

**Guadalupe County
Management Procedure
Manual**

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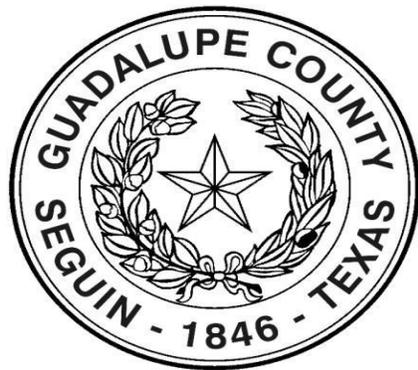


Table of Contents

	Page
1. INTRODUCTION	3
2. DISSEMENTATION	3
3. BUDGET AUTHORIZATION	3
4. JOB ANNOUNCEMENTS	3-4
5. METHODS OF RECRUITMENT	4-5
6. EMPLOYMENT APPLICATION	5
7. EQUAL OPPORTUNITY EMPLOYER	5
8. REASONABLE ACCOMMODATION	5
9. EMPLOYMENT AT WILL	6
10. QUALIFICATIONS	6
11. SELECTIONS	6
12. MEDICAL EXAMINATIONS/TESTING	7
13. DISQUALIFICATION	7
14. PRIOR SERVICE WITH THE COUNTY	7-8
15. REHIRING RETIREES	8
16. CLASSIFICATION PLAN	8
17. RECLASSIFICATIONS	8
18. STARTING PAY/PAY PLAN	9
19. PAY GROUPS/ STEPS	9
20. APPROVING AUTHORITY	9
21. INCREASES IN SALARIES AFTER BUDGET APPROVAL	9
22. ORIENTATION AND TRAINING	9-10
23. EXIT INTERVIEWS	10
24. ACCIDENT REPORTING	10
25. COUNTY CREDIT CARDS	10
26. PURCHASING	11
27. EMPLOYMENT VERIFICATION	11
28. EMPLOYEE CHANGE NOTICES	11
29. CONTENTS OF PERSONNEL FILES	11-12
30. APPROVAL OF LEAVE	12
31. EMPLOYEE CONDUCT AND DISCIPLINE	12
32. FAMILY AND MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE	12
33. SALARY GRIEVANCES (ELECTED)	13
34. GRIEVANCE PROCESS (EMPLOYEES)	13-14
35. NIMS COMPLIANCE	14

1. INTRODUCTION

This procedure manual was created to assist Guadalupe County Elected and Appointed Officials and supervisors with all aspects of employment. Guadalupe County Commissioners' Court adopted these procedures to promote consistent, equitable, and effective practices by both employees and supervisors. These procedures may be amended or canceled at any time by a Commissioner's Court action. Guadalupe County Elected and Appointed Officials and supervisors should follow these policies.

2. DISSEMINATION

The Guadalupe County Human Resources Department maintains the official set of the personnel policies with all revisions for reference by employees and elected or appointed officials. In addition, the Guadalupe County Human Resources Department will provide a complete copy of this manual and copies of all subsequent revisions to each elected or appointed official; will notify employees of policy changes; and will make the updated manual available to employees. Acknowledgement forms addressing revisions and addendums must be signed by each employee and returned to the Human Resource Department to be placed in the employees personnel file.

If a question arises about a particular policy, the official set of policies should be consulted and will control. Guadalupe County Commissioners Court must approve all deletions, amendments, revisions, or additions to the Guadalupe County Personnel Policy Manual and Guadalupe County Management Procedures.

The Guadalupe County Human Resources Department will provide a copy of the personnel policies to new employees during orientation. Employees are required to read this manual carefully and to adhere to the rules and regulations stated herein. New employees are required to sign an acknowledgement form stating they have received the policy manual on their first day of employment during orientation.

