

# **KIMBLE CENTRAL APPRAISAL DISTRICT PERSONNEL POLICY**

## ***PURPOSE AND OBJECTIVES***

The purpose of the following rules and policies is to set forth procedures, which would insure fair and equitable treatment for all employees of the KIMBLE CENTRAL APPRAISAL DISTRICT (herein called DISTRICT).

It is the intent of the Board of Directors and the Chief Appraiser that these policies aid in bringing about the highest level of performance in the staff of the District.

Because it is impossible to cover every situation that may occur, these rules are not intended to be inflexible, but may be reviewed or amended periodically, if the need arises.

## ***TERMS OF EMPLOYMENT***

Any person shall be considered for employment that has filed an application with the KIMBLE CENTRAL APPRAISAL DISTRICT.

KIMBLE CENTRAL APPRAISAL DISTRICT is an equal opportunity employer. It is the policy of the District to recruit, employ, compensate and promote employees on the basis of qualifications and merit with non-discrimination policies.

## ***CATEGORIES OF EMPLOYMENT***

All appointments will be made to one of the following categories:

Regular full time  
Regular part time  
Temporary

## ***EVALUATIONS***

Each new employee will be on an evaluation status for ninety (90) days. At the end of said ninety (90) days, the Chief Appraiser will appoint the employee to **regular** employment, extend the evaluation period or terminate the employment. Areas subject to evaluation are dependability, initiative, judgement, job related development, attitude relations with public and other employees, appearance and punctual attendance.

## **NEPOTISM**

It is the policy of the District that no persons may be considered for employment if related in the second degree of consanguinity or affinity to an employee, member of the Board of Directors, or Chief Appraiser or as applied in Section 6.05 (f) of the Texas Property Tax Code.

## **SEPARATION**

### **RESIGNATION**

An employee shall be considered terminated in good standing by submitting a written resignation within ten (10) working days prior to leaving the employment of the District. Employees employed for more than twelve (12) months will receive all wages due and an amount equivalent to earned vacation on a prorated basis. When a temporary employee who has not completed an evaluation period is terminated for any reason, they shall be entitled only to wages earned.

### **DISMISSAL**

All employees of the Kimble Central Appraisal District are **non-contract** employees, are employed 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 where improvement is mandatory and be given an opportunity to improve in those areas. Termination is up to the sole judgement and discretion of the Chief Appraiser. Termination may be immediate, or without a conference, or without an opportunity to improve performance, if the best interest of the DISTRICT is served by the immediate termination of the employee. If an employee is dismissed, severance may be paid at the discretion of the Chief Appraiser. Vacation, sick leave, personal days, and vehicle allowance will not be accumulated or paid for the term of severance.

***NO PART OF THE PERSONNEL POLICY IS INTENDED TO CREATE AND SHOULD NOT BE CONSTRUED TO CREATE TENURE, CONTRACT RIGHTS, OR AN EXPECTATION OF CONTINUED EMPLOYMENT. EMPLOYEES ARE AT THE WILL OF THE DISTRICT.***

## **COMPENSATION**

Prior to submitting a proposed budget to the Board of Directors, the Chief Appraiser shall review all salaries and include in the budget such salary adjustments deemed necessary or desirable. **Payday is on the 25<sup>th</sup> of each month.**

## ***REIMBURSEMENT EXPENSES***

Employees required to use their personal automobiles for business shall be compensated for miles driven. Request for reimbursements related to appraisal district operation, (such as mileage, lodging, meals, etc.) shall be submitted by the claimant on the District Expense Request Form. Receipts must be furnished as stated on the request form. The District reserves the right, at the discretion of the Chief Appraiser, to reimburse the employee for expenses on a per diem method. A daily log detailing actual mileage traveled in the performance of district business will be maintained by each claimant to be used in expense reimbursement.

## ***MEDICAL INSURANCE***

The district does not provide medical insurance to its employees, however, in lieu of medical insurance, the Kimble CAD Board of Directors has authorized a reimbursement of paid medical insurance as budgeted for the current year, paid monthly, for each full time employee. Proof of paid premiums must be provided to the district yearly, or after any changes in medical insurance premiums to allow for continued reimbursement. Should employees choose not to participate in the reimbursement plan, no other type of compensation will be allowed for medical insurance. Changes made in medical insurance coverage should be reported as soon as possible to the district. Termination of insurance coverage will result in a loss of this reimbursement benefit. Medical insurance includes only policies directly related to health issues and health maintenance which excludes life insurance.

