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**GUADALUPE APPRAISAL DISTRICT**  
**PERSONNEL POLICY MANUAL**

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**PERSONNEL POLICIES  
OF THE  
GUADALUPE APPRAISAL DISTRICT**

**INTRODUCTION**

The following policies are a working guide for the administration and employees of the Guadalupe Appraisal District. These policies cannot be so precise as to describe every employment situation that may occur at present or in future circumstances. Instead, it is the intent of these policies to bring about the highest possible degrees of understanding, cooperation, efficiency, and good will on a day to day basis among employees of the Guadalupe Appraisal District.

THE POLICIES CONTAINED IN THIS MANUAL ARE GENERAL POLICIES AND GUIDELINES. THE GUADALUPE APPRAISAL DISTRICT MAY UNILATERALLY MODIFY OR TOTALLY WITHDRAW THE POLICIES AND GUIDELINES CONTAINED HEREIN

## SECTION 1 – OBJECTIVES

The fundamental objective ought to be achieved by these policies are declared to be:

- 1.1 To promote good and uniform personnel practices and administration in the management of the Guadalupe Appraisal District's human resources.
- 1.2 To develop a program of advancement which will make employment with the Guadalupe Appraisal District a career and encourage each employee to render his/her best services.
- 1.3 To ensure that affirmative action shall be taken to provide equal employment opportunity at the Guadalupe Appraisal District.
- 1.4 To provide equitable compensation based upon individual merit and the relative duties and responsibilities of positions in service of the Guadalupe Appraisal District.
- 1.5 To promote high employee morale by fair administration of these policies and thorough consideration of the rights and interests of all employees.

## SECTION 2 – APPLICABILITY

The policies described within this personnel manual shall apply to all employees in the service of the Guadalupe Appraisal District. The channels of organization described within this manual shall be observed by all employees to ensure that all employees have specific duties and a purpose in the organizational structure. The described channels will also facilitate the dissemination of job assignments and communication and will ensure adequate promotion and grievance procedures.

## SECTION 3 – INITIAL EMPLOYMENT INFORMATION AND REQUIREMENTS

### 3.1 Filing of Application

Subject to anti-nepotism policies of the Appraisal District and the State of Texas, any person who is at least 18 years of age who has submitted an employment application or resume shall be considered for employment with the Guadalupe Appraisal District. Applications/resumes will be kept on file for 2 years after submission and then properly disposed of.

### 3.2 Equal Employment

The Guadalupe Appraisal Districts will not discriminate against any employee or applicant for employment because of race, sex, color, religion, national origin, age, marital status, political affiliation, physical disability, membership in employee organizations or other factors prohibited by law. The Guadalupe Appraisal District will take positive action to ensure that qualified applicants are employed as opportunities arise and that employees are treated equitably during employment.

### 3.3 Nepotism

Under no circumstances shall a person related within the second degree by affinity, or within the third degree by consanguinity to any member of the Board of Directors, the Chief Appraiser, or the Deputy Chief Appraiser be appointed to any position or any other service of the Guadalupe Appraisal District. This prohibition shall not apply to any person who has been continuously employed at least two years prior to the appointment of the Chief Appraiser. Under no circumstance will an applicant be employed in a department with or supervised by a member of his immediate family

## SECTION 4 – STAFFING

All appraisal, certain administrative and certain designated technical positions of the Guadalupe Appraisal District staff are considered to be of a professional and technical nature. These employees must register with the Board of Tax Professional Examiners and work toward the appropriate professional designation. All prospective employees and current employees must successfully complete all educational courses and seminars listed in his/her job description. Failure to complete said educational requirements within the time frame allotted shall result in reassignment or termination.

### VACANCY ANNOUNCEMENT

Vacancies with the Guadalupe Appraisal District shall be announced by appropriate means and current employment opportunities shall be publicly posted. Each announcement, as far as practicable, shall specify the title, salary, and nature of the job as well as the required qualifications and the selection procedure to be utilized. Each announcement shall affirm the Guadalupe Appraisal District's commitment to a policy of equal opportunity.

#### 4.1 Types of Positions

##### A. Regular Full-Time Employees

An employee who works forty or more hours per week and fifty-two weeks per year, including vacation.

##### B. Part-Time Employees

An employee filling an hourly wage position requiring less than forty hours per week. Part-time employees are not eligible for benefits.

##### C. Temporary Employees

Employees who are appointed for a specified period of time, with the anticipated date of termination indicated at the time of employment. Temporary employees are not eligible for benefits.

## **SECTION 5 – HIRING PROCESS**

The Chief Appraiser or the Deputy Chief Appraiser will do initial recruiting, interviewing, and screening. The Guadalupe Appraisal District reserves the right to request, at District expense, physician-administered drug testing prior to or at any time during employment with the District.

- A. The selected candidate will report to the Administrative Department on the first day for completion of necessary forms and briefing of personnel policies and procedures.
- B. A driver's license check will be made for those applicants who will be expected to operate vehicles for the District
- C. An Employee shall have the right to inspect his official personnel file under the supervision of the Administrative Department.

### **At-Will Employment**

Your employment with the Guadalupe Appraisal District is voluntarily entered into, and you are free to resign at any time, with or without reason. Similarly, the district is free at any time to terminate your employment, with or without reason or advance notice. While we hope our relationship will be long and mutually beneficial, it should be recognized that neither you nor we have entered into any contract of employment, expressed or implied. Therefore, our relationship is one of voluntary employment "at-will."

