

OCHILTREE COUNTY PERSONNEL HANDBOOK

Adopted by the
Ochiltree County Commissioners Court

on
June 26, 2023

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Ochiltree County Employee Welcome Letter

Welcome to Ochiltree County!

We are excited to have you as an employee of Ochiltree County. You were hired because the elected official, appointed official or department head believes you can contribute to the success of Ochiltree County, and share our commitment to serving the public and our constituents with excellence.

Ochiltree County is committed to providing excellent service to the public in all of our county offices. As part of the team, we hope you will discover that the pursuit of excellence is a rewarding aspect of your career here.

This employee handbook contains some key policies, benefits, and expectations of Ochiltree County, and other information you will need. Each elected or appointed official may have detailed policy and procedures for their office.

Your job is essential to fulfilling our mission of serving our county constituents every day and to meet or exceed their expectations. We achieve this through dedicated hard work and commitment from every Ochiltree County employee. You should use this handbook as a ready reference as you pursue your career with Ochiltree County. Please consult with your elected official, appointed official or department head regarding questions you may have concerning this employee handbook.

Welcome aboard!

Sincerely,

Charles Kelly, County Judge

Duane Pshigoda, Commissioner Pct. 1

Joe Johnson, Commissioner Pct. 2

JW Dewitt, Commissioner Pct. 3

Kevin Walker, Commissioner Pct. 4

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I have received a copy of the Ochiltree County Employee Handbook that outlines my benefits and obligations as a County employee. I understand that I am responsible for reading and familiarizing myself with the information in this handbook and understand that it contains general personnel policies of the County. If I need clarification on any of the information in this handbook, I will contact my immediate supervisor.

I further understand that the Ochiltree County Employee Handbook is not a contract of employment. I understand that I am an at-will employee and that either the County or I may terminate my employment at any time, with or without cause, and with or without notice. In addition, I understand that my first six months of employment at Ochiltree County is probationary.

I understand that this employee handbook is intended to provide guidance in understanding Ochiltree County's policies, practices, and benefits. I understand that Ochiltree County retains the right to change this handbook at any time, and to modify or cancel any of its employee benefits when the need for change is recognized.

I understand as a County employee, I shall have no expectation of privacy when using county computers, networks, or other county owned equipment. Improper use may result in discipline up to and including termination.

I further understand that as an Ochiltree County employee, I am expected to provide quality service to the public; to work towards the highest degree of safety possible for my fellow workers', to continually make suggestions for improvements, and to display a spirit of teamwork and cooperation.

I understand that I will be granted compensatory time off in lieu of payment of overtime to the extent provided by law and I may be required to take earned compensatory time off at the County's discretion.

I understand that I may be subject to reasonable suspicion or post-accident drug and alcohol testing. If I am required to have a Commercial Driver's License (CDL) for my county position, I will be subject to random, reasonable suspicion, post-accident and follow-up drug and alcohol testing.

I have read these policies and understand these policies and I agree to abide by and adhere to these policies.

_____

Printed Name of Employee

_____ _____

Signature of Employee Date Signed

AT WILL EMPLOYMENT

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

Ochiltree 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.

Ochiltree 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 Ochiltree County shall have the right to leave their employment with the County at any time, with or without notice.

COUNTY OF OCHILTREE
COMMISSIONERS COURT ORDER

WHEREAS the Ochiltree County Commissioners Court desires to provide the employees of Ochiltree County with a uniform format for dealing with various employment related issues; and

WHEREAS the Ochiltree County Commissioners Court wish to adequately communicate to employees the policies and procedures of the County:

THEREFORE, BE IT RESOLVED that the Ochiltree County Commissioners Court and hereby approve, and adopt, the OCHILTREE COUNTY EMPLOYEE HANDBOOK.

ADOPTED THIS 26th DAY OF JUNE, 2023

Charles Kelly, County Judge

Duane Pshigoda, Commissioner Pct. 1

Joe Johnson, Commissioner Pct. 2

JW Dewitt, Commissioner Pct. 3

Kevin Walker, Commissioner Pct. 4

Witnessed and Attested By:

County Clerk

GENERAL POLICIES

OBJECTIVES

These personnel policies for Ochiltree County have been developed to provide a better understanding of the relationship between Ochiltree County and its employees. This is done by:

A. Defining the rights and privileges enjoyed by county employees;
B. Stating the rules and regulations that apply to county employees;
C. Outlining the expectations the county has of its employees;

Each of these policies and parts of policies are intended to stand independently. Therefore, if any policy or part of a policy becomes invalid because of federal or state law or other authority, it shall not affect the validity or application of other policies or parts of policies.

From time to time, it may be necessary to make changes in these policies as a result of changes in Ochiltree County or its programs. **The county has the right to modify this policy manual at any time, with or without notice.**

You should be aware that your employment and compensation may be terminated with or without cause, and with or without notice at any time at the option of Ochiltree County. The terms and conditions of your employment may be changed with or without cause, and with or without notice, at any time.

No policy described in this policy manual is to be interpreted as constituting the terms of employment contract. The policy manual is not a contract. It is intended to provide information.

The purpose of these policies is to serve the needs of both the employees and Ochiltree County to the mutual benefit of both. Any employee who has a question concerning any of Ochiltree County's personnel policies is encouraged to discuss it with his or her supervisor.

Whether you are a new employee or an experienced employee, the policy manual will serve you as a reference to public service in Ochiltree County, with facts about your many employee benefits. You should keep the manual handy for permanent reference.

As a county employee, you have a responsibility to the citizens of Ochiltree County. How well you do your work and how you conduct yourself on the job are both subject to public approval. Often, your contact with citizens will be the only basis on which the county government is judged. Therefore, you owe it to both the county and yourself to serve the public to the best of your ability. The county has proven to be a good place to work, but it is up to each individual employee to maintain his position as a result of good performance, proper attitude, and responsible action for the tax dollar.

CODE OF ETHICS

As an Ochiltree County employee:

- I will maintain the highest standards of professional conduct on the job and will refrain from those actions which could bring county government into disrespect or be grounds for dismissal.
- I will be receptive to and accept training and educational opportunities to improve myself, and not wait until it is required.
- I will represent county government in a professional manner, even during my off-duty hours.
- I will be an advocate for good county government in all situations where I have the opportunity.
- I will accept responsibility and be accountable for all my actions as they affect the operation of county government.
- I will not accept gifts from vendors, contractors, or other people doing business with the county, with the exception of caps, pencils, or other small items that are designed specifically for advertising purposes.
- I will work to create an atmosphere that will convey to county residents' pride in my work and responsibility for my actions.

