



BEREAVEMENT LEAVE

All employees shall be allowed up to three days personal or sick leave with pay for a death in the immediate family. For purposes of this policy, immediate family shall include the employee's spouse and the child, parent, brother or sister of the employee or the employee's spouse. Employees may be allowed the use of sick time to attend the funeral of a relative who is not a member of the immediate family or the funeral of a friend. If leave is needed beyond the limits set in this policy, it may be charged to available vacation or compensatory time or to leave without pay.

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MENTAL HEALTH LEAVE POLICY

Definitions

1. Traumatic event – an event which occurs in the peace officer(s) scope of employment when the officer is involved in the response to, or investigation of, an event that causes the officer to experience unusually strong emotional reactions or feelings which have the potential to interfere with their ability to function during or after the incident.

Traumatic events may include, but are not limited to, the following:

- Major disasters which may include response to weather related events involving multiple casualties; or explosions with multiple casualties; or search and recovery missions involving multiple casualties;
- Incidents involving multiple casualties which may include shootings or traffic accidents;
- Line of duty death or suicide of a department member;
- Death of a child resulting from violence or neglect;
- Officer(s) involved shooting of a person.

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

3. Mental Health Professional – a licensed social or mental health worker, counselor, psychotherapist, psychologist or psychiatrist.

Requesting mental health leave

An officer directly involved in a traumatic event may request the use of mental health leave. The request shall be made in writing through the chain of command. The request shall be treated as a priority matter and a decision on the granting of the leave shall be made no later than 24 hours following the submission of the request. The request shall be granted unless the chain of command can articulate specific compelling reasons to deny granting the leave.

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

Confidentiality of request

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

Confidentiality may be waived by the officer seeking mental health leave. Confidentiality may be waived under circumstances which indicate the officer is a danger to himself or herself or others and department personnel must confer with mental health professionals.

Duration of mental health leave

An officer directly involved in a traumatic event may request up to three working days of mental health leave. Extensions of mental health leave may be available under certain circumstances. Any request for an extension shall be accompanied by documentation from a mental health professional who is counseling the officer. The request may extend the leave by three working days. Each officer may request no more than two extensions, each supported by sufficient documentation by the mental health professional. The Chief shall grant the extension(s) upon the receipt of sufficient documentation explain the need for the extension.

Mental health services available to the officer

Hopkins County provides access to employee benefits through TAC-HEBP and BCBS. For more information, please contact HR for help.

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SMOKE FREE WORKPLACE

Hopkins County endeavors to provide a healthy environment. Therefore, any form of tobacco consumed in county buildings is strictly prohibited. **Additionally, no smoking tobacco products or vapor delivery devices are allowed within ten (10) feet of the exterior entranceways.**

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DRUG AND ALCOHOL- CDL EMPLOYEES

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

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

Specifically, it is the policy of Hopkins County that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) or alcohol by any CDL driver while on County premises, engaged in County business, while operating County equipment, or while under the authority of the County is strictly prohibited. Mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement. Hopkins County will conduct pre-employment, random, reasonable suspicion and post-accident drug testing in accordance with federal law.

It is the policy of Hopkins County to comply with the U.S. Department of Transportation, FMCSA Clearinghouse, a secure online database that provides employers with real-time information about CDL driver drug and alcohol program violations. Hopkins County will conduct both electronic queries and traditional manual queries with previous employers from January 6, 2020 to January 5, 2023 as required by FMCSA's drug and alcohol use testing program, for checking CDL driver violation histories. Drivers may view their own records. Employees will be required to provide a consent form from the CDL holder to conduct both Limited and Specific inquiries.

A detailed policy and procedure is available at the Administration/HR office.

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MILITARY LEAVE

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

Any Hopkins County employee who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team called to state active duty by the governor or another appropriate authority in response to a disaster is entitled up to 7 days of paid disaster leave per fiscal year. This leave is in addition to the paid leave provided for authorized training or duty otherwise authorized or ordered. During disaster leave under these provisions, the person may not be subjected to loss of time, efficiency rating, personal time, sick leave, or vacation time.

An employee going on military leave shall provide their supervisor with a set of orders within two (2) business days after receiving them. (Specific days not required, use best judgement)

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

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

VACATION

The following employee classifications shall be eligible for the vacation benefit: Full Time. These following employee classifications shall not be eligible for the vacation benefit: Part time, seasonal, temporary or on call.

