reimbursement – shall include all expenses relating to training including travel to the destination, meals, lodging and training aids. (workshops, seminars, conferences)
7. Travel reimbursement – shall include all expenses relating to travel including travel to the destination, meals, lodging. (delivering documents, transport a prisoner, attending county business meetings)

### General Procedures

**Purpose:** To promote the prudent exercise of judgment when spending County dollars. This policy will provide accountability and consistent Accounts Payable procedures in the issuance of checks for Williamson County obligations.

1. Checks for payment of County obligations will be issued not later than **30** days after the date the invoice is received in the Accounts Payable department, pursuant with *Vernon's Texas Civil Statute, Subtitle F, Chapter 2251.021*.
2. Checks will be issued every Tuesday. When an issuance date falls on a holiday, checks will be issued on either the first working day before or after the holiday.
3. The cutoff day for receiving invoices for each check run will be Wednesday. The Accounts Payable department will endeavor to process invoices that are received from Thursday to the following Wednesday approximately 13-20 days after the invoice is received in our department.
4. Any invoice or expense reimbursement requiring additional review or signatures may cause delays in processing.
5. Manual checks will be issued in emergency situations only.
6. Please consult your Purchasing Manual for items that require a Purchase Order (PO) before purchase.
7. Discrepancies between invoices & purchase orders should be brought to the attention of the Purchasing department before submitting to Accounts Payable.
8. A copy of the PO should be submitted with the invoice to properly release encumbered funds.
9. Payments will be made from an original invoice or a fax copy so long as an original approval signature appears on the invoice. Original invoices are preferred.
10. All authorizations and account coding should be made on the invoice.
11. Approval signatures and account coding should not be made on the remittance portion of the invoice. If necessary, attach an additional sheet with approval authorization.
12. Some suppliers require payment at the time an order is placed. Please complete a purchase requisition and send the relevant backup documentation to the Purchasing department who will then forward the request to Accounts Payable.
13. If a PO is not required, please submit a check requisition request with appropriate documentation directly to Accounts Payable. Please note in either circumstance there is a 13-20 day processing time from the date Accounts Payable receives the request.
14. Any questions or extenuating circumstances should be directed to the Accounts Payable department.

### MEALS

1. Reimbursement for meal costs in travel of less than one day is provided solely to offset actual expenses where restaurant meal costs are incurred. It is not provided as a benefit merely because the employee is outside the county for all or part of the workday.



2. Each employee is on their honor to request reimbursement for actual expenses incurred.
3. Meals are reimbursable only for County business trips that are **outside** the county.
4. Meals are limited to a maximum of \$28.00 per day for **overnight travel** and a maximum of \$14.00 per day for **day travel**. Claims for less than the allowable amounts are permitted. When requesting meal reimbursement for overnight travel, please submit documentation of your overnight stay.
5. If an overnight stay is **required**, but the stay does not exceed a 50-mile radius outside the County, you may claim an amount up to the \$28.00 overnight allowance for your meals, but lodging will not be reimbursed.
6. Meal receipts are not required unless requested by your supervisor or department head. Meal receipts that are turned in to Accounts Payable will be audited.
7. No reimbursement will be made for alcoholic beverages.
8. The IRS has ruled that certain amounts paid to employees for meal expense may be taxable income to the employee. Meals associated with **day travel** are taxable to the employee. These reimbursements will be forwarded to the payroll department to process the expense. Do not charge day travel meals on your county travel card.
9. Employees should only request reimbursement for their own expenses. Any employee who requests reimbursement for a day travel meal for another employee will be charged taxes on the amount requested for both employees.
10. Tips should be reasonable, no more than 15% and should be included in the \$14.00 or \$28.00 meal allowance.
11. Employees whose duties take them to alternate work locations within the County are not reimbursed the lunch meal. It is the employee's own responsibility to make provisions for lunches that are incurred within the County.
12. No meals purchased for entertainment/business purposes will be allowed.