EMPLOYEE HIRING PRACTICES AND CLASSIFICATIONS

The following "employment" classifications are created:

Elected Officials: Anyone who has been elected solely by the voters of Ochiltree County and qualified to hold a county-wide or precinct office of Ochiltree County or who has been appointed and qualified to fill the unexpired term of an elected official.

Full-time Employee: Anyone who has been employed by an elected official or a department head to fill a salaried position approved by the commissioners court, has completed all necessary information to be established on the payroll and is regularly scheduled to work a minimum of thirty (30) hours per week. 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.

Part-time Employee: Anyone who has been employed by an elected official or a department head who has a normal work schedule of less than thirty (30) hours per week or is paid on an hourly basis and has satisfactorily performed their job assignments during the six-month term of probationary employment. 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 Employee: 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 Full Time: A temporary short-term full-time employee shall be any employee who is expected to work for thirty (30) or more hours each week in a position that is expected to last for a specific period of time or until a specific program is completed, but no longer than 12 months. If this project goes beyond 12 months, the employee will move into a regular full-time status. Temporary short-term full-time employees are not eligible for retirement benefits under TCDRS. Temporary full-time employees will be eligible under the Affordable Care Act for county health benefits. Other county policies will dictate eligibility for other benefits.

Shared Employee: Anyone who has fulfilled the requirements as a full-time employee (defined above) but whose work assignment includes work in more than one county.

***All employment with Ochiltree County within the first six months of employment is considered probationary.**

Nothing herein contained shall be construed to vest "employee status" in individuals who receive salary supplements, automobile allowances, insurance benefits or other perquisites from Ochiltree County when such salary supplements, automobile allowances, insurance benefits or other perquisites are paid to an individual because of their employment with the State of Texas or its political subdivisions, excluding counties, or individuals, organizations or agencies which render services to Ochiltree County or its residents or the individual's self-employed status.

While Commissioners Court approval is not required before an elected official or department head may fill a budgeted position caused by an employee separation from the county, in most cases Commissioners Court approval of the prospective employee's "official bond" is required before they can assume the duties of office. Additionally, because the Commissioners Court may elect not to approve a salary line item for a particular position in the future fiscal years, notice of an intent to fill a vacant position should be given to the Commissioners Court in an open meeting of the Commissioners Court and Commissioners Court approval of the "official bond" of the proposed employee must be obtained before filling any vacant position.

EQUAL EMPLOYMENT OPPORTUNITY

Ochiltree County is an equal opportunity employer. The county will not discriminate on the basis of race, color, religion, national origin, sex, including lesbian, gay, bi-sexual or transgender status, 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 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.

Determination of reasonable accommodation shall be made after consultation with the prospective employee, supervisor, and/or organizations with special experience and/or knowledge appropriate to properly assess the impact of a handicap on the prospective employee's ability to perform the job

assignment.

AMERICANS WITH DISABILITIES ACT AMENDMENTS ACT

It is the policy of Ochiltree County to prohibit any harassment of, or discriminatory treatment of employees on the basis of a disability or because an employee has requested 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 Ochiltree 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. Reasonable accommodation shall be determined through an interactive process of consultation.

CONFLICT OF INTEREST

An employee of Ochiltree County shall not engage in any employment, relationship, or activity which would affect the employee's job efficiency, or which would reduce the employee's ability to make objective decisions in regard to the employee's work and responsibility as an Ochiltree County employee.

Activities, which constitute a conflict of interest under this policy, 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 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 the employee's independence or judgment in the performance of duties for the county;
4. Making any personal investment that might reasonably be expected to create substantial conflict between the employee's private interest and duties for the county;
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.

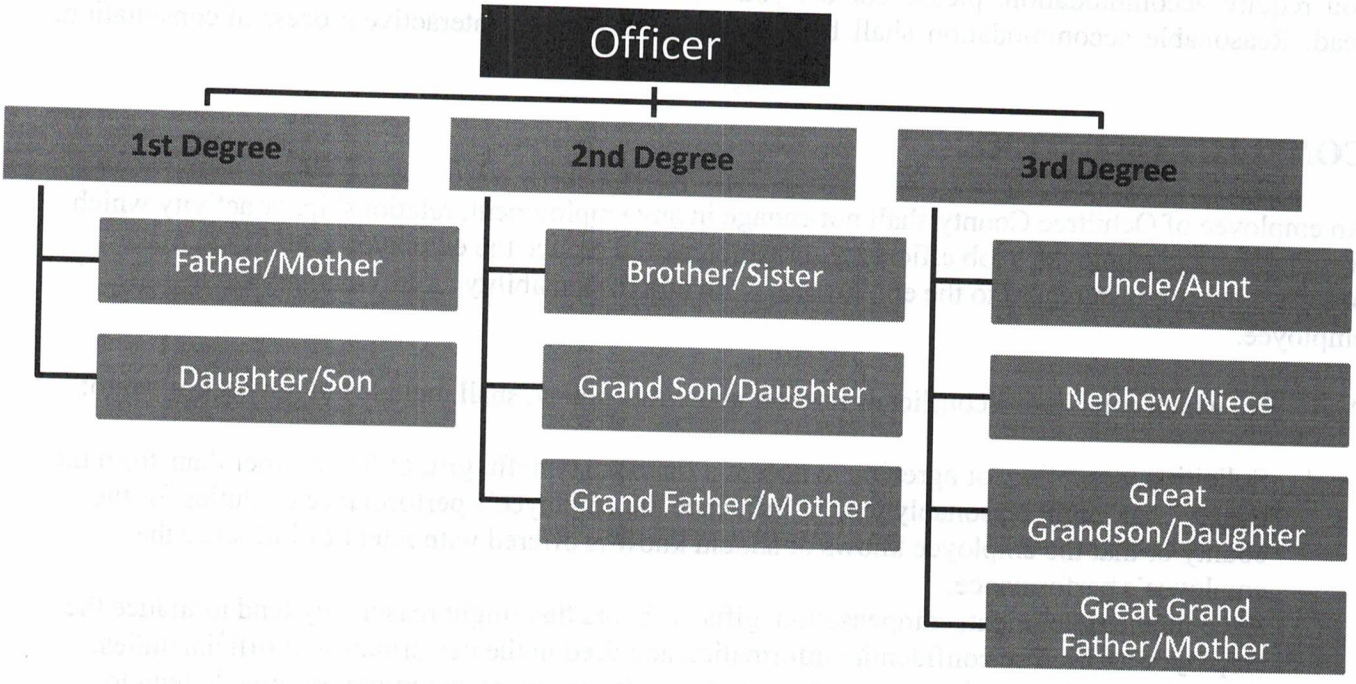
NEPOTISM

Texas Government Code Chapter 573, a Public Official of Ochiltree 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 they supervise or exercise control over.

