

SECTION 1: GENERAL POLICIES

TRINITY COUNTY

A. COUNTY EMPLOYMENT

1A-1 EMPLOYMENT AT-WILL

All employment with Trinity County shall be considered "at will" employment. No contract of employment shall exist between any individual and Trinity County for any duration, either specified or unspecified. No provision of this employee handbook shall be construed as modifying your employment "at will" status.

Trinity County shall have the right to terminate the employment of any employee for any legal reason, or no reason, at any time either with or without notice. Trinity County shall also have the right to change any condition, benefit, policy, or privilege of employment at any time, with or without notice. Employees of Trinity County shall have the right to leave their employment with the County at any time, with or without notice.

1A-2 APPLICATION FOR EMPLOYMENT

All job openings will be posted through Trinity County Web site and published in local newspapers. Before an individual can be considered an applicant for employment with Trinity County, he/she shall be required to complete the steps outlined in the "Trinity County Application Procedure." (See Section 3: Employee Forms)

Copies of the "Trinity County Application Procedure" are available on Trinity County Website www.co.trinity.tx.us, from the County Treasurer's Office or Human Resource Manager's Office and may be picked up at any time during the normal working hours for that office.

Each elected or appointed official, Department Head or his/her designee, shall be responsible for selecting the applicant who he/ she feels best meets the qualifications for an open position in their department.

An applicant shall be disqualified from consideration for employment if they:

- a) Do not meet the minimum qualifications necessary to perform the duties of the position for which he/she is applying;
- b) Has made a false statement on the application form or any other document related to or which has a bearing on the selection process;
- c) Has committed or attempted to commit a fraudulent act at any stage of the application process; or
- d) Is not legally permitted to hold the position.

Applications received for job openings will be retained in Treasurer's Office along with applicant screening forms and interview documentation. Law enforcement applications will be retained in Sheriff's Office.

1A-3 INTERNSHIP APPLICATION AND DEPARTMENT REQUEST FORM

Trinity County's internship program is designed to provide students and recent graduates with an opportunity to learn about county government.

County Officials must submit an intern request form to the Human Resource Manager for Internship Committee review and approval. Internship candidates must complete an application form and submit it with their cover letter and resume. All interns are subject to the applicable Trinity County employee policies and procedures. Information about the Internship Program and Application form is available on the Trinity County Website www.co.trinity.tx.us, from the County Treasurer's Office or from the Human Resource Manager's Office and may be picked up at any time during the normal working hours for that office.

1A-4 EMPLOYEE STATUS POLICY (Revised 12-18-18)

Each County position has an employee status that identifies how the position is paid and how benefits are granted by Commissioners Court. This policy defines both health insurance and retirement benefits. Full time employees will be eligible for health insurance. All other classifications must be included in the County initial and/or standard measurement periods for the Affordable Care Act.

Worker status under Employee Status Policy and classification as an employee or independent contractor status will be determined by the Payroll Department following all laws, rules, regulations, published material, and County Policy. All status changes for employees and, if requested, classification determination or change will be submitted on a Personnel Action Form. The Form, prepared by the supervisor, will be reviewed by the Payroll Department and forwarded to the Auditor and County Judge for review and signature before submission to Commissioners Court for review or, if necessary, approval.

Regular Full Time: A full time employee shall be any employee in a position who has a normal work schedule of at least forty (40) hours per week. Full time employees are eligible for County health insurance and retirement benefits. Other County policies will dictate eligibility for other benefits. Employees may be non-exempt, hourly employees or exempt employees. Non-exempt employees are eligible for overtime compensation. Exempt employees are not eligible for overtime compensation. Trinity County makes exempt status determination based on the Fair Labor Standards Act.

Regular Part-Time (3/4 – Time): Employees are scheduled to work at least 30 hours per week but less than 40 hours per week on a regular basis and are expected to be employees for at least one year. Regular Part-Time 3/4-time employees are eligible for health insurance through the county under the Affordable Care Act.

Regular Part-Time (1/2-Time): Employees are scheduled to work at least 20 hours per week but less than 30 hours per week on a regular basis and are expected to be employees for at least one year. Regular Part-Time 1/2-time employees are not eligible for health insurance through the county under the Affordable Care Act.

If the employee works an average of thirty (30) or more hours a week in the measurement period, the employee will be eligible for health insurance through the County under the Affordable Care Act. All regular part time employees must be placed on TCDRS retirement regardless of the number of hours worked per week. Other County policies will dictate eligibility for other benefits.

Temporary Part Time: A temporary short-term part time employee shall be any employee who is expected to work less than thirty (30) hours each week in a position that is expected to last for a specific period of time or until a specific project is completed, but no longer than 12 months. If this project goes beyond 12 months, the employee will move into a regular part time status. Temporary short-term part time employees are not entitled to any benefits under the Affordable Care Act and are also not eligible for retirement benefits under TCDRS. Other County policies will dictate eligibility for other benefits.

Temporary Seasonal: A seasonal employee shall be any employee who is hired into a position that lasts six (6) or less months and begins at approximately the same time each year. Examples may include, but are not limited to summer mowers, and election workers. The County must define and document the season that the employee is being hired for. Seasonal employees can be either part time or full time, and they **do not** qualify for health insurance through the County under the Affordable Care Act. Temporary seasonal employees are not eligible for retirement benefits under TCDRS. Other County policies will dictate eligibility for other benefits.

Regular Variable Hour: A variable hour employee shall be any employee for whom the County cannot determine the average amount of hours that the employee will work each week – hours are variable or indeterminate at the time of the employee's start date. If the employee works an average of thirty (30) or more hours a week in the measurement period, the employee will be eligible for health insurance through the County under the Affordable Care Act. If an employee's schedule becomes regular, then the employee shall be reclassified as full or part time depending on the hours worked. Regular variable hour employees are eligible for retirement benefits under TCDRS. Other County policies will dictate eligibility for other benefits.

Visiting Court Reporters and Visiting Judges: Visiting court reporters and visiting judges shall be treated as Independent Contractors when performing such duties as a deposition or filling in as a judge for a hearing or trial in Trinity County. Visiting court reporters and visiting judges shall submit an invoice to be paid for their services, travel, and meals to the County Auditor's office. Visiting court reporters and visiting judges shall submit along with the invoice, or have on file, a W-9, Request for Taxpayer Identification Number and Certification.

New Hires: New hires, visiting court reporters and judges or any changes in employees' part-time hours increasing the normal work schedule to 30 or more hours per week must be submitted to payroll department using Personnel Action Form and is subject to Commissioners' Court approval. **See Section 2A-16 Personnel Action Form.**

1A-5 EQUAL EMPLOYMENT OPPORTUNITY

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

1A-6 AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT

It is the policy of Trinity County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels he or she has been subject to such treatment, or has witnessed such treatment, the situation should be reported to your elected official, appointed official, department head or the County attorney. All elected officials, appointed officials, department heads and employees with responsibilities requiring knowledge are instructed to treat the employee's disability with confidentiality.

It is Trinity County's policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the County. In accordance with the Americans with Disabilities Act, as amended (ADAAA), reasonable accommodations may be provided to qualified individuals with disabilities when such accommodations are necessary to enable them to perform the essential functions of their jobs, or to enjoy the equal benefits and privileges of employment. This policy applies to all applicants for employment, and all employees. If you require accommodation, please contact your elected official, appointed official, department head or the County attorney. Reasonable accommodation shall be determined through an interactive process of consultation.

1A-7 PERSONNEL FILES

The Trinity County Payroll department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, job description, benefits, medical, as well as, records concerning performance and compensation. Personnel files containing discipline and grievance documents will be retained by Human Resource Manager.

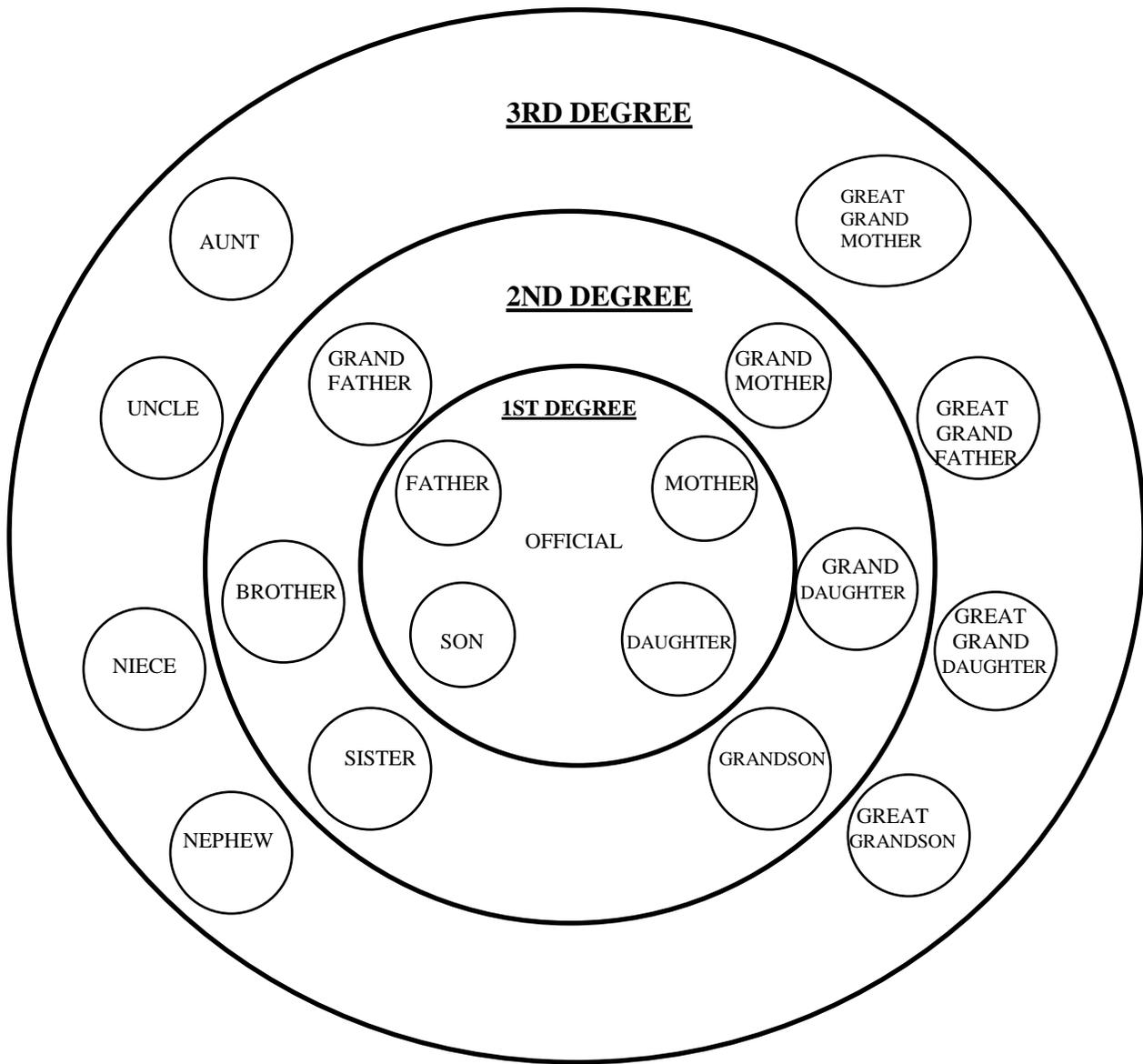
It is important that the personnel records of Trinity County be accurate at all times. In order to avoid issues, compromising your benefit eligibility or having W2's returned, Trinity County requests employees to promptly notify the appropriate personnel representative of any change in name, home address, telephone number, marital status, number of dependents, or of any other pertinent information.

