



# *PERSONNEL POLICIES*

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### **NOTICE TO EMPLOYEES**

**The policies set forth in this manual do not constitute a contract between the employer and any of its employees, but, rather, are intended as guidelines for personnel administration.**

**Employees of the HOTWDB serve at will and, as such, and within the provisions of state and federal law regarding public employment, can be dismissed at any time, with or without notice, for any reason or no reason.**

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## **1.00 HEART OF TEXAS WORKFORCE DEVELOPMENT BOARD**

### **1.01 GENERAL INFORMATION**

The Heart of Texas Workforce Development Board was established to oversee the implementation of workforce development efforts under Texas H.B. 1863. The HOTWDB serves the six counties of Bosque, Falls, Freestone, Hill, Limestone and McLennan Counties in what is known as the Heart of Texas region, encompassing 5,611 square miles.

### **1.02 PURPOSE OF THE HEART OF TEXAS WORKFORCE DEVELOPMENT BOARD**

The general purpose of the Heart of Texas Workforce Development Board is to promote regional economic prosperity and individual self-sufficiency to ensure a globally competitive workforce throughout the region.

### **1.03 DEFINITIONS**

**1.03.01 Employee.** For the purposes of these policies, "employee" includes regular full-time, regular part-time, temporary full-time, and temporary part-time individuals, who are listed on the Heart of Texas Workforce Development Board's payroll. "Employee" does not include persons engaged under consulting contracts or other independent contractors, persons paid by a temporary employment service, or participants in governmental programs unless those participants are also on the Board's payroll.

**1.03.02 Heart of Texas Workforce Development Board.** For purposes of these policies, "the HOTWDB" or "the Board" means the Heart of Texas Workforce Development Board created under Texas H.B. 1863 as a local Board for workforce development consolidation efforts in the State of Texas.

**1.03.03 Governing Body.** For the purposes of these policies, "Governing Body" means the policy body of the HOTWDB which meets the requirements of Texas H.B. 1863.

**1.03.04 Executive Director.** For the purposes of these policies, "Executive Director" means the Executive Director of the HOTWDB.

**1.03.05 Human Resources Contractor** Payroll, benefits and Human Resources services are administered for employees of HOTWDB through a contract with Education Service Center Region 12.

## **2.00 GENERAL POLICIES**

### **2.01 AUTHORITY**

**2.01.01** These policies are established by the HOTWDB and any deletions, amendments, revisions, or additions to the policies must be approved by that Body. The Executive Director may issue oral or written interpretations or clarifications of the policies.

**2.01.02** These policies completely replace and supersede any and all personnel policies previously adopted, individually or as a set of policies, by the Board.

### **2.02 SEVERABILITY**

The provisions of these policies are severable, and if any provision or part of a provision is held invalid, illegal, or unenforceable, this shall not affect the validity of the remaining provisions or parts of provisions, which shall remain in force and effect.

### **2.03 RESPONSIBILITY FOR IMPLEMENTATION OF PERSONNEL POLICIES**

The Executive Director is the chief executive officer of the HOTWDB and is responsible for the formulation of personnel procedures and the administration of personnel policies and procedures. The Executive Director may delegate authority to appropriate staff members to act in his/her behalf in the administration of these policies and procedures.

### **2.04 PURPOSE**

These policies set forth the primary rules governing employment with the HOTWDB. These policies inform employees of the benefits and obligations of employment with the HOTWDB. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by both employees and supervisors, which will result in high quality public service to the HOTWDB's constituency.

### **2.05 APPLICABILITY OF PERSONNEL POLICIES**

**2.05.01** These personnel policies apply equally to all employees of the HOTWDB unless a class of employees is specifically exempted by these policies or by written agreement with the HOTWDB.

**2.05.02** In cases where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary for compliance.

## **2.06 DISSEMINATION OF PERSONNEL POLICIES**

**2.06.01** The Executive Director or his/her designee maintains the official set of the personnel policies with all revisions for reference by employees. In addition, the Executive Director or his/her designee will provide a complete copy of these policies and copies of all subsequent revisions to each employee. If a question arises about a particular policy, the official set of policies maintained by the Executive Director should be consulted and shall control.

**2.06.02** Employees are required to read these policies carefully and to adhere to the rules and regulations stated herein. Within two weeks of employment, every employee is required to sign an acknowledgment of having read and understood the *Personnel Policies Manual for the Heart of Texas Workforce Development Board*.

## **2.07 EQUAL EMPLOYMENT OPPORTUNITY**

**2.07.01** The Board does not discriminate against any employee or applicant for employment because of race, religion, sex, age, national origin, disability, military status, or on any other basis prohibited by law. Employment decisions will be made on the basis of each applicant's job qualifications, experience, and abilities.

**2.07.02** Employees with questions or concerns about discrimination on the basis of race, religion, sex, national origin, disability, or age should contact the Human Resources Contractor.

## **2.08 AFFIRMATIVE ACTION**

The HOTWDB will take affirmative action to see that applicants are employed, and that employees are treated during their employment, without discrimination based on race, age, religion, color, disability, national origin, or gender. In addition, the HOTWDB will seek actively to include qualified members of minority groups in applicant pools. The HOTWDB will also target qualified minority and women applicants for staff positions on all levels.

## **2.09 SEXUAL HARASSMENT**

**2.09.01** Sexual harassment of a coworker is a form of discrimination and is prohibited by law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct under the following conditions:

- a. Submission to such conduct is explicitly or implicitly a term or condition of employment.
- b. Submission to or rejection of such conduct is used as the basis for employment decisions.

- c. The conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or otherwise offensive work environment.

Employees who believe that they have been sexually harassed by another employee are encouraged to come forward with complaints. The Board will promptly investigate all allegations of sexual harassment and will take prompt appropriate disciplinary action against employees found to have engaged in conduct constituting sexual harassment of other employees. See Section 15 on Complaints/Grievances.

## **2.10 WORKPLACE VIOLENCE**

**2.10.01** The HOTWDB has a zero tolerance policy concerning threats of violence in the workplace and is committed to maintaining a workplace free of threats of violence.

**2.10.02** A threat of violence is defined as any act of physical aggression or any statement which could be perceived as intent to cause harm to an employee or any other person connected with the workplace or to the agency itself. All threats of violence will be taken seriously.

**2.10.03** Threats of violence in the workplace may violate various state and federal laws, and may subject the violator to criminal or civil liability for any such unlawful conduct.

**2.10.04** The primary goal of reporting and investigating threats of violence in the workplace is to resolve such incidents without the occurrence of violence. Each case will be assessed individually and responded to accordingly.

**2.10.05** All alleged threats of workplace violence will be investigated by a supervisor or the Executive Director. A supervisor who witnesses, or to whom a threat of violence in the workplace is reported, is responsible for taking prompt appropriate action which will depend on the circumstances of each case.

**2.10.06** The HOTWDB supervisors are empowered to suspend employees with pay immediately upon being confronted with any incident involving a risk of immediate harm to any individual or to the agency itself.

**2.10.07** Appropriate action for emergency situations may dictate the immediate intervention of outside authorities such as the police or medical professionals before proceeding with HOTWDB's internal policy guidelines.

**2.10.08** Employee violators of this policy are subject to immediate disciplinary action up to and including termination from employment.

**2.10.09** The HOTWDB prohibits the carrying or use of firearms and/or any other weapons

by either employees or visitors on their property.

## **2.11 PERSONS WITH DISABILITIES**

It is the policy of the HOTWDB to make its employment application process, employee activities, working environment, employee benefits, employee training, and employee advancement process accessible to disabled persons. The HOTWDB will make reasonable accommodations to a qualified individual with a disability that is an applicant or employee unless that accommodation will place an undue hardship on the HOTWDB operations.

## **2.12 CHANGES TO THESE POLICIES AND EMPLOYEE SUGGESTIONS**

**2.12.01** These personnel policies may be amended or revised or new policies may be added at any time, with or without notice, upon the approval of the Board.

**2.12.02** Employees are encouraged to make constructive suggestions for improvements in these policies or in work procedures or conditions. Any employee who wishes to suggest a personnel policy change should submit his/her suggestion(s) in writing to the Executive Director, who will forward the information to the Board, where appropriate, along with the rationale for making the change. Employees are responsible for maintaining current knowledge and understanding of all personnel policy changes and for requesting clarification or assistance when needed.

## **3.00 EMPLOYEE RESPONSIBILITIES**

### **3.01 GENERAL**

The HOTWDB is a public, tax-supported organization. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct at all times. Employees are required to give a full day's work; to carry out efficiently the work items assigned as their responsibility; and to do their part in maintaining good relationships with the public, their supervisors, contractor staff, and other individuals or agencies.

### **3.02 PROFESSIONAL APPEARANCE**

Employees of the HOTWDB are hired to provide services to its citizens and to perform specific tasks in a professional manner. As representatives of the HOTWDB, employees are encouraged to set and meet high standards both in performing quality work and in presenting a professional personal appearance to the public.

### **3.03 TIMELINESS AND ATTENDANCE**

**3.03.01** Employees are to be punctual in reporting for work, keeping appointments, and meeting schedules for completion of work.

**3.03.02** An employee who expects to be late for or absent from work must report the expected tardiness or absence to their supervisor not later than 60 minutes after the time the employee is scheduled to begin work, unless emergency conditions exist. (It is preferable, and may be required in some cases, for an employee who will be late or absent to contact his/her supervisor at least one hour prior to the employee's scheduled time to begin work unless emergency conditions exist.) See also Section 9 of these policies concerning Leave Time for matters involving planned absences.

**3.03.03** Failure to report within the required period can be considered justification for disallowing paid sick leave for an absence. Unless otherwise approved by the supervisor, employees are expected to call on each day of absence. Where the nature of the absence necessitates an extended time period off, the supervisor may approve longer reporting intervals. Frequent tardiness or unauthorized absence is not permissible and is grounds for disciplinary action up to and including termination.

### **3.04 OUTSIDE ACTIVITIES**

**3.04.01** Employees may not engage in any outside employment, activity, or enterprise if determined by the Executive Director to (1) be inconsistent or incompatible with employment with the HOTWDB; or (2) affect the employee's job performance adversely.

**3.04.02** An employee must have the advance written approval of the Executive Director to engage in any outside employment, including self-employment.