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

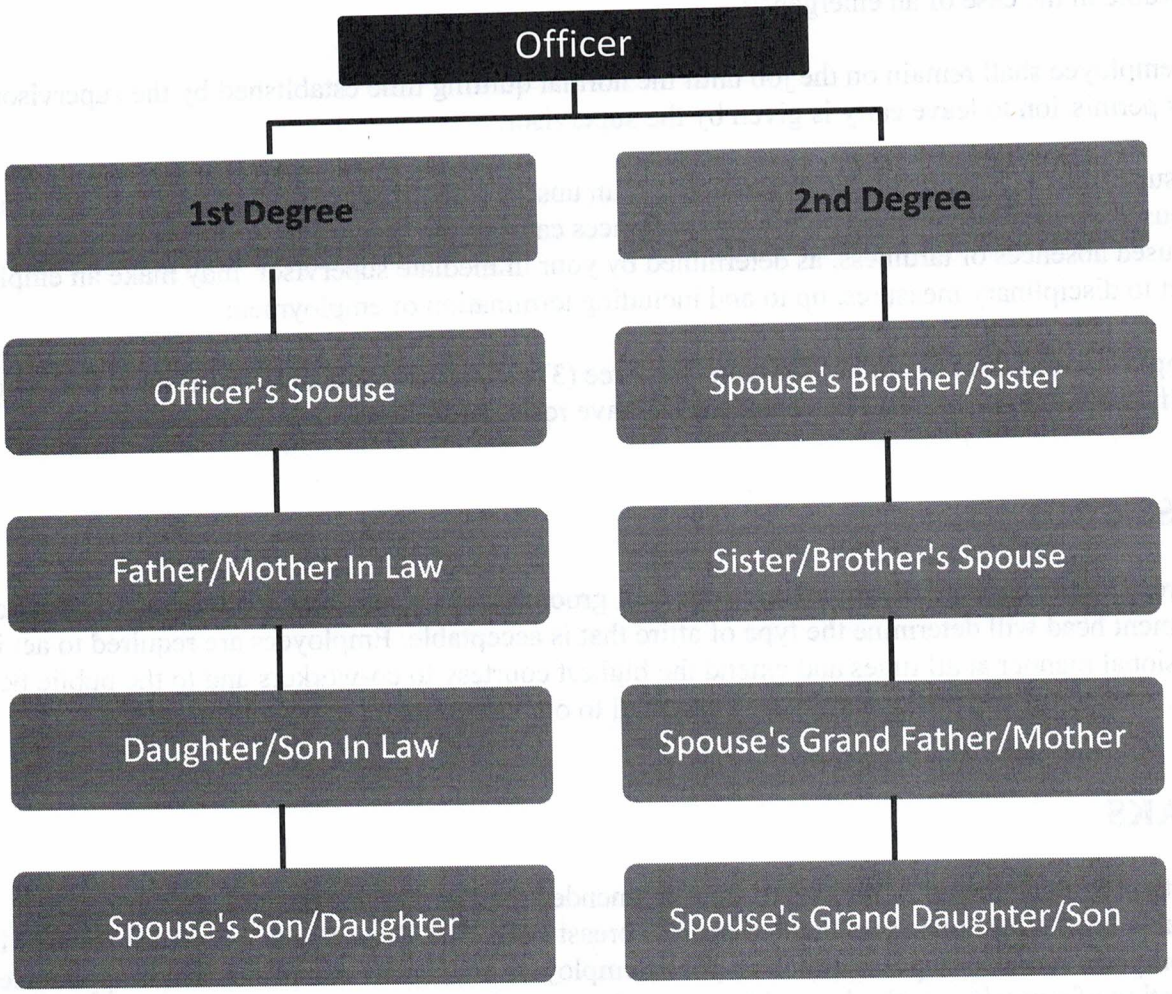
CONSANGUINITY KINSHIP CHART

(Relationship by Blood)



AFFINITY KINSHIP CHART

(Relationship by Marriage)



ATTENDANCE

As an Ochiltree 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 at least two hour(s) prior to the scheduled start of their shift or 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 workdays, and who fails to notify their supervisor, shall be considered to have resigned their position by abandonment.

DRESS CODE

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

BREAKS

The Patient Protection and Affordable Care Act amended the Fair Labor Standards Act to require reasonable breaks for nursing mothers to express breast milk. The Texas Right to Express Breast Milk in the Workplace Act also imposes duties on public employers and, under other state law, is applicable for the duration of a nursing mother's need to express breast milk. Ochiltree County supports the practice of expressing breast milk. Ochiltree County will provide reasonable breaks for a nursing mother to express breast milk. The nursing mother will be allowed whatever time is needed to express breast milk.

The County will provide the nursing mother with 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.

Ochiltree County does not allow any retaliation against a nursing mother for asking for this break. Nursing mothers are entitled to this break for the duration of the time they are expressing breast milk. Reasonable accommodation will be provided for the needs of employees who express breast milk. An employee of the county who needs 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 a nursing mother; however, if paid breaks are provided for employees, a nursing mother must be given the same amount of paid break time.

OUTSIDE EMPLOYMENT AND ACTIVITIES

Ochiltree County employees are expected to give their full and undivided attention to their job duties. 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 Ochiltree County that interferes with the employee's assigned duties with Ochiltree County.

An employee accepting other employment while still employed by Ochiltree County shall notify his/her supervisor before beginning such work in instances where the work may be occasional or casual.

POLITICAL ACTIVITY

Employees of Ochiltree 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.

LICENSE AND CERTIFICATIONS

Ochiltree 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.

WEATHER CLOSINGS AND EMERGENCIES

As a general practice, Ochiltree 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.