**This Manual is not a contract of employment.** None of the provisions herein alter, or are intended to alter, the "at will" status of each employee. The terms, language and/or interpretation of this Manual can be changed at any time, without notice, at the sole discretion of the District.

### **Property Tax Professionals Code of Ethics**

In addition to the abiding to the policies described in this Policy Manual, all employees of the Guadalupe Appraisal District shall also abide by the following Code of Ethics which has been issued by the Board of Tax Professionals.

- 1. I will be guided by the principle that property taxation should be fair and uniform and I will apply all laws, rules, methods and procedures in a uniform manner to all taxpayers.
- 2. I will not accept anything of value from any party other than my employer unless acceptance of something of value is totally unrelated to my performance of duties as an appraiser, assessor or collector.
- 3. I will not use information received in connection with my duties as an appraiser, assessor or collector for my own purposes or for my own gain, unless such information can be known by any ordinary means to any ordinary citizen.
- 4. I will not accept an assignment for which it is expected by any party that I will report a predetermined appraised value or that I will report other predetermined findings.
- 5. I will not speak or act in any manner or engage in any practices that is dishonest, fraudulent, deceptive or in violation of law or common morality.
- 6. I will uphold the honor and dignity of the property tax profession.



## SECTION 6 – TERMINATION

### 6.1 Separation

All employees of the Guadalupe Appraisal District are non-contract employees, are employees for an indefinite term of service, and are terminable at will, with or without cause.

Termination may be, but is not required to be, preceded by a conference with the Chief Appraiser and may be, but is not required to be, preceded by a period of time to be determined by the Chief Appraiser in which the employee will be given a written statement of areas in which improvements are mandatory and an opportunity to improve in these areas.

Termination may be immediate and without a conference or opportunity to improve performance if, in the sole judgment and discretion of the Chief Appraiser, the best interest of the Appraisal District are served by immediate termination of the employee.

No employee or representative of the Guadalupe Appraisal District may orally modify the terms of Section 6.1. All modifications of Section 6.1 must be in writing and signed by the affected employee and a duly authorized representative of the Guadalupe Appraisal District. No part of the personnel policy is intended, nor should be construed to create tenure, contract rights, or any expectation of continued employment.

### 6.2 Lay Offs

The Chief Appraiser may lay off employees when necessary. If possible, employees who are to be laid off may be integrated into another department.

- A. When employees are to be laid off, employees will be retained:
  - 1. First: On the basis demonstrated job performance.
  - 2. Second: On the length of service to Guadalupe Appraisal District.
- B. Lay offs made to meet reduced staffing levels will not be considered disciplinary action.
- C. The District will give regular full time employees who are being laid off, either two weeks notice or two weeks pay in lieu of notice.

### 6.3 Resignation

To resign in good standing, an employee must notify the Chief Appraiser in writing at least ten (10) working days prior to the effective date of termination. An employee's resignation may be accepted with an effective date any time prior to the expiration of the 10 working day notice period. The written notice shall state the date the resignation will become effective. An employee will be paid through the last day actually worked regardless of the amount of notification the employee offers.

## SECTION 7 – PROMOTIONS

It shall be the policy of the Guadalupe Appraisal District to provide promotional opportunities, whenever possible, to current District employees. The Administrative Department will maintain updated records of all employees, and all promotions will be based on merit and fitness.

## SECTION 8 – TRANSFERS

A transfer is the assignment of an employee from one position to another, which does not include a promotion. A transfer may be affected at any time upon request of the employee and at the discretion of the Chief Appraiser.

## SECTION 9 – ADMINISTRATIVE POLICIES

### 9.1 Hours of Work

Except as otherwise designated by the Chief Appraiser, working hours will be from 8:00 a.m. to 5:00 p.m., Monday through Friday, with one hour for lunch.

#### Overtime

It shall be the policy of the Guadalupe Appraisal District, and the goal of each employee, that all tasks and duties be completed within the forty hour work week. Should overtime become necessary, it shall be scheduled with the Chief Appraiser and approved in advance. Any employee who works overtime and failed to obtain pre-approval of the Chief Appraiser may be subject to disciplinary action, including termination.

#### Overtime Compensation

Properly approved overtime will be compensated by one or a combination of the following terms:

- 1.) Compensatory Time: The employee will be credited at the rate of 1.5 hours of compensatory time for each hour worked in excess of 40 hours within the work week in which the overtime was approved. Vacation, sick, holiday or other paid time off does not count toward 40 hours worked for overtime purposes. Compensatory time should be used as soon as feasible after being accumulated and all efforts should be made to use accumulated compensatory time prior to the end of the year in which it was earned. Large accumulations of compensatory time should be avoided, thus the employee can be required to use earned compensatory time within a period agreed upon by the employee and the Chief Appraiser.
- 2.) Overtime Pay: The employee will be paid at the rate of 1.5 times their hourly rate for each hour worked in excess of 40 hours within the work week in which the overtime was approved. Vacation, sick, holiday or other paid time off does not count toward 40 hours worked for overtime purposes.
- 3.) A “work week” is defined as Monday through Friday.