3. BUDGET AUTHORIZATION

Annually Commissioner's Court sets positions and salaries for all departments. If the department's budget does not contain a line item or position for employee salaries; the department head must first obtain authorization from Guadalupe County Commissioners' Court prior to hiring any employee(s). Prior coordination with the Guadalupe County Human Resources Department regarding grade and salary amount is required.

4. JOB ANNOUNCEMENTS

Department heads will send a transfer notice of any position openings for which there will be a vacancy to the Guadalupe County Human Resources Department for posting in a central place. A transfer notice will be posted for five (5) days in

which Guadalupe County employees may apply. Transfer notices may be obtained in the Guadalupe County Human Resources Department or on the intranet or internet websites. If the position is not filled with a county employee, the open position may be announced to the public on the county's website or by publishing in the newspaper. The transfer notice and public announcement may be posted simultaneously. Departmental transfer notices should include the following items:

1. Compliance Statement;
2. Job Title;
3. Job Pay Group and Step including the hourly rate of pay or salary;
4. Brief description of required knowledge, skill, and abilities;
5. Application deadline including date and time; and
6. Equal Opportunity Statement.

Public announcements of position openings at Guadalupe County, for which there will be competitive consideration, are posted to the general public by publishing in the newspaper on Sunday and Wednesday. Postings may also be viewed on the county website at www.co.guadalupe.tx.us.

The length of posting time during which applications will be accepted is five (5) working days. From time to time, as it deems appropriate, management may fill jobs or make promotions without posting notices. Any position posted maybe closed or extended at any particular time during the advertisement period, at the discretion of the department head.

In order to post a job in a newspaper, the department head must first contact the Human Resources Department to give instructions on the job to be advertised. The Human Resource Department will obtain a purchase order and receive a quote for the advertisement. They will also prepare the advertisement to be published.

5. METHODS OF RECRUITMENT

Guadalupe County has six methods of recruiting and selecting persons to fill vacancies:

(1) promotion from within; (2) transfer from within; (3) public announcement and competitive consideration of applications for employment; (4) referral from a job training program;(5) selection from a valid current eligibility list of applicants. (A current eligibility list is a record of applications for the similar position for which recruitment was conducted in the same department in which the vacancy occurs within the preceding 180 days.); or (6) Occasionally, filling some positions without posting due to short notice/ emergency requirements.

The elected official or appointed department head determines the method of selection to be used in filling each vacancy. However, Guadalupe County Commissioners' Court must have approved funding and recruitment for a position before recruitment begins.

Guadalupe County does not accept applications for employment unless a specific vacancy exists. Persons wishing to apply for a job with Guadalupe County when a specific vacancy does not exist are informed as to how Guadalupe County job announcements are advertised and that they might return and file an application at any time an advertised vacancy exists for which they consider themselves to be qualified.

If a department is having difficulty filling a job opening, the Human Resource Department can help with alternate methods of recruitment.

6. EMPLOYMENT APPLICATION

Each person desiring employment with Guadalupe County must, before employment, fill out an application for employment available from the Guadalupe County Human Resources Department and to be returned to that office or the department with the vacancy.

It is the responsibility of the department to make appropriate checks to verify education, experience, character, and required certificates and skills of an applicant prior to appointment. Each department must retain employment applications for two years after receipt of the application for non hired applicants.

In the case of applicants for positions with Guadalupe County, which require driving a vehicle, the department head must check the prospective employee's driving record prior to offering the applicant employment with Guadalupe County.

7. EQUAL OPPORTUNITY EMPLOYER

It shall be the policy of Guadalupe County to be an equal opportunity employer. Race, color, religion, national origin, sex, age, and disability shall not be factors 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 law or where a bona fide occupational qualification (BFOQ) exists.

8. REASONABLE ACCOMMODATION

The County shall make reasonable accommodation for otherwise qualified individuals to afford them the same opportunities for employment and all other benefits and privileges of employment afforded to other individuals.

Reasonable accommodation shall be determined through consultation with the individual and, where deemed necessary, through consultation with outside resources.