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 continuously operating public safety and service departments. Many county personnel will be required to work during emergency closings. Each official or 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.

CELL PHONE USAGE

Ochiltree 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. Employees who use their cell phones for personal use will be required to reimburse the county for the unauthorized use. The employee may also lose the privilege of having a county cell phone. Ochiltree County follows all rules and regulations set forth by the IRS regarding use and taxation of county cell phones.

Ochiltree 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.

Ochiltree 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 and including the loss of CDL.

Employees in possession of an Ochiltree 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.

COMPUTER AND INTERNET USAGE

The use of Ochiltree County information systems, including computers, fax machines, smart phones, tablet computers and all forms of Internet/Intranet access, is for Ochiltree 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 Ochiltree County computers, networks, and Internet access is a privilege granted by officials or department heads and may be revoked at any time for inappropriate conduct carried out on such systems. County employees shall have no expectation of privacy when using county computers, networks, or other county owned equipment. Improper use may result in discipline up to and including termination.

Ochiltree County owns the rights to all data and files in any computer, network, or other information system used in the county. Ochiltree 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. Ochiltree 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, download any illegal or unauthorized downloads. Ochiltree 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.

Employees should not bring personal computers to the workplace or connect them to Ochiltree County electronic systems, unless expressly permitted to do so by their supervisor and or IT department. Violation of this policy may result in disciplinary action, up to and including termination of employment.

SMOKING AND USE OF TOBACCO PRODUCTS

The Ochiltree County Courthouse and other county owned buildings are designated Smoke-Free.

Employees who use tobacco and vaping products may take their normally allowed break to use the designated smoking area.

Employees who use tobacco and vaping products must dispose of tobacco refuse in proper receptacles.

COUNTY PROPERTY USAGE

Each county employee shall be responsible for the care, maintenance, proper use, and upkeep of any County equipment assigned to them. 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 employees to criminal prosecution. If it is found that used or assigned tools, equipment, or vehicles are intentionally or irresponsibly lost, damaged, or destroyed, the employee will be liable for replacing the lost, damaged or destroyed tools, equipment, or vehicles at the employee's personal expense.

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.

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. These personal miles will be subject to payroll taxes at the current IRS rate in accordance with IRS rules and regulations.

Employees who operate vehicles must maintain a current active license for the operation of that vehicle. If they have any change in the 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.

Ochiltree County will check county employees that are operating a county vehicle driver's record annually. Suspension or revocation of the driver's license of an employee who is required to operate a vehicle as a normal part of his/her job may result in a job change, demotion, or termination due to the specific issue.

Any employee involved in an accident while operating County equipment or vehicles shall immediately report the accident to their supervisor and to the proper law enforcement or other authority immediately. A copy of all accident and incident reports prepared by the employee shall be sent to the supervisor and the County Judge.

CONFIDENTIALITY

Ochiltree 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 Ochiltree 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.

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.

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 their job.

Ochiltree 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.

WHISTLEBLOWER

An employee may, in good faith, report an alleged violation of an Ochiltree County Policy or federal or state law to their supervisor or department head 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 county judge or county attorney. 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 they are being subjected to retaliation based on a report of alleged wrongdoing under this policy should immediately contact Human Resources.

An employee with a question regarding this policy should contact Human Resources.

HARASSMENT

Ochiltree County is committed to a workplace free of harassment. Harassment includes unlawful, unwelcome words, acts or displays based on sex, including lesbian, gay, bi-sexual, or transgender status, sexual orientation or gender identity, 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 Ochiltree 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 official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the official or department head may not be the best course of action, the report should be made to the County Judge or to the County Attorney.

Every reported complaint will be investigated promptly and thoroughly. While all claims of harassment shall be handled with discretion, there can be no complete assurance of full confidentiality. 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 official, appointed official, or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the official or department head may not be the best course of action, the report should be made to the County Judge 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.

SEXUAL HARASSMENT

Sexual harassment is strictly prohibited by Ochiltree County, whether committed by an elected official, an appointed official, a department head, a co-worker or a non-employee the county does business with. It is the policy of Ochiltree 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 official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the harassment to the official or department head may not be the best course of action, the report should be made to the County Judge 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, Appointed Official, or Department Head who is responsible for your department or to the County Judge or the County Attorney.
d) If a thorough investigation reveals that unlawful sexual harassment has occurred, Ochiltree 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 official, appointed official or department head who is responsible for the department in which they work. If, for any reason, the employee feels that reporting the retaliation to the official or department head may not be the best course of action, the report should be made to the County Judge 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.

PERSONNEL FILES

The Ochiltree County Treasurer's department will retain basic employee information in an individual personnel file. This file will include all pertinent employment documents such as resume, application, W4s, I9s, insurance enrollment forms, as well as records concerning performance, discipline and compensation.

It is important that the personnel records of Ochiltree County be accurate at all times. In order to avoid issues, compromising your benefit eligibility or having W2's returned, Ochiltree 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 their home addresses, home telephone numbers, social security numbers, emergency contact information, and information that reveals whether the employee has family members confidential. Employees 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 their first day of employment.

FAIR LABOR STANDARDS ACT SAFE HARBOR

Ochiltree County makes every effort to pay its employees correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the Treasurer's attention, Ochiltree County will promptly make any corrections necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any questions, please use the reporting procedure outlined below. If you are overpaid the county will make the necessary corrections at the next payroll.

Employees who are classified as non-exempt employees must maintain an accurate record of the total hours you work each day. It is the responsibility of each employee to verify that their time sheets are correct. Your timecard must accurately reflect all regular and overtime hours worked; any absences, late arrivals, early departures, and meal breaks. Do not sign your timecard if it is not accurate. When you receive each paycheck, please verify immediately that you were paid correctly for all regular and overtime hours worked each work week.

Non-exempt employees, unless authorized by your supervisor, should not work any hours that are not authorized. Do not start work early, finish work late, work during a meal break, or perform any other extra or overtime work unless you are authorized to do so. That time worked is to be recorded on your timecard. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your timecard. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including termination. If anyone directs you to work without documenting your time worked, you must tell Human Resources.