**3.04.03** If a the HOTWDB employee is injured on the job in the course of employment outside of his/her employment with the HOTWDB, the employee may not file a worker's compensation claim against the HOTWDB for benefits related to the injury, regardless of the fact that the Executive Director may have authorized the outside employment.

**3.04.04** No funds or other thing of value may be solicited from or by the HOTWDB employees on the job without the express approval of the Executive Director.

### **3.05 GIFTS AND GRATUITIES**

A HOTWDB employee may not accept any gift (including a free service) that might tend to influence his/her official actions or impair his/her independence of judgment in performance of duties for the HOTWDB.

### **3.06 CONFLICT OF INTEREST - GENERAL**

**3.06.01** An employee of the HOTWDB will neither have financial interests in the profits of any contract, service, or other work performed for the HOTWDB nor derive personal profit directly or indirectly from any contract, purchase, sale, or service between the HOTWDB and any person or company.

**3.06.02** Employees. An employee may not:

- a. Solicit, accept or agree to accept a financial benefit, other than from the HOTWDB, that might reasonably tend to influence his/her performance of duties for the HOTWDB or that he/she knows or should know is offered with intent to influence the employee's performance.
- b. Accept employment or compensation that might reasonably induce him/her to disclose confidential information acquired in the performance of official duties.
- c. Accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the HOTWDB.
- d. Make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the HOTWDB.
- e. Solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as a HOTWDB employee in favor of that person.



**3.06.03 Contracts.** Specifically with reference to contracts, no officer or employee of the HOTWDB who exercises any functions or responsibilities in the review or approval of an undertaking or the carrying out of one of the HOTWDB's contracts, shall participate in any decision relating to that contract if the decision affects his/her personal pecuniary interest.

**3.06.04 Code of Ethical Conduct.** The HOTWDB employees must comply with the Code of Ethical Conduct.

### **3.07 POLITICAL ACTIVITY**

**3.07.01** Employees of the HOTWDB are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

**3.07.02** An employee, in his/her official capacity, may not:

- a. Use his/her official authority or influence to interfere with or affect the result of an election or nomination for office; or
- b. Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose; or
- c. Use funds provided by the State of Texas to influence the passage or defeat of any legislative measure in the Texas Legislature on the outcome of any election; or
- d. Use federal funds in any way to attempt to influence in any manner a member of Congress to favor or oppose any legislation or appropriation by Congress, or for lobbying with state or local legislators.

**3.07.03** In addition, any HOTWDB employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election. (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected.) HOTWDB employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity, which is financed in whole or in part by loans or grants made by the federal government.

**3.07.04** An employee who runs for election to an elective office is encouraged, but not required, to take a leave of absence beginning upon filing for elected office and ending upon qualifying for and taking office.

**3.07.05** An employee's political activity which is not in violation of this section shall not be considered in determining his/her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee.

**3.07.06** Violation of this policy is grounds for dismissal and/or disapproval of funding for the position occupied by the employee involved.

### **3.08 COMMUNICATIONS**

**3.08.01** A HOTWDB employee may be given work instructions from persons other than his/her immediate supervisor or the Executive Director. In such cases, it is the requestor's responsibility to notify the employee's immediate supervisor about the instruction, its purpose, and the relevant facts of the situation.

**3.08.02** Matters that involve the HOTWDB policy, operations, and organization are brought before the Board by the Executive Director or by his/her designee.

**3.08.03** An employee may request that the Board consider a matter by submitting the item in writing to the Executive Director.

**3.08.04** Communication with the news media about the HOTWDB issues is the responsibility of the Executive Director. Employees are to refer members of the news media to the Executive Director if a question is non-routine, controversial, or outside of the scope of the employee's normal duties, and are to notify the Executive Director of scheduled interviews with the news media.

### **3.09 CHAIN OF COMMAND**

Individual HOTWDB employees are responsible to the Executive Director or to a supervisor designated by the Executive Director. The Executive Director is responsible to the Board as a whole. Directions regarding work to be done, expected results, the adequacy of work performance, and grievances will follow the chain of command.

### **3.10 TELEPHONE USE**

Telephones are to be used for HOTWDB business. It is understood that occasionally personal calls are necessary; however, use of telephones for local personal calls is permitted only if the number and length of calls are kept to a minimum. Charges to the HOTWDB or "900" numbers for personal calls are prohibited and may result in disciplinary action, up to and including termination.

### **3.11 SECTARIAN ACTIVITY**

No funds received by the HOTWDB shall be used, either directly or indirectly, to support any religious or anti-religious activity.

## **4.00 EMPLOYMENT PRACTICES**

### **4.01 RESPONSIBLE AGENT FOR APPOINTMENT**

The Executive Director is the chief executive officer for the Board and is responsible for the selection and length of service of all employees within the limits of these policies and the overall comprehensive budget. All selection decisions will include a review by the Executive Director of the policies and procedures followed in the recruitment and selection.

### **4.02 METHODS OF RECRUITMENT AND SELECTION**

The HOTWDB has three methods of filling vacancies: (1) promotion from within; (2) lateral transfer from within; or (3) public announcement. Consideration of external and internal applications can include qualified applicants for similar positions open at the HOTWDB within the preceding 60 days of the new announcement. The Executive Director determines the method to be used in filling each vacancy.

### **4.03 PUBLIC ANNOUNCEMENTS**

Public announcements of position openings at the HOTWDB for which there will be competitive consideration are disseminated by the Executive Director, or his/her designee, in the manner most appropriate for the particular position being filled and consistent with the HOTWDB's Affirmative Action Plan.

### **4.04 QUALIFICATIONS**

The HOTWDB establishes the minimum required knowledge, skills, and abilities for each staff position and the acceptable levels of experience and training for each.

### **4.05 SELECTION**

Vacancies on the HOTWDB's staff are filled by promotion, by transfer, or by initial appointment on the basis of merit. Selections are made only on the basis of occupational qualifications and job-related factors such as skill, knowledge, education, experience, and ability to perform the specific job.

### **4.06 AGE REQUIREMENTS**

Age limitations will be applied only as required by specific state or federal law applicable to the HOTWDB. Positions paid for by funds received under the U.S. Older Americans Act are subject to the federal requirement that consideration be given to older workers.

#### **4.07 APPLICATION FOR EMPLOYMENT**

**4.07.01** Each applicant for employment is required to submit an application and other pertinent information regarding training and experience. The Executive Director, or his/her designee, shall make appropriate inquiries to verify the match between the applicant's background and the position requirements.

**4.07.02** When a specific vacancy exists, each person desiring employment with the HOTWDB may obtain an application for employment from the person designated in the job announcement and the completed application should be returned to the designated individual.

**4.07.03** It is the responsibility of the Executive Director, or his/her designee, to make appropriate checks to verify education, experience, character, and required certificates and skills of an applicant prior to appointment.

#### **4.08 CONSIDERATION OF CURRENT EMPLOYEES AND MEMBERS OF THE GOVERNING BODY**

**4.08.01** The HOTWDB employees will be notified of internal vacancies in the organization for which competitive internal applications will be accepted and will be permitted to apply for any position for which they consider themselves qualified. Interest of current employees for an opening with the HOTWDB should be indicated in writing by use of an updated application package and a letter of application submitted to the person indicated in the announcement of the job opening.

**4.08.02** Members of the Board will be eligible for employment with the HOTWDB in any position only after such individual has been off the Board for one year.

#### **4.09 EMPLOYMENT OF RELATIVES (NEPOTISM)**

**4.09.01** Nepotism is the showing of favoritism toward a relative. The practice of nepotism in hiring personnel is forbidden by HOTWDB.

**4.09.02** No person may be hired who is related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any member of the Board, to the Executive Director, or to a current employee of the HOTWDB. No person may continue in the HOTWDB employment that is related to the Executive Director, a member of the Board or a current employee of the HOTWDB in one of the prohibited degrees unless the person has been employed continuously by the HOTWDB for a period of:

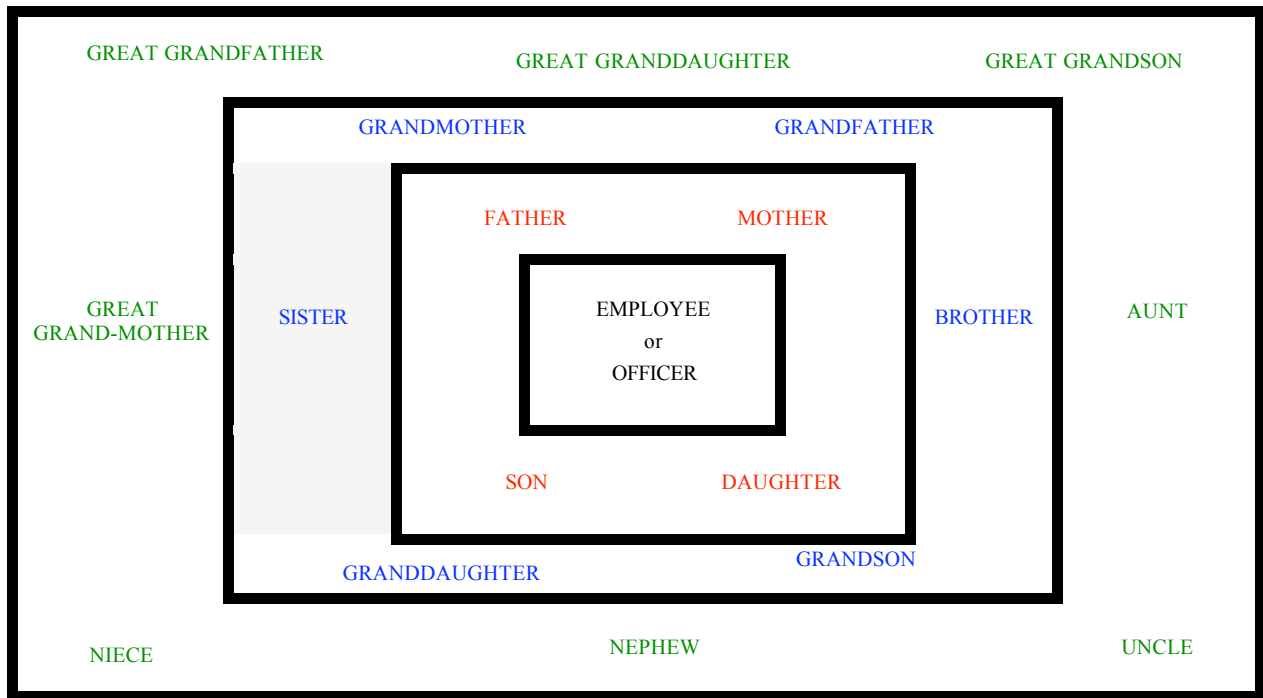
- a. At least 30 days when the Executive Director or the Board member is an appointed official;
- b. At least six months when the Board member is elected at an election other than the

- general election for state and county officers; or
- c. At least one year when the Board member is elected at the general election for state and county officers.