### LODGING

1. Lodging expenses will be reimbursed only if traveling **beyond** a 50-mile radius of Williamson County.
2. Hotel accommodations require an original itemized hotel folio as a receipt. The lodging receipt should include the name of the motel/hotel, number of occupants and the goods or services for each individual charge such as room rental, food, tax, etc. Credit card receipts by themselves are not accepted as receipts.
3. Individuals will only be reimbursed for a single room rate charge + any applicable tax. If a single room is not available you must provide documentation to justify the expense. You may also be required to provide additional documentation if the room rate appears to be excessive.
4. When lodging is shared by two or more employees the names of the authorized travelers should be noted on the receipt.
5. Each employee should review the room invoice carefully for accuracy upon checking out.
6. Personal telephone charges whether local or long distance are not reimbursed. If you incur telephone charges that are County related, please identify them on your hotel receipt.
7. Government rates, when available should be requested at all times.
8. When staying with a relative, or other non-commercial lodging no receipt is required, but a written statement stating the circumstances of your stay will be required.

### PERSONAL CAR USAGE

1. Any County official or employee who is authorized to use their personal vehicle while required to travel on official County business may be entitled to receive a reimbursement equal to the standard mileage rate allowed by the IRS. Please check with the Accounts Payable department for current rates.
2. Mileage will be reimbursed on the basis of the commonly used route. Reimbursement will not be made for extra miles logged from a roundabout route.
3. Reimbursement for mileage shall not exceed the cost of a round trip coach airfare. You may be required to provide a cost comparison between mileage and airfare.
4. Reimbursement for mileage shall be prohibited between place of residence and usual place of work.
5. Mileage should be calculated from the employee's regular place of work or their residence, whichever is the shorter distance when traveling to a meeting, conference or seminar.
6. When more than one employee travels in the same vehicle, only one may claim mileage reimbursement.
7. To be reimbursed for the use of a personal vehicle, travelers must provide the following information on their expense report:
  - a) *The purpose of the trip*
  - b) *Date*
  - c) *Location traveled to and from*
  - d) *Number of miles traveled*
8. Tolls & parking fees, if reasonable are reimbursable. Receipts are required for reimbursement. If a receipt

- is not obtainable, then written documentation of the expense must be submitted for reimbursement.
9. It is the responsibility of employees to keep track of their own mileage.
  10. 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.

#### RETREATS

A retreat is a period away from normal activities for study and instruction under a professional trainer. Retreats provide a forum to discuss issues and ideas that will aid in running your department.

1. Retreats are limited to once a year per department.
2. The lodging/meal rules for retreats are the same as for travel reimbursements.
  - a) Lodging must be beyond a 50-mile radius of Williamson County
  - b) An itemized hotel/motel receipt must be submitted
  - c) Only single room rates will be reimbursed unless single rooms are not available. Documentation will be required.
  - d) You may be required to justify charges that appear excessive.
  - e) Meals are limited to either the \$14.00 or \$28.00 daily allowance rule.
3. You must submit an agenda and/or minutes from the retreat with your expense reimbursement.
4. A list of attendees must also be submitted so there may be documentation of who has benefited from this retreat.

#### AIRFARE

1. Where air travel is required, only the most economical (coach) airfare shall be obtained. If coach rates are not available, proof must be provided for the higher rate.
2. The County will not be responsible for, nor reimburse for additional changes due to personal preference or personal convenience of the individual traveling.
3. Whenever possible, airfare prices should be checked on the State Travel Management Program which the county has subscribed to. The County need not reimburse for prices higher than the travel management program if it is available to use. For further information on the program contact Bob Space or Ginny Atkinson in the Purchasing Office.
4. Airfare reimbursement will be paid directly to the travel agency, airlines or your county travel card. (i.e.: American Express)
5. Employees who pay for their own airfare tickets will be reimbursed **upon return** from their business trip.
6. Air travel expenses must be supported with the receipt copy of your airline ticket or an itinerary. If tickets are purchased through a web site, please submit a copy of the web page showing the ticket purchase if no paper ticket is issued.
7. Cancellation penalties may be levied by airlines when a ticket cannot be used. The County could reimburse the employee this cost if the change in travel plans was due to a business related change or a personal emergency. Documentation for the change must be submitted to the County Auditor for consideration of payment.
8. Should an airline delay necessitate an overnight stay, the employee must first attempt to secure complimentary lodging from the airline. If unsuccessful, the employee should obtain lodging at the most reasonable available rates and the County will reimburse this expense. Documentation for the delay must be submitted.