It is a violation of Ochiltree County policy for any employee to falsify a timecard, or to alter another employee's timecard. It is also a serious violation of County policy for any employee, supervisor or official to instruct another employee to incorrectly or falsely report hours worked, or to alter another employee's timecard to under- or over-report hours worked. If anyone instructs you to (1) incorrectly or falsely under- or over-report your hours worked, or (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, you should report it immediately to the Ochiltree County Treasurer at 806-435-8046.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours worked for the County. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, the salary will be a pre-determined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

For exempt employees, your salary may also be reduced for certain types of deductions such as your portion of health, dental or life premiums; state, federal or local taxes, social security, retirement; or voluntary contributions to a deferred compensation plan. In any workweek in which you performed any work, your wages may be reduced for any of the following reasons: 1) absence from work for one or more full days for personal reasons, other than sickness or disability; or 2) full day disciplinary suspensions for infractions of our written policies and procedures; or 3) full day for violating safety rules of a major significance; or 4) Family and Medical Leave or Military Leave absences; or 5) to offset amounts received as payment for jury and witness fees or military pay; or 6) the first or last week of employment in the event you work less than a full week.

If you are an exempt employee, in any workweek in which you performed any work, your salary will not be reduced for any of the following reasons: 1) partial day absences for personal reasons, sickness or

disability; or 2) your absence because the facility is closed on a scheduled work day; or 3) your absence because of the County's operating requirements; or 4) absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work; or 5) any other deductions prohibited by state or federal law.

Please note it is not an improper deduction to reduce an employee's accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness or disability.

If you have questions about deductions from your pay, please immediately contact your supervisor. If you believe you have been subject to any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to the County Treasurer at 806-435-8046. If you are unsure of who to contact or if you have not received a satisfactory response within five business days after reporting the incident, please immediately contact the County Attorney. Every report will be fully investigated, and corrective action will be taken where appropriate, up to and including discharge for any employee(s) who violates this policy. In addition, the County will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the County's investigation of such reports. Retaliation is unacceptable, and any form of retaliation in violation of this policy may result in disciplinary action, up to and including termination.

INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS

Ochiltree County will comply with the IRS with regard to fringe benefits such as county uniforms, county vehicle usage and day-trip meals. Employees may be responsible for paying payroll taxes on such fringe benefits.

LONGEVITY PAY

All Elected Officials, all Full-time employees, Shared employees, and all individuals who receive a salary supplement from Ochiltree County shall receive longevity pay at the rate of $5.00 per month for each year of continuous employment. Longevity terminates when employment is terminated.

Longevity pay is added to wages in October of each year.

COMPENSATION

Ochiltree County Commissioners Court annually sets the maximum compensation for each employee in accordance with Texas State Law.

Ochiltree County complies with the Fair Labor Standards Acts as outlined in the Fair Labor Standards Safe Harbor policy.

Law Enforcement personnel are treated in accordance with the 207(k) exemption under the Fair Labor Standards Act. The Commissioners Court has adopted this exemption.

All non-exempt County employees shall be paid an hourly wage.

Temporary employees shall be paid hourly at least the minimum wage established by the Fair Labor Standards Act, as amended.

In the event of a major disaster where the County Judge has issued a disaster declaration and it has been extended by the Commissioners Court, in order for the County to be reimbursed by FEMA, all salaried employees will be calculated in the same manner as hourly employees for the duration of the disaster incident and the disaster declaration is rescinded or allowed to expire.

PAYROLL DEDUCTIONS

Deductions shall be made from each employee's paycheck for federal withholding, social security, Medicare, and any other deductions required by law.

Employees eligible for membership in the Texas County and District Retirement System shall have their contributions to that system deducted from each paycheck. Any optional deductions authorized by the Commissioners Court and approved by the employee shall also be made from the employee's paycheck.

No optional deductions shall be made from an employee's paycheck unless the employee turns in written authorization for the deduction to the Treasurer's Office.

TIMESHEETS

Each employee must fill out a time sheet to be turned in to their supervisor on the last day of each pay period. Failure to complete a timesheet may result in an employee only receiving minimum wage payment until the proper time sheet has been completed and turned into the payroll department. All corrections will be made on the next regularly scheduled payroll. The time sheet prepared by the employee shall show an accurate record of all time worked and leave taken, whether paid or unpaid, for the pay period. Time sheets are governmental documents and as such require accurate and truthful information. Falsifying a time sheet, a governmental record is a criminal offense. Employees shall only use appropriate available leave to account for their regular weekly work schedule.

PAY PERIOD

The pay periods of Ochiltree County shall be from the 9th-24th day of the month and from the 25th through the 8th day of the month.

Direct deposit payroll checks shall be deposited into the employee's account on the 15th and the last day of the month. If either of these days fall on a weekend or holiday, the deposit will be made the day preceding the weekend or holiday.

Part-time employees (hourly) will be paid only for those hours which have been certified and turned in to the County Treasurer on timesheets provided by the County Treasurer.

The Texas Payday Law does not apply to political subdivisions of Texas (Counties), therefore final wages will be issued on the regularly scheduled payday.

MINIMUM WAGE, OVERTIME PAY AND COMPENSATORY TIME

FLSA compliance: In administering its wage and salary program, the minimum standards of Ochiltree County shall be the basic standards set forth in the Fair Labor Standards Act (FLSA) and its amendments as it applies to Ochiltree County.

Applicability: This policy shall apply to all employees of Ochiltree County who are not specifically exempt from the provisions of the FLSA.

Overtime: In calculating "hours worked" for purpose of overtime computation, hours worked shall include only hours spent in the service of Ochiltree County (as defined in the FLSA) and in addition thereto shall include all paid leave, not including comp time during such period. Overtime shall be all hours physically worked in excess of FLSA requirements. A forty (40) hour workweek is expected of all employees, except those exempted by the 207K (Law Enforcement) provision of the FLSA. All overtime worked must be authorized by the supervisor.