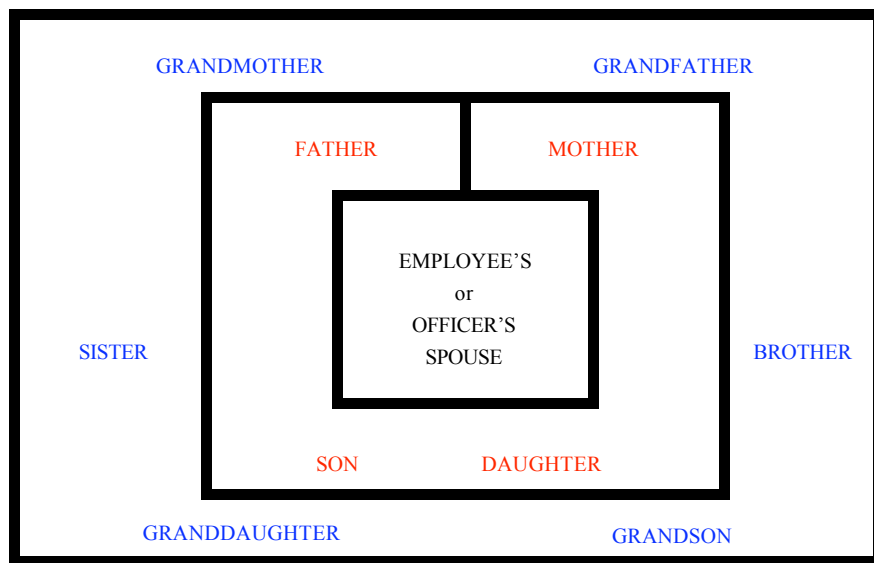
**4.09.03** In addition, in the interest of effective management, no personnel action will be taken that would result in any employee's supervising another employee who is related within the second degree of affinity or the third degree of consanguinity to the supervisory employee.

**4.09.04** Prohibited degrees of relationship are defined in the following chart.

## NEPOTISM CHARTS



**FIGURE 1 – CONSANGUINITY KINSHIP CHART**



**FIGURE 2 – AFFINITY KINSHIP CHART**

Spouses of relatives within the first or second degree of consanguinity (i.e., son-in-law, mother-in-law, brother-in-law, sister-in-law, etc.) are also included in the chart.

Red = First Degree

Blue = Second Degree

Green = Third Degree

#### **4.10 TESTING**

**4.10.01** Tests administered for employment or promotion normally will be specifically job-related ("piece-of-the-job") tests (e.g., operating equipment, operating a computer, lifting something heavy required in the job, tabulating columns of numbers, or writing samples). The HOTWDB conducts pre-employment qualification assessment testing for certain job positions. The tests vary based on the qualifications for the particular position. Reasonable accommodations will be made to applicants with a disability, if a request for such accommodation is made in advance of a test.

**4.10.02** The HOTWDB may require testing when reasonable suspicion exists that an employee is using or abusing illegal drugs or alcohol.

#### **4.11 PHYSICAL STANDARDS**

Medical records relating to the medical condition, medical testing, or drug testing of an employee or a prospective employee is maintained in a secure, locked location separate from other employee personnel files. These medical files are confidential, and are not released to anyone unless a "need to know" has been clearly established. Only the Executive Director, or his/her designee, or the individual employee has access to employee medical records.

#### **4.12 VERIFICATION OF ELIGIBILITY TO WORK**

In order to comply with the Immigration Reform and Control Act of 1986, each new employee is required to complete and sign an INS Form I-9 within three days of his/her first day of employment to provide proof of his/her identity and employment eligibility.

#### **4.13 DRIVING RECORD**

**4.13.01** Every HOTWDB employee who is required to drive a vehicle on the HOTWDB business must maintain a legal driver's license.

**4.13.02** Employees who drive a personal vehicle on the HOTWDB business are required to have automobile liability insurance as required by the State of Texas and to maintain up-to-date insurance coverage.

#### **4.14 DISQUALIFICATION**

An applicant is disqualified from employment by the HOTWDB if he/she:

- a. Does not meet the minimum qualifications for performance of the duties of the



- position involved;
- b. Knowingly has made a false statement on the application form;
- c. Has committed fraud during the selection process;
- d. Is not legally permitted to hold the position;
- e. Has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process;
- f. Is not able to perform the essential functions of the position, with or without reasonable accommodation; or
- g. Has failed to produce within three days of employment original legal document(s) that establish identity and employment eligibility.

#### **4.15 ORIENTATION AND TRAINING**

**4.15.01** Before an individual begins performing his/her actual duties, he/she will be given a brief orientation. The purpose of the session is to enable a new employee to understand his/her job better and to understand the relationship of the job to the overall operation of the HOTWDB. During the orientation, each new employee will be given a copy of the *Personnel Policies for the Heart of Texas Workforce Development Board*. They must read it within two weeks and sign a statement that he/she has read and understood the policies.

**4.15.02** Training an employee is the responsibility of the supervisor for whom the employee works. Whenever possible, employees receive on-the-job training under close supervision.

#### **4.16 DOCUMENTATION**

The responsible staff shall document all selection decisions. The Executive Director may prescribe documentation procedures, keep central records, and require information necessary for equal employment opportunity analysis and reporting purposes and for general administrative purposes.

#### **4.17 EMPLOYMENT REFERENCES**

The HOTWDB will furnish a written employment reference for a current or former employee only in response to a written request for the reference received from an individual or organization with an apparently legitimate need for the reference. The reference will furnish the following information only: the dates of employment, the employee's beginning and ending salary, and the employee's beginning and ending job title. The Executive Director will designate an employee to furnish references and only that employee may do so.

## **5.00 TYPES OF EMPLOYMENT**

### **5.01 AT WILL**

**5.01.01** All HOTWDB employees are non-contract. Non-contract employees are employed at will and may be dismissed without notice, a description of the reasons for dismissal, or a hearing. It is unlawful for the Board to dismiss any employee for reasons of race, religion, sex, national origin, disability, military status, any other basis protected by law, or in retaliation for the exercise of certain protected legal rights. Non-contract employees who are dismissed have the right to grieve the termination. The dismissed employee must follow the process outlined in the HOTWDB Personnel Policies when pursuing the grievance. (See Complaints and Grievances) At the beginning of each payroll and benefits fiscal year, all employees are required to sign a notice of reasonable assurance.

**5.01.02** A supervisor may recommend dismissal of an employee to the Executive Director. The Executive Director shall hold a conference with that employee and shall consider any information submitted by that employee that is relevant to a decision on the recommendation for dismissal. The Executive Director may, at his or her sole discretion, also meet with the supervisor making the recommendation for dismissal or hold a conference that includes the Executive Director, supervisor, and employee. Following the conference or conferences with the employee and the administrators, the Executive Director shall reach a decision on the recommendation for dismissal and shall notify the employee in writing of the decision. The decision of the Executive Director is final, but a dismissed employee may request to be heard by the Board

### **5.02 CATEGORIES**

**5.02.01 Probationary Status.** Each employee is on initial probation for a minimum of six months from the date appointed to the position. If a probationary employee's adjustment or performance requires further evaluation, the Executive Director may approve an extension not to exceed six months, in three-month increments.

Employees on initial probation are in employment-at-will status. The employee may be dismissed for any non-discriminatory reason at any time during initial probation period.

Individuals who successfully complete the initial probationary period gain the rights and status of a regular employee on the first day following of the initial probationary period.

**5.02.02** There are four categories of employment with the HOTWDB:

- a. **Regular Full Time.** A regular full-time employee is appointed to an authorized position that involves, on the average, 40 work hours per week and that is expected to last at least six months. Regular full-time employees are paid on a

salary basis.

- b. Regular Part Time. A regular part-time employee is appointed to an authorized position that involves, on the average, fewer than 40 work hours per week. Part-time employees are paid a pro-rata salary based on a 2,080 hour year.
- c. Temporary Full Time. A temporary full-time employee is an employee hired to work an average of 40 hours per week for a period expected to last fewer than six months. Temporary full-time employees are paid on a salary basis.
- d. Temporary Part Time. A temporary part-time employee is an employee hired to work an average of fewer than 40 hours per week for a period expected to last fewer than six months. Temporary part-time employees are paid a pro-rata salary based on a 2,080 hour year.

**5.02.03** Employment at the HOTWDB is conditioned upon continued funding through various grants from and contractual arrangements with outside funding sources. Each employee of the HOTWDB is subject to termination upon discontinuance of available funding for the employee's position.

**5.02.04** Whenever an emergency exists which requires the services of personnel who are not otherwise available, such personnel may be immediately appointed for a period not to exceed 30 working days without regard to normal recruitment and selection requirements. Emergency temporary appointments shall not be renewable.

**5.02.05** When determined by the Executive Director to be in the best interest of the HOTWDB, job sharing shall be considered an employment option. Such consideration shall be based upon the most efficient and effective method to serve the purposes of the HOTWDB. Specifics pertaining to the job share option shall be determined on a case-by-case basis. In no case shall the combined hours of a job-shared position exceed the total hours approved in the annual the HOTWDB budget for the original position.

### **5.03 ASSIGNED STAFF**

Staff who are assigned to the HOTWDB but are paid directly by another government or private organization are not employees of the HOTWDB. These employees' benefits are specified in the contract for services. As a condition of their assignment, such staff shall be governed by all terms of these policies not in conflict with their contract for services.

## **6.00 EMPLOYEE COMPENSATION AND ADVANCEMENT**

### **6.01 SALARY**

A salary schedule is recommended by the Executive Director and approved by the Board, and is available to all employees. Each employee shall receive her/his salary by monthly check on the 24th of each month. Salaries are dependent on funding for the calendar year.