## ***VACATION & LEAVE***

### **VACATION LEAVE**

Annual vacation is provided for full time employees on the basis of Ten (10) working days per year or six hours and forty minutes per month.

Vacation time will be granted with the approval of the Chief Appraiser. A request for vacation leave should be filled out and approved by the Chief Appraiser prior to taking vacation leave. An employee with longer service will be given preference in vacation scheduling. Kimble Central Appraisal District will only pay vacation time accrued when an employee leaves the employment of the District. Employees terminating with less than one (1) year will not be paid for accrued vacation.

Vacation time may not be carried over to the next year. Vacation time not used will be lost if not taken.

### **SICK LEAVE**

Full time employees of the District are allowed to accrue one (1) day per month of sick leave. Unused sick leave shall be allowed to accumulate not to exceed thirty-six (36) days.

Upon termination with the district, an employee is not entitled to be paid for accumulated sick leave benefits. If an employee exceeds the amount of sick leave accumulated, the employee shall then be allowed to take accrued vacation time in order to remain on the payroll. When sick leave and vacation leave time is totally used, the employee is then removed from the payroll and will be placed on unpaid leave of absence.

An employee who becomes ill and cannot report to work must notify the District office not more than one (1) hour after regular reporting time. Failure to make proper notification without valid reason constitutes absence without pay. Any illness that requires an absence of more than two (2) working days must be verified by a physician's statement.

Up to two days of accumulated sick leave may be used for personal reasons with prior written approval from immediate supervisor.

Sick leave will be administered as follows:

1. Doctor's office visits, sick time off as needed for employee, employee spouse if necessary and employee dependents remaining in the employee's care.
2. Employee illness, including dependents in the immediate care of the employee. (More than two days in a row will require a doctor's excuse)
3. Time off, only for transportation to and from doctor's visits for parents of the employee if medically necessary. (Note: does not include spouses or parents)
4. Sick leave for extended illnesses is allowable for employee and employee's dependents however, every effort to report to work should be made in order to avoid overloading fellow employees in instances where there are extended illnesses for dependents.

### **COMPASSION LEAVE**

An allowance of three (3) working days with pay may be extended to an employee if there is a death or serious illness in the immediate family (i.e. husband, wife, mother, father, son, or daughter and includes those persons related in the same degree by marriage). **Include up to one day funeral/compassion leave, if does not interfere/conflict with daily working of district for other family such as aunt, uncle, cousin.**

### **CIVIC DUTY**

Jury duty and trial witness duty will be paid **leave up to 3 days with payments for services to be retained by the employee. Service beyond 3 days will also be considered paid leave, however, all earnings for services over 3 days will be reimbursed to the district.**

### **LEAVE OF ABSENCE**

All employees may be eligible to be granted leave with authorization by the Chief Appraiser (i.e. extended vacation, illness, burnout, etc). **These leaves will be without pay.** The length of time of such leaves will be at the discretion of the Chief Appraiser. Benefits such as vacation and sick leave will not accrue during this leave period.

### **ABSENT WITHOUT LEAVE**

Any employee failing to report for duty or failing to remain at work as scheduled without proper notification, authorization or excuse, shall be considered absent without leave, and shall not be paid for the period involved. Such absence will also be grounds for dismissal or suspension without pay.

### ***FRINGE BENEFITS***

Full time employees are covered by **retirement, Medicare Tax and Social Security**. All employees must contribute to the district's private retirement. The employee's portion is 5% with an optional additional 5% of gross salary. The DISTRICT contributes 10% of the employee's gross salary. Vestment occurs upon employment date.

Worker's Compensation Insurance is carried on Employees.

Unemployment insurance is provided under the provisions of the Texas Workforce Commission.

### ***EDUCATIONAL OPPORTUNITIES AND REQUIREMENTS***

It is the attitude of the district that all employees should increase their knowledge of the district's operation. As workload permits, employees will be required to advance their education through state required and approved courses. The district shall bear the cost of normal expenses, registration, travel, meals, and lodging incurred by the employees attending courses.

Should an employee fail to pass any required course exams, a retake is allowed, however, all costs associated with retake are the responsibility of employee.

Level review classes will be paid in full by the appraisal district, however, should an employee fail to pass required level exam, a second review class will not be paid by district. Cost associated with retake will be absorbed by the employee and upon completion of required level advancement, the district will reimburse employee for cost of one nights lodging, mileage to and from exam site and for one days per diem for meals.