Overtime compensation: A non-exempt employee who works overtime during a workweek shall:

1. Be given compensatory time at a rate of one and one-half (1½) hours compensatory time for each hour worked over forty (40) during the workweek, EXCEPT employees of the Ochiltree County Sheriff's Department. The minimum wage compensatory time accrual for any employee shall be the maximum of 240 hours, as allowed under the provisions of the FLSA, not including Sheriff's office employees.
2. Paid leave shall not be counted in determining if overtime has been worked in any workweek. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.
3. Use of compensatory time shall be made, when possible, given the needs of the County, within the fiscal year in which it was accrued. Use of compensatory time shall be subject to approval by the department head or elected official and shall be scheduled five (5) working days in advance unless prior approval of the department head or elected official is obtained.
4. When an employee has reached the maximum compensatory time accrual, he/she shall be compensated in wages at a rate of one and one-half (1½) times his/her regular rate for any additional overtime hours worked.
5. Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works. Compensatory time may be used for any purpose desired by the employee with approval from the supervisor. Ochiltree County shall have the right to require employees to use earned compensatory time at the convenience of the county.
6. Ochiltree County shall retain the right to "buy back" all or part of an employee's unused compensatory time by paying the employee for that time at the employee's current regular rate. Ochiltree County shall retain the right to pay all, or part of the overtime worked in any workweek by paying for that overtime at one and one-half (1 ½) the employee's regular rate of pay.
7. If an individual's employment terminates before all of his/her earned compensatory time is used, he/she will be paid for unused time at his/her regular rate on his/her final paycheck.

Record Keeping: Each employee shall be responsible for recording any compensatory time taken within a pay period on the time sheet for that pay period.

Employees may check their current compensatory time balance at the Treasurer's Office at any time during normal working hours.

Compensatory Time Use

Compensatory time shall be used first prior to any other leave time unless the employee has exceeded the maximum amounts on their vacation accruals. In that event, the vacation time will be used first to take the vacation time back to the under maximum amount. The difference will then be charged to comp time first. Once accrued comp time is exhausted, absences should be charged to vacation or sick leave, as appropriate.

LAW ENFORCEMENT PAY AND OVERTIME

Ochiltree County Commissioners Court has adopted the 207(k) exemption under the Fair Labor Standards Act for law enforcement employees, which includes deputies and jailers. These employees have a work period of 28 days and overtime will be calculated after 171 hours worked. Premium pay will be given at a rate of one and one-half (1½) hours for hours worked between 160-171 hours. Law Enforcement salaries cover up to 171 hours in the 28-day work period.

HOURS OF WORK, WORKDAY AND WORKWEEK

Hours of work: Hours of work vary for different departments. Salaries are set based on a forty (40) hour workweek.

The normal hours of work for the Ochiltree County Courthouse and the Exposition Center shall be from 8:00 a.m. through 5:00 p.m. with a one-hour lunch break, Monday through Thursday, and 8:00 am through 12:30 pm on Friday with no lunch break.

The normal hours of work for the Perry Memorial Library are 10:00 a.m. through 8:00 p.m. on Monday and from 10:00 a.m. through 5:30 p.m. on Tuesday through Friday with a one-hour lunch break and on Saturday from 10:00 a.m. to 1:00 p.m. with no lunch break.

The normal hours of work for the Ochiltree County Road employees are Monday through Friday from 8:00 a.m. through 4:30 with a one-half-hour lunch break.

The Ochiltree County Sheriff's Office is divided into varying shifts.

The normal days of work shall be Monday through Friday except for official holidays.

Exceptions: In order to meet the needs of the county certain departments or employees may be required to work a schedule that varies from the normal work schedule of the county, or they may be subject to call in case of emergency or special need. Each department head shall determine the need for schedules that vary from the normal schedule.

Workday: Hours worked shall include all time actually spent in the service of the County as defined in the Fair Labor Standards Act (FLSA) and its regulations. The workday for the County shall begin at 12:01 a.m. each day and end 24 consecutive hours later.

PAYROLL RECORDS

Time Sheets: Each employee shall be required to keep an accurate time sheet, which shows all hours worked and requests for paid leave used.

Each employee shall be required to sign his/her completed timesheet and turn it in to his/her supervisor. Hourly employees shall be paid only for hours reflected on their time sheets, which have been delivered to the County Treasurer's office before the payroll is calculated. Hours appearing on time sheets filed after payroll is calculated will be paid during the next pay period.

When the supervisor receives the time sheets from his/her employees, the supervisor shall review all the time sheets for completeness and accuracy and make any corrections, with the knowledge of the employee involved, which are necessary.

All non-elected personnel, not required by the provision of this manual to maintain time sheets, shall certify their use of vacation days, sick days, and funeral days on a form, as contained herein, to be supplied by the Ochiltree County Treasurer. The form shall be submitted to the Treasurer not later than the last working day of the month on which vacation days, sick days, or funeral days are used.

When the supervisor finishes reviewing the time sheets, he/she shall sign them and submit them to the County Treasurer's office by the due date/time listed on the timesheet by the Treasurer. The Treasurer shall be required to keep copies of all time sheets and other payroll records for a minimum of three (3) years.

HOLIDAYS

Eligibility: All regular full-time employees of Ochiltree County shall be eligible to receive a day off with pay for each official holiday, with the exception of dispatchers, jailers, and deputies. Dispatchers, jailers, and deputies will be paid for one vacation day as outlined below.

Holidays: The official paid holidays for Ochiltree County shall be:

New Years - January 1
Presidents' Day - The third Monday of February
Good Friday - The Friday before Easter
Memorial Day - The last Monday of May
Independence Day - July 4 or nearest working day
Labor Day - The first Monday in September
Veteran's Day - November 11 or nearest working day
Thanksgiving Holidays - The fourth Thursday in November and the Friday which follows
Christmas Holidays will be recognized as follows:

When Christmas falls on:	The Christmas holiday will be recognized on:
Sunday	Dec 26
Monday	Dec 25 and 26
Tuesday	Dec 24and 25
Wednesday	Dec 24 and 25
Thursday	Dec 25 and 26

Friday	Dec 24 and 25
Saturday	Dec 24

Work on a holiday: If an employee's job requires him/her to work on an official Holiday, the employee shall be paid for the day of work and the holiday.

Weekend holidays: If a holiday occurs on a Saturday, the preceding Friday shall be observed as the official holiday. If the holiday occurs on a Sunday, the following Monday shall be observed as the official holiday.

Holiday on a day off: If a holiday during the week occurs on an employee's regular day off, the employee shall, at the option of the department head, be given another day off with pay or be paid as if the holiday were worked without consideration for overtime.

Holidays during leave of absence: An employee who is on a leave of absence without pay shall not be paid for any official holidays occurring during such leave.

VACATION

Eligibility: All regular full-time employees of Ochiltree County shall be eligible for paid vacation leave. An employee shall begin earning vacation days the first full month of the employee's employment.