The Public Information Act allows County employees to keep confidential their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether you have family members . You may keep this information private by requesting in writing not to allow this information to be released to the public no later than 14 days after your first day of employment.

1A-8 NEPOTISM

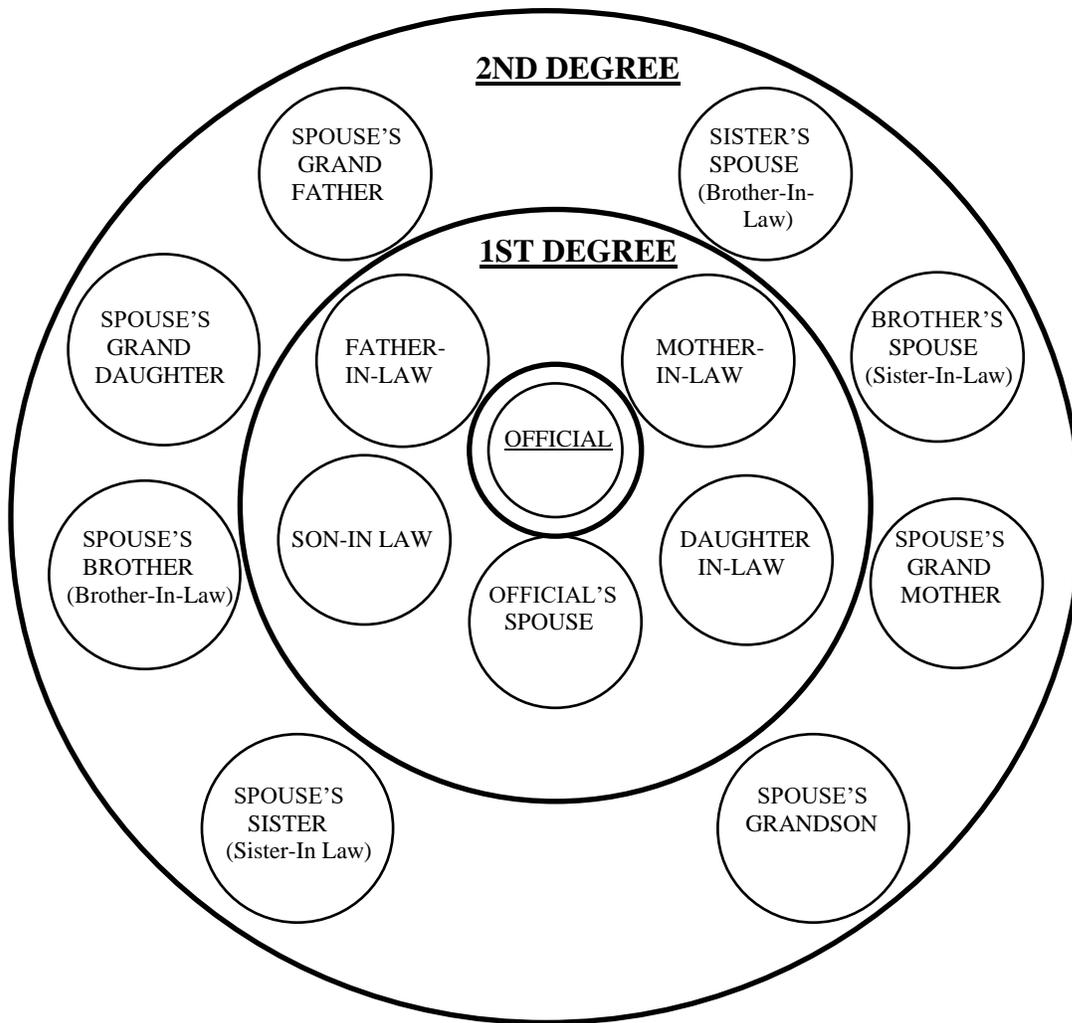
Per Texas Government Code Chapter 573, a Public Official of Trinity County is prohibited from hiring a relative related within the third degree of consanguinity (blood) or within the second degree of affinity (marriage) to work in a department that he or she supervises or exercises control over.

A degree of relationship is determined under Texas Government Code Chapter 573. (See the charts that follow.)



Consanguinity Kinship Chart
(Blood)

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**



**Affinity Kinship Chart
(Marriage)**

**TEXAS NEPOTISM CHART
CIVIL LAW METHOD**

B. WORK RULES AND EMPLOYEE RESPONSIBILITY

1B-1 ATTENDANCE

As a Trinity County employee, you are expected to be punctual and demonstrate consistent attendance.

Each employee shall report to work on each day they are scheduled to work and at the starting time set by their supervisor unless prior approval for absence is given by the supervisor or the employee is unable to report for work because of circumstances beyond the control of the employee.

If an employee is unable to be at work at their normal reporting time, they shall be responsible for notifying their supervisor as soon as it is reasonably practicable in the case of an emergency.

Each employee shall remain on the job until the normal quitting time established by the supervisor unless permission to leave early is given by the supervisor.

Each supervisor is responsible for determining if an unscheduled absence or tardiness is to be classified as excused or unexcused, based on the circumstances causing the absence or tardiness.

Frequent unexcused absences or tardiness, as determined by your immediate supervisor, may make an employee subject to disciplinary measures, up to and including termination of employment.

An employee who does not report for work for three (3) consecutive scheduled work days, and who fails to notify his or her supervisor, shall be considered to have resigned their position by abandonment.

1B-2 DRESS CODE

Trinity County expects all employees to be well groomed, clean, and neat at all times. Each department head will determine the type of attire that is acceptable.

You are required to act in a professional manner at all times and extend the highest courtesy to co-workers and to the public being served. A cheerful and positive attitude is essential to our commitment to customer service.

1B-3 SMOKE FREE / TOBACCO FREE COUNTY FACILITIES (Revised 6-26-18)

Trinity County is committed to providing a safe and healthy work environment and to promoting the health and well-being of its employees, officials and visitors utilizing county facilities.

Therefore, any smoking, vapor delivery device or other use of tobacco products including, but not limited to, any lighted or otherwise activated pipe, cigar, cigarette, e-cigarette, nicotine vaporizer, vape pipe, hookah pens, snuff or chewing tobacco consumed in County buildings and vehicles is strictly prohibited.

Additionally, no smoking is allowed within ten (10) feet of the exterior entrances, unless an exemption is made by Commissioners' Court for designated smoking areas on the property.

This policy shall apply to all employees and officials of Trinity County and to any member of the general public obtaining access to any County facility.

Employees who violate this policy are subject to appropriate disciplinary action, up to and including termination.

A member of the general public committing any act of violation of this policy shall be warned of the violation. Should such person continue to violate this policy, the person shall be removed from the County facility by the Sheriff's Department and/or the Constable appointed in the particular Justice of the Peace/Constable Precinct.

1B-4 CONFLICT OF INTEREST

Employees of Trinity County shall not engage in any employment, relationship, or activity which could be viewed as a conflict of interest because of the potential or appearance of affecting the employee's job efficiency, or which would reduce his/her ability to make objective decisions in regard to his/her work and responsibility as a Trinity County employee.

Employees involved in conflict of interest situations shall be subject to discipline, up to and including termination and these actions may have criminal consequences for employees.

Activities which constitute a conflict of interest shall include but not be limited to:

- 1) Soliciting, accepting, or agreeing to accept a financial benefit, gift, or favor, other than from the County, that might reasonably tend to influence the employee's performance of duties for the County or that the employee knows or should know is offered with the intent to influence the employee's performance;
- 2) Accepting employment, compensation, gifts, or favors that might reasonably tend to induce the employee to disclose confidential information acquired in the performance of official duties;
- 3) Accepting outside employment, compensation, gifts, or favors that might reasonably tend to impair independence of judgment in performance of duties for the

County; 4) Making any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and his or her duties for the County; or 5) Soliciting, accepting, or agreeing to accept a financial benefit from another person in exchange for having performed duties as a County employee in favor of that person.

1B-5 HARASSMENT

Trinity County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, race, color, religion, national origin, age, genetic information, pregnancy, disability, family or military leave status or veteran's status. Such conduct becomes harassment when (1) the submission to the conduct is made a condition of employment; (2) the submission to, or rejection of, the conduct is used as the basis for an employment decision; or (3) the conduct creates an offensive, intimidating or hostile working environment or interferes with work performance.

Harassment is strictly prohibited by Trinity County whether committed by an elected official, appointed official, department head, co-worker or non-employee with whom the County does business.

Employees who feel they have been harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the Human Resource Manager, County Judge, another member of Commissioners' Court, or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim. Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Retaliation against an employee who reports harassment or who cooperates in the investigation is prohibited by law as well as this policy. Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the department head may not be the best course of action, the report should be made to the Human Resource Manager, County Judge, another member of Commissioners' Court, or to the County Attorney.

Remedial action will be taken in accordance with the circumstances when the County determines unlawful harassment or retaliation has occurred, up to and including termination.

1B-6 SEXUAL HARASSMENT

Sexual harassment is strictly prohibited by Trinity County, whether committed by elected official, appointed official, department head, co-worker or non-employee the County does business with. It is the policy of Trinity County to provide a work place free from sexual harassment for all employees and to take active steps to eliminate any sexual harassment of which the County becomes aware.

Employees engaging in sexual harassment shall be subject to discipline, up to and including termination of employment. Sexual harassment shall include, but not be limited to, unwanted sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature, which includes slurs, jokes, statements, gestures, touching, pictures, emails or cartoons where: (1) the submission to such conduct is either an expressed or implied condition of employment; or (2) the submission to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person; or (3) the conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

All claims of sexual harassment shall be taken seriously and investigated promptly and thoroughly. While all claims of sexual harassment shall be handled with discretion, there can be no complete assurance of full confidentiality.

Employees who feel they have been sexually harassed should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the department head may not be the best course of action, the report should be made to the Human Resource Manager, County Judge, another member of Commissioners' Court, or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. The official or department head to which a claim has been reported shall be responsible for seeing that prompt action is taken to investigate the claim.