### **6.02 CHECK DELIVERY**

**6.02.01** No salary advances or loans against future salary will be made to any employee for any reason.

**6.02.02** An employee must bring any discrepancy in a paycheck (such as overpayment, underpayment, or incorrect payroll deductions) to the attention of the Executive Director or his/her designee.

**6.02.03** Paychecks are issued by direct deposit only.

### **6.03 PAY RATES**

**6.03.01** In establishing rates of pay for the HOTWDB job classifications, consideration shall be given to prevailing rates of pay among public and private employers in the relevant labor markets; the duties, responsibilities and qualifications required of the HOTWDB employees, and other relevant factors.

**6.03.02** It is the HOTWDB's policy to pay equal pay for equal work.

### **6.04 MERIT INCREASE**

The HOTWDB employees have the opportunity to earn merit increases (advancement within a pay group from a lower pay step to a higher pay step) by exceeding performance standards.

### **6.05 PROMOTIONS**

**6.05.01** A promotion is a change in the duty assignment of an employee, which results in advancement to a higher position requiring higher qualifications and involving greater responsibility.

**6.05.02** The Executive Director approves promotions within the staffing pattern and budget limits approved by the Board. Employees who are able to perform the essential

functions of the position, with or without reasonable accommodation, may be eligible for consideration for a promotion, if and when a vacancy occurs.

**6.05.03** Application for promotion shall be made through the use of an updated application and a letter of application.

## **6.06 LATERAL TRANSFERS**

**6.06.01** Lateral transfers may be made if a vacant position is available and the employee can perform the essential functions of the position, with or without reasonable accommodation.

**6.06.02** Application for a lateral transfer shall be made through the use of an updated application and a letter of application.

## **6.07 DEMOTIONS**

**6.07.01** A demotion is a change in duty assignment of an employee to a lower job title, which may result in a pay reduction. Demotions may be made at the employee's request to occupy a less responsible position, as a reasonable accommodation for an employee with a disability, or as a disciplinary measure because of unsatisfactory performance in a higher position.

**6.07.02** An employee's request for a demotion should be submitted in writing to the appropriate supervisor or the Executive Director.

## **6.08 APPROVING AUTHORITY**

The Executive Director is the approving authority for all payrolls and for any pay increases, decreases, or payroll transfers granted under the terms of these policies and the annual budget.

## **7.00 WORK SCHEDULE AND TIME REPORTING**

### **7.01 WORK WEEK AND WORK HOURS**

**7.01.01** The official work period for all the HOTWDB employees is a seven-day period beginning at 12:01 a.m. on Saturday and ending at midnight the following Friday. Normal working hours are Monday through Friday, 8:00 a.m. to 5:00 p.m., with one hour for lunch, a total of 40 hours per work week. However, normal working hours may be altered by special events such as noon and/or evening meetings, conferences, holidays, etc.

**7.01.02** The Executive Director may set other hours of work or work periods for individuals or groups of employees if necessary or desirable.

**7.01.03** Employees are required to report punctually for duty at the beginning of each assigned workday and to work the full work period established.

### **7.02 SCHEDULE ADJUSTMENTS**

**7.02.01** Adjustments to the normal hours of operation or individual work schedules may be made by the Executive Director in order to serve the public more effectively.

**7.02.02** The office may remain open during the noon hour and lunch periods. The Executive Director has the option to close the office during the noon hour if the closing does not negatively affect the delivery of services to the public. Lunch periods for some employees may be staggered according to specified requirements.

### **7.03 NUMBER OF HOURS WORKED**

The Executive Director determines the number of hours worked by an employee for the compensation to be received subject to laws governing pay and working hours and to the provisions of the budget.

### **7.04 OVERTIME WORKED**

**7.04.01** The policy of the HOTWDB is to keep overtime to a minimum. However, employees may be required to provide services in addition to normal hours or on weekends or holidays. Overtime is defined as hours worked in excess of the allowable number of hours under the Fair Labor Standards Act (FLSA): 40 hours per seven-day work week. Under the FLSA, overtime applies only to employees who are not exempt from the Act's overtime provisions.

**7.04.02** For employees in positions which are covered by the overtime provisions of the FLSA, overtime begins to accrue with the forty-first (41) hour worked during the seven-day

work week. The Executive Director must authorize in advance all overtime services by employees covered by the FLSA.

## **7.05 EXEMPTIONS FROM FLSA (OVERTIME COMPENSATION)**

Executive, administrative, and professional employees are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and are expected to render necessary and reasonable overtime services with no additional compensation. The salaries of these positions are established with this expectation in mind. This overtime may be used as a factor in granting or denying paid leave other than annual or sick leave.

## **7.06 OVERTIME COMPENSATION**

**7.06.01** The regular work schedule for all full-time HOTWDB employees is 40 hours per week.

**7.06.02** The HOTWDB compensates overtime for nonexempt employees in accordance with federal wage and hour laws. All employees are classified as exempt or nonexempt for purposes of overtime compensation. Exempt employees are ineligible for overtime compensation. Only nonexempt(hourly) employees are entitled to overtime compensation. Nonexempt employees are not authorized to work beyond the normal work schedule without advance approval from the Executive Director.

**7.06.03** Overtime is legally defined as all hours worked in excess of 40 hours weekly and is not measured by the day or by the employee's regular work schedule. Employees must work more than 40 total hours in a week to earn any additional compensation, including overtime compensation.

**7.06.04** For the purpose of calculating overtime, a workweek begins at 12:01 a.m. Saturday and ends at midnight Friday. Employees may be compensated for overtime with compensatory time off or direct pay at time-and-a half rates.

**7.06.05** Compensatory time earned may be used according to a schedule that is mutually agreeable to the employee and supervisor. Activity reports as a part of the Region 12 management information system will be maintained on all nonexempt employees for the purpose of wage and salary administration. Time cards will be maintained for part-time employees.

**7.06.06** Compensation (monetary or time) is paid at one-and-a-half time.

## **7.07 HOLIDAYS WORKED**

The HOTWDB basic policy is that each regular employee receives a specified number of

paid holidays per year, as set forth in Section 10 of these policies. In most instances, if a regular employee is required to work on a scheduled holiday, he/she will be given an alternate day off, preferably within the same work week or work period. (See Section 10.03 for a more detailed discussion of this policy.)

## **7.08 TIME REPORTING**

**7.08.01** Employees will keep records of all hours worked and released time taken and, where appropriate, hours credited to particular projects. Forms for this purpose are provided by the HOTWDB.

**7.08.02** Time records must be signed by the employee and by the immediate supervisor and must be submitted in accordance with the established payroll schedule.

## **7.09 LEAVE OR HOLIDAYS TAKEN AND OVERTIME**

If a full time employee who is subject to the overtime provisions of FLSA is required to work extra hours during a work week in which he or she has used sick leave, annual leave, or any other type of released time (including holiday time off), the employee will be given either hour-for-hour time off or pay for the extra hours at the employee's regular straight time rate of pay for up to 40 hours of work during that work week. For hours worked above 40 hours during the work week, the employee will be compensated in accordance with the overtime policy in Section 7.06.



## **8.00 BENEFITS**

### **8.01 INSURANCE**

**8.01.01** Full-time employees shall receive health insurance coverage, with premiums paid by HOTWDB, as established by the Board of Directors. HOTWDB pays for employee insurance up to the equivalent cost TRS Active Care Plan 2 health insurance. An additional amount per month (currently \$75/month) is available to purchase any insurance-related product for the employee or a member of his/her family (except life policies with cash surrender value). Employees who terminate employment are eligible to be covered under provisions of the Consolidated Omnibus Budget Reconciliation Act 1985 (COBRA). Premiums must be paid by the employee. Retirees are not allowed to remain under the group plan except as provided by law under provisions of COBRA. Employees may contact the Human Resources Contractor for additional information.

**8.01.02** At their own expense, employees may enroll in the supplemental insurance programs for dental, vision, supplemental life, catastrophic illness, and disability. Flexible spending accounts for medical and dependent care also are available. Premiums for these programs may be paid by payroll deduction.

### **8.02 PAYROLL DEDUCTIONS/CAFETERIA PLAN**

**8.02.01** Automatic payroll deductions for the Texas Teacher Retirement System (TRS), Social Security, and federal income tax are required for all full-time employees. Medicare tax deductions are required for all employees. Temporary and part-time employees who are not eligible for TRS membership must have their Social Security contributions deducted.

**8.02.02** Employees are eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis (i.e. health, dental, vision, and cancer and dread disease). Other eligible fringe benefits include participation in both 403(b) and 457 plans and flexible spending accounts (medical and dependent care). A third-party administrator handles employee claims made on these accounts.

**8.02.03** New employees must accept or reject this benefit during their first month of employment. All employees must accept or reject this benefit on an annual basis and during the specified time period. During the year, an employee may only make a family status change to the Cafeteria Plan. Employees' payments for any additional benefits are subject to the IRS Code provisions.

### **8.03 RETIREMENT**

**8.03.01** All personnel employed on a regular basis for at least one-half of the normal work schedule are members of the Texas Teacher Retirement System (TRS). Employees not receiving TRS service retirement benefits who work at least 90 days a year are also eligible for TRS membership and to purchase a year of creditable service. TRS provides members with an annual statement of their account showing all deposits and the total account balance for the year ending August 31, as well as an estimate of their retirement benefits.

**8.03.02** Inquiries should be addressed to: Teacher Retirement System of Texas, 1000 Red River Street, Austin, TX 78701-2698, or call 800-223-8778 or 512-397-6400. TRS information is also available on the Web ([www.trs.state.tx.us](http://www.trs.state.tx.us)).

**8.03.03** HOTWDB employees are required also to participate in Social Security. There is no mandatory retirement age for employees of HOTWDB.

**8.03.04** Both TRS and Social Security are deducted. The current deduction from employees' payroll checks for TRS are as follows: 6.65% total for employees, which consists of 6.40% allocated to the TRS retirement annuity and 0.25 % allocated to TRS Health Insurance. FICA taxes are deducted as follows: 7.65% total, which consists of 6.20% allocated to Social Security and 1.45% allocated to Medicare.