***Failure to gain required certification will result in either termination of employment or in reassignment of duties.***

### ***ADMINISTRATIVE POLICIES***

#### **HOURS OF WORK/OVERTIME**

Full time employees will work forty (40) hours per week. Office hours are typically Monday-Friday, **8:00 AM to Noon and 1:00 PM to 5:00 PM** with one (1) hour allotted for a lunch break. Occasionally, at certain times of the year, overtime may be required.

A Supreme Court decision has placed appraisal districts, as public employers, under the

minimum wage and over time requirements of the Federal Fair Labor Standards Act, (FLSA). Employees functioning in executive, administrative and professional positions are generally exempt from the minimum wage and overtime provisions. Non -exempt employees are entitled to compensation at one and one-half (1 ½) times his or her hourly rate of pay for each hour worked over forty hours in a workweek or compensatory time off at a rate of one and one-half (1 ½) times actual hours worked. A workweek is defined as a period of one hundred sixty-eight hours in seven (7) consecutive twenty-four (24) hour period. The workweek will begin at 5:00 PM on Friday. Time off for holidays and other paid leave does not count in arriving at the forty (40) hours. **Employees must have authorization for overtime.**

Exempt employees may be given compensatory time for each hour worked over forty (40) hours in the workweek. At the discretion of the Chief Appraiser, employees who are classified as exempt from the requirements of overtime compensation of the Federal Fair Labor Standards Act (FLSA) may be compensated for over time at a rate deemed appropriate by the Chief Appraiser, if funds are available, and the overtime exceeds forty (40) hours.

### **OUTSIDE EMPLOYMENT**

If an employee accepts outside employment, the employee is required to notify the Chief Appraiser of such employment in writing. An employee registered with the Board of Tax Professional Examiners (BTPE) may not appraise any property within the district for any outside source, as this employment would place the district in a compromising position concerning the integrity of appraisals. Any violation of this rule will result in immediate disciplinary action.

Employment with the district is first and foremost; any outside employment must not interfere with employee's day-to-day job performance (e.g. tardiness, drowsiness, overall poor job performance).

### **DRESS CODE**

Employees are urged to use good judgement in the manner of their appearance.

### **TELEPHONE/VISITORS**

Employees are urged to limit personal telephone calls. Any personal long distance telephone calls should be noted and the district shall be reimbursed for such calls as the district is billed.

The district is a public place and visitors will drop by from time to time. Remember that they may not realize that each employee has job duties to perform and that he or she may not be the only person to "drop" by that day, therefore, visitation should be kept at a minimum. Multiple visitors can be very disruptive in the daily office routine and should be avoided to

the best of the employee's ability.

### **POLITICAL ACTIVITY**

All district employees are encouraged to refrain from seeking nomination or election to any public office. Support of any nomination or election to any political party or candidate shall be limited to the employee's personal time and shall not in any way involve the district. Discussions of a political nature are discouraged in the district office.

### **CONDUCT AND DISCIPLINE**

All employees are expected to report to work on time, remain in the office during standard working hours and to be diligent in the performance of their duties. If it is necessary for anyone to leave the office during working hours, **they shall inform their supervisor of where they are going, when they will return and if they may be contacted during their absence.** (Let someone know when leaving the office whether for break, lunch, banking, errand, Dr. Appointment, etc). **Tardiness when reporting to work will not be acceptable**, those employees who continually arrive late for work in the morning and from lunch breaks will be disciplined. (Disciplinary action will be given as deemed necessary by the chief appraiser)

All employees shall maintain a high level of personal conduct, both on and off the job.

All employees shall exercise the utmost care in the use of the district property.

All employees shall render courteous treatment to the public at all times.

No employee shall accept any gifts or favors from any person, firm or corporation that might reasonably tend to influence them in the discharge of their official duties, or grant, in the discharge of their official duties, any improper favor, service or thing of value.

No employee shall use his official position to secure special privileges.

No employee shall grant any special consideration, treatment or advantage to any citizen, individual or group beyond that which is available to every other citizen, individual or group.

No employee shall disclose information that could adversely affect the property, government or affairs of the district, directly or indirectly, use any information gained by reason of their official position or employment, for their own personal gain or benefit or for the private interest of others.

No employee shall use district supplies, equipment or facility for any purpose other than the conduct of official district business.

No employee shall engage in any dishonest or criminal act or any other conduct prejudicial to KIMBLE CENTRAL APPRAISAL DISTRICT, or that reflects discredit upon the district.