The Chief Appraiser, as an officer of the District, works at the discretion of the Board of Directors. Both the Chief Appraiser and the Deputy Chief Appraiser are salaried, and as such are exempt from overtime compensation.

### 9.2 Tardiness

All employees are expected to arrive at work on time. If an employee is late for work, he/she should notify a member of the Administrative Department as soon as possible. Repeated tardiness at the start of each work day or returning from lunch or office breaks may be subject an employee to disciplinary action as described in Section 12 of this manual

### 9.3 Rest Periods

Morning and afternoon rest periods (coffee breaks) of fifteen minutes are to be taken at times designated. Employees are discouraged from leaving the premises.

- 9.4 Travel  
Travel outside the District may be required of some employees for business or educational purposes. The Chief Appraiser must approve travel in advance. Failure to obtain pre-approval of travel by the Chief Appraiser may result in travel expenses not being reimbursed
- 9.5 Accepting Gifts  
Gifts shall not be accepted from individuals, groups, or organizations, since acceptance of such gifts tends to indicate a lack of impartiality. Employees, in groups or individually, may not offer gifts to their supervisors, the Chief Appraiser, or to any member of the Board of Directors of the Guadalupe Appraisal District.
- 9.6 Safety  
Employees and supervisors will report safety hazards and will practice accident prevention at all times. In spite of every precaution, some accidents may occur. If an employee is hurt on the job, he/she will report the accident immediately to a member of the Administrative Department, who will see that prompt medical attention is made available. Failure to report accidents and complete the necessary forms may delay proper medical attention and may result in loss of medical benefits. Failure to follow proper safety procedures could result in disciplinary action and possible termination.
- 9.7 Political Activity  
While District employees are urged to exercise their rights as citizens and vote for the candidate of their choice, they are urged not to actively support candidates for the Board of Directors or the Appraisal Review Board. District employees may not be required to contribute to any political fund or to render any political service to any person or party whatsoever, and no person may be removed, reduced in classification or pay, or otherwise prejudiced by refusing to do so. No employee shall knowingly perform or refuse to perform any act to deliberately thwart the execution or the achievement of the official district program.
- 9.8 Relations with the Board of Directors  
All District employees should pay particular attention to their relationship to members of the Board of Directors. Employees are urged to be respectful, courteous, and cooperative in dealing with members of the Board, and make every effort to answer any questions about the operation of the Appraisal District, which may be asked by a Board Member. Each District employee shall receive direction and instructions from the Chief Appraiser or his/her designee; never from anyone else.
- 9.9 Relations with Appraisal Review Board Members  
Employees are urged to be respectful and courteous at all times, and make every effort to provide information requested by an ARB member.
- 9.10 Use of District Property  
Each employee of the District is provided access and use of District property such as computers, internet services, telephones, desks, file cabinets and the like. Each of these assets remains property of the District and no right of privacy

exists with regard to an employee's use of such assets. All email and other documents created, printed on or stored on a District computer may be accessed at any time for any purpose by the District and the District's systems manager. The same is true for desk drawers, lockers, and file cabinets. Occasions may occur where the District desires to inventory its assets and, as such, any personal items contained within these assets may be viewed by an officer or representative of the District. Nothing of a personal nature should be sent over the District's computer system or maintained within the District's property. Again, no right of privacy exists. If an occasion arises where an employee must store personal items within District property, appropriate arrangements should be made with the employee's immediate supervisor for the storage of those items and the protection of the privacy rights with regard thereto.

9.11 Telephone Usage

A. Business Calls

Telephones in the departments and offices of the Guadalupe Appraisal District are for Appraisal District business. Long distance calls must be logged.

B. Personal Calls

As a courtesy, the Guadalupe Appraisal District grants employees the usage of business telephones on a limited basis for personal calls during business hours. Personal phone calls made on business phones during business hours should be limited in length and should only be used for non-recreational calls. The continuation of this privilege will be contingent upon the privilege not being abused. Abuse shall be considered excessive or improper usage during business hours that interferes or detracts the employee or co-workers from effectively completing their assigned duties and responsibilities. Abuse of this policy can result in the employee not being allowed telephone usage for personal phone calls during business hours.

Personal Long Distance Calls

Each employee is assigned a telephone code to be entered when making a personal long distance call. Employees will be responsible for paying (through payroll deductions) all long distance fees charged to their personal call code. Logging of personal phone calls as business calls or using another employee's telephone code is subject to disciplinary actions. All long distance charges entered as business calls but later confirmed as personal calls will be charged to the employee who made the call. Employee authorizes the deduction of such charges from pay.

C. Incoming Calls

When using the telephones, employees should identify themselves and be courteous and helpful at all times. Rudeness or inappropriate use of the telephone will reflect on the entire organization and could result in disciplinary action.

D. Usage of Mobile Phones During Business Hours

As a courtesy, the Guadalupe Appraisal District grants employees the limited usage of personal mobile phones during business hours. Mobile phones calls should be limited in length and should only be used for non-

recreational calls. The continuation of this privilege will be contingent upon the privilege not being abused. Abuse shall be considered excessive or improper usage during business hours that interferes or detracts the employee or co-workers from effectively completing their assigned duties and responsibilities. This privilege applies to any other function that a mobile phone may perform such as text messaging. Abuse of this policy can result in the employee not being allowed the usage of mobile phones during business hours.