Once the investigation is complete, the employee making the claim shall be notified of the result of the investigation and any actions which are to be taken.

Use the following procedures so that your complaint may be resolved quickly and fairly.

- a. When practical, confront the harasser and ask them to stop the unwanted behavior.
- b. Record the time, place and specifics of each incident, including any witnesses.
- c. Report continuing sexual harassment to the Elected Official or Appointed Official who is responsible for your department or to the Human Resource Manager, County Judge, another member of Commissioners' Court, or to the County Attorney.
- d. If a thorough investigation reveals that unlawful sexual harassment has

occurred, Trinity County will take effective remedial action in accordance with the circumstances, up to and including termination.

Retaliation against an employee who reports sexual harassment or who cooperates as a witness in the investigation is prohibited by law as well as this policy.

Employees who feel they have been subjected to illegal retaliation should immediately report the situation to the elected or appointed official who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the department head may not be

the best course of action, the report should be made to the Human Resource Manager, County Judge, another member of Commissioners' Court, or to the County Attorney.

Reporting or failing to report claims in accordance with the procedure given in this policy shall not limit other legal recourse an employee may have in regard to sexual harassment charges.

1B-7 POLITICAL ACTIVITIES

Employees of Trinity County shall have the right to support candidates of their choice and to engage in political activity during their personal time.

County employees shall not: 1) Use their official authority or influence to interfere with or affect the result of any election or nomination for office; 2) Directly or indirectly coerce, attempt to coerce, command, or advise another person to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political reason; or 3) Use any equipment, property or material owned by the County for political activity or engage in political activity while on duty for the County.

1B-8 OUTSIDE EMPLOYMENT

Trinity County employees are expected to give their full and undivided attention to their job duties. They should not use Trinity County facilities or equipment or their association with Trinity County personal use or to carry on a private business or profession. Unless express approval is obtained in advance and in writing from their immediate supervisor, County employees should not engage in a profit-making business nor become involved with a non-profit organization outside of their employment with Trinity County that interferes with the employee's assigned duties with Trinity County.

1B-9 BREAKS

The Texas Right to Express Breast Milk in the Workplace Act and the Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk during the first year

following the birth of a child. Trinity County supports the practice of expressing breast milk.

Trinity County will provide reasonable paid breaks for nursing mothers to express breast milk. The nursing mother will be allowed whatever time is needed to express breast milk.

Two weeks prior to returning to work, the nursing mother shall notify the Human Resources Department and the Department Head/Elected Official in writing that they will require the use of the nursing mother break.

The mother will be given a private location, other than a bathroom. The location will be shielded from view and free from intrusion and appropriate for expressing breast milk. The specific location will be determined on a case by case basis.

Trinity County does not allow any retaliation against nursing mothers for asking for this break. Nursing mothers are entitled to this break for the duration of the time they are expressing breast milk. A reasonable accommodation will be given for the needs of employees who express breast milk. Employees of the County who need to express breast milk may not be discriminated against.

All other employee breaks are determined by each department head and are not required to be given. If your department provides you with a break, it may not be accumulated or used for time off. The Fair Labor Standards Act does not require any breaks other than for nursing mothers, however if paid breaks are provided for employees, nursing mothers must be given the same amount of paid break time.

1B-10 GRIEVANCES

Any employee having a grievance related to his/her job should discuss the grievance with his/her immediate supervisor.

If the discussion with the immediate supervisor does not resolve the grievance, and, if the immediate supervisor is not the elected or appointed official with final responsibility for the employee's department, the employee shall have the right to discuss the grievance with that official.

The decision of the elected or appointed official with final responsibility for the employee's department shall be final in all grievances.

1B-11 DISCIPLINE

Each supervisor shall have the authority to administer discipline to employees in their department for poor performance, violation of policies, disruptive behavior, or any other behavior or activity which the supervisor feels is not acceptable as it relates to the employee's job or the best interest of the department or County.

Depending on the severity of the situation, discipline may range from informal counseling up to and including immediate termination.

Examples of reasons for administering discipline shall include, **but not be limited to:**

- a) Insubordination – may involve verbal or physical abuse of a supervisor or refusal to obey or carry out reasonable and legitimate orders or instructions as issued by a supervisor;
- b) Absence without approval, including failure to notify a supervisor of sick leave;
- c) Failure to report to work for three (3) consecutive workdays without calling in;
- d) Repeated tardiness or early departure;
- e) Performance, which in the Department Head's/Elected Official's opinion, does not meet the requirements of the position;
- f) Endangering the safety or themselves or others through negligent or willful acts;
- g) Possession, consumption or being under the influence of alcohol or illegal drugs while at work or on County property;
- h) Unauthorized use of public funds or property;
- i) Violation of the requirements of these personnel policies;
- j) Conviction of a felony
- k) Falsification of documents or records;
- l) Unauthorized use of official information or unauthorized disclosure of confidential information;
- m) Conviction of official misconduct;
- n) Unauthorized or abusive use of official authority;
- o) Incompetence or neglect of duty;
- p) Engagement in outside employment or activities which conflicts or interferes with the performance of duties for the County.

All County employees are “at will” employees and nothing in this policy gives an employee any contract of employment, guarantee of any duration of employment, or any other property interest in his/her job.

Trinity County retains the right to terminate the employment of any individual at any time for any legal reason, or no reason, with or without notice. The County also retains the right to change any condition, benefit, privilege, or policy of employment at any time, with or without notice.

1B-12 LICENSES AND CERTIFICATIONS

Trinity County has many positions that require licenses and certifications. It is the responsibility of each employee to maintain all required licenses and certifications. If an employee is unable to renew or loses a license or certification, they must immediately notify their supervisor. If this license is a requirement for the position, the employee may be demoted, transferred or terminated. Under no circumstances will the employee be allowed to continue in the position where a license or certification is required if failure to have such license or certification is illegal under either Federal or State Law.

1B-13 WEATHER CLOSINGS AND EMERGENCIES

As a general practice, Trinity County does not close its operations unless the health, safety, and security of County employees are seriously brought into question. When this happens, either because of severe weather conditions or other emergencies, the County Judge is responsible for initiating the closing.

The County Judge will notify the County Officials and post a public announcement on the County website. Announcements of an emergency closing will, to the extent possible, specify the starting and ending times of the closing. However, each elected official controls the working hours of their employees, even in an emergency situation.

Many County departments are continuous operating public safety and service departments. Many County personnel will be required to work during emergency closings. Each department head is responsible for designating their own employees and providing alternate information to personnel designated as essential during emergency closings. Public safety will be foremost in the development of departmental emergency action plans.

1B-14 CONFIDENTIALITY

Trinity County is a public entity, however, some County employees acquire confidential (confidential, non-public) information as a result of their position with the County. This information must be protected. Employees who reveal confidential (confidential, non-public) information they have received as a result of their position may be subject to discipline up to and including termination.

Regarding the personnel information on employees of Trinity County; much of the information in an employee's personnel file, including salary and job evaluations is subject to disclosure under the Public Information Act, however, highly personal matters are typically not subject to disclosure. The County will adhere to the Public Information Act requirements.

1B-15 WHISTLEBLOWER

An employee may, in good faith, report an alleged violation of a Trinity County Policy or federal or state law to his or her supervisor, department head, or County Official, unless all of these persons are the alleged perpetrators of the alleged violation of policy or law. If all of the listed persons are alleged to be involved in the violation, the employee may report the allegation to the Human Resource Manager, County Judge, another member of Commissioners' Court, County Attorney, District Attorney, or Sheriff. The County will investigate the reported activity.

An official, supervisor, department director, or any other employee is prohibited from taking adverse employment action against an employee who, in good faith, reports an alleged violation of County policy or federal or state law to a designated person, pursuant to this policy.

An employee who intentionally makes a false report of wrongdoing may be subject to discipline up to and including termination.

An employee who, in good faith, believes he or she is being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact the Human Resource Manager, County Judge, County Attorney, or District Attorney. An employee with a question regarding this policy should contact the Human Resource Manager.

C. COUNTY PROPERTY AND EMPLOYEE RESPONSIBILITY

1C-1 COUNTY PROPERTY USAGE

Each County employee shall be responsible for the care, maintenance, proper use, and upkeep of any County equipment assigned to him/her. County employees shall only use equipment, tools, and other County property that they are authorized to use. Personal use of County equipment, supplies, tools, and any other County property is not permitted and may result in discipline up to and including termination. Improper use may subject you to criminal prosecution.

1C-2 COUNTY VEHICLE USAGE

Some employees may be required to use County vehicles as a part of their job. Employees who are assigned County vehicles shall be responsible for the care, maintenance, proper use and upkeep of these vehicles. Employees may only use the vehicles they are authorized to use. Employees may not allow other individuals to operate the vehicles they have been assigned.

All assignments of County vehicles to a department under the direct control and/or supervision of the Commissioners Court shall be considered temporary subject to review and revocation at any time. The number of County vehicles assigned to a department headed by an elected official shall be reviewed during each annual budget process. Each department/elected official shall maintain a listing of those officials/employees authorized to take a County vehicle to the employee's primary residence and a copy shall be furnished to the County Auditor and Treasurer. Vehicles may be used only for work related duties and to drive to and from work. They may be used for no other purpose except in an emergency or for trips completely incidental to County employment or driving to and from a County-related job site. During this commute, the official/employee is fully covered by the County's self-insurance program and is not required to carry supplemental insurance.

If an official/employee uses a County vehicle to commute to and from their primary residence, the fringe benefit use of said vehicle shall be included as taxable income of the official/employee in accordance with Internal Revenue Service Commuting Valuation Rules. If personal use of a County vehicle is permitted the employee will be required to keep a log of all personal miles driven, including to and from work.

Marked vehicles used by law enforcement officers used to commute to and from work are considered as qualified non-personal vehicles and the use of such vehicles is not considered taxable income. Unmarked vehicles used by law enforcement officers are

also considered as qualified non-personal vehicles and the use of the vehicles by such personnel to commute to and from work is not considered as taxable income. The terms "law enforcement officer" means an individual who is employed on either a full-time or part-time basis by a governmental unit that is responsible for the prevention or investigation of crime involving injury to persons or property (including apprehension or detention of persons for such a crime), who is authorized by law to carry firearms, execute search warrants, and to make arrests (other than merely a citizen's arrest), and who regularly carries firearms (except when it is not possible to do so because of the requirements of undercover work). Use of either a marked or unmarked vehicle by a person who is not a law enforcement officer would be considered as taxable income.

At no time may a County vehicle be used for personal gain, personal business, to drive to a place of secondary or part-time employment not related to County business, or for any other non-County-related use. Employees of law enforcement officials must comply with guidelines established by those elected officials pursuant to Attorney General Opinion number GA-0480.