**8.03.05** Both 403(b) and 457 annuities are offered by way of employee contribution. See the Human Resources Contractor for further details. Per Senate Bill number 273, an approved list of 403(b) certified companies can be found on the Teacher Retirement System of Texas website at: [http://www.trs.state.tx.us/403B/403\(b\)CertifiedList.htm](http://www.trs.state.tx.us/403B/403(b)CertifiedList.htm).

### **8.04 WORKERS' COMPENSATION**

An employee eligible for workers' compensation wage benefits shall choose to receive those benefits or to use available paid leave.

### **8.05 UNEMPLOYMENT INSURANCE**

Employees who have been laid off or terminated may be eligible for unemployment compensation benefits under the Texas Unemployment Compensation Act. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks during the year if they have reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact the Human Resources Contractor.

All employees of the HOTWDB are covered under the Texas Unemployment Compensation Insurance Program and the HOTWDB renders payment for this benefit. This program provides payments for unemployed workers in certain circumstances.

## **8.06 LEAVE TIME**

Regular HOTWDB employees are eligible for holidays, annual leave, sick leave, and other types of released time under certain circumstances. Detailed information about leave and other types of released time is found in Sections 9 and 10.

## **9.00 LEAVE TIME**

### **9.01 LEAVE AND ABSENCES – GENERAL INFORMATION**

**9.01.01** HOTWDB offers employees paid and unpaid leaves of absence in times of personal need. This manual describes the basic types of leave available and restrictions on leaves of absence.

**9.01.02** Employees who have personal needs that will require long leaves of absence should contact the Human Resources Contractor for counseling about leave options, continuation of benefits and communicating with the Human Resources Contractor. Employees who take unpaid leaves of absence may continue their insurance benefits at their own expense. Health care benefits for employees on leave authorized under the Family and Medical Leave Act will be paid by HOTWDB as they were when they were working. Otherwise, the HOTWDB does not make benefit contributions for employees who are not on active payroll status.

**9.01.03** Employees must follow HOTWDB procedures to report or request any leave of absence and complete appropriate paperwork. Leave is taken in one-half or one-day increments. Employees' check stubs reflect leave balances. It is each employee's responsibility to verify leave balances and activity.

**9.01.04** Unauthorized absences or abuse of leave may be grounds for discipline, up to and including termination.

### **9.02 DEFINITIONS**

**9.02.01** Leave Time. Leave time is time during normal working hours in which an employee does not engage in the performance of job duties. Leave time may be either paid or unpaid.

**9.02.02** Holidays. Holidays are days designated by the Board during which the HOTWDB offices are closed on what would otherwise be regular business days.

**9.02.03** Unauthorized Absence. An unauthorized absence is one in which the employee is absent from regular duty without approval of the supervisor or the Executive Director. Employees are not paid for unauthorized absences and such absences are cause for disciplinary action.

### **9.03 APPROVAL OF LEAVE**

**9.03.01** All leave taken by the HOTWDB employees must be approved by the

employee's supervisor and the Executive Director, or his/her designee. Completed leave request forms must be attached to the time sheet for the appropriate pay period.

**9.03.02** Supervisors are responsible for determining that leave has been accrued and is available for use in the amounts requested by an employee. In addition, supervisors are responsible for ensuring that all annual and sick leave usage is recorded on the time sheet submitted for payroll purposes.

## **9.04 VACATION LEAVE**

**9.04.01** Vacation leave for employees is accrued at the rate of one day per month worked and may not be taken in advance. If an employee begins work by the first working day in September 1, he/she is entitled to an additional three days of vacation leave.

**9.04.02** A HOTWDB employee may request use of vacation leave from the appropriate supervisor. The supervisor will approve/deny the leave request and notify the employee. In an emergency, a telephone call to the appropriate supervisor should explain the reason for the emergency leave request. Vacation leave may be used in one-half or whole-day increments.

**9.04.03** Maximum vacation leave carry-over from one year to the next is fifteen (15) days.

**9.04.04** In the event of resignation, retirement, or termination, employees will be paid at their current rate of pay for all earned but unused vacation leave. The number of unused vacation leave days for which an employee may be paid shall not exceed fifteen (15).

**9.04.05** Two options are available if employees are unable to take vacation leave, thereby accruing more than the allowed carry-over limit:

**9.04.06** Request a one-time waiver from the Human Resources Contractor to extend that time from September through December of the current year; or  
Unused vacation leave will be converted into local sick leave.

## **9.05 EDUCATION LEAVE**

Formal coursework during working hours not exceeding six (6) full working days may be taken per semester, quarter, or summer (summer includes both terms) by full-time employees with the approval of the appropriate director and the Human Resources Contractor when such leave serves the best interests of HOTWDB and enhances the capacity of the employee. However, the total days of leave granted in the payroll and benefits year shall not exceed twelve (12). Education leave must be requested in writing by the employee. Upon approval, such leave may be taken in increments of 1/4, 1/2, or full days. A copy of the approved letter must be kept on file with the Human Resources Contractor.

## **9.06 PERSONAL LEAVE**

**9.06.01** State law requires that all employees receive five days of paid personal leave per year. Personal leave is earned and accumulated at a rate of one-half a workday for each full calendar month of employment, up to a maximum of five workdays each fiscal year. There is no limit on the accumulation of state personal leave. Employees may transfer all accumulated personal leave from other local or state public entities, up to a limit of five (5) days for each year of public or state agency employment.

**9.06.02** A HOTWDB employee may request use of personal leave from the appropriate supervisor. Personal leave may be used in one-half or whole-day increments.

## **9.07 COMPENSATORY LEAVE**

See Section 7.06, regarding information about earning compensatory time and using compensatory leave credits.

## **9.08 SICK LEAVE**

**9.08.01** Full-time employees shall earn seven (7) local sick leave days per year, with no limit on accumulation. Sick leave is earned and accumulated at a rate of one-half a workday for each full calendar month of employment for ten months and one full workday for the remaining two months. Employees may transfer all accumulated sick leave from another state or public agency.

**9.08.02** Previously accumulated state sick leave is available for use and may be transferred from another state or public agency. Sick leave shall be used in increments of not less than one-half (1/2) day, except in the following situations:

- a. When coordinated with family and medical leave taken on an intermittent or reduced-schedule basis
- b. When coordinated with workers' compensation benefits

**9.08.03** Sick leave (which includes transferred state agency sick leave) may be used for the following reasons only:

- a. Employee illness -Illness in the employee's immediate family
- b. Family emergency (i.e., natural disasters or life-threatening situations)
- c. Death in the immediate family

**9.08.04** The term "immediate family" shall include: spouse, son, son-in-law, daughter, daughter-in-law, father, father-in-law, mother, mother-in-law, brother, brother-in-law, sister, sister-in-law, grandparent, grandparent-in-law, and grandchildren.

**9.08.05** Absence of five (5) or more consecutive days requires a medical statement.

**9.08.06** In addition, sick leave may be granted for the death of any person who may be residing in the employee's household at the time of death. Exceptions may be approved by the Executive Director on an individual basis.

**9.08.07** HOTWDB shall accept the transfer of unused state sick leave and/or state personal leave accrued by former school district employees or unused sick leave accrued by former state agency employees. An employee may transfer no more than five days of unused leave for each year of school district or state agency employment.

**9.08.08** Full-time employees may be advanced five (5) days of sick leave in addition to the days previously earned. Advance sick leave will not be granted unless all other leave has been used, to include personal, sick leave, vacation, and floating state holidays. There must be sufficient working days left in the payroll and benefits fiscal year to cover the number of advance sick days requested. (The payroll and benefits fiscal year begins September 1 and ends August 31.) Use of advance sick leave will require medical verification, i.e., hospitalization, physician's statement. The employee must submit a letter of request for approval to the appropriate supervisor.

## **9.09 MEDICAL LEAVE**

**9.09.01** With the appropriate Director's written approval, a HOTWDB employee may take medical leave time for both personal and family doctor and dental appointments. The employee is required to provide documentation to her/his Director of the appointment. This leave time is not to exceed two (2) hours in length, and will not be charged against sick leave. If the time required for the appointment takes less than two hours, the employee must report back to work. If the medical appointment exceeds two (2) hours, the employee will be required to document sick leave. Frequent and/or excessive use of time for medical appointments may require use of sick leave. Medical Leave documentation (doctors' notes) shall be maintained in the appropriate Department's office.

**9.09.02** Medical leave time also may be used for meetings and appointments associated with elder care. In addition to medical appointments, the employee might use this time for attending care team meetings at a care center.

## **9.10 FAMILY AND MEDICAL LEAVE**

**9.10.01** Employees who have been employed by HOTWDB for at least 12 months, and have worked at least 1,250 hours during that time, are eligible for family and medical leave. Eligible employees can take up to 12 weeks of unpaid leave each year between September 1 and August 31 for the following reasons:



- a. The birth, adoption, or foster placement of a child
- b. To care for a spouse, parent, or child with a serious health condition
- c. An employee's serious health condition

**9.10.02** A husband and wife who are both employed by HOTWDB are subject to limits in the amount of leave that they can take to care for a parent with a serious health condition or for the birth, adoption, or foster placement of a child.

**9.10.03** Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave.

**9.10.04** Family and medical leave runs concurrently with accrued sick and personal leave. Accumulated leave will be used as family and medical leave, except in the case of employees who are receiving workers' compensation wage benefits.

**9.10.05** In some circumstances, employees may take family and medical leave in blocks of time or by reducing their normal weekly or daily work schedule. Intermittent leave may be taken under the following circumstances:

- a. To allow an employee to care for a seriously ill spouse, child, or parent
- b. When an employee requires medical treatment for a serious illness
- c. When an employee is seriously ill and unable to work
- d. When an employee becomes a parent or has a foster child placed in his or her home

**9.10.06** When the need for family and medical leave is foreseeable, employees who want to use it must provide 30-day advance notice of their need. When the need for leave is not foreseeable, employees must contact the Human Resources Contractor as soon as possible. Employees may be required to provide the following:

- a. Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member
- b. Second or third medical opinions and periodic recertification of the need for leave
- c. Periodic reports during the leave regarding the employee's status and intent to return to work
- d. Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work

**9.10.07** Employees requiring family and medical leave should contact the Human Resources Contractor for details on eligibility, requirements, and limitations.