Accrual: Vacation shall be accrued in accordance with the following schedule for full time regular employees:

Years of service	Days accrued per month	Annual accrual
Less than 10 (jailors 144 hrs)	1 (8 hrs)	12 (96 hrs)
Ten or more (jailors 216 hrs)	1.5 (12 hrs)(18 hrs for jailers)	18 (144 hrs)

Maximum Accrual: The maximum amount of unused vacation that an employee shall be allowed to have at any one time shall be 28 days/224 hours or 28 days/336 hours for Jailers.

Accrual in excess of the maximum may be allowed if:

1. The employee is not able to take vacation because of the documented needs of the county;
2. The employee's supervisor requests in writing that the employee be allowed vacation accrual above the maximum and documents the reason the employee was unable to take vacation in time to reduce the balance below the maximum; and,
3. The Commissioners Court approves the request for vacation accrual in excess of the maximum.

An employee who has been allowed to accrue vacation in excess of the maximum shall promptly take vacation to reduce the balance to or below the maximum as soon as circumstances and needs of the County allow it.

Holidays during vacation: If a holiday falls during the period an employee is on vacation, the holiday shall be handled in accordance with the provisions of the policy on holidays and will not be

charged against the employee's vacation balance.

Illness during vacation: If an employee becomes ill while taking vacation leave, the period of illness may be charged against the employee's sick leave balance and not vacation if:

1. The employee promptly notifies his/her supervisor of the illness;
2. The employee provides the supervisor with acceptable proof of the illness; and
3. The supervisor gives permission to charge the period of illness to sick leave.

Vacation pay at termination: Employees shall be paid for all unused vacation at their regular rate upon termination of employment.

Maximum available vacation: The maximum amount of vacation an employee shall have available for use at any given time is the amount of unused vacation the employee has at the end of the previous month.

Vacation approval: Vacation shall be scheduled five (5) working days in advance unless prior approval of the department head or elected official is obtained.

Only the appropriate number of vacation hours will be used to account for the minimum number of hours needed for the designated work week/work period. (i.e., 40 or 160)

SICK LEAVE

Eligibility: All full-time regular employees shall be eligible for paid sick leave.

Accrual: Full-time regular employees shall accrue one-half day (4 hrs) (Jailers 6 hrs) sick leave per month.

Annual Wellness Day: Full-time regular employees shall be entitled to one day each calendar year as a "wellness day". A wellness day is provided to enable employees to schedule annual physical, dental, eye exams and such other examinations or procedures as are reasonably calculated to promote the health and welfare of the employee. The annual "wellness day" shall not accrue and shall be forfeited if not used during any calendar year.

Accumulation: Any unused sick leave at the end of the calendar year shall be carried over into the next calendar year.

Maximum accrual: The maximum accrual for sick leave will be sixty days (480 hours) (Jailers 720 hrs).

Types of usage: Eligible employees may use accrued sick leave for absence of work due to:

1. Personal illness or physical or mental incapacity;
2. Medical, dental, or optional examinations or treatment;
3. Medical quarantine resulting for exposure to a contagious disease; or
4. Illness of a member of the employee's immediate family who requires the employee's personal care and attention.

Notification of sick leave: An employee shall be responsible for notifying his/her supervisor as early

as is practical on the first day of sick leave absence and request that approved sick leave be granted.

If more than one day of sick leave is needed, the employee shall be responsible for notifying his/her supervisor of the expected length of absence on the first day of sick leave or shall be required to notify his/her supervisor on a daily basis for each day he/she is unable to come to work.

An employee shall be required to request prior approval from his/her supervisor for sick leave to be used for non-emergency medical, dental, and optional appointments and annual wellness day.

Documentation: An employee's supervisor may request acceptable documentation of an employee's illness or injury where it is deemed necessary for approval of a sick leave request or wellness day.

New Employees: An employee shall begin earning sick leave the first full month of his/her employment.

Maximum available: The maximum amount of sick leave that an employee will have available at any given time is the unused balance at the end of the preceding month.

Waiting period: There shall be no waiting period before an employee can use accrued sick leave.

Pay at termination: An employee shall receive pay for one-half (1/2) of any unused sick leave balance at the time of termination of employment, for a maximum of thirty (30) days.

Unused Sick Leave Payment: One-half of unused sick leave earned during a calendar year will be paid to the employee on or about December 15th, for a maximum of three days. There shall be no deduction from the employee's balance of accrued sick leave because of such payment.

Only the appropriate number of sick hours will be used to account for the minimum number of hours needed for the designated work week/work period. (i.e., 40 or 160)

FAMILY MEDICAL LEAVE ACT

The federal Family and Medical Leave Act of 1993 (FMLA) requires an employer to provide eligible employees with unpaid leave under certain circumstances. There are two types of leave available:

1. the basic 12-week FMLA entitlement; and
2. the Military Family Leave (MFL) entitlement described in this policy.

Eligibility:

To be eligible for benefits under this policy, an employee must:

1. have worked for Ochiltree County at least 12 months (it is not required that these 12 months be consecutive; however, a continuous break in service of 7 years or more will not be counted toward the 12 months); and
2. have worked at least 1250 hours during the previous 12 months.

An employee with any questions about his or her eligibility for FMLA leave should contact the County Treasurer for more information.

Qualifying Events:

Family or medical leave under this policy may be taken for the following situations:

1. the birth of a child and in order to care for that child;
2. the placement of a child in the employee's home for adoption or foster care;
3. to care for a spouse, child (under the age of 18 or if over 18 incapable of self-care due to a disability), or parent with a serious health condition;
4. the serious health condition of the employee that make the employee unable to perform the essential functions of their job;
5. a qualifying exigency arising out of the fact that an employee's spouse, child, or parent is a covered military member of the Armed Forces (Regular, Reserve or National Guard), deployed to a foreign country or has been notified of an impending call or order to active duty in a foreign country;
6. to care for a covered service member (Regular, Reserve or National Guard) with a serious injury or illness if the employee is the spouse, child, parent or next of kin (nearest blood relative) of the service member; or
7. to care for a covered veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of 5 years preceding the date on which the veteran began that medical treatment, recuperation, or therapy.

Serious Health Condition:

A serious health condition of the employee is defined as a health condition that requires overnight inpatient care at a hospital, hospice, or residential care medical facility or continuing treatment by a health care provider.

Serious health condition of a spouse, child, or parent is defined as a condition that requires overnight inpatient care at a hospital, hospice, or residential care medical facility, or a condition that requires continuing care by a licensed health care provider.