Employees who operate vehicles must maintain a current active license for the operation of that vehicle. If they have any change in status of their license they must immediately notify their supervisor. An employee whose job involves operation of a vehicle requiring a license for its legal operation shall be subject to possible job change, demotion or termination if that license is suspended or revoked.

Vehicle Accident Reporting Procedure

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to his or her supervisor and to the proper law enforcement or other authority immediately. A Vehicle Accident and Incident report shall be requested from the Treasurer's Office for completion.

All Trinity County employees who operate a County-owned vehicle shall be responsible for verifying that the vehicle has a current insurance card in the glove box. In the event of an accident, the appropriate law enforcement agency shall be notified as soon as possible by the employee who was operating the vehicle.

The supervisor/individual shall fill out a Vehicle Accident Incident Report and return it to the County Treasurer's Office as soon as possible. If the operator is unable to notify the Law enforcement agency, someone at the accident scene or the employee's supervisor shall make the necessary contact.

In the event of an accident that does not require contacting the appropriate Law enforcement agency the individual shall obtain a Vehicle Accident Incident Report and return it to the County Treasurer's Office as soon as possible. The Trinity

County employee shall be responsible for immediately notifying his/her supervisor, department head or elected official.

The employee, supervisor, department head or elected official shall immediately notify the County Treasurer's Office. The phone numbers are located on the Vehicle Accident Information Sheet located in each vehicle. Daytime contact number is 936-642-1443.

The employee shall be responsible for obtaining an accident report from the law enforcement agency called to the accident. A copy of the employee's detailed statement concerning the accident and the accident report shall be sent to the County Treasurer's Office by the employee, supervisor, department head or elected official.

An employee whose job involves operation of a vehicle or equipment requiring a license for its legal operation, but who is deemed uninsurable by the County's vehicle liability carrier even though the employee's license has not been revoked or suspended, shall be subject to possible job change, demotion or termination.

Traffic Violations

Fines for parking or moving violations and towing, storage or impoundment as a result of the violation, are the personal responsibility of the assigned operator. Each driver is required to report all moving violations to their supervisor. This requirement applies to violations involving the use of any vehicle (county, personal or other) while on county business. Failure to report violations will result in appropriate disciplinary actions, including revoking of driver privileges and possible termination of employment.

1C-3 TRAVEL POLICY

This policy as adopted by Commissioners Court (CC) is meant to provide guidance as to appropriate travel methods and reimbursable expenses while traveling on County business. Whenever unusual circumstances are involved, or this Policy does not provide clear guidance, please secure a written opinion from the County Auditor prior to the trip. Expenses incurred that are not covered under this policy may, at the discretion of the Auditor, be taken to Commissioners Court for approval.

All travel must be approved by a department head who will determine the adequate funds available in their individual department travel budget. Department heads are

responsible for approving all travel requests before submitting them to the Auditor's Office for payment. Upon completion of travel, a Reimbursement Request (See Section 3: Employee Forms) will be submitted with proper documentation to the Auditors Office, including odometer readings, hotel receipt and toll and/or parking receipts.

Advance check may be obtained for the hotel and the cost of the seminar or conference. If an employee needs advance payment for travel expenses, a Reimbursement Request may be submitted in advance for an estimated amount based on mileage obtained from *MapQuest* (www.mapquest.com).

County employees will utilize the most economical and effective means of transportation, housing and meals that are available. When evaluating travel costs, it is important to include employee costs. That is, savings from inexpensive travel agenda can more than be offset by excessive travel time that keeps the employee away from normal County duties. Saving a few dollars on airline tickets is not warranted if the employee must leave a day early and the cost of the employee's salary for that day exceeds the airline ticket savings. Nevertheless, whenever justifiable employees will utilize transportation that is the most economical in total trip cost. Hotel shuttles are preferred over taxis and taxis are preferred over rental cars, etc.

Allowable Travel Expenses

Reimbursable expenses must be reasonable and normal for the area. County policy is to consider any trip which is Out-of-County and is less than 25 miles from the employee's regular place of employment or the employee's home to be local travel and reimbursable only for mileage, parking and tolls. Mileage may be determined using *MapQuest* (www.mapquest.com). Questions about qualifying for this limit should be directed in writing in advance of the trip to the County Auditor whenever there is any doubt about travel meeting the 25-mile requirement. Travel which is Out-of-County and more than 25 miles from the employee's regular place of employment or the employee's home, whichever is closer to the travel destination and for more than one day is eligible for per diem, hotel, and other travel reimbursement identified in this policy. Travel that meets this definition and does not require an overnight stay will be reimbursed at the per diem rate for the meals taken while out-of-the-County.

The following examples are representative of allowable expenses:

- Hotel rooms including the night before where morning travel is not reasonable.
- Per diem meals up to \$46 per day without receipts (\$11-breakfast, \$14 - lunch and \$21 dinner). Meals provided by conferences and airlines must be utilized and per diem will be reduced accordingly.
- Travel completed before noon will receive \$23 and travel completed after noon will receive a full day per diem. Travel beginning before noon will receive a full day per diem and travel beginning after noon will receive \$23.

- Mileage as outlined in the "Use of Personal Vehicles"
- Tolls
- Regular hotel guest parking
- Registration Fees
- Airfare

Meals

The County has determined that meals and associated gratuities where travel requires an overnight stay should be paid on a per diem basis at a rate established by

Commissioners' Court. Currently, that rate is \$46 per day. This is composed of \$11 – breakfast, \$14 – lunch and \$21 – dinner. The allowance will be prorated for partial days. Trips beginning before noon will receive a full per diem; trips beginning after noon will receive \$23. Trips completed before noon will receive \$23 and trips completed after noon will receive \$46. Meal tips are included in the per diem rate and should not be reported separately. This may be obtained in advance by submitting a reimbursement request at least three (3) days prior to your departure to the Auditor's Office.

Reimbursement for meals for travel that does not include an overnight rest period will be reimbursed on the employee's next paycheck after proper presentation of receipts. These meals are taxable to the employee because travel away from home requires an overnight rest period for them to be excludable as per IRS requirements.

Whenever meals are included in a conference or event, employees are expected to use the furnished meals and the per diem rate will be reduced by the applicable per diem amount for each event meal. Meals will not be paid for travel within the 25-mile radius. Meals included in professional meetings where the meal is not billed separately from the registration will be reimbursed. All business meal reimbursement requests must identify the business partners in attendance and provide an explanation of the County business that was conducted. Alcoholic beverages will not be reimbursed. Reasonable tips (15%) on business meals are acceptable.

Meal Reimbursement – One Day Seminars & Meetings: See Addendum Section 4

Use of Personal Vehicles

The use of a personal vehicle by County official/employees in conducting official County business or for out-of-town travel is acceptable as long as the total cost to the County does not exceed the cost of air travel. A mileage reimbursement is a part of this policy to address this type of use. Minimum travel to restaurants and other locations will be included in the mileage reimbursed. Options for determining mileage are:

1. Mileage can be computed by using *MapQuest* (www.mapquest.com) from the employee's home or the regular work site.
2. The County will reimburse the employee based upon beginning and ending odometer readings at the current IRS rate.

In addition to mileage reimbursement, the County will reimburse parking and tolls incurred in the course and scope of County business. The County does not insure private vehicles, so each employee is responsible to determine whether his personal automobile insurance coverage is adequate. Damage to the vehicle, vehicle repair, parking fines, towing charges and theft of property are the responsibility of the employee, not the County.

Incidental Expenses

The County will reimburse for reasonable incidental expenses necessitated by a long trip. Customary hotel and transportation tips will be reimbursed.

Expenses Not Reimbursed

- Movie Charges
- Room Service
- Spas
- Health Club
- Room Mini-Bars
- Limousines
- Luxury Rental Cars
- Refueling Charged by Rental Car Companies
- Optional Insurance
- Entertainment Expenses
- Personal Items
- Medication or Doctor's Visits
- Long Distance or Local Call Charges

Travel Advances

Employees are encouraged to pay for their trips using their personal credit cards, if possible. Timely filed travel expense reports should be processed so that the reimbursement checks are sent to the employee before personal credit card payments are due. Hotel reservations may be secured by County credit card by contacting the Auditor's Office.

The County encourages the use of clean, comfortable and safe hotels but expects that the employee will be frugal in selecting a hotel. Government rates should be utilized whenever available. The use of discounted conference hotels is acceptable; but use of other more economical hotels is encouraged whenever available within walking distance of the meeting or conference. The use of room service is not allowed. Liquor, movies and spa charges will not be reimbursed. Use of hotel shuttles or buses is encouraged to minimize transportation costs. Arrival one night before morning meetings or conferences is acceptable whenever same day travel is not reasonable. Arrival the day of the meeting or conference is encouraged whenever the meeting or conference does not begin before 10:00 AM. Return the same day that the conference or meeting ends is expected except where reasonable connections will not assure arrival at a Houston area airport before 10:00 PM.

Air Fare

Travel by air is acceptable whenever travel by car is longer than three hours or air travel is cheaper than travel by car. An employee wishing to make personal reservations must verify with proof of lowest rate available and attach a written verification to the expense report. The County will not reimburse costs in excess of the state rate. Travel should be scheduled to allow for the most economical fares but should not force an employee to travel after 10:00 PM. It is acceptable to travel a day early in order to receive a discounted air fare; however, the savings in air fare should exceed any hotel, meal and incidental expenses incurred due to early travel. While early travel outside of normal work hours is allowed, it is at the employee's option and is not mandatory. Travel time outside normal work hours is not compensated time.

Rental Cars

When traveling by air, hotel shuttle buses and taxis, in that order, are the preferable means of transportation when out-of-town. Where these options are impractical or uneconomical, use of a rental car may be justified. A Rental Car Request (See Section 3: Employee Forms) shall be completed by the employee and approved by the County Auditor prior to making a rental car reservation. The County self-insures and therefore the employee should waive the extra vehicle insurance. The County will not reimburse the employee for this insurance charge. The employee should ensure that the vehicle is returned with a full tank of gas. Fuel and other receipts should be retained along with the vehicle receipt for reimbursement. The use of an economy car for one person, a mid-size for two and a full-size for three or more is the recommended vehicle. The use of SUV, vans or other specialty vehicles requires special justification. The employee must provide proof that the lowest possible rate was obtained.

1C-4 CELL PHONE USAGE

Trinity County determines on a case by case basis the need for County provided cell phones. County cell phones are to be used for business purposes only.

Trinity County strongly discourages the use of any cell phone while operating any vehicle. Employees should plan calls to allow placement of calls either prior to traveling or while on rest breaks.

Trinity County bans all employees from texting while operating any County owned vehicle. County employees who are driving their own personal vehicle are also banned from texting while driving on County business. Federal law prohibits any CDL driver operating any vehicle over 10,000 GWR from texting with fines and penalties, up to including loss of CDL.