Please contact the Human Resource Director if you have any questions or concerns regarding compliance with reasonable accommodation requests from employees or applicants.

9. EMPLOYMENT AT WILL

All employment with Guadalupe County shall be considered “at will” employment. No contract of employment shall exist between any individual and Guadalupe County for any duration, either specified or unspecified.

Guadalupe County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time either with or without notice.

Guadalupe County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice.

Employees of Guadalupe County shall have the right to leave their employment with the county at any time, with or without notice.

10. QUALIFICATIONS

Guadalupe County maintains a job description, which establishes the required knowledge, skills, and abilities for each staff position and the acceptable levels of experience and training for each. The job description sets forth the minimum acceptable qualifications required to fill the position.

11. SELECTIONS

Except for positions filled by a vote of the Guadalupe County Commissioners’ Court, each department head is responsible for selection of persons to fill each vacant position within the pay limits set by the Guadalupe County Commissioners’ Court. Once a selection is made, the Guadalupe County Human Resources Department should be contacted to arrange for the required testing (i.e. physical and drug screen). After the results are verified, the department head will submit to the Guadalupe County Human Resources Department, an employee change form listing the name of the applicant, department, position, rate of pay, grade and step and the effective date of employment (employees first day of actual work). Also, the applicant’s original resume and application for employment will be turned in to the Guadalupe County Human Resources Department. The employee change form will be placed in the employee’s personnel file and the results of the physical examination and drug test results will be filed in the confidential medical record file located at the Human Resources Department.

The department head is permitted to select the specific individual for each position in the department. As soon as possible after a selection is made, the elected or appointed official may send written notification to all unsuccessful applicants who were interviewed for the position. Please contact the Human Resource Department for assistance with any part of this process.

12. MEDICAL EXAMINATIONS/TESTING

To help assure that prospective employees are able to perform their essential job functions safely, medical examinations are required for some positions. After a conditional offer of employment has been made to an applicant entering a designated job category, a health professional of Guadalupe County's choice will perform a medical examination at Guadalupe County's expense. All prospective employees will be required to pass a drug test and some positions require an alcohol test also.

Persons in the Law Enforcement Departments and the Road and Bridge Department, other than administrative staff, will be required to complete a physical exam, which will include a drug and alcohol test. In addition, a licensed psychologist or psychiatrist must examine all law enforcement officers. The psychologist or psychiatrist must declare in writing that the employee is in satisfactory psychological and emotional health.

The employment process is contingent upon satisfactory completion of all exams. Employees who are required to pass physical examinations must be cleared for duty in writing by the competent medical authority chosen by Guadalupe County. The employment process will be terminated if these exams are not successfully completed. Information of an employee's medical condition or history will be kept in a separate file from other employee information and maintained confidentially.

13. DISQUALIFICATION

An applicant is disqualified from employment by Guadalupe County if he or she:

- Does not meet minimum qualifications for performance of the duties of the position involved;
- Knowingly has made a false statement on the application form or any other document related to or has bearing on the selection process;
- Has committed fraud during the selection process;
- Is not legally permitted to hold the position;
- Has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process;
- Does not meet physical requirements as a result of the required physical examination; or
- Has not provided proof of citizenship or legal work status in the United States within the first three days of employment.

14. PRIOR SERVICE WITH THE COUNTY

Employee's entering service with Guadalupe County who has had prior service with the county may be considered for appointment above the customary entry-level salary. A break in continuous service with Guadalupe County, however, forfeits vacation, sick, and longevity leave benefits accrued prior to the break. All other benefits will also be recalculated based on the rehire date of the employee.

Exception to this policy will be made in accordance with any federal or state law that applies.

15. REHIRING RETIREES

Retired employees shall be eligible to apply for open positions with Guadalupe County as long as the following provisions are met:

1. The retiree has been retired for at least one (1) calendar month.
2. No prior arrangement or agreement was made between Guadalupe County and the retiree for re-employment.