9.12 Voluntary Organization/Association Participation

The Guadalupe Appraisal District encourages employee involvement in organizations or associations that will improve work related skills and knowledge. However, expenses associated with the voluntary participation or attendance of events (meetings, conferences, ect.) held by such organizations or associations will be paid by the participating employee. Time missed during business hours due to the voluntary participation or attendance of such events will be deducted from the employee's earned vacation time. This policy does not apply to employees who have been authorized or directed by the Chief or Deputy Chief Appraiser to participate or represent the Appraisal District within meetings, conferences or events.

9.13 Offset Policy

The District understands that from time to time an employee may need to make personal photocopies, long distance phone calls and the like or may otherwise become indebted to the District by virtue of failure to return District property, clerical errors resulting in payroll overpayments and the like. By acknowledging this manual, all employees expressly authorize the District to offset such sums against wages due to the employee in the next scheduled pay period or, in the event of separation of employment, in the employee's final paycheck.

**SECTION 10 – APPEARANCE**

Employees shall maintain a professional and business-like appearance. Clothing should not be overly-revealing or offensive to other employees or visitors.

**SECTION 11 – COMPENSATION**

11.1 Employee Compensation – Temporary and Part-Time

Temporary and part-time employees will be paid on a bi-weekly basis. These employees are not eligible for benefits listed in Section 11.3.

11.2 Employee Compensation – Full-Time

All full-time employees will be paid on a bi-weekly basis.

11.3 Benefits

1. Holidays

Guadalupe Appraisal District employees will observe the following paid holidays: New Years' Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving (2 days), Christmas (2). Full-time employees shall be entitled to paid holidays. An employee on vacation when a holiday occurs will not have that day counted against his/her vacation time.

2. Vacation

Annual vacation is provided for all full-time regular employees. Vacation time will be granted to each employee according to his/her number of years of continuous service to the Guadalupe Appraisal District as described below.

A. Vacation Time Earned

Years of Continuous Employment

Employment Date to Nine Years

Ten working days per year to be credited at the rate of 3.08 hours per pay period.

Ten to Nineteen Years

Fifteen days per year to be credited at the rate of 4.62 hours per pay period.

Twenty Years & Greater

Twenty days per year to be credited at the rate of 6.16 hours per pay period.

B. Vacation Time Accrual

Vacation time accrual begins immediately upon employment.

C. Scheduling of Vacation Time

Scheduling of vacation time shall be made in advance by submission of a written request to the administrative department. Approval of requested vacation time will be contingent upon staffing needs during the period being requested off.

D. Temporary and Part-Time Employees

These employees do not earn vacation credits or benefits.

E. Unused Vacation Time

To prevent forfeiture of earned vacation time, employees must use vacation time within the calendar year in which it was earned or within the calendar year that immediately follows the year in which the vacation time was earned. Employees will only be paid for unused vacation time if upon termination or resignation; the employee has a balance of accrued, unused vacation time.

3.

Sick Leave

Sick Leave will be granted to each employee according to his/her number of years of continuous service to the Guadalupe Appraisal District. Sick leave may be accumulated to 240 hours, but no one will receive compensation for sick leave upon termination of service with the District.

A. Sick Leave Earned

Years of Continuous Employment

Hire Date to Four Years	Eight days per year to be credited at the rate of 2.47 hours per pay period.
Five to Nine Years	Ten days per year to be credited at the rate of 3.08 hours per pay period.
Ten Years & Greater	Twelve days per year to be credited at the rate of 3.70 hours per pay period.

B. Sick leave accrual begins immediately upon employment. No compensation will be made for accrued and unused sick time.

C. Any illness of three (3) days or more will require a doctor's statement verifying the illness or reason for absence. An employee who fails to provide a required doctor's statement within 2 business days of returning to work shall not be compensated for the missed time from earned sick leave and instead will be required to use available vacation for time off. If no vacation time remains, the employee will not be paid.



D. ~~Temporary and part-time employees are not eligible to~~ accrue or take sick leave.

E. An employee who becomes ill and cannot report to work must notify the secretary or a member of the Administrative Department no later than one hour after reporting time. Failure to properly notify, without valid reason, constitutes absence without pay.

F. When an employee exceeds the amount of accrued sick leave, the employee shall then be allowed to take accrued vacation time in order to remain on the payroll.

When vacation time is totally used, the employee is then removed from the payroll. In order to remain on the payroll after utilization of all sick leave and vacation time, the employee must submit a written request to be placed on unpaid leave of absence, for a period not to exceed thirty (30) days. This request may be resubmitted for increments of time not to exceed thirty (30) days each, and may be granted only upon approval of the Chief Appraiser.

G. Abuse of sick leave shall constitute grounds for disciplinary action. Sick leave must not be used to take care of personal business, travel or any reason other than illness related. Sick leave shall only be used for the following purposes:

1. Illness of the employee.
2. Maternity leave.
3. To care for an ill member of the employee's immediate family. Immediate family shall be defined as the employee's legal spouse, child or parent (not including the legal spouse's parents).
4. To attend a doctor or dentist appointment for the employee or the employee's immediate family to include treatments for an illness and preventative care appointments such as an annual physical or dental check-ups.