Employees in possession of a Trinity County owned cellular phone are required to take appropriate precautions to prevent theft and vandalism.

Each department may set their own rules and regulations regarding personal cell phone usage while at work.

1C-5 COMPUTER AND INTERNET USAGE

The use of Trinity County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for Trinity County business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in any expense to the County.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Electronic communication should not be

used to solicit or sell products or services that are unrelated to the County's business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.

Use of Trinity County computers, networks, and Internet access is a privilege granted by department heads and may be revoked at any time for inappropriate conduct carried out on such systems. Improper use may result in discipline up to and including termination.

Trinity County owns the rights to all data and files in any computer, network, or other information system used in the County. Trinity County also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems, Facebook, Twitter, etc.) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using County equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by County officials at all times. Trinity County has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate County official. No employee shall break any copyright laws or download any illegal or unauthorized downloads. Trinity County monitors its entire informational systems and employees may be subject to discipline up to and including termination for any misuse of County informational systems.

Software should not be downloaded or installed from the Internet without prior approval from the County Judge or Auditor, as the download or installation could introduce a computer virus or spyware onto the County's network.

Employees should not bring personal computers to the workplace or connect them to Trinity County electronic systems, unless expressly permitted to do so by their supervisor and or Auditor's Office.

Violation of this policy, may result in disciplinary action, up to and including termination of employment and/or restricted access to the Internet in accordance with Trinity County policy.

1C-6 PURCHASING POLICY AND PROCEDURES

The County Auditor is charged with the responsibility of insuring that all purchases are made in accordance with Federal, State and local laws as well as verifying that each purchase is in-line with the approved and adopted Trinity County Budget. Each department head is responsible for maintaining the integrity of his/her department budget and planning the day-to-day operations of the department. One of the most important functions of the department head is to maintain adequate supplies and materials for the efficient operation of the department. LGC 1 12.001 & 1 12.006.

All Texas Local Government Code (LGC) purchases and/or services must be routed through the County Auditor's office. LGC 113.901 requires all Counties use a purchase order requisitioning system.

Before a purchase is made or services are performed the County official or representative requesting the purchase or services, must provide a purchase order number, obtained from the Auditor's office, to each vendor. The purchase order number must appear legibly on all vendor invoices and/or statements in order to note that the vendor had authority to accept the order or to start work and bill the County. EMPHASIS: this process must be completed prior to any order or commitment on behalf of the County. Items received without prior approval have a possibility of not being approved and the department head/County official could be responsible for payment of that item.

All purchases must be for a quantity suitable to the purpose and at the least possible expense to Trinity County.

In order to obtain the best price in the most efficient manner, purchases will be divided into the following five (5) classes:

1. Less than \$10,000 – Requires advance approval only.
2. \$10,000 - \$24,999 – Requires three (3) quotations from vendors and advance approval.
3. \$25,000 - \$49,999 – Requires three (3) quotations from vendors and advance approval by Commissioners' Court.
4. Over \$50,000 – Requires formal sealed, competitive bids as specified by Chapter 262 of *Texas Local Government Code*.
5. Purchases made through cooperative purchasing agreements or from a state contract.

If these methods are not useful, then specifications will need to be written and approved by commissioner's court. Then, advertisement of the specifications must be according to Local Government Code 262.025. Once bids are opened, they must be awarded by Commissioner's Court.

Purchases made through cooperative purchasing agreements should be coordinated through the County Auditor's Office. A purchase order will be issued in advance of the order being placed.

Formal bids to be advertised will be placed on the Commissioners Court Agenda for approval and authorization. Complete specifications for the item(s) to be purchased will be filed in the Auditor's Office before such bids are advertised.

A request for items to be purchased through the formal bid process should be planned to allow enough time for delivery before the end of the fiscal year.

In the event that an emergency purchase needs to be made the following procedures should be followed:

- a) The purchase should only be made to keep buildings, machinery and vehicles in proper and safe operating condition when the safety or idleness would result in expense to Trinity County.
- b) The purchase may be made for extreme emergency cases involving public health and welfare.
- c) These purchases are subject to approval by the Commissioner's Court. Texas LGC 111.070.

County capital projects under \$50,000 will be under the direction of the appropriate department head/elected official. All County capital projects over \$50,000 will be under the direction of the County Judge unless the Commissioners' Court, by order, appoints someone else to be responsible for the project.

Purchase Orders will not be issued for goods/services that do not have a budget balance. If funds are not available, the department head/elected official should complete a budget amendment for transfer of funds from other appropriations or additional funds to the Commissioners' Court.

If a purchase requires a trade-in, such as an automobile, office machines, or other equipment, the department head/elected official should request approval of the trade-in from Commissioners' Court prior to the purchase of the new asset. The County Auditor's office should be sent copies of the trade-in agreement along with trade-ins' County identification number.

All lease/purchase agreements must be approved by the Commissioners' Court and signed by the County Judge unless the Commissioners' Court authorized someone else to sign the agreement. All lease/purchase agreements must contain the "government clause" authorizing the return of the equipment if the Commissioners' Court does not appropriate funds for the lease/purchase in a future year. Failure to comply with this provision will result in the department head/elected official becoming liable for any losses sustained by Trinity County.

County employees wishing to purchase items for personal use from vendors doing business with Trinity County should set up their own account with the vendors and not use Trinity County's account. Trinity County is exempt from state sales taxes; however, County employees are not exempt. In addition, Trinity County receives government discounts; however, County employees are not eligible for these discounts.

Trinity County pays claims and invoices after the Commissioners' Court approval at the regular term meeting which currently is the second and fourth Tuesday of each month. Only bills received in the County auditor's office before noon the Wednesday prior to the regular term meeting will be considered for payment at that meeting.

1C-7 DEBARMENT POLICY

It shall be the Policy of Trinity County that all Departments/Offices shall comply with this Debarment Policy in an effort to provide assurance to the Federal Government that Trinity County complies (a) with Federal Executive Order 2549, 44 CFR §13.35 ("Sub-

awards to debarred and suspended parties"), and the Texas Uniform Grant Management System (UGMS),(b) with the Texas Department of Public Safety/Texas Homeland Security-State Administrative Agency who requires all recipients to verify the debarment status of all vendors before contracting with or making any purchases with federal grant funds.

All Debarment verifications shall be conducted by reviewing the Excluded Parties Listing Systems (EPLS). The Excluded Parties Listing Systems (EPLS) is an electronic database of parties excluded from federal procurement and non-procurement programs and is located at <https://www.sam.gov>. The EPLS identifies those parties excluded throughout the U.S. Government (unless otherwise noted) from receiving Federal contracts or certain subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits based upon statutory or administrative debarments.

Responsibility of Countywide Departments/Offices:

Trinity County shall award all contracts and purchases through procurement processes or through non-procurement process to responsible vendors that have not been excluded under the excluded parties listing systems.

All Departments/Offices of Trinity County shall verify the debarment status of a vendor by using the EPLS prior to procuring or entering into contract(s) for any goods/services regardless whether it is a unit price or quantity. The Department/Office shall document that verification and retain such record in accordance with the County's Retention Policy.

In cases of non-procurement processes, the Department/Office shall verify if the vendor has been excluded when placing the order (purchase order, etc.) in order to ensure that the selected vendor is NOT on the EPLS System before the purchase is made or the "contract" start date.

Furthermore, because vendors are being removed and new ones added on a daily basis, all Departments/Offices shall be required to verify the vendor for exclusion before issuing a new purchase order, blanket purchase order, contract or single time purchase. If verification has been performed prior to entering into multiple invoice or multiple billing period contracts, such as a yearly wireless phone subscription, then verification is not required prior to making each payment to the vendor. However, verification should be performed prior to extending a contract, renegotiating a contract, or entering into a new contract.

If any Department/Office end user does not verify EPLS and the vendor was on the exclusion list, all other County Department/Offices may be disallowed of any federal funding in the future. Thus, if needed, a Department/Office may notify the Purchasing Department to conduct the search before placing the order.

Verification Process

In verifying the status of debarment exclusion, the Department/Office shall:

1. Go to the EPLS web-site. The internet address is <http://sam.gov>
2. Government employees (Department/Office) must create a SAM user account with their government email address. Log in before searching in order to see FOUO (for official use only) information and those registrants who selected to opt out of the public search.
3. Select "Search Record".
4. You can enter a DUNS number, CAGE code or Business Name to search for the entities that you are interested in reviewing. You can also enter exclusion search terms to search for exclusion records. Once a search has returned results, use the filters provided to narrow results.
 - a. If the vendor is not found to be debarred, a copy of the screen print indicating the vendor is not debarred at the time of the procurement should be included with the paperwork for that purchase and retrained with the procurement records for audit and monitoring purposes.
 - b. If the search finds a match, more research is required to rule out the possibility of a "false hit."
 - Is the name an exact match?
 - Is the name very close?
 - Is the vendor you are searching for located in the same general area as the name returned in the search?
 - If the match appears to be valid, print the page
 - c. If the vendor is debarred, the County shall not do business with this vendor.

Emergency Purchases

From time to time, the County Judge may declare a Disaster Declaration because of a disaster, such as a hurricane. In those emergency circumstances, the implementation of the County's debarment policy is suspended during this emergency period but no longer than sixty (60) days. On FEMA grants, FEMA may honor this suspension. However other Federal Agencies may not honor any suspension of the County's Debarment Policy.

Consequences

In order to continue receiving Federal funds either directly or through a pass-through state funding, the Department/Office shall follow this Debarment policy. Failure to follow may result in forfeiting of federal funds in future Countywide grant applications. Implementation of this Debarment Policy is County-wide.

1C-8 INVENTORY POLICY

The taxpayers of Trinity County have an enormous investment in our County's buildings, land, equipment and furnishing. Not only is it a good accounting policy to

maintain accurate inventory records of Fixed Assets of the County, but state law also mandates that these records be kept.

Department heads have a direct responsibility of all Fixed Assets purchased for, assigned to or otherwise provided to their department. This includes the legal and ethical obligation of their staff to provide sufficient care and safekeeping of Fixed Assets.

Definitions:

Any asset having a value or cost of \$500, each, or more and a useful life of more than one year will be considered a Fixed Asset. All assets having a value or cost of \$5,000, each or more, and a useful life of more than one year will be recorded to the County Fixed Asset Inventory System as a "Capital Asset" and maintained by the County Auditor. All assets having a value or cost of at least \$500, each or more, and a useful life of more than one year will be recorded to the County Fixed Asset Inventory System as an "Inventory Asset" and maintained by the County Auditor. There will be instances when an asset may have a value of less than \$500, each, but a useful life of more than one year may be included on the County Fixed Asset Inventory as an "Inventory Asset".