The retiree must have a bona fide separation of employment and have been retired for a minimum of one (1) calendar month. A bona fide separation means there is no prior agreement or understanding between Guadalupe County and the retiree that the retiree would be rehired after retirement.

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

16. CLASSIFICATION PLAN

Guadalupe County maintains a classification plan, which assigns each class of positions to a pay group based on the principle of equity among positions requiring similar knowledge, skills, and abilities and having similar levels of responsibility. For the purpose of classification/pay administration, the definitions are as follows:

- A job description is a written description of duties, responsibilities, reporting relationships, and requirements for a position.
- A pay plan is a document that assigns dollar values to each job class, group classes into pay grades, and arrays pay grades on a pay schedule showing salary and wage steps and ranges for each grade.

17. RECLASSIFICATIONS

Reclassifications are intended to correct pay group classifications that no longer accurately reflect the value of a job that, over time, has undergone significant changes to responsibilities. Employees being reclassified will be placed in the next highest step of their new pay group that does not decrease their current pay. (Note: Employees who move from a higher pay group in one job to a lower pay group in a different, but previously held job, may, at the department head's discretion, be placed in the step at the lower pay group equal to the step they had once held in that job.)

18. STARTING PAY/PAY PLAN

Pay ranges for each group are established by a pay plan, which is approved by the Guadalupe County Commissioners' Court.

A new employee normally is hired on step 1 of the pay group to which the position is assigned. A new employee may not be hired above step 1 without specific approval by the department head. In determining an employee's starting salary the following factors will be considered:

- The applicant's knowledge, experience, and education as they compare to the minimum qualifications for the job;
- The applicant's previous salary;
- If the employee is a rehired employee of the county, the previous salary he or she earned prior to leaving employment as well as additional experience and knowledge gained; and
- Any unusual external market factors affecting the job.

19. PAY GROUPS/STEPS

Within the general guidelines of the pay plan and the budget, the Guadalupe County Commissioners' Court is authorized to determine the appropriate pay group to which each position is allocated and the pay to which the particular employee is assigned.

20. APPROVING AUTHORITY

The Guadalupe County Commissioners' Court is the approving authority for all payroll and payroll transfers granted under the terms of (1) these policies, (2) the classification and pay plans, and (3) the annual budget.

21. INCREASES IN SALARIES AFTER BUDGET APPROVAL

Increases in employee's salary after the fiscal year has started, that were not authorized during the budget process by Commissioners' Court, will need to be placed as an action item on the Commissioner's Court Agenda. Department heads will be responsible for explaining the circumstances for the salary change. The Commissioner's Court has the final vote as to the change. This policy excludes any transfers that employees make from one position to another. Only requests for increases to positions that are currently filled by an employee are required to be presented to Commissioners' Court for approval.

22. ORIENTATION AND TRAINING

The Guadalupe County Human Resources Department provides a general orientation for new employees about employment with Guadalupe County. It is the responsibility of the Guadalupe County Human Resources Department to include in the orientation information about the structure, functions, and services of all offices of Guadalupe County Government.

During the orientation, employees are given a copy of the Guadalupe County Personnel Policies manual. They are also given information about the Guadalupe County benefits programs.

Before an individual begins performing his or her actual duties, he or she normally will be given a brief orientation conducted by the elected or appointed official for whom he or she will be working or by that person's designated representative. The purpose of the session is to enable a new employee to understand his or her job better and its relationship to the overall operation of the Guadalupe County Government.

Training an employee is the responsibility of the department head or a designated supervisor for whom he or she works. Whenever possible, employees receive on-the-job training under close supervision.

23. EXIT INTERVIEWS

Department heads must turn in an employee change notice with the terminating employees' information completed and signed by the department head to the Human Resources Department. A resignation letter should also be requested and turned in with the change notice. Department heads should inform exiting employees to contact the Human Resources Department to schedule a time to complete the necessary exit paperwork.