Employees are subject to suspension or dismissal for dishonesty, drunkenness, drug use, immoral conduct, insubordination, or discourteous treatment of the public.

## **GRIEVANCE PROCEDURES**

Insofar as may be possible, it is the intent of the district to anticipate and avoid occurrence of complaint or grievances. When complaints and grievances do occur, they are to be resolved as quickly as possible, and wherever possible, at the supervisory level closest to the origin of the complaint or grievance. The complaint and grievance procedure assures an employee with a disagreement that he/she will be heard, the grievance will be discussed, and that corrective action will be taken, if necessary

Grievance means a complaint from an employee that the district has violated, misinterpreted, or inequitably applied an existing law, resolution, policy, rule or regulation as it applies to the condition of employment. A disagreement of a nonexistent law, resolution, policy, rule or regulation is not a grievance.”

If an employee has a complaint, he/she may present it to his/her immediate supervisor. No complaint or grievance can be resolved or corrected unless the employee’s supervisor or management is aware of the complaint or grievance.

Employees shall not be subject to reprisal for using the grievance procedure.

Employees have a responsibility to use good judgement in exercising their rights under the procedure.

## **SEXUAL HARASSMENT/ DISCRIMINATION POLICY**

To assure that Kimble Central Appraisal District maintains a workplace free of sexual harassment and intimidation.

Sexual harassment has been defined as “unwelcome” sexual advance requests for sexual favors or other verbal or physical conduct of a sexual nature where

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions effecting such individuals, or
- C. Such conduct has the purpose or affect of unreasonably interfering with the individual’s work performance or creating an intimidating, hostile, or offensive working environment.

The Kimble Central Appraisal District does not tolerate the harassment of any employee or non-employee by another employee or nonemployee, supervisor, manager or director for any reason. Harassment of a sexual nature is a violation of various state and federal laws, which may subject the individual harasser to liability for such unlawful conduct.

Violators of the policy will be subject to immediate disciplinary action up to and including termination.



Non-employee violators of this policy will be subject to expulsion from the Kimble Central Appraisal District office, when harassment occurs on premises. Off of KCAD premises, violators of this policy will be subject to discontinuation of service furthermore violators may be reported to the appropriate authority for civil or criminal action. Retaliation of any kind against employees who, in good faith, bring sexual harassment complaints or assist in investigating complaints is prohibited.

Exercising rights under this policy does not in any way affect an employee's right to seek relief through the Texas Commission of Human Rights, the Equal Employment Opportunity commission or in a court of proper jurisdiction for any complaint for which a remedy is provided under state or federal law. It is the policy of the Kimble Central Appraisal District to assure that the district maintains a workplace free of sexual harassment and intimidation.

An employee who becomes aware of sexual harassment or who believes that they have been the subject to such treatment should report such actions to their supervisor or to an appropriate level of management within the employee's department or directly to the Chief Appraiser. It is not necessary to file an informal complaint or formal grievance to complain of sexual harassment. All complaints will be taken seriously by the appraisal district and will be handled as confidentially as possible.

The following steps will be taken when a sexual harassment complaint is reported.

1. Complaints regarding violations will be handled by the appropriate department supervisor, the Chief Appraiser, or the Board of Directors, referred to hereafter as the district representative. Interviews will be conducted with the complainant and the alleged harasser, and written statements may be requested.
2. The District Representative will forward his or her finding to the Chief Appraiser with a recommendation regarding action to be taken. After reviewing the report, the Chief Appraiser will determine if further investigation is needed. If the Chief Appraiser is the harasser, the Board of Directors will review the findings to determine if further investigation is necessary.
3. If an investigation is not necessary, the report, all documentation, and the Chief Appraiser's recommendations will be forwarded to the Board of Directors.
4. If an investigation is deemed appropriate, the Chief Appraiser and/or the Board of Directors will assign an investigator to conduct a thorough investigation of all allegations.
5. When all information relating to the complainant's allegations have been reviewed and corroborated to the extent possible, the investigator will interview the alleged harasser. The alleged harasser will be cautioned that any attempts to retaliate against or influence the testimony of the complainant or witnesses will result in the alleged harasser's immediate termination.
6. After conducting a thorough investigation of the allegations regarding sexual harassment, the investigator will report all findings, conclusions and recommendations to the Chief Appraiser and/or the Board of Directors.

7. The Chief Appraiser and/or the Board of Directors will determine what disciplinary actions, if any, are warranted by the results of the investigation or the written report from the agency representative.