Procedures:

The Auditor's Office will provide Department Heads with an annual report containing Fixed Assets assigned to their departments. It is the responsibility of the Department Heads to review this report and verify the accuracy of the report. If any of the assets on the report are not in the department, it is the department's responsibility to notify the Auditor's Office immediately.

The Auditor's Office will continue to conduct inventory of all Fixed Assets at least once every other year or as requested by Department Heads or directed by Commissioners' Court. Auditor's Office will conduct an exit inventory when required.

The Auditor's Office will submit a Fixed Asset inventory report for all Departments to Commissioners' Court each year during the regular second meeting session in June.

1C-9 GRANT APPLICATIONS AND AWARDS POLICY

Trinity County Texas Commissioners' Court requires that all grant income not typically budgeted in the County's budget process including any applications and any awards presented to Commissioners' Court be accompanied by a standardized cover sheet (Grant Request Form – See Employee Forms) so that all aspects of the application/award can be reviewed including any required;

- 1) Verification of applying entity as Trinity County, Texas
- 2) Authorized Signatory as the County Judge

- 3) Match and its source
- 4) Obligation to continue the program past the term of the award,
- 5) Other costs to operate the program, or
- 6) Other special circumstance that would impact the County budget or operations.

Definitions: Donations and Grants can be confusing.

A GRANT is an award of financial assistance in the form of money, property, or other financial assistance paid or furnished by the federal or state government, a nonprofit foundation or organization, a local business or an individual.

A DONATION is a gift, solicited or unsolicited, to a cause in the form of financial assistance in the form of money, property or other financial assistance for programs or activities previously approved by Commissioners' Court. Donations usually do not require a proposal or application. (Does not require Grant Request Form.)

Procedures:

1) Department Heads and Elected Officials are to complete and sign a grant cover sheet and submit it with any proposal or application documents to the County Judge for review at least one week prior to Commissioners' Court. The County Judge will review the documents and, if approved, forward them to the County Auditor for review of the proposed budget and match source. The Auditor will determine if the documents may need to be reviewed by the County Attorney. The County Auditor will return the cover sheet and documents, if approved, to the Department Head or Elected Official for submission to the Commissioners' Court.

2) Department Heads and Elected Officials are to submit the executed grant cover sheet and all financial assistance documents, i.e. proposals, applications, to the Commissioners' Court for consideration and approval prior to submission to the funding agency.

3) Department Heads and Elected Officials may make adjustments, additions, or corrections to any proposal or application that is not approved by the County Judge or the County Auditor and re-submit them for approval.

4) If approved by Commissioners' Court, the Department Heads and Elected Officials are to submit the proposals or applications per the funding agency's requirements by surface mail, delivery service, email or other electronic means.

5) Department Heads and Elected Officials are to present any grant award documents to Commissioners' Court for acceptance. For those items of financial assistance

previously requested through the above process, the original grant cover sheet should be appended to the award documents. If the award differs from the original submitted request, the first grant cover sheet and a new grant cover sheet showing the adjusted amount or conditions should be appended. Department Heads and Elected Officials are to provide the County Judge and the County Auditor the adjusted grant cover sheet for approval before placing the item on the Commissioners' Court agenda.

6) The County Judge and the County Auditor will make every effort to offer a speedy review of submitted requests. Involvement of the County Judge and the County Auditor during the development of the proposal or application is encouraged.

In order to make for the smoothest possible review process, Department Heads and Elected Officials are requested to provide all documentation for review at least one week prior to the targeted Commissioners' Court date.

D. SAFETY AND HEALTH - EMPLOYEE RESPONSIBILITY

1D-1 WORKERS COMPENSATION

All Trinity County employees are covered by workers' compensation coverage while on duty for the County. Workers' compensation coverage pays for medical bills resulting from a covered injury or illness an employee incurs while carrying out the duties of his/her job. Workers' compensation also pays Temporary Income Benefits (TIBS) for time lost from work in excess of seven calendar days as the result of eligible work-related injuries or illnesses.

Employees may use paid leave for all workers' compensation time off up to five (5) scheduled workdays. All employees who are placed on Worker's Compensation leave will fall under the Family Medical Leave Act. Trinity County runs FMLA and Worker's Compensation concurrently. Absence from work of five days or more due to a work-related injury will reduce the 12 weeks of eligibility for family/medical leave.

Any employee who suffers a job-related illness or injury is required to notify his/her supervisor as soon as possible. Failure to promptly report job related injuries or illnesses may affect an employee's eligibility for benefits or delay benefit payments.

An employee who has lost time because of a work-related accident or illness is required to provide a release from the attending physician before being allowed to return to work.

An employee's workers' compensation benefits may be adversely affected if the employee is injured while under the influence of alcohol or drugs or while the employee is engaging in horseplay.

1D-2 EMPLOYEE SAFETY AND ACCIDENT PREVENTION PLAN

Trinity County is committed to providing a safe workplace for our employees.

Each County employee must adhere to the general safety standards established for all employees, provisions of the County Accident Prevention Plan* as well as comply with their departmental safety requirements. Safety procedures may differ at each County department. Your supervisor will provide you with specific information pertaining to your position.

Failure to follow the safety standards set by the County or your supervisor subjects an employee to disciplinary action, up to and including termination.

Employees seeing unsafe working conditions shall either take steps to correct those conditions or report the unsafe conditions to their supervisor.

(* Accident Prevention Plan – See Section 4: Additional Policy Attachments)

1D-3 DRUG AND ALCOHOL- ALL EMPLOYEES

Trinity County is a drug and alcohol-free workplace. A County employee may not be present at work during a period the employee's ability to perform his or her duties is impaired by drugs or alcohol. The County believes that a drug and alcohol-free workplace will help ensure a healthy, safe, and secure work environment.

This policy applies to all employees of Trinity County regardless of rank or position and shall include full time, part time and temporary employees.

The only exception to this policy is the possession of controlled substances by law enforcement personnel as part of their law enforcement duties.

An employee may not unlawfully manufacture, distribute, dispense, possess, sell, purchase, or use a controlled substance or drug paraphernalia on County property or while conducting County business not on County property.

An employee may not be under the influence of alcohol or illegal drugs while on County property or while on duty for the County.

An employee may not possess or use unauthorized prescription or over-the-counter drugs while on County property or while on duty for the County, in a manner other than that intended by the manufacturer or prescribed by a physician.

An employee may use prescription and over-the-counter drugs in standard dosage or according to a physician's prescription if the use will not impair the employee's ability to do his or her job safely and effectively. An employee must keep prescription medications used at work in their original container.

An employee taking prescribed or over-the-counter medications is responsible for consulting the prescribing physician or a pharmacist to determine if the medication could interfere with the safe and effective performance of his or her job duties.

If the use of a medication could compromise an employee's ability to do his or her job or the safety of the employee, fellow employees or the public, the employee must report the condition to his or her supervisor at the start of the workday or use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty).

A supervisor must treat any information related to an employee's authorized use of prescription medications and any other medical information provided by the employee as confidential information.

An employee having problems with drugs or alcohol is encouraged to seek treatment from a qualified professional. Information on benefits provided for treatment of alcohol and drug abuse problems provided by the County's health plan program is available in the employee's health plan booklet or from the Treasurer's Office.

Any employee who violates this policy shall be subject to disciplinary measures up to and including termination.

1D-4 DRUG AND ALCOHOL- CDL EMPLOYEES

Testing Policy and Procedures

Drivers are an extremely valuable resource for County's business. Their health and safety are a serious County concern. Drug or alcohol use may pose a serious threat to driver health and safety. It is, therefore, the policy of the County to prevent substance use or abuse from having an adverse effect on our drivers. The County maintains that the work environment is safer and more productive without the presence of alcohol, illegal or inappropriate drugs in the body or on County property. Furthermore, drivers have a right to work in an alcohol and drug-free environment and to work with drivers free from the effects of alcohol and drugs. Drivers who abuse alcohol or use drugs are a danger to themselves, their co-workers and the County's assets.

The adverse impact of substance abuse by drivers has been recognized by the federal government. The Federal Motor Carrier Safety Administration ("FMCSA") has issued regulations, which require the County to implement a controlled substance testing program. The County will comply with these regulations and is committed to maintaining a drug-free work place. All drivers are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with the County.

Specifically, it is the policy of Trinity County that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any driver while on County premises, engaged in County business, while operating County equipment, or while under the authority of the County is strictly prohibited. "FMCSA" stated that mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement.

The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis), conduct breath testing, and/or search all driver applicants for alcohol and drug use, and those drivers suspected of violating this policy who are involved in a U.S. Department of Transportation (DOT) reportable accident or who are periodically or randomly selected pursuant to these procedures. These procedures are designed not only to detect violations of this policy, but to ensure fairness to each driver. Every effort will be made to maintain the dignity of drivers or driver applicants involved.

Neither this policy nor any of its terms are intended to create a contract of employment or to contain the terms of any contract of employment. Trinity County retains the sole right to change, amend or modify any term or provision of this policy without notice. This policy is effective July 24, 2017, and will supersede all prior policies and statements relating to alcohol or drugs for CDL drivers.

This policy outlines the responsibilities of employees, supervisors and managers with regard to drug and alcohol testing of employees in safety-sensitive positions in accordance with U.S. Department of Transportation regulations, issued under the Omnibus Transportation Employee Testing Act of 1991.

Policy Statement

It is the policy of Trinity County to comply fully with the regulations mandating pre-employment, random, reasonable suspicion and post-accident drug and alcohol testing in accordance with regulations issued by the U.S. Department of Transportation. This policy applies to employees whose job requires them to obtain and retain a Commercial Drivers' License (CDL) and operate a Commercial Motor Vehicle (CMV). Positions and employees covered by this Policy shall be referred to herein as "CDL positions" and "CDL employees" respectively.

This policy contains the requirements of the regulations, except where indicated that a particular provision is based on the authority of Trinity County, as follows:

- The performance of safety-sensitive functions is prohibited by CDL employees having a breath alcohol concentration of 0.04 percent or greater as indicated by an alcohol breath test; by employees using alcohol or within four hours after using alcohol; and by employees in the possession of any medication containing alcohol unless the package seal is unbroken. In addition, Trinity County prohibits the performance of any safety-sensitive function by an employee with a breath alcohol concentration of .02 percent or greater.
- Use of controlled substances by CDL employees covered by the Policy is prohibited and is in accordance with the regulations issued by the U.S. Department of Transportation.
- A CDL employee is performing a safety-sensitive function at the following times:
 - All time on county property, public property, or other property waiting to be dispatched to drive,
 - All time inspecting, servicing or conditioning any CMV at any time,
 - All CMV driving time,
 - All time other than driving time in or upon any CMV,
 - All time loading or unloading a vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving receipts for shipments loaded or unloaded,
 - All time spent performing driver requirements relating to accidents, and
 - All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Definitions

Accident: An accident is defined as an incident involving a commercial motor vehicle in which there is either a fatality, an injury treated away from the scene, or a vehicle being required to be towed from the scene.

