

SPECIAL MEETING OCTOBER 31, 2019

Be it remembered on the 31st day of October 2019 at 10:00 o'clock A.M., there was Begun and Holden a Special Meeting of the Commissioner's Court in the Courthouse, in the town of Farwell, with the following members present,

Kirk Frye	Commissioner Pct. #1
Casey Russell	Commissioner Pct. #4
Trey Ellis	Judge
Sharon May	County Treasurer
Susie Spring	County Clerk

Absent:

Kenny White	Commissioner Pct. #3
Charles Wilkins	Commissioner Pct. #2

When the following was had and done, To-wit:

Michele Arseneau of Texas Association of Counties conducted a review of the Parmer County Employee Handbook.

The following issues were discussed with the Court.

Under the Smoke Free Workplace section, she suggested the Court add vaping to the list of prohibitions and the last sentence to read "These acts are prohibited within five (5) feet of all exterior entrances.

Under Discrimination and Harassment Section she suggested we add a "self advocating" section. She has given Sharon May a template for language to add.

A discussion was held in regard to County Employees as well as Elected Officials, cell phones and the Open Records Act. She informed the Court that TAC is reviewing this and will have policy suggestions in the near future.

When told of the Sheriff's acquisition of First Net and AT&T phones for his deputies, Michelle said the Sheriff should develop a policy for usage of these phones. Sharon requested that the phones be inventoried and the employee sign a sheet on receipt of the phone. Michelle agreed and said it would fall under the County Property Section of the policies.

A discussion was held in regard to exempt v. non-exempt employees. It was clarified that the County requires a 37.5 hour work week and any overtime pay only occurs after the employee has actually worked 40 hours. This was reinforced in regard to the employees working extra hours for the election.

Michelle discussed the Drug and Alcohol Policy. She suggested adding testing under reasonable suspicion.

She also suggested the Court decide what definition of under the influence would be. Legal limit is under .08 and CDL limit is under .04.

Also discussed was requiring post accident testing on any employee claiming a workman compensation injury or receiving medical care after an incident to be drug tested at the time of the incident. In the County policy it states any employee involved in an accident or resulting in property damage or personal injury be tested at the discretion of the elected official.

Also discussed was pre-employment drug testing. This will be a subject for discussion for the full Court when they meet in regard to the Employee Manual.

Under the Payroll Section in the Fair Labor Act, it was suggested the reporting be done to the County Treasurer and/or County Judge not the Auditor.

A discussion was held in regard to overtime for Sheriff Deputies. It was clarified that they must actually work over 171 hours before qualifying for overtime. Vacation and sick hours do not count toward the 171 worked hours in the 28 consecutive day period. The vacation and sick time are paid for but do not count as work time for the hours per consecutive day period.

The same is true for 40 hour work weeks. Vacation and sick time do not count toward the over 40 hours for overtime pay.

Compensation time was also discussed. It was agreed that compensation time must be recorded on the time sheet and turned into the Treasurer. The language needs to reflect this in the policy. At present, the policy states the elected official will keep records; however the Treasurer is the official responsible for record keeping of payroll records and thus the language needs to be changed.

Considerable discussion was held in regard to vacation time, sick time, accrual time and payment for accrued vacation time.

It was the recommendation of this meeting to bring to the full Court that vacation and sick time be kept in terms of hours not days. Sick time may be taken in hourly increments and vacation time may be taken in 4 or 8 hour increments.

Thus the following would replace the 'days' language in the handbook:
<or = to 5 yrs. Maximum vacation accrual of 120 hours

>5 <10 yrs. Maximum vacation accrual of 136 hours
10+ yrs. Maximum accrual of 160 hours

Once the maximum is met, the employee may continue accruing time until December 31st of the year.

Only 40 vacation hours may be rolled over per year.

An employee may request pay for accrued vacation in lieu of time off but the limit for payment is 40 hours. The request must still be submitted to the Court for approval.

It was discussed that the sick accrual and limits were appropriate and no changes were necessary.

FMLA was discussed. At present, no changes are necessary in the handbook.

With no further business to come before the court, Commissioner Russell moved to adjourn. Commissioner Frye seconded and adjournment was called at 12:20 o'clock P.M.

Susie Spring

County Clerk



Greg Ellis

County Judge