## **9.11 MILITARY LEAVE**

All employees of HOTWDB who are members of the Texas National Guard, Texas State Guard, or reserves component of the armed forces will be granted a paid leave of absence without loss of any accumulated leave for authorized training or duty. Paid military leave will not exceed 15 days per year.

## **9.12 ONE-HALF (1/2) DAY LEAVE GUIDELINES**

An employee who takes 1/2-day leave in the morning will report to work by 12:30 p.m. An employee who takes 1/2-day leave in the afternoon will remain at work until noon. This rule applies to every day of the week, Monday through Friday, and includes early release days.

## **9.13 JURY DUTY**

Employees will receive leave with pay and without loss of accumulated leave for jury duty. Documentation must be provided to the Human Resources Contractor.

## **9.14 LEAVE OF ABSENCE WITHOUT PAY**

A HOTWDB employee may request a leave of absence without pay from the Executive Director. Such leave shall be granted only after all accumulated leave (with the exception of sick leave) has been used. The Executive Director shall determine if such leave would be detrimental to the orderly and successful operation of HOTWDB's programs and services. Professional employees returning from leave may be entitled to an assignment similar to the assignment previously held, subject to the availability of an appropriate position.

## **9.15 LOCAL PERSONAL LEAVE**

**9.15.01** Each employee shall receive one day of local personal leave in September and one day of local personal leave in January.

**9.15.02** These days may be taken for any reason. They must be used before the end of the fiscal year (August 31). These are non-paid days. If an employee begins work in October, November, or December he/she will receive one day of leave. If the employee begins work in February, March, April, May, June, July, or by August 1, he/she will receive one day of leave.

## **9.16 EMERGENCY LEAVE**

Full-time non-exempt employees may request leave to take care of emergencies of less than

two (2) hours duration. Time will be made up. This may be done before or after the employee's regular work schedule, or during lunch. The employee will notify the appropriate Director as soon as possible and work out arrangements for making up the time when she/he returns to work.

## **9.17 ABANDONMENT OF POSITION**

Unauthorized absence from work for a period of three consecutive working days will be considered by the Executive Director as a resignation. Unless otherwise determined by the Executive Director upon presentation of supporting documentation of extraordinary circumstances, the employee's resignation in this situation is not considered to be in good standing and the employee is not eligible for rehire.

## **9.18 LEAVE RECORDS**

The Executive Director, or his/her designee, keeps official records of annual leave and sick leave accrual and of leave usage for each employee. Leave records are updated at the end of each pay period. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled.

## **10.00 HOLIDAYS**

### **10.01 CALENDAR/HOLIDAYS**

**10.01.01** The Executive Director shall recommend for the approval of the Board a calendar of business for the year, including holidays, at an appropriate meeting time prior to September 1 each year. HOTWDB will observe these paid holidays: Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve Day, Christmas Day, New Year's Day, Martin Luther King Day, President's Day, Memorial Day, and Independence Day.

**10.01.02** HOTWDB employees will receive three (3) floating holidays during the year: one (1) in conjunction with Independence Day and two (2) in conjunction with the Christmas/New Years holiday season.

**10.01.02** The current Official Calendar will be made available to employees at the beginning of each year.

### **10.02 HOLIDAY DURING ANNUAL LEAVE**

If an official holiday falls within a regular employee's approved annual leave schedule, the employee will be granted the holiday and not charged for a day of annual leave.

### **10.03 WORK DURING HOLIDAYS**

**10.03.01** If the Executive Director finds it necessary to do so, he/she may direct some or all employees to report for work on any holiday. Regular employees normally are given an alternate day off during the same workweek.

**10.03.02** Non-exempt employees who are required to work on a holiday in addition to working their regular 40-hour workweek will be compensated as follows:

- a. Granted an alternate day off for the holiday, preferably within one month, unless extraordinary circumstances exist; or
- b. Granted time and one-half for each overtime hour worked in excess of 40 hours (to be taken within the subsequent pay period).
- c. Paid at time and one-half for each overtime hour worked in excess of 40 hours.

## **11.00 HEALTH AND SAFETY**

### **11.01 SAFETY POLICY**

It is the policy of the HOTWDB to make every effort to provide healthful and safe working conditions for all of its employees.

### **11.02 EMPLOYEE RESPONSIBILITIES AND REPORTS**

**11.02.01** Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as those of other employees.

**11.02.02** An employee must report every on-the-job accident, no matter how minor, to his or her supervisor within 24 hours. The supervisor is responsible for immediately filing a written accident report with the Executive Director.

**11.02.03** Failure to report an on-the-job injury, no matter how minor, is grounds for disciplinary action.

**11.02.04** An employee shall report immediately to the Executive Director, or his/her designee, any conditions that, in the employee's judgment, threaten the health and safety of employees or visitors.

### **11.03 EMPLOYEE SUGGESTIONS**

Employees are encouraged to make suggestions to the Executive Director for improvements that would make the HOTWDB a safer or more healthful place to work.

### **11.04 DRUG-FREE WORKPLACE**

The following policy has been adopted to implement the HOTWDB's desire to establish the HOTWDB as a Drug-Free Workplace. In all instances, where reference is made to alcohol, drugs or other controlled substances, the references include inhalants.

- a. All employees of the HOTWDB are notified that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace of the HOTWDB. In addition, the HOTWDB prohibits employees from being under the influence of alcohol, drugs, or inhalants in the workplace or while on duty for the HOTWDB. Employees who violate this policy will be subject to immediate dismissal.
- b. The HOTWDB has established a drug-free awareness policy providing information about: (1) the dangers of drug, alcohol and substance abuse in the workplace; (2) the HOTWDB's position in maintaining a drug- and alcohol-free

workplace; (3) information about available drug and alcohol counseling and rehabilitation; (4) information about the penalties that may be imposed on employees for drug, alcohol or substance abuse violations occurring in the workplace; and (5) information concerning the recognition of the physical characteristics of a person under the influence and the ability to identify different drugs by sight or smell.

- c. Each employee of the HOTWDB will be furnished a copy of this policy.
- d. Each employee of the HOTWDB will abide by the terms of this policy and will notify the HOTWDB of any conviction or violation of a drug law occurring in the workplace no later than five days after the conviction.
- e. The HOTWDB will notify any federal funding agency, so requiring, within 10 days after receiving notice under the above paragraph from an employee or otherwise receiving actual notice of the conviction.
- f. Any employee so convicted will be subject to serious disciplinary action up to and including immediate dismissal.
- g. The HOTWDB will make a good faith effort to continue to maintain a drug-and alcohol-free workplace through the implementation of this policy.

## **11.05 SMOKE-FREE WORKPLACE**

**11.05.01** The following policy has been adopted to implement the HOTWDB's desire to establish a smoke-free workplace. This policy applies to all employees, visitors and persons entering buildings or offices that are designated for program operations or administration by the HOTWDB. The coverage of this policy is intended to be in effect at all times including nights and weekends.

**11.05.02** "Smoke-free" as used in this policy describes an environment that prohibits individuals from smoking cigarettes, pipes, and cigars or using smokeless tobacco.

**11.05.03** HOTWDB buildings or offices for purposes of this policy are those which are owned or leased by the HOTWDB. All vehicles including cars and trucks owned or leased by the HOTWDB shall be included in the smoke-free workplace as smoking prohibited environments.

**11.05.04** Notification to prospective employees should be made during the interview process so that smokers and non-smokers alike will be aware that the HOTWDB has a Smoke Free Work Place Policy. Future employees will be provided a copy of the policy at the time of employment. Appropriate signage on the exterior and interior of the building and properties is posted.

**11.05.05** Employees and visitors who choose to smoke or use smokeless tobacco will be required to leave the building or office that has been designated as smoke-free.

**11.05.06** Violation of this policy will be subject to disciplinary action. All employees share in the responsibility for adhering to and enforcing the smoke-free workplace policy and informing visitors and guests to our facilities of this policy.



## **12.00 USE OF PROPERTY**

### **12.01 GENERAL POLICY**

The HOTWDB attempts to provide each employee with equipment adequate to perform the job assigned, and expects each employee to observe safe work practices and safe and courteous operation of equipment in compliance with all applicable regulations.

### **12.02 USE OF TOOLS, EQUIPMENT, PROPERTY, AND VEHICLES**

**12.02.01** Employees, who are assigned tools, equipment or any other the HOTWDB's property, are responsible for them and for their proper use and maintenance.

**12.02.02** No personal or political use of any the HOTWDB's property, materials, supplies, tools, or equipment is permitted. Vehicles leased by the HOTWDB are for the HOTWDB's use only, unless a specific agreement exists regarding use of a vehicle as part of an employee's compensation package. If an employee is in doubt about a potential use, he/she must check with his/her supervisor before proceeding. Violations of this policy may result in dismissal and prosecution.

### **12.03 VALID DRIVER'S LICENSE**

**12.03.01** All operators of the HOTWDB's vehicles or their own personal vehicle on the HOTWDB business are required to have a valid driver's license necessary for legal operation of that vehicle in the State of Texas and to keep the Executive Director informed of any change of status of their license. The driver's licenses of employees who operate the HOTWDB vehicles or are required to drive personal vehicles on the HOTWDB's business, will be checked periodically.

**12.03.02** Suspension or revocation of the driver's license of an employee, who operates a HOTWDB vehicle or is required to drive a personal vehicle regularly on the HOTWDB's business may result in a demotion and other disciplinary action up to and including dismissal.

### **12.04 VEHICLE INSURANCE**

Employees who drive a personal vehicle on the HOTWDB's business are required to have automobile liability insurance as required by the State of Texas and to maintain up-to-date insurance coverage. Each employee to whom this provision applies must furnish the HOTWDB with proof of appropriate insurance coverage at least annually and at such time(s) as coverage changes occur. Failure to meet any of these requirements may result in disciplinary action up to and including dismissal.

## **12.05 ACCIDENT REPORTING**

**12.05.01** Any employee operating the HOTWDB's vehicles must report all vehicular accidents and property damage or liability claims, no matter how minor, to his/her supervisor and to the appropriate law enforcement authorities immediately, so that an official accident report can be filed. The notification must occur on the day of the accident if it occurred on a business day, and on the first business day following the accident if it occurred after hours or on a non-workday. Failure to notify the proper parties within the required time period may result in disciplinary action.