H. Sick Leave Incentive

Any employee who, during one calendar year, does not use any sick leave, shall receive two (2) extra days of vacation leave the following year. Any employee who, during one calendar year, used 8 hours or less sick leave, shall receive one extra day of vacation leave the following calendar year. This policy applies only to those employees who have at least one year of service with the district.

4. Maternity Leave

All aspects of the sick leave policy shall apply to maternity leave except that arrangements must be made as to the length an expectant employee will taking. Unpaid leave of absence cannot exceed 90 days unless there are documented medical reasons. A written statement must be furnished setting forth the date on which the employee will discontinue his/her work with the District.

5. Military Leave

If you are a full-time employee and are inducted into the U.S. Armed Forces, you will be eligible to return to employment after completing military service, provided:

1. You show your orders to the Chief Appraiser as soon as you receive them.
2. You satisfactorily complete your active duty service.
3. You enter the military service directly from your employment with the Appraisal District.
4. You apply for and are available for re-employment within 90 days after discharge from active duty. If you are returning from up to six months active duty for training, you must apply within a reasonable time (usually 30 days) after discharge.

Military Reserves or National Guard Leave of Absence

Employees who serve in U.S. military organizations or state militia groups may take the necessary time off without pay to fulfill this obligation, and will retain all of their legal rights for continued employment under existing laws. These employees may apply accrued personal leave and unused earned vacation time to have the leave if they wish; however, they are not obliged to do so. You are expected to notify the Chief Appraiser as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence.

6. Civic Duty

Jury duty and trial witness duty will be paid leave so long as documentation from the presiding court is submitted to the administrative department that verifies the date(s) that jury or trial duty was served. Employees shall notify the administrative department as soon as possible after receiving their summons so that proper planning can be made for the absence(s). Employees serving on juries will retain any fees paid for their services.

7. Unpaid Leave

A. Personal Business

Additional leave without pay may be granted to employees for up to five (5) working days to take care of personal business, but must have prior approval of the Chief Appraiser.

B. Leave Without Pay

The Chief Appraiser may grant an employee a leave of absence without pay for any good reason, upon request and with consideration for the department's workload. Any leave without pay, which exceeds sixty (60) days, may be granted only with formal approval of the Board of Directors.

C. Absence Without Leave

Any employee failing to report for duty or failing to remain at work/s/scheduled without proper notification, authorization, or excuse, shall be considered absent without leave and shall not be paid for the period involved. An employee, who fails to return to duty within twenty-four (24) hours after notification to do so, shall be deemed to have resigned his/her position. Such resignation is not in good standing, and the employee may not be eligible for re-employment.

8. Coverage for Employees on Leave of Absence

A. Employees on Paid Leave of Absence

Employees on paid leave of absence will continue to participate in all benefit plans.

B. Employees on Unpaid Leave of Absence

1. Will pay his/her normal share of Group Insurance Premiums which includes Health, Dental, Long-Term Disability and Accidental Death and Dismemberment Insurance. Prior to the beginning of the unpaid leave of absence, the affected employee must meet with the administrative staff and bookkeeping department to determine which insurance policies the employee will elect to keep active during the leave, when the premiums have to be received by the employee and the method in which the employee will pay the premiums.
2. Will not be paid for holidays occurring during the leave.
3. Does not accrue sick leave during the leave.
4. Does not accrue vacation time during the leave.
5. For unpaid leave of absences of 30 days or more, the employee's continuous service date will revert to the first day that is worked after returning from leave.

9. Insurance

- A. Health and Dental Insurance Coverage Health and dental coverage is provided for all regular, full-time employees. The District will pay 100% of the health insurance premiums for employee coverage. The premium for dental coverage will be evenly split between the employee and the District. Participation in the health and dental coverage is on a voluntary basis. Health and dental coverage is also available for employee's dependents, however, 100% of the premiums for dependent coverage will be paid by the employee.

B. Life Insurance

Life Insurance coverage in the amount of \$25,000 per employee is provided for all regular, full-time employees at no cost to the employee. Additional life insurance coverage is available to the full-time employee at a cost to the employee. Life insurance coverage is also available to the employee's dependents at a cost to the employee.

A. Accidental Death and Dismemberment Employees

Employees are covered for accidental death and dismemberment according to certain provisions. The benefit is at no cost to the employee. Additional accidental death and dismemberment is available at a cost to the employee. Personal accident insurance coverage for the employee and the employee's dependents is also available on an optional basis at a cost to the employee.

D. Workman's Compensation

All employees are automatically covered under the Workman's Compensation Insurance Act. This act entitles an injured employee to be compensated for lost time due to an on-the-job injury. Sick leave is not charged to employees under this type of injury.

E. Retirement

1. All employees will participate in Social Security.
2. Effective April 1, 1990, all regular full-time employees will participate in the Texas County and District Retirement Plan at a contributory percentage as determined by the Board of Directors. The Appraisal District will contribute matching funds at the same percentage rate.

F. Disability

1. Long term disability is provided to all regular full-time employees at no cost to the employee.
2. Short term disability is available on an optional basis at a cost to the employee.