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this part.

Alcohol and Drug Program Administrator: A person or entity that provide professional alcohol and drug prevention and intervention services. Services include assessments, referrals, information, education, and all other related services.

Breath Alcohol Technician (BAT): A person who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

Collection site means a place where individuals present themselves for the purpose of providing breath, body fluid to be analyzed for alcohol or specified controlled substances. The site must possess all necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage and transportation of shipment of the samples to a laboratory.

Commercial Driver's License (CDL): A special license required of drivers who drive Commercial Motor Vehicles which meets the following criteria:

- Meets or exceeds 26,001 lbs. gross vehicle weight; or
- Transports 16 or more passengers, including the driver; or
- Transports hazardous materials as determined by the Hazardous Materials Act, 49 USC 5101, and are required to placard the vehicle under the Hazardous Materials Regulations, 49 CFR chapter I, subchapter C.

Commercial Motor Vehicle (CMV): Any self-propelled or towed vehicle used on a highway, any roadway or passage which may be available to public transportation at any time, whether on private or public property, in interstate or intrastate commerce to transport passengers or property when the vehicle:

- Has a gross vehicle weight rating or gross combination weight rating of 26,001 lbs. or more, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds; or
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in the transportation of hazardous materials as determined by the Hazardous Materials Transportation Act, 49 USC 5101, and which require the motor vehicle to be placarded under the Hazardous Materials Regulations, 49 CFR chapter I, subchapter C.

Confirmation Test: For alcohol testing, a second test, following a screening test with a result of 0.02 grams or greater of alcohol per 210 liters of breath, that provides quantitative data of alcohol concentration. For controlled substances testing, a second

analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test in order to ensure reliability and accuracy.

Controlled substance has the meaning assigned by 21 U.S.C. 802 and includes all substances listed on Schedule I through V as they may be revised from time to time (21 CFR 1308).

Designated Employer Representative(s) (DERs): The Trinity County Commissioners' Court is authorized to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DERs also receives test results and other communications for the County, consistent with the requirements of FMCSA Code 40.3. Service agents cannot act as DERs.

Driver means any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers: casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are directly employed by or under lease to the County or who operate a commercial motor vehicle at the direction of or with the consent of Trinity County. For the purposes of pre-employment/pre-duty testing only, the term "driver" includes a person applying for a position with Trinity County, which requires a CDL to drive a commercial motor vehicle.

Drug means any substance (other than alcohol) that is a controlled substance as defined in this section and 49 CFR Part 40.

Evidential Breath Testing device (EBT): A device approved by the National Highway Traffic Safety Administration ("NHTSA") for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" ("CPL"), and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program.

Medical Review Officer (MRO): A licensed physician responsible for receiving and reviewing laboratory results generated by the county's drug testing and for evaluating medical explanations for certain drug test results.

On duty time means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. "On duty time" shall include:

1. All time on the County's premises, at a carrier or shipper plant, terminal or facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been released from duty by the County.
2. All time inspection, servicing, or conditioning any commercial motor vehicle at any time;
3. All driving time;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;

5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
6. All time spent performing the driver requirements relating to accidents;
7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Performing a Safety-Sensitive Function: Any period in which the driver is actually performing, ready to perform, or immediately able to perform any safety-sensitive functions.

Safety-Sensitive Function: Any of the seven on-duty functions set forth in Federal Motor Carrier Safety Administration (FMCSA) Code 395.2, On-duty time, listed below:

- All time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
- All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations, or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle.
- All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- All time spent performing the driver requirements associated with an accident.
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Screening test:

- In alcohol testing it means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system.
- In controlled substance testing it means an immunoassay screen to eliminate negative urine specimens from further consideration.

Service Agents: Any person or entity, other than an employee of the County, used to implement the DOT/FMCSA drug and alcohol testing regulations. These might include a screening test technician, a medical review officer or a substance abuse professional in charge of coordinating the County's testing services.

Substance Abuse Professional (SAP): A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning evaluation, treatment, follow-up testing, and after-care.

Responsibilities:

The Treasurer's Office is responsible for the following Drug and Alcohol Screening compliance activities:

- Ensure each employee required to have a CDL participates in an appropriate drug and alcohol testing program in accordance with DOT regulations. All results will be kept and maintained on file by the Treasurer's Office pursuant to county policy.
- Review all driver qualification forms and documents for completeness and compliance.
- Maintain Driver Qualification files includes mandatory drug testing information (for drivers operating a vehicle with a GVWR of 26,001 lbs. or more' a vehicle requiring a placarding for hazardous materials; or a vehicle designed to transport 16 or more passengers including the driver)

Supervisor/Department: The duties of the driver's supervisor or his/her department include:

- Active participation in the hiring process for employees who drive CMVs, which includes:
 - Ensuring all offers of employment shall be contingent upon successful conformation of prior employment, driving record, completion of physical, drug and alcohol testing, and other DOT requirements for drivers.
 - Ensuring the post-offer applicant obtains his/her physical, road test, and CDL drug and alcohol testing.
- Informing and requiring CDL drivers to submit a urine sample for drug/alcohol testing at the designated medical and/or collection facility when the supervisor suspects that the driver is under the influence of drugs or alcohol, pursuant to DOT regulations and University policy, and
 - Contact Human Resources as soon as possible following the incident, and
 - Complete the Supervisors Reasonable Suspicion Form.
- Compliance with DOT regulations

Driver: The responsibilities of a driver include:

- Avoid the use of non-prescribed drugs and alcohol while conducting safety-sensitive activities, and to comply at all times with county policy.
- Submit a sample for drug or alcohol testing when called upon to do so by his/her supervisor, including random testing for CDL drivers, pursuant to county policy (see "Refusal to Submit Form").

SUBSTANCE PROHIBITED/PRESCRIPTION MEDICATIONS

A. **Alcohol** use means the consumption of any beverage, mixture, or preparation, including any medications containing alcohol which, when consumed causes an alcohol concentration of 0.04 or greater.

B. **Controlled Substance:** In accordance with FHWA rules, urinalyses will be conducted to detect the presence of the following substances:

- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine (PCP)

C. **Prescription Medications:** Drivers taking legally prescribed medication issued by a licensed health care professional familiar with the driver's work-related responsibilities must report such use to their immediate supervisor, and may be required to present written evidence from the health care professional which describes the effects such medications may have on the driver's ability to perform his/her tasks.

In the sole discretion of the immediate supervisor/Official, a driver may be temporarily removed, with pay, from a safety-sensitive position if deemed appropriate.

PROHIBITIONS

A. **Alcohol Prohibitions:**

The new alcohol rule prohibits any alcohol misuse that could affect performance of a safety-sensitive function, including:

1. Use while performing safety-sensitive functions.
2. Use during the 4 hours before performing safety-sensitive functions.
3. Reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater.
4. Possession of alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines which contain alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
5. Use during 8 hours following an accident or until he/she undergoes a post-accident test.

6. Refusal to take a required test.

- **NOTE:** A driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, on or be permitted to perform, safety-sensitive functions for at least 24 hours. The other consequences imposed by the regulations and discussed below do not apply. However, documentation of this test constitutes written warning that County policy has been violated, and could result in disqualification of a driver.

B. Drug Prohibitions:

The regulations prohibit any drug use that could affect performance of safety-sensitive functions, including:

1. Use of any drug, except by doctor's prescription, and then only if the doctor has advised the driver that the drug will not adversely affect the driver's ability to safely operate the CMV;
2. Testing positive for drugs; and
3. Refusing to take a required test.

All drivers will inform their immediate supervisor of any therapeutic drug use prior to performing a safety-sensitive function.

Procedures

Types of Tests: To the extent practicable, all tests will be conducted during employees' normally scheduled work hours. All testing required by this policy will be conducted in accordance with the Omnibus Transportation Employee Testing Act of 1991 and drug testing guidelines and regulations issued by the Department of Transportation. The following tests are required:

- **Pre-employment.** All applicants for employment in CDL positions, or candidates for transfer or promotion to such positions are subject to screening for improper use of controlled substances. (Pre-employment alcohol testing is optional) **Note:** A pre-employment drug test may be required for an existing employee who was removed from the random testing program for more than 30 days.
- **Post-Accident.** Conducted after accidents on CDL employees in University vehicles whose performance could have contributed to the accident, as determined by a citation for a moving traffic violation, and for all fatal accidents even if the driver is not cited for a moving traffic violation.
 - Alcohol tests should be conducted within 2 hours, but in no case more than 8 hours, after the accident.
 - CDL employees must refrain from all alcohol use until the test is complete.

- Post-accident drug tests must be conducted within 32 hours.
- **Reasonable Suspicion.** Conducted when a trained supervisor or manager observes behavior or appearance that is characteristic of alcohol or illicit drug misuse.
 - If a CDL employee's behavior or appearance suggests alcohol or drug misuse, a reasonable suspicion test must be conducted.
 - If a test cannot be administered, the driver must be removed from performing safety-sensitive duties for at least 24 hours.
 - Testing for alcohol abuse must be based upon suspicion which arises just before, during or just after the time when the employee is performing safety-sensitive duties.
 - Testing for substance abuse may occur at any time upon suspicion.

The following conditions are signs of possible alcohol or drug use (not all-inclusive):

- Abnormally dilated or constricted pupils
 - Glazed stare - redness of eyes (sclera)
 - Flushed face
 - Change of speech (i.e. faster or slower)
 - Constant sniffing
 - Increased absences
 - Redness under nose
 - Sudden weight loss
 - Needle marks
 - Change in personality (i.e. paranoia)
 - Increased appetite for sweets
 - Forgetfulness-performance faltering-poor concentration
 - Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for money
 - Constant fatigue or hyperactivity
 - Smell of alcohol
 - Slurred speech
 - Difficulty walking
 - Excessive, unexplained absences
 - Dulled mental processes
 - Slowed reaction rate
- **Random:** Conducted on a random, unannounced basis just before, during or after performance of safety-sensitive functions for alcohol or at any time for drugs.
 - Each year, the number of random alcohol tests conducted by the County must equal at least 10% of all the safety-sensitive CDL employees.
 - Random drug tests conducted by the County must equal at least 25% of all CDL employees. Note: These percentages are subject to change. The FMCSA Administrator's decision to increase or decrease the minimum annual percentage rate for random alcohol

and controlled substances testing will be applicable starting January 1 of the calendar year following publication in the **Federal Register**.

- **Return to Duty and Follow-up.** Conducted when an individual who has violated the prohibited alcohol or drug standards returns to performing safety-sensitive duties.
 - Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after a driver returns to duty.
 - Follow-up testing may be extended for up to sixty (60) months following the return to duty.