**12.05.02** A copy of any accident report involving the HOTWDB's equipment or vehicles must be forwarded to the Executive Director as soon as the law enforcement investigation is completed. A copy of the accident report must also be filed in the personnel file of the employee involved in the accident.

## **12.06 USE OF BUILDINGS AND PREMISES**

Use of the HOTWDB buildings and premises by employees shall be in compliance with law and with the HOTWDB's policies regarding authorized uses.

## **13.00 DISCIPLINE**

### **13.01 GENERAL**

Employees of the HOTWDB serve at will and, as such and within the provisions of state and federal law can be dismissed at any time, with or without notice, for any reason or no reason. Some of the actions that may result in disciplinary steps include, but are not limited to, the following:

- a. Insubordination;
- b. Absence without leave including absence without approval, failure to notify a supervisor of sick leave, and repeated tardiness or early departure;
- c. Endangering the safety of the employee and/or other persons through negligent or willful conduct;
- d. Use of alcohol, drugs or inhalants while on duty or in a the HOTWDB vehicle in a manner which may affect the performance or safety of the employee or other persons;
- e. Involvement with alcohol, drugs or inhalants in the workplace in violation of the HOTWDB's Substance Abuse Policy
- f. Unauthorized use of public funds or property;
- g. Conviction of a felony;
- h. Conviction of official misconduct, oppression, or perjury;
- i. Falsification of documents or records;
- j. Unauthorized use of official information or unauthorized disclosure of confidential information;
- k. Unauthorized or abusive use of official authority;
- l. Violation of the sexual harassment policy;
- m. Incompetence or neglect of duty;
- n. Disruptive behavior which impairs the performance of others; or
- o. Other violation of any of the requirements of these Personnel Policies.

### **13.02 PROGRESSIVE DISCIPLINE**

**13.02.01** The Executive Director, or his/her designee, may take disciplinary action, including dismissal, against an employee at any time. The severity of the discipline depends upon the nature of the infraction. The HOTWDB may, but not necessarily will, use a progressive discipline system. If such a system is used, The HOTWDB is not required to use all of the steps as described below.

**13.02.02** The progressive discipline system, steps of which may be skipped, is as follows:

- a. Conference with employee with a written summary of the conference to be

prepared by the Executive Director, with one copy given to the employee and one copy placed in the employee's personnel file;

- b. Oral or written notifications of unsatisfactory behavior or performance is documented into the employee's personnel file;
- c. Suspension from duty, with or without pay, not to exceed 30 days with a single renewal, after informal review of the circumstances;
- d. Demotion; and/or
- e. Dismissal.

**13.02.03** Disciplinary action requires advance approval of the Executive Director unless an emergency situation exists. Supervisors should keep notes of oral notifications and will place the notes in the employee's personnel file.

**13.02.04** For additional information regarding procedures to be followed if the discipline results in separation by dismissal, see Section 14 of these policies.

## **14.00 SEPARATIONS**

### **14.01 TYPES OF SEPARATIONS**

All separations of employees are designated as one of the following types:

- a. resignation,
- b. retirement,
- c. reduction in force,
- d. dismissal,
- e. disability, or
- f. death.

### **14.02 RESIGNATION**

The HOTWDB requests that an employee, who intends to resign provide his/her supervisor with 10 working days' advance, written notice of the resignation. Failure to give at least 10 working days' notice will result in the employee being ineligible for rehire.

### **14.03 RETIREMENT**

The same notice requirements for resignation apply in the case of retirement except that a longer period of advance notice may be required to access retirement funds.

### **14.04 REDUCTION IN FORCE**

**14.04.01** An employee may be separated when his/her position is abolished, or when there is either a lack of funds or a lack of work.

**14.04.02** When reductions in force are necessary, decisions on individual separations will be made after considering (1) the relative necessity of each position to the organization, (2) the performance record of each employee, and (3) transferability of the employee's skills to remaining positions with the HOTWDB.

**14.04.03** Written notice to employees affected by a Reduction-In-Force shall be provided at least thirty (30) days prior to the effective date.

### **14.05 DISMISSAL**

All employees are employed "at will" and, within the limits of state and federal law applying to public employment, may at any time during their employment, be terminated with or without notice, for any reason or no reason.

#### **14.06 DISABILITY**

In cases of long-term disability where an employee is unable to return to work for a period of time which would cause an undue hardship to the HOTWDB to hold the position open, and if no position is available which the employee could perform with a reasonable accommodation by the HOTWDB, the employee will be separated from employment with the HOTWDB.

#### **14.07 DEATH**

If a the HOTWDB employee dies, his/her estate receives all pay due and any earned and payable benefits as of the date of death.

#### **14.08 DOCUMENTATION OF SEPARATIONS**

Reasons for a separation, if any, are documented in writing. In a case where an employee resigns, he/she writes a letter or memo stating the reason(s) for and date of the resignation.

In cases where the employee does not give a written notice, the Executive Director, or his/her designee, documents the reason(s) for the separation. Letter or memo may do this.

A Personnel Action Form must also be completed. The Executive Director, or his/her designee, signs this form. The original is kept in the employee's personnel file, and a copy is given to the employee. This documentation is important and may be instrumental in determining the HOTWDB's liability or lack of liability for unemployment insurance costs.

Prior to separation and employee's receipt of a final paycheck, all the Board-issued items including keys, equipment, credit cards, etc. must be returned to the employee's supervisor or his/her designee.

#### **14.09 CONTINUATION OF GROUP INSURANCE**

The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) provides individuals with the option of continuing group health and dental insurance coverage, under specified conditions and at the individual's full expense, beyond the date on which the insurance would otherwise terminate. The Executive Director, or his/her designee, has information regarding the continuation of these benefits.

## **15.00 COMPLAINTS/GRIEVANCES**

### **15.01 TYPES OF GRIEVANCES**

Informal Grievances The first step in the grievance procedure is for the employee to attempt to resolve the grievance by informal conference with their supervisor. This meeting will be attended by a third party and shall be documented and signed by all parties in attendance. If the grievance is not resolved to the satisfaction of the employee, he/she may file a formal, written grievance with the Executive Director.

Formal Grievances Formal grievances must be in writing, signed by the employee, and presented to the Executive Director within 10 working days after the alleged grievance occurred. A statement of the specific remedial action requested by the employee must be included in the formal grievance.

Grievance Involving Discrimination. If a grievance alleges sexual harassment or discrimination based on race, religion, color, gender, national origin, age, or disability, the employee may present a formal grievance to the Executive Director, bypassing the informal grievance procedure, or, if the Executive Director is the subject of the grievance, to the Presiding Officer of the Board. The Executive Director shall investigate and decide a grievance presented to him/her in accordance with this section. The Executive Director's decision on the grievance is final unless appealed. If the grievance is presented to the Presiding Officer of the Board, the Presiding Officer shall either investigate and decide the grievance or appoint a panel to hear and decide the grievance. If the Presiding Officer decides the grievance, the Presiding Officer's decision is final.

### **15.02 PROCEDURE**

After receiving a formal grievance, the Executive Director will:

- a. Investigate the grievance, meeting with the employee and any other individuals who may have knowledge of the grievance;
- b. Attempt to resolve the grievance with the employee; and
- c. Deliver a written decision on the grievance to the employee within 10 working days from receipt of the grievance.

A representative of his/her choosing may represent an employee throughout the grievance process.

Copies of all written materials relating to a grievance shall be forwarded to the Executive Director and placed in the employee's personnel file immediately upon

completion of each step in the grievance process.

### **15.03 APPEAL**

First Level - Appeal to Executive Director. If an employee is dissatisfied with the grievance decision, the employee may deliver a written appeal of the decision to the Executive Director within 10 working days from the date of the decision on the grievance. The Executive Director shall decide the appeal in writing within 10 working days from the date of receipt, sending copies to the employee. The Executive Director's decision on the appeal is final, unless appealed.

Second Level – Appeal to the Human Resources Committee. If the Executive Director is the subject of an employee's grievance, or the employee is dissatisfied with the Executive Director's decision on a grievance, or if the Executive Director did not deliver a written decision to the employee within 15 working days from the date the employee presented the grievance to the Executive Director, an appeal to the Human Resources Committee may be filed.

Within 10 working days after receipt of the employee's timely appeal, the Presiding Officer of the Human Resources Committee shall respond in writing to the employee regarding the disposition of the appeal. The Presiding Officer of the Human Resources Committee may appoint a panel to hear specific grievances. The panel shall consist of the Human Resources Committee.

The Presiding Officer or the appeal panel shall conduct the hearing within 30 calendar days from the date it was selected, unless the Presiding Officer postpones the hearing date for good cause. Any three members of the panel (Human Resources Committee) of the Board constitute a quorum for the panel to hear the appeal.

The Presiding Officer shall notify the appealing employee by certified mail, return receipt requested, addressed to the employee's address in the employee's personnel file, of the location, date, and time of the hearing. The hearing may not be held sooner than 10 calendar days from the date of the notice. If the hearing is postponed, the Presiding Officer shall notify the appealing employee of the new hearing date, which may not be held sooner than 10 calendar days from the date of the notice, in the manner required for the original hearing.

The panel shall conduct the hearing in Executive Session, upon compliance with the Open Meetings Act, unless the appealing employee includes a request in his/her appeal that the hearing be conducted in public. The appealing employee and the Executive Director or his/her designee(s) are entitled to appear in person at the hearing, to be represented by legal counsel, to present witnesses and documentary evidence, and to confront and cross-examine adverse witnesses. The Texas Rules of Civil



Evidence do not apply at the hearing, and the panel may exclude irrelevant, immaterial, or unduly repetitious evidence.

The panel shall decide the appeal and announce its decision upon completion of the hearing. The panel shall base its decision solely on the evidence presented at the hearing. The panel shall not substitute its judgment for the Executive Director's, and the panel shall affirm the Executive Director's decision unless the panel finds that it was unlawful, arbitrary, or not reasonably supported by substantial evidence presented at the hearing. If it so finds, the panel may reverse the Executive Director's decision on the grievance and order the remedial action requested by the employee, or it may order other appropriate remedial action. The panel's decision on the appeal is final.

Requirement for Appeal if Dissatisfied. If an employee is dissatisfied with a decision during the grievance process, he/she must appeal to the next level within the prescribed time frame. Failure to appeal in a timely manner is a determination that the employee is satisfied with the last decision.