24. ACCIDENT REPORTING

Any employee involved in an accident while driving or riding in a county vehicle, no matter how minor, must report it to the appropriate supervisor and law enforcement authorities so that an official accident report can be filed. In no instance should the driver leave the scene of an accident before the police have made their investigation and cleared the driver to leave. The employee must report to the designated doctor's office or hospital for a drug/alcohol test. If the employee is out of town, contact the Guadalupe County Human Resources Department for instructions. The elected or appointed official or supervisor must notify the County Auditor's Office and County Human Resources Department of the accident the same day the accident occurred, or on the first business day following the accident if it occurred after hours or on a non-workday. The elected or appointed official or supervisor must forward a copy of any accident report involving county equipment or vehicle to the Auditor's Office as soon as the law enforcement investigation is completed.

25. COUNTY CREDIT CARDS

Credit cards are issued to authorized employees by their department head, which will monitor the use of the credit cards and will submit documentation of usage to the Guadalupe County Auditor's office at the end of each month. Unauthorized or personal use of Guadalupe County credit cards is strictly prohibited and may result in prosecution.

26. PURCHASING

Purchases by Guadalupe County employees will be made only as authorized by department heads or Guadalupe County Commissioners' Court and will be made only after obtaining a purchase order number. Additionally, all purchases must be made in accordance with state purchasing laws as they apply to counties.

27. EMPLOYMENT VERIFICATION

The Guadalupe County Human Resources Department is the only office authorized to respond to verifications of employment. Normally, responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. Any additional information will only be released at the employee's written request. If a new employee does not request confidentiality, personal information is considered public information. Employees may change their election for disclosure of confidentiality by contacting the Guadalupe County Human Resources Department for the appropriate instructions.

28. EMPLOYEE CHANGE NOTICES

The employee change notice is the official document for recording and transmitting to the personnel file each change. This form is used to promote uniformity in matters affecting:

- Employment Category
- Position Title and Classification
- Pay Group and Rate
- Other Actions Affecting the Employee's Status

The employee change notice is completed before the employee's first day of work and subsequent forms are issued and filed when there is any change in the employee's status, which relates to employment or benefits. Each employee change notice becomes a permanent part of the employee's personnel file, and a copy is given to the department head each time an action occurs.

29. CONTENTS OF PERSONNEL FILES

Department heads must provide, in writing, appropriate payroll and employee information to the Guadalupe County Human Resources Department as a condition of hiring or promoting a person into a budgeted position. An employee's official personnel file may contain at least the following:

- An employment record form summarizing the employee's history with the county;
- W-4 form
- A copy of the employee's application for employment
- A copy of the court order for appointees;
- Signed copies of the employee's acknowledgements of having received a copy of the Personnel Manual and any other policy-related materials;
- Employee's job description(s) (if any);

- Election to disclose or keep confidential personal information form;
- Employee Change Notices;
- Retirement application;
- Records of any citations for excellence, awards for good performance, or job-related training/education;
- Records of disciplinary action(s);
- Performance evaluations;
- Copies of grievances and related materials;
- Any other pertinent information having a bearing on the employee's status; and
- Any written statements from the employee explaining, rebutting, or clarifying other items in the file.

An employee's personnel file does not contain information regarding an employee's medical record(s), nor does it contain any information relating to drug testing or workers compensation.

30. APPROVAL OF LEAVE

Department heads are responsible for determining that leave is accrued and available for use in the amounts requested by an employee before turning in to the payroll department.

31. EMPLOYEE CONDUCT AND DISCIPLINE

To ensure orderly operations and provide the best possible work environment Guadalupe County expects employees to follow rules of conduct that will protect the interest and safety of all employees and the organization. Documentation is required for all disciplinary actions.

32. FAMILY AND MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE

Human Resources will need to be contacted by the employee or supervisor if an employee misses more than three (3) consecutive days of work due to an illness.