Employees who have worked for less than 1 year(s) in a position eligible to receive vacation shall earn vacation at the rate of 3.07 hours per pay period, which is equivalent to 79.82 hours per year.

Employees who have worked for 10 or more years in a position eligible to receive vacation shall accrue vacation at the rate of 4.62 hours per pay period, which is equivalent to 120.12 hours per year.

Vacation shall not be accrued while an employee is on leave without pay.

Accrual of vacation shall begin at the time an employee begins work in a position eligible to accrue vacation, but an employee must work for a minimum of one year (12 full months) in such a position before being eligible to take any vacation.

The maximum amount of unused vacation an employee shall be allowed to have at one time is 160 hours, after 10 years of service 240 hours. When an employee reaches the maximum accrual, he/she shall not be allowed to accrue additional vacation time until the employee takes vacation hours to reduce the balance below the maximum allowed under this policy.

Scheduling of vacations shall be at the discretion of the individual department heads.

Employees shall only be able to use vacation which has already been accrued and shall not be allowed to borrow vacation against possible future accruals.

Employees shall not be allowed to receive pay for vacation in lieu of taking time off. If a holiday falls during an employee's vacation, the employee will not be charged vacation hours equivalent to the holiday hours.

If an employee has worked for at least one year (12 full months) in a position which accrues vacation at the time the employee resigns, is discharged, or is terminated for any other reason, the employee shall receive pay for all unused vacation up to the maximum allowed under this policy.

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

Exception: Full time Fire Department drivers and shift employees will accrue vacation at a rate of 3.69 per pay period which is equivalent to 95.94 hours per year. The maximum amount of unused vacation a Fire Department employee shall be allowed to have at one time is 160 hours. Fire employees who reach 10 years or more of service will accrue vacation at the rate of 5.54 hours per pay period, which is equivalent to 144 hours per year. *This is the equivalent to the minimum 96 hours worked per pay period required by the 207k exemption.*

EQUAL EMPLOYMENT OPPORTUNITY

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

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PAID QUARANTINE LEAVE

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

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

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

"Fire fighter" means a paid employee of a municipal fire department or emergency services district who holds a position that requires substantial knowledge of firefighting; has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and performs a function listed in Section 143.003(4)(A).

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

For counties that do not establish a local health department or public health district, they may appoint a physician as health authority to administer state and local laws relating to public health in the county's jurisdiction.

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

Eligible employees who are on qualifying paid quarantine leave shall receive all employment benefits and compensation, including leave accrual, retirement, and health benefits for the duration of the leave; and, if applicable, shall be reimbursed for reasonable costs related to the quarantine, including lodging, medical, and transportation. An employee on qualifying paid quarantine leave will not have their leave balances reduced. (Each county should determine who the qualifying employee should discuss the above benefits with and how to ask for reimbursement.)

Off duty exposures will not be covered under this policy.

LEAVE OF ABSENCE - OTHER

Employees may request a personal leave of absence to a maximum of 24 hours. Personal leaves of absence may include reasons such as extended vacations, continuing education, extended bereavement, or other personal matters. Personal leaves of absence are granted solely at the discretion of the elected official, appointed official or department head. Employees on personal leaves of absence are converted to an inactive status and do not accrue any benefits. Employees may continue the county health plan but they are responsible for the entire premium, which includes both their portion and the county portion. The employee must pay for the premium on the first of each month, lack of payment will result in medical plan termination and the employee will become eligible for COBRA. Return to work on a personal leave of absence is not guaranteed and is subject to current business conditions and an appropriate job opening.

After 6 months of employment all full-time regular employees shall be eligible for 24 hours personal leave each calendar year. These hours are designed to be used in the event of a death, illness of family member or other personal emergencies/business. Each Department Head will approve each request and will maintain records in their office. Failure to use personal leave shall not cause the county to make any payment for such time not utilized and shall not be cumulative in nature.

Personal time cannot be used as a gap to complete a final time period of work or during the final 2 weeks, employee cannot apply any remaining personal time to the final pay period

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RETURN TO WORK

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

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

Return to work options:

- Return to prior position at full duty with doctor release stating that the injured employee can perform the job functions without restrictions.
- Light Duty – for any employee who is not able to return to their prior position and perform the regular duties of that job but can return with certain restrictions, Hopkins County will try to accommodate light duty when possible but **cannot guarantee** the availability of light duty.

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

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

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

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

Medical Information

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

Coordination with FMLA

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

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

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