First level – Executive Director

Second level - Presiding Officer of the Human Resources Committee/Appeals Panel

Note: If a grievance alleges sexual harassment or discrimination based on race, religion, color, gender, national origin, age, or disability, the employee has the right to present a formal grievance to the Texas Workforce Commission, bypassing the normal grievance procedure.

## **16.00 JOB DESCRIPTIONS AND EVALUATIONS**

### **16.01 JOB DESCRIPTIONS**

The Executive Director may establish and periodically review an official job description for positions in the HOTWDB that have been approved by the Board.

### **16.02 REQUESTS FOR CLARIFICATION**

In the absence of any request for clarification, each employee is considered to understand the responsibilities assigned to the position which he/she occupies.

### **16.03 EMPLOYEE PERFORMANCE EVALUATIONS**

**16.03.01** Supervisory personnel normally conduct a written performance evaluation and an evaluation interview with each the HOTWDB employee at least annually. In the case of the Executive Director, the Board will conduct such performance evaluations and interviews. The approved review form will be used in all performance evaluations. Performance evaluation records are maintained in each employee's personnel file. The HOTWDB views performance evaluation as an on-going function for all employees. Such evaluations shall be put in writing.

**16.03.02** In addition to annual evaluations, other evaluations, written or oral, should be performed on an "as needed" basis throughout the term of the staff person's employment with the HOTWDB. Such interim evaluations shall be maintained in the personnel file of the employee.

## **17.00 TRAVEL AND SUBSISTENCE**

### **17.01 GENERAL POLICY**

**17.01.01** The policy of the HOTWDB is that employees are to be fully reimbursed for necessary and reasonable job-related expenses incurred in the authorized conduct of the HOTWDB business, including business-related travel. Employees must complete a "Request for Travel" form before any out-of-region travel. The request should include an estimate of costs to be incurred. At the discretion of the Executive Director, a cash advance may be made for a specific trip in an amount not to exceed estimated trip expenses. Regardless of whether a cash advance has been made or a request submitted for reimbursement of expenses, all travel expenses are subject to requirements of documentation and reasonableness, and will be reimbursed in conformity with adopted policies and procedures, provided that the travel was properly authorized and that funds are available in the HOTWDB budget. In some cases, the HOTWDB may prepay expenses such as registration fees, hotel costs, and/or airline or other public transportation costs directly to the entity involved. All travel requests must have documentation attached showing verification of meeting such as conference agenda, schedule or program. Request for travel within the region is not required; however, employees should ensure that supervisors are aware of their travel status.

**17.01.02** If a cash advance is made prior to a trip, the employee must file an expense report in accordance with HOTWDB Travel Procedures. Allowable expenses claimed will be used to offset the cash advance. If the employee's trip expenses exceed the cash advance amount, the employee will be reimbursed for the difference. If the employee's cash advance exceeds the allowable trip expenses, the employee reimburses the difference to THE HOTWDB when the trip expense report is filed.

**17.01.03** Expenses which are not permitted under the terms of grants, contracts, or agreements with other agencies will not be charged as costs to those grants, contracts, or agreements.

**17.01.04** HOTWDB's mileage reimbursement rate will be set in accordance with the State approved rate. When conference rates for lodging are higher or state rates are not available, it must be documented to be allowable for reimbursement. As under State rules, the Executive Director will be reimbursed for reasonable and necessary actual expenditures."

## **17.02 TRANSPORTATION AND SUBSISTENCE**

**17.02.01 General Information.** Employees in full travel status shall be entitled to transportation, accommodations, and other services which are reasonable and meet adequate quality standards for convenience, safety, and comfort. This policy means that travelers shall, whenever possible, use the most economical accommodations which meet reasonable requirements. Employees and key officials engaged in necessary and authorized travel in conduct of the HOTWDB business will be reimbursed for costs necessary to conduct the business for the HOTWDB based on state guidelines. Receipts are required for expenses other than meals.

### **17.02.02 Mileage:**

Mileage reimbursement shall be at the state rate in effect at the time the travel occurs. Miles traveled may be calculated by using vehicle odometer readings or MapQuest. If using MapQuest, a copy of the MapQuest website printout must be attached to the travel expense report.

### **17.02.03 Lodging**

Lodging reimbursement for both in-state and out-of-state travel will be determined using the General Services Administration federal travel rates.

The lodging rate of in-state locations not specifically listed will be the rate specified on the State Comptroller's website, currently \$85 per night.

### **17.02.04 Meals:**

Meals are paid at the current approved limit for the location and only if the employee's duties require him/her to stay overnight. The daily approved per diem is divided among the following three categories:

Breakfast: 25% of the full daily allowance if departing before 6 a.m.

Lunch: 25% of the full daily allowance if departing before 11 a.m. or returning after 1 p.m.

Dinner: 50% of the full daily allowance if departing before 6 p.m. or returning after 6 p.m.

Example: At a current approved daily rate of \$36, the following rates would apply:

Breakfast: \$ 9.00 if the traveler departed before 6 a.m.

Lunch: \$ 9.00 if the traveler departed before 11 a.m. or returned after 1 p.m.  
Dinner: \$18.00 if the traveler departed before 6 p.m. or returned after 6 p.m.

Reimbursable subsistence expenses will generally be for registration, lodging, telephone calls, parking, tolls, taxi and transportation. Receipts, or a statement of expense explaining why a receipt was not available, must accompany any request for reimbursement.

Note: The reimbursement of meals is based on actual expenses up to the maximum allowed. For locations not listed, the maximum reimbursement rate will be the rate specified on the State Comptroller's website, currently \$36 per day.

For both in-state and out-of-state, an employee may reduce his meal claim and use the amount of the reduction to increase the maximum lodging rate for the duty point.

**17.02.05** Standard policy for airline travel will be coach fare unless coach passage is unavailable. The Executive Director must authorize airline travel other than coach class. HOTWDB will not reimburse more than coach class airfare if an employee chooses to drive a long distance (plus what the cost of traveling to and from the airport would have been).

### **17.03 PERSONAL VEHICLE**

Where use of a personal vehicle is judged to be the most reasonable and economical means of transportation in the conduct of official HOTWDB business, reimbursement will be at the current mileage rate. Employees are expected to report the shortest distance between points of departure and destination for all travel. Travel between an employee's residence and the HOTWDB office is not eligible for reimbursement. Mileage reimbursements will be made based on the appropriate report being completed and submitted by the employee and approved by the Executive Director.

### **17.04 RENTAL VEHICLES**

When use of a rental vehicle is deemed to be the most reasonable means of transportation in the conduct of official HOTWDB business, the HOTWDB rental car account should be used when possible. If that is not possible, reimbursement may be made for rental of a vehicle, reasonable insurance coverage and necessary gas or mileage reimbursement may be requested at the prescribed rate based on actual mileage between points of departure and destination. The class of rental vehicle should be limited to no more than a full-size vehicle, unless such vehicles are unavailable, a luxury or premium class vehicle is available at the same or lower rate, or a larger vehicle is necessary to accommodate a group traveling together. Reimbursement will not be authorized for luxury automobile rates.

## **17.05 EXPENSE REPORT**

As soon as an employee returns from a trip he/she should complete an expense report form documenting any actual expenses incurred on the trip which were not prepaid directly by the HOTWDB to the entity involved. These expenses will be included on the travel report. The HOTWDB will issue a reimbursement check to the employee for allowable out-of-pocket expenses. The expense report must show the amount of any cash advance given the employee, and if the trip expenses did not exceed the advance, the report must be accompanied by a check from the employee for the balance of the cash advance amount. The Executive Director must approve all reimbursements.

## **17.06 EXCEPTIONS**

**17.06.01** When two or more employees travel in a single automobile, only one employee will receive per-mile or other automobile reimbursements.

**17.06.02** Conference registration fees normally will be paid directly to the organization sponsoring the conference.

**17.06.03** Travel and/or moving expense involving applicants, new employees, or transferred employees may be reimbursed by approval of the Executive Director. The approval of these types of expenses will be determined on a case-by-case basis.

## **17.07 PROHIBITED EXPENDITURES**

Costs of tips or gratuity, personal entertainment, spouse's expenses, amusements, social activities, alcoholic beverages, traffic citations, personal phone calls, or illegal activities are not allowable for reimbursement.

## **17.08 REFERENCES**

The state guidelines are found at the following websites:

<https://fm.x.cpa.state.tx.us/fm/travel/travelrates.php>

## **18.00 PROFESSIONAL DEVELOPMENT**

### **18.01 GENERAL POLICY**

The HOTWDB encourages employees to take advantage of educational or training opportunities and professional memberships that are related to and will enhance the performance of the employee's work with the HOTWDB.

### **18.02 REQUIRED ATTENDANCE AT SEMINARS AND CONFERENCES**

When the HOTWDB requires an employee to attend any educational seminar, conference, or training course, the HOTWDB will provide the necessary time off with pay and will reimburse the employee for associated costs, including tuition or registration fees and authorized travel, meals, and lodging expenses. When appropriate, the HOTWDB may prepay registration fees, hotel costs, and/or airline or other public transportation costs directly to the entity involved. See additional information in Section 18 of these policies.

### **18.03 PROFESSIONAL MEMBERSHIPS AND SEMINARS**

**18.03.01** Subject to the prior written approval of the Executive Director, an employee who joins a state or national professional association related to his/her work at the HOTWDB may be reimbursed for dues and necessary travel expense when meetings are judged to offer special training or information of value to the employee in his/her work at the HOTWDB. There will be a limit of three memberships at any one time for each approved employee and such memberships will be terminated in the event of the employee's separation from the HOTWDB.

**18.03.02** Subject to the Executive Director's prior approval, an employee may be reimbursed for conference or seminar expenses if the conference or seminar is related to his/her work.

### **18.04 EDUCATIONAL REIMBURSEMENT**

Employees are encouraged to work to improve their job skills by engaging in courses of study at local, accredited college and universities. Subject to prior approval by the employee's supervisor and the Executive Director and availability of funds, any regular full-time employee who completes a course at an accredited college or university related to his/her work at the HOTWDB may be reimbursed. Reimbursement will be for tuition, books and/or any other related fee if after completion of the course the employee obtains a grade of "C" or better.





**Attachment A: Heart of Texas Workforce Organizational Chart**