Requesting Leave

Where practicable, and employee should give his or her immediate supervisor at least 30 days notice before beginning leave under this policy.

Where it is not reasonably practicable to give 30 days notice before beginning leave, the employee shall be required to give as much notice as is reasonably practicable.

If an employee fails to provide 30 days notice for foreseeable leave, the leave request may be denied until at least 30 days from the date the County receives notice.

Please refer to section 10 in the Guadalupe County Employee Personnel Policy for the complete FMLA policy.

33. SALARY GRIEVANCES (ELECTED OFFICIALS ONLY)

This section applies only to elected officials. An elected county or precinct officer who is aggrieved by the setting of his or her salary, expenses, or other allowances by the commissioner's court may request a hearing before the Salary Grievance Committee. Please refer to Title 5, Subtitle B, and Chapter 152 of the Local Government Code.

34. GRIEVANCE PROCESS (EMPLOYEES)

Any employee having a grievance related to their employment should present the grievance in writing to their immediate supervisor within ten (10) days of matter of complaint. The supervisor shall respond to the employee within ten (10) days of receipt of the employee's written response.

If the grievance to the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected or appointed official with final responsibility for the employee's department, the employee shall have the right to present the grievance to that official. The employee shall do so in writing within five (5) days of receipt of the employee's supervisor's oral or written response to the employee's original grievance. The elected or appointed official shall respond within ten (10) days of receipt of the employee's appeal of the supervisor's decision.

The decision of the elected official with final responsibility for the department shall be the final decision in all grievances.

Appointed officials can take any grievance issues to their governing board to make the final decision. Commissioner's Court, District Judges, Juvenile Board or the County Judge can make those final decisions for their appointed officials.

This policy shall apply to both active and terminated employees. Any grievance from a terminated employee must be in writing and presented within ten (10) days of the original termination.

Any employee who believes they have been or are currently being retaliated against for a good faith report of a violation of the law shall file a grievance on the alleged retaliation in writing to their supervisor, or if the supervisor is the person who is violating the law, the employee shall make this report to the elected official with final responsibility for the employee's department. If the violator is the elected official the employee may report the incident in writing to the County Judge. This grievance should be filed within ten (10) days of the alleged retaliation. The official who receives the grievance or his designee shall investigate the claim and respond back to the employee within ten (10) days of the receipt of the written complaint. Any supervisor, department head, appointed or elected official who receives a complaint of alleged retaliation for reporting a good faith violation of the law shall notify the County Judge immediately upon receipt of the complaint. They shall also notify the County Judge on the outcome of the investigation.

Copies of all documentation relating to the grievance shall be forwarded to the Guadalupe County Human Resources Department immediately upon conclusion of each step in the grievance process and will be placed in the employee's personnel file.

35. NIMS COMPLIANCE (NATIONAL INCIDENT MANAGEMENT SYSTEM)

Homeland Security Presidential Directive (HSPD-5), Management of Domestic Incidents, required all Federal departments and agencies to adopt the National Incident Management System (NIMS) and to use it in domestic incident management. The NIMS provides a consistent nationwide approach for Federal, State, territorial, tribal, and local governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. On March 1, 2004, the Department of Homeland Security (DHS) issued the NIMS to provide a comprehensive national approach to incident management, applicable to all jurisdictional levels and across functional disciplines.

According to these guidelines, selected Guadalupe County employees will be required by their department heads, to pass the NIMS compliance testing within ninety (90) days of your employment with Guadalupe County and show you have successfully passed the Independent Study Course IS-00700, or any other NIMS approved class as directed by your department head.

The NIMS document may be downloaded from the Department of Homeland Security web site at: <http://www.fema.gov/emergency/nims/> training is currently available as a FEMA Independent Study Course (IS-700). To enroll in this course go to: <http://training.fema.gov/EMIWeb/IS>.

For further assistance with NIMS, please contact the Guadalupe County Emergency Management Coordinator at extension 230.