## SECTION 12 – DISCIPLINARY ACTION

### 12.1 Policy

All employees of the Guadalupe Appraisal District are expected to be mature, professional adults. The Guadalupe Appraisal District is an at will employer. The employees of the Guadalupe Appraisal District serve at the pleasure of the District, and the procedures set out herein do not constitute the granting of any property interest in employment to any employee or officer. In the event that an employee must be disciplined, fairness and proper record keeping will be the most important. Below is a listing of some, but not all, causes for disciplinary action and or dismissal:

- A. Falsification of pre-employment data
- B. Conduct unbecoming of an employee of the Guadalupe Appraisal District.
- C. Incompetence, inefficiency, or negligence in performing the duties of the position.
- D. Insubordination, refusal, or failure to carry out instructions.
- E. Lack of professionalism, excessive gossiping, or negative attitude with co-workers or public.
- F. Abuse of sick leave policy.
- G. Unexcused absence from place of work or failure to notify the Chief Appraiser of absence or abandonment of position.
- H. Excessive tardiness or absenteeism.
- I. Use of abusive language while on duty.
- J. Reporting for duty while under the influence of alcohol or narcotics.
- K. Destruction, misappropriation, theft, or conversion of Guadalupe Appraisal District property.
- L. The receipt of any gift, reward, or other form of remuneration, in addition to regular compensation from any outside source for the performance of the employee's regular duties and responsibilities when by its receipt, the position of the District and/or its employees would tend to be compromised.
- M. Misuse of confidential information.
- N. Falsification of records or use of an official position for personal advantage.

- O. Conviction of a felony.
- P. Violation of the personnel policy or the rules and regulations of the Guadalupe Appraisal District.

This list merely mentions some of the causes for disciplinary action and is not intended to include every situation where discipline may be necessary. The Chief Appraiser will make all final decisions dealing with discipline.

12.2 Category of Discipline

Depending upon the severity of the infraction, the following forms of discipline may be administered.

- A. Verbal reprimand
- B. Written reprimand
- C. Suspension with pay
- D. Suspension without pay
- E. Termination.

12.3 Transfers and Layoffs

Transfers and layoffs are not to be used for disciplinary action against any employee.

12.4 Procedures

- A. The employee shall be notified of the breach of conduct by the Chief Appraiser and notified of the type of discipline to be administered. The discipline shall become effective immediately.
- B. All disciplinary action shall be properly documented and filed. The employee being disciplined shall receive a written notice of the action taken.

12.5 Appeal

All employees have the right to appeal any disciplinary action.

### SECTION 13 – GRIEVANCE/APPEAL PROCEDURES

It is the intent of the Guadalupe Appraisal District to provide an effective and acceptable means for the employee to bring problems concerning their well being at work to the attention of management. No employee will be disciplined or discriminated against in any way because of his/her proper use of the Grievance Procedure.

- 13.1 An employee should discuss the complaint with the Chief Appraiser, promptly after the event bringing about the grievance.
- 13.2 The Chief Appraiser shall review the complaint and the employee response to the complaint, and shall make the final decision in any grievance matter. The employee shall then be notified of this decision.

An employee shall have the right to report the grievance and the determination at a scheduled meeting of the Board of Directors. The employee may make the report in executive session if permitted by the Open Meeting Act, or in a public session.

## SECTION 14 – DRUG AND ALCOHOL ABUSE POLICY

Adopted August 5, 1991

### 14.1 Purpose

The objective of this policy is to develop a drug and alcohol free work environment. In order to further this objective, the following rules regarding alcohol and illegal drugs in the work-place have been established.

### 14.2 Policy

1. Alcoholism and other drug addictions are recognized as diseases responsive to proper treatment, and this will be an option as long as the employee is an employee of the Guadalupe Appraisal District.
2. The manufacture, distribution, dispensing, possession, sale, purchase or use of a controlled substance on Guadalupe Appraisal District property is prohibited.
3. Being under the influence of alcohol or illegal drugs on District property is prohibited. The unauthorized use or possession of prescription drugs or over-the-counter drugs on District property is prohibited.
4. Employees who violate this policy are subject to appropriate disciplinary action including termination.
5. The policy applies to all employees of the District regardless of rank or position and includes temporary and part-time employees.

### 14.3 Definitions

1. District Premises: All District property including vehicles, lockers, and parking lots.
2. District Property: All District owned or leases property used by employees such as vehicles, lockers, desks, closets, ect.
3. Controlled Substance: Any substance listed in schedules I-V of Section 202 of the Controlled Substance Act (21 U.S.S. 812), as amended. Personnel and Health Service maintains copies for employee review.
4. Drug: A drug is any chemical substance that produces physical, mental, emotional or behavioral change in the user.
5. Drug Paraphernalia: Equipment, a product or material that is used or intended for use in concealing an illegal drug or for use in injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug or controlled substance.
6. Fitness of Duty: To work in a matter suitable for the job. To determine "fitness". A medical evaluation may include drug and/or alcohol testing.



7. Illegal Drug: An illegal drug is any drug, or derivative thereof, which the use, possession, sale, transfer, attempted sale or transfer, manufacture or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, used for any reason other than a legitimate medical reason and inhalants used illegally, included is marijuana or cannabis in all forms.
8. Reasonable Cause/Reasonable Suspicion: Supported by evidence strong enough to establish that a policy violation has occurred.
9. Under the Influence: A state of having blood alcohol concentration of 0.08 or more, where "alcohol concentration" has the meaning assigned to it in Article 67011-1, Revised Statutes; or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage or a controlled substance.