Conducting Tests

- **Alcohol:** DOT rules require breath testing using evidential breath testing (EBT) devices.
 - Two breath tests are required to determine if a person has a prohibited alcohol concentration.
 - A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second, confirmation test must be conducted
- **Drugs:** Drug testing is conducted by analyzing a driver's urine specimen, and must be conducted through a U.S. Department of Health and Human Services certified facility.
 - Specimen collection procedures and chain of custody requirements ensure that the specimen's security, proper identification and integrity are not compromised.
 - DOT rules require a split specimen procedure.
 - Each urine specimen is subdivided into two bottles labeled as primary and split.
 - Both bottles are sent to the laboratory.
 - Only the primary specimen is opened and used for the urinalysis.
 - The split specimen remains sealed at the laboratory.
 - If the analysis of the primary specimen confirms the presence of illegal controlled substances, the driver has 72 hours to request that the split specimen be sent to another DHHS certified laboratory for analysis.
 - All urine specimens are currently analyzed for the following drugs:
 - Marijuana (THC metabolite)
 - Cocaine
 - Amphetamines
 - Opiates (including heroin), and
 - Phencyclidine (PCP)
 - Testing is conducted using a two-stage process.
 - First, a screening test is performed.

- If the test is positive for one or more of the drugs, a confirmation test is performed for each identified drug.
- Sophisticated testing requirements ensure that over-the-counter medications or preparations are not reported as positive results.
- All drug tests are reviewed and interpreted by a physician designated as a Medical Review Officer (MRO) before they are reported to the County.
 - If the laboratory reports a positive result to the MRO, the MRO will contact the driver and conduct an interview to determine if there is an alternative medical explanation for the drugs found in the urine specimen.
 - For all the drugs listed above, except PCP, there are some limited, legitimate medical uses that may explain a positive test result. The MRO will take into consideration when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
 - If the MRO determines that the drug use is legitimate, the test will be reported to the Designated Employer Representative(s), the Human Resource Manager and Supervisor, as a negative result.

Refusal to Submit to an Alcohol or Drug Test and the Consequences

- Refusal to submit to an alcohol or controlled substances test means that a CDL employee:
 - Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of this policy,
 - Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of this policy,
 - Refuses to wash his or her hands after being directed to do so during collection of a urine sample,
 - Admits to the collector of a urine sample that he or she has adulterated or substituted their specimen,
 - An observed collection of a urine sample, fails to follow the observer's instructions to raise his or her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he or she has any type of prosthetic or other device that could be used to interfere with the collection process,
 - Possesses or wears a prosthetic or other device that could be used to interfere with the collection process, or

- Behaves in a confrontational way that disrupts the collection process or otherwise engages in conduct that clearly obstructs the testing process.
- CDL employees who refuse to submit to an alcohol or drug test are not allowed to perform safety-sensitive functions. Pursuant to the County's authority, CDL employees who refuse to submit to a test will be subject to discipline, up to and including discharge.

Consequences of Alcohol/Drug Misuse

- CDL employees who have any alcohol concentration, defined as 0.02 or greater, who are tested just before, during or just after performing safety-sensitive functions must be removed from performing such duties for a minimum 24 hours.
 - Disciplinary action may be imposed upon an employee whose alcohol test reveals any alcohol concentration, between 0.02 and 0.04.
- CDL employees who engage in prohibited alcohol or drug conduct, CDL employees who test positive for alcohol use greater than 0.04 or drug use, must be immediately removed from safety-sensitive functions for a period of time determined by the University at its' sole discretion.
- - Disciplinary action, up to and including termination, may be imposed upon a CDL employee who engages in prohibited alcohol or drug conduct, CDL employees who test positive for alcohol use greater than 0.04 or drug use.
- If a CDL employee tests positive for alcohol use greater than 0.04 or drug use for a second time within the five year period immediately following his/her first positive test, he/she will be terminated.
- A CDL employee in his/her probationary period who tests positive for any alcohol concentration (defined as 0.02 or greater) or drug use, shall be terminated.
- A CDL employee who tests positive for alcohol use greater than 0.04 or drug use, but is not terminated must be evaluated by a substance abuse professional and comply with any treatment recommendations to assist them with his/her alcohol or drug problem.
 - The payment for any recommended treatment will be strictly at the expense of the employee (or his/her health insurance program, if applicable).
 - Employees may be placed on sick leave or leave without pay status during the treatment period, whichever is appropriate.
- CDL employees who have been evaluated by a substance abuse professional, who comply with any recommended treatment, who have taken a return to duty test with a result less than 0.02, and who are then subject to unannounced follow-up tests at the employees' expense, may return to work.
- Once an employee successfully completes rehabilitation, he/she shall be returned to his/her regular duty assignment or an equivalent position. Employee assignments during treatment shall be based on each

individual's circumstances. As a condition of employment, the employee must comply with prescribed follow-up care.

Information/Training

- All current and new employees will receive written information about the testing requirements and how and where they may receive assistance for alcohol or drug misuse.
- All employees must receive a copy of this policy and sign the Confirmation of Receipt.
- All personnel responsible for supervising and managing CDL employees must attend at least two hours of training on alcohol and drug misuse symptoms and indicators used in making determinations for reasonable suspicion testing.
 - Supervisors and managers will be instructed on the detection of abuse problems and the enforcement of the testing policy. Periodic, on-going training will also occur after implementation of the policy.
- This policy will be posted on employee bulletin boards and will be available to all employees.
- Educational information will be made available periodically which will focus on the potentially dangerous effects of drug and alcohol use and abuse, the procedures associated with pre-employment drug screening and "reasonable suspicion" testing, the effects on job performance measured in loss of productivity, and the potential safety hazards presented to the individual employee, other employees and the public.
- All recruitment advertising for CDL positions will include the statement "Drug/alcohol screening is a condition of employment" at the bottom of the advertisement/posting with the EEO statement.
- All final candidates for employment will be given a copy of this policy, and be given the opportunity to read the policy in its entirety.

APPEAL OF TEST RESULTS

- A. Alcohol and drug abuse may not only threaten the safety and productivity of all employees of Trinity County, but causes serious individual health consequences to those who use them. Appendix A (Section 3-CDL Forms) outlines several personal consequences which may result after abuse of controlled substances. Any confirmed actions prohibited above, while performing a safety-sensitive function or refusing to take a breath test, will be grounds for termination. Refusal may be defined as not providing a breath sample or urine as directed, neglecting to sign appropriate control forms, using alcohol within 8 hours of an accident, or engaging in conduct that clearly obstructs the testing process.
- B. Any driver testing positive for the presence of a controlled substance will be

contacted by the County's MRO. The driver will be allowed to explain and present medical documentation to explain any permissible use of a drug. All such discussions between the driver and the MRO will be confidential. The County will not be a party to, or have access to matters discussed between the driver and the MRO. If medically supportable reasons exist to explain the positive result, the MRO will report the test result to the County as a negative.

- C. Within 72 hours after the driver has been notified of a positive test result for drugs he/she may request a retest at their expense of the split sample. This signed request will be provided to the MRO in writing, who will then initiate the new laboratory analysis. If a different result is detected by the subsequent laboratory, the test will be voided by the MRO, and the County's Alcohol and Drug Program Administrator will be notified. A retest may be initiated as appropriate.

CONFIDENTIALITY

Under no circumstance, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee.

Drivers are entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his/her alcohol or controlled substance tests. Copies will be provided within 5 days.

Collection of breath and urine samples must always be documented and sealed with a tamper-proof sealing system in the presence of the driver, to ensure that all tests can be correctly traced to the driver. Drug test analysis from the DHHS approved laboratory will be forwarded directly to the Medical Review Officer assigned by the Alcohol and Drug Program Administrator.

Alcohol test results will be forwarded by the MRO to the Alcohol and Drug Program Administrator for confidential record keeping.

CDL FORMS: See Section 3

- Drugs of Abuse/Uses and Effects – A-1
- Employee Notification Letter for Required CDL Holders – B-1
- Alcohol and/or Controlled Substance Test Notification – C-1
- Observed Behavior Reasonable Suspicion – D-1
- Reasonable Suspicion Test Form – D-2
- Alcohol and Controlled Substance Employee's Certified Receipt – E-1
- Request/Consent for Information from Previous Employer On Alcohol and Controlled Substances Testing – F-1

1D-5 WORKPLACE VIOLENCE

Trinity County is committed to providing a workplace free of violence. Trinity County will not tolerate or condone violence of any kind in the workplace. The County will also not tolerate or condone any threats of violence, direct or indirect, and this includes jokes. All threats will be taken seriously and will be investigated. Employees must refrain from any conduct or comments that might make another employee suspicious or in fear for their safety. Employees are required to report all suspicious conduct or comments to their immediate supervisor. Employees should be aware of their surroundings at all times and report any suspicious behavior from the public, former employees or current employees to their immediate supervisor or the sheriff's department. Employees may possess a firearm, with a permit, in County offices and buildings owned or used by Trinity County, with proper authorization from their Department Head/County Official Supervisor.

If employees believe that a person is violating this policy, they should immediately report to their immediate supervisor or the sheriff's department. Employees found in violation of this policy may be subject to discipline up to and including immediate termination.

1D-6 SOCIAL MEDIA

For purposes of this policy "social media" includes, but is not limited to, online forums, blogs and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and MySpace.

Trinity County recognizes the importance of social media for its employees. However, use of social media by employees may become a problem if: it interferes with the employee's work; is used to harass supervisors, co-workers, customers or vendors; creates a hostile work environment; or harms the goodwill and reputation of Trinity County among the community at large. Trinity County encourages employees to use social media within the parameters of the following guidelines and in a way that does not produce the adverse consequences mentioned above.

Where no policy or guideline exists, employees are expected to use their best judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.

- If your posts on social media mention Trinity County make clear that you are an employee of Trinity County and that the views posted are yours alone and do not represent the views of Trinity County.
- Do not mention Trinity County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Trinity County, respond respectfully with factual information, not inflammatory comments.
- Remember, you are responsible for what you write or present on social media. You can be sued by other employees, supervisors, customers or vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment.

Employees can be subject to disciplinary action, up to and including termination for what they post on social media platforms, even if the employee did not use a County computer or if the post did not occur during work hours or on County property.

- Employees may not use Trinity County computer equipment for non-work-related activities without written permission. Social media activities should not interfere with your duties at work. Trinity County monitors its computers to ensure compliance with this restriction.
- You must comply with copyright laws, and cite or reference sources accurately.
- Do not link to Trinity County's website or post Trinity County material on a social media site without written permission from your supervisor.
- All Trinity County policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment and code of conduct.
- Any confidential information that you obtained through your position at Trinity County must be kept confidential and should not be discussed in social media forums.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

It is the policy of Trinity County that supervisors do not engage in social media activities with their employees.

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