#### CAR RENTAL

1. Travelers may rent a car at their destination when:
  - a) It is less expensive than other transportation modes such as taxis, airport shuttles or public transportation such as buses or subways.
  - b) Cars rented should be economy or mid size. Luxury car rentals will not be reimbursable.
2. **Rental cars will not be allowed for travel within the County.**
3. Employees may rent a car to travel to their business destination outside the county only if the total cost of the rental is less than the mileage reimbursement cost.  
(Check with Accounts Payable for current rates) Documentation showing the cost comparison between the



- rental cost and mileage may be required.
- 4. Many car rental companies charge an exorbitant cost for gasoline if the car is not returned with a full tank. Employees should avoid such unnecessary charges by returning the car with a full tank.
- 5. The rental agreement and the charge card receipt (if applicable) must be turned in with your expense request.
- 6. Insurance purchased when renting a vehicle may also be reimbursed.

#### SEMINARS/CONFERENCES

- 1. A copy of a check in lieu of a paid receipt may be used as the receipt for registration fees.
- 2. The check must be made payable to the seminar/conference and a copy of the check is required. In addition, a brochure or similar document of the conference or seminar indicating the amount of registration fee and the conference agenda must accompany the cancelled check supporting the reimbursement claim.
- 3. You can request payment directly to the seminar/conference by submitting a check requisition form to the Accounts Payable department with proper backup documentation. Please note that a check request will take 13-20 days to process once it is received in the Accounts Payable department.
- 4. Registration fees if paid by the employee will not be reimbursed until after the conference or training date.

#### OTHER EXPENSES

- 1. Taxi fare, bus tickets, conference registrations, parking, etc. must have a proper original receipt. If a receipt is unobtainable or is lost, a written statement must be submitted for the expense.
- 2. Expenses other than meals or mileage require a receipt for reimbursement.
- 3. Only paid receipts will be reimbursed.

#### NON REIMBURSABLE EXPENSES

- 1. The County does not reimburse expenses related to county government week or holiday decorations.
- 2. Coffee, tea and other related items used by employees are **NOT** reimbursable expenses.
- 3. Mileage to and from County functions such as the Christmas party or Employee Appreciation luncheon is not reimbursable.
- 4. Other non reimbursable expenses:
  - a) Alcoholic beverages/tobacco products
  - b) Personal phone calls
  - c) Laundry service
  - d) Valet service
  - e) Movie rentals
  - f) Damage to personal clothing
  - g) Flowers/plants
  - h) Greeting cards
  - i) Fines and/or penalties
  - j) Entertainment, personal clothing, personal sundries and services
  - k) Transportation to places of entertainment or similar personal activities
  - l) Upgrades – air, hotel or car rental
  - m) Auto repairs
  - n) Baby sitter fees, kennel costs, pet or house-sitting fees
  - o) Saunas, massages or exercise facilities
  - p) Credit card delinquency fees
  - q) Doctor bills, prescriptions and other medical services

For any official, their employee, or the employees or reserve deputies of other departments to receive expense allowances under a. through l above, the funds to be used to pay the reimbursement must have been appropriated by the Commissioners Court prior to the expenses being incurred.

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

- 1) Salaries; 2) Fringe Benefits; 3) Training; 4) Vehicle Deductible; (5) Telephone

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 judgment of the Commissioners Court—unnecessary.

Any bill or invoice must be submitted to the County Auditor for payment within fourteen (14) days of receiving it, and all expense reimbursements must be submitted to the County Auditor for payment within sixty (60) days of the expenditure.

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.

#### County Vehicles

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 within Williamson County, 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. one Public Information Officer and two Evidence Technicians from Sheriff's Dept.
- g. 2 (two) Corrections Captains from Williamson County Jail
- h. The Unified Road Superintendent;
- i. Any road and bridge employees designated by the Unified Road Superintendent and approved by the Commissioners Court;
- j. The County Maintenance Director;
- k. One maintenance employee designated by the Maintenance Director and approved by the Commissioners Court;
- l. The EMS Director.
- m. Each EMS Captain
- n. County Extension Service
- o. Information Technology Director
- j. One "on-call" Information Technology employee as designated by Director
- k. One Inpound Manager, One Fleet Manager for Sheriff's Department

*It is expressly forbidden under this order for any county vehicle to be used for personal use at any time.*

WHEREUPON MOTION MADE AND SECONDED, the ORDER ADOPTING THE 2004 WILLIAMSON COUNTY BUDGET was passed on a vote of \_\_\_\_ for, \_\_\_\_ 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 16 day of Dec, 2003.

ATTEST:

  
Nancy E. Raster, County Clerk

  
John C. Doerfler, County Judge