#### 14.4 General Policy Provisions

Any of the following actions constitutes a violation of the Policy and may subject an employee to disciplinary action including immediate termination.

1. Using, selling, purchasing, transferring, possessing, manufacturing, or storing an illegal drug or drug paraphernalia, or attempting or assisting another to do so, while in the course of employment or engaged in a District sponsored activity, on premises, in owned, leased or rented vehicles, or on business.
  2. Working or reporting to work, conducting District business or being on premises or in a District-owned, leased or rented vehicle while under the influence of an illegal drug, alcohol or in an impaired condition.

#### 14.5 Preventative Acts

1. All employees will receive copies of the Drug and Alcohol Policy.
2. Employees taking drugs prescribed by an attending physician must advise their direct supervisor in writing of the possible effects of such medication regarding their job performance and physical/mental capabilities. This written information must be kept confidential and communicated to the direct supervisor prior to the employee commencing work. All medical information will be kept confidential and the employer, without exception, will punish any breach of privacy and confidentiality in this regard. All prescription drugs must be kept in their original container.
3. Any employees involved in a work-related accident where alcohol or drugs are believed to be a contributing factor will be subject to investigation.

4. ~~When documented job impairment has been observed and identified,~~ a supervisor may recommend investigation. Any action taken by the supervisor, however, will be based on job performance.
5. The District encourages employees to seek assistance in resolving or accessing treatment for addiction to, dependence on, or problems with alcohol, drugs, or other personal problems adversely affecting their job performance. The cost of treatment, counseling or rehabilitation will be the responsibility of the employee. Time lost will be treated on the same basis as other personal business or health matters with regard to use of sick leave.

14.6 Testing

1. When the District has any reason to believe that an employee is violating any aspect of this Drug and Alcohol Abuse Policy, he or she may be asked by the District to submit immediately, at any time to a blood, urine, or other medical drug test. All employees are expected to consent to drug screening. Consent is required as a condition of employment and continued employment. Refusal to consent to drug screening will result in disciplinary action, up to and including termination, even for a first refusal. A form for screening consent is attached to the policy.
2. The laboratory by the District for drug testing has established special levels for positive readings that are sufficiently high to eliminate questionable test results based on minute or trace amounts of drugs. These results eliminate the possibility that a positive test might result from the indirect drug use (e.g. smoke filled rooms, car pools, ect). All drug test results will be held strictly confidential and only released to those with a need to know. Employees will be furnished with a copy of their test results.
3. Although not limited to these situations, drug tests may be used under the following circumstances:
  - A. pre-employment and/or pre-job, start-up examinations;
  - B. as part of a search of an employee;
  - C. when two supervisors have a reasonable suspicion that an employee is intoxicated or under the influence of drugs or alcohol. A reasonable suspicion is a belief based on objective facts sufficient to lead a supervisor to suspect that the employee is using drugs or alcohol;
  - D. when an employee or person is found in possession of suspected, unauthorized or illegal drugs and/or alcohol or when any of these items are found in an area controlled or used exclusively by designated employees;
  - E. following an accident or incident in which careless acts were performed or safety precautions violated. Employees of a work crew or groups may be subject to tests and/or searches;

- F. to periodically test all employees on a project or a group of employees randomly selected because of their job responsibilities as authorized by the Chief Appraiser.
- 4. Employees will be subject to immediate termination if the results of their drug test indicate the use of illegal drugs as that term is defined in this policy, then employee is under the influence of alcohol, or shows that the employee is in an otherwise impaired condition.

14.7 Coordination with the Law Enforcement Agencies

The sale, use, purchase, transfer or possession of an illegal drug or drug paraphernalia is a violation of the law. The District will cooperate fully in the prosecution and/or conviction of any violation of the law.

14.8 Reservation of Rights

The District reserves the rights to interpret, change, suspend, cancel and dispute, with or without notice, all or part of the Policy, or procedures or benefits discussed herein. Employees will be notified before implementation of any change. Although adherence to this Policy is considered a condition of continued employment, nothing in this Policy is considered a condition of continued employment, nothing in this Policy alters an employee's status and shall not constitute not be deemed a contract or promise of employment. Employees remain free to resign their employment at any time for any reason, and the District retains the right to terminate any employee at any time, for any reason, without notice.

14.9 Other Laws and Regulations

The provisions of this policy shall apply in addition to, and shall be subordinated to any requirements imposed by applicable federal, state or local laws, regulations or judicial decisions. Unenforceable provisions of this policy shall be deemed to be deleted.

## SECTION 15 – SEXUAL HARRASSMENT

The Guadalupe Appraisal District is firmly committed to the maintenance of a working environment free from all forms of sexual harassment of any employee or applicant for employment. Sexual harassment violates both the District Policy and Title VII of the Civil Rights Act. It is neither permitted nor condoned.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented “kidding” or “teasing”, “practical jokes”, jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another’s body. Sexual harassment has been defined by the EEOC to be any unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

- A. submission to such conduct is an explicit or implicit condition of employment;
- B. submission to or rejection of such conduct is used as the basis for employment decisions; or
- C. such conduct as the purpose or effect of:
  - 1. unreasonable interfering with an individual’s work performance, or
  - 2. creating an intimidating, hostile or offensive work environment.