8. The employee involved (i.e. the complainant and the alleged harasser) will be notified of the Chief Appraiser and/or the Board of Directors decision.

## **DRUG AND ALCOHOL POLICY**

### **Prohibited Alcohol and Drug Use**

1. The use of unlawful drugs and abuse of alcohol is detrimental to safety, efficiency, productivity and attendance in the workplace. Such problems affect not only the employee using the substance, but can also negatively affect co-workers, the Appraisal District and the public

2. In view of the Appraisal District's desire and obligation to maintain a safe, efficient and desirable working environment, the Appraisal District will not tolerate the sale, possession, distribution, use or being under the influence of alcohol, marijuana, narcotics, or pharmaceutical drugs for which the employee does not have a valid prescription while at work at any location at any time, while driving Appraisal District vehicles or on Appraisal District business, or when operating any Appraisal District equipment

3. Employees are also prohibited from being under the influence of any legal drug (including both prescription and non-prescription drugs) while on Appraisal District property or while performing Appraisal District business, to the extent such drug impairs your ability to safely perform your job duties.

4. Whenever you use any drug prescribed by a health care provider or any over-the-counter drug that bears a warning about drowsiness, impaired reflexes or any other side effect that could affect your job performance, you must ask the prescribing health care provider or dispensing pharmacist whether such drug will adversely affect your ability to safely perform your assigned duties. If you are advised that such a possibility exists, you must advise your immediate supervisor of that fact (without disclosing the name of the drug or the reason you are taking it) before beginning your work shift. If your supervisor determines, in his or her sole discretion, that you are likely to create a safety hazard to yourself or others by performing your regularly assigned duties, your supervisor may, in his or her sole discretion, take any of the following actions: (1) temporarily assign you to other duties if such duties are appropriate and available; (2) if you have paid sick leave available, send you home on paid sick leave; or (3) if you do not have any paid sick leave available, place you on unpaid leave until such time as you are no longer using any drug that could render your performance unsafe.

5. A violation of the Appraisal District's Alcohol and Drug Policy could result in immediate disciplinary action, up to and including termination. Where unlawful activity is suspected, the Appraisal District may notify the appropriate law enforcement authorities.

## **Testing**

### **1. Pre-Employment**

Pre-employment drug testing is required for all applicants for Technician and Mechanic positions where there is a significant interest in public safety, as well as the safety of the employee and/or his or her co-workers.

### **2. Reasonable Cause**

Where there is a reasonable suspicion of drug, substance or alcohol possession or use on Appraisal District or client premises or while operating any Appraisal District vehicle, tools or equipment, or which impacts on an employee's performance or behavior or safety on the job, the Appraisal District reserves the right to require the employee to undergo testing for drug, substance or alcohol use and to consent to have the results of the examination and test results released to the Appraisal District. Failure to pass or refusal to comply with such testing will subject the employee to disciplinary action up to and including termination of employment.

### **3. Confidentiality**

Test results will be kept confidential in the sense that the Appraisal District will only release the information to those employees of the Appraisal District who are believed by the Appraisal District to have a legitimate business need to access such information.

### **4. Positive Test Results**

Where an employee tests positive on a drug or alcohol test, the employee may, at the Appraisal District's sole discretion, either be terminated or be required to undergo drug or alcohol rehabilitation or medical treatment as a condition of continued employment. The Appraisal District will reasonably accommodate any employee who voluntarily requests to undergo rehabilitation or medical treatment, provided that the reasonable accommodation does not impose an undue hardship on the Appraisal District.

### **5. Follow-Up on Positive Test**

An employee who has tested positive or has admitted alcohol and/or drug abuse and has not been terminated will be required to demonstrate that he or she has become alcohol-free and/or drug-free before being allowed to return to work. Random testing of such an employee will be a condition for continued employment. A subsequent positive test result will subject the employee to immediate disciplinary action, up to and including termination.

THE STATE OF TEXAS  
KIMBLE COUNTY

The Board of Directors of Kimble Central Appraisal District met on this the 12th Day of February 2008 with a quorum present. After review of the foregoing Personnel Policy, a motion was made to accept this as the policy of the KIMBLE CENTRAL APPRAISAL

DISTRICT.

Anne Rose, Chair

Mitch Davis, Secretary

Received and understood by \_\_\_\_\_ this the  
Employee Signature  
\_\_\_\_\_ Day of \_\_\_\_\_ 2008