Any employee or applicant for employment, who feels sexually harassed, knows of or suspects the occurrence of sexual harassment, or desires counseling on coping with potential harassment is strongly urged and encouraged to contact immediately the Chief Appraiser or the Chairman of the Board of Directors. Because of the sensitivity of sexual harassment issues, each case will be promptly and thoroughly investigated in the strictest of confidence to determine whether sexual harassment has occurred. All investigations will be designed to protect the privacy of and minimize suspicion toward all parties concerned.

Any employee found to have violated the Guadalupe Appraisal District’s policy against sexual harassment immediately will be subject to appropriate disciplinary action, including possible temporary suspension or termination depending on the severity of the offense. By enforcing this policy, the District will preserve the right to every Guadalupe Appraisal District employee and applicant for employment to enjoy a work place free of sexual harassment.

## Section 16 – FAMILY AND MEDICAL LEAVE OF ABSENCE

In general, a leave of absence is an official authorization to be absent from work without pay for a specific period of time. Eligible employees may be entitled to job-protected family or medical leaves of absence if they are unable to come to work due to pressing family or medical concerns as described under the following Family and Medical Leave Policy, which shall be administered in accordance with applicable state and federal laws. The following policy under the Act exists:

1. Employees are eligible if they have been actively employed for 12 months, and worked at least 1250 hours (an average of 25 hours a week) during those 12 months.
2. Under the circumstances set forth below, each eligible employee shall have up to a total of 12 weeks leave during any one-year period.
3. A family leave shall be granted upon the birth or adoption of a child of the employee, or upon the serious illness of the employee's child, spouse, or parent.
4. A medical leave shall be granted upon the employee's own serious illness.
5. Whenever possible, and subject to your healthcare provider's approval, absences for planned medical treatment should be scheduled so as not to unduly disrupt the District's operations.
6. In appropriate circumstances, we may require you to be examined by a designated physician designated by the District, at District expense.
7. In the event of a serious illness to the employee, his or her child, spouse, or parent, creating a need for unforeseeable family or medical leave, the employee should provide us with notice, as soon as practicable, of any needed time off, and a written doctor's certificate indicating the expected duration and nature of the illness, particularly as it relates to the employee's ability to come to work or the need for that employee's presence at home to care for a seriously ill family member.
8. Employees shall be required to give 30 days advance notice in the event of a foreseeable medical treatment. To assist us in arranging work assignments during your absence, we ask that you give us prior notice, to the extent possible, of an expected birth or adoption, as well as an indication, to the extent known, of your expected return date. To facilitate your return to work, we also ask that you provide us with two weeks advance notification of your intended return date. Failure to do so may delay your return date.
9. For purposes of this policy, children are defined as natural, adopted, or foster child, a stepchild or a legal ward. If the child is over 18 he or she must be unable to care for him or herself due to a serious illness.
10. A parent is defined as the employee's or his/her spouse's natural, adoptive, or foster parent, stepparent, or legal guardian.
11. A serious illness is defined as a disabling physical or mental illness, injury, impairment, or condition involving inpatient care in a hospital, nursing home, or hospice; or outpatient care requiring continuing treatment or supervision from a healthcare professional.
12. Leave of absence rights available to you under other sections of our policy shall be counted towards the total time off available under this policy.
13. Upon completion of a leave granted under this section, you shall be reinstated to your original position, or an equivalent one.

14. If, due to your own medical circumstances, you are no longer able to perform your original job, the District will attempt to transfer you to alternate suitable work, if available.
15. While on leave of absence provided for under this policy, the District will continue your group health insurance benefits under the same terms as provided for other employees, for up to a maximum of 12 weeks leave time during any one year period. If your leave extends beyond 12 weeks, you shall be offered the opportunity to purchase continuing coverage under state and federal COBRA continual rules.
16. Other accumulated fringe benefits such as seniority, sick pay, vacation pay, etc., shall be preserved at the level earned as of commencement of leave, but shall not accrue further during any such leave period.
17. The pay allowances while on disability leave are based on an employee's length of service, as well as the state in which he or she is employed.
18. During a period of disability, you may be eligible for disability pay benefits. Please refer to the applicable plan documents for details on eligibility, benefit amounts, and other particulars.
19. Should you require an extended leave beyond the period of time described in this policy, we will seek to return you to a suitable position, but cannot guarantee that one will be available. Nevertheless, you may be eligible for continuing disability pay benefits during this period in accordance with applicable insurance coverage.
20. Should you seek a leave of absence for reasons other than described above, we will evaluate such a request based on particular circumstances present at that time, including but not limited to your current and anticipated work responsibilities, performance, firm needs, etc. the District reserves the right to refuse such a request at its sole discretion.
21. To the extent you have unused vacation, personal or sick time, such time must be used concurrently with leave time. For example, an employee having five (5) days sick time and five (5) days vacation at the time of starting leave under this paragraph, that employee will be paid for the first two (2) weeks of such leave, with the remaining leave being unpaid. Upon return to work, the employee will have no accrued and unused sick time or vacation time.

**120 Day Consecutive Absence Policy**

Any employee absent for any reason in excess of one hundred twenty (120) consecutive days in any twelve (12) month period will be terminated.