A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

1. a period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    a. Treatment two or more times within 30 days of incapacity; or
    b. Treatment by a health care provider on at least one occasion within the first seven days of incapacity that results in a regimen of continuing treatment by a health care provider.
2. Any period of incapacity due to pregnancy or pre-natal care.
3. Any period of incapacity or treatment due to a chronic serious health condition that requires periodic visits to a health care provider and continues over an extended period of time.
4. Any period of incapacity that is permanent or long term due to a condition for which treatment is not effective.
5. Any period of incapacity or absence to receive multiple treatments by a health care provider.

Qualifying Exigency Leave:

Eligible employees may take FMLA/MFL exigency leave when an employee's covered military member (spouse, child of any age or parent) is on active duty or called to active-duty status in a foreign country. Leave may be taken to:

1. Address any issue that arises because the covered military member was given seven or fewer days' notice for active-duty deployment in support of a contingency operation. Eligible employees may take up to seven days beginning on the date the covered military member receives the call or order to active duty.
2. Attend any official ceremony, program or event sponsored by the military that is related to active-duty or call to active-duty status in a foreign country of a covered military member.
3. Attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations or the American Red Cross that are related to active duty or call to active-duty status in a foreign country of a covered military member.
4. Arrange for alternative childcare, provide childcare on an urgent basis (not as routine), to attend school or daycare meetings, to enroll or transfer covered children under age 19 when it is necessitated by the active duty or call to active-duty status of a covered military member.
5. Make or update financial or legal arrangements to address the covered member's absence while on active duty or call to active-duty status in a foreign country.
6. Act as the covered military member's representative before a governmental agency to obtain, arrange or appeal military service benefits while the covered military member is on active duty or call to active-duty status in a foreign country, for a period of 90 days following the termination of the covered member's active-duty status.
7. Attend counseling provided by someone other than a health care provider for oneself, for the covered military member or covered child if the need for counseling arises from the active-duty status or call to active-duty status in a foreign country of a covered military member.
8. For a maximum of 15 days each occurrence, to spend time with a covered military member who is on a short-term, temporary, rest and recuperation leave during leave during the period of deployment.
9. Attend post-deployment activities for the covered military member for a period of 90 days following the termination of the covered member's active-duty status.
10. Address issues that arise from the death of a covered military member while on active-duty status in a foreign country.
11. Conduct certain activities related to the care of the military member's parent who is incapable of self-care where those activities arise from the military member's covered active duty.
12. Address any other additional events that may arise out of the covered military member's active duty or call to active-duty status in a foreign country if the County agrees the leave qualifies as an exigency and to both the timing and the duration of the leave.

Length Of Leave:

An employee may use up to 12 weeks leave per 12-month period under this policy. Ochiltree County sets the 12-month period used under this policy as the calendar year.

A married couple who both work for the county is entitled to a maximum combined leave of 12 weeks in any 12-month period for the birth of healthy newborn child (i.e., bonding time) or placement of a child, or care for a parent with a serious health condition. The combined limit for a married couple employed by the county is 26 weeks in a single 12-month period if leave is to care for a covered service member or veteran with a serious injury or illness.

An eligible employee is entitled up to 26 weeks of leave to care for a covered service member or covered veteran with a serious injury or illness during a single 12-month period:

1. The single 12-month period begins on the first day the eligible employee takes FMLA to care

for covered service member or covered veteran and ends 12 months after that date.

2. An employee forfeits unused leave under this section if the eligible employee does not take all their 26 weeks during this 12-month period to care for the covered service member or covered veteran is forfeited.
3. Leave entitlement under this section is applied on a per-injury basis. An eligible employee may be entitled to take more than one period of 26 weeks of leave if the leave is to care for different covered service member or veteran or to care for the same covered service member or veteran with a subsequent serious illness or injury. An employee may not take more than 26 weeks in any single 12-month period.

Military Caregiver Leave

An eligible employee may take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is either a current member or veteran of the Armed Forces (Regular, Reserve or National Guard).

An eligible employee may take up to 26 weeks of leave to care for a covered service member of the Armed Forces (Regular, Reserve, or National Guard) who has been rendered medically unfit to perform their duties due to a serious injury or illness incurred in the line of duty while on active duty for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

An eligible employee may take up to 26 weeks of leave to care for a veteran (Regular, Reserve, or National Guard) who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (Regular, Reserve or National Guard) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

The MFL entitlement is applied on a per-injury basis and an eligible employee may be entitled to take more than one period of 26 weeks of leave if the leave is to care for different covered service members or covered veteran with a subsequent serious illness or injury, except that no more than 26 weeks may be taken within any single 12-month period.

An eligible employee may begin taking military caregiver leave up to five years after their family member was discharged or released from the military. The eligible employee's first date of leave must be within the five-year period; however, the employee may continue to take such leave throughout the single 12-month period that is applicable to military caregiver leave, even if the leave extends beyond the five-year period.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the county's operations.

Work Related Injury:

Ochiltree County will always designate work related injuries with lost time as FMLA qualifying.

Paid And Unpaid Leave:

If an employee has accrued leave, the employee is required to use his or her accrued leave as

detailed below.

An employee must first use compensatory time, then sick time, lastly vacation time. The remainder of the leave shall be unpaid.

1. An employee taking leave because of his or her own serious health condition, or the serious health condition of an eligible family member is required to first use compensatory time, then sick time, lastly vacation time. with the remainder of the 12-week leave period being unpaid leave.
2. An employee taking leave for the birth of a child is required to use *(your order of leave use here)* for the recovery period after the birth of the child and before being placed on unpaid leave.
3. After the recovery period from the birth of a child, an employee is required to first use compensatory time, then sick time, lastly vacation time with the remainder of the 12-week leave period being unpaid leave.
4. An employee taking leave for the placement of a child in the employee's home for adoption or foster care is required to use compensatory time, then sick time, lastly vacation time with the remainder of the 12-week leave period being unpaid leave.
5. An employee taking leave for a qualifying exigency for a covered military member is required to use compensatory time, then sick time, lastly vacation time with the remainder of the 12-week leave period being unpaid leave.
6. An employee taking leave for the care of a covered service member or veteran is required to first use compensatory time, then sick time, lastly vacation time with the remainder of the 26-week leave period being unpaid leave.

The maximum amount of paid and unpaid leave that may be used under this policy in a 12-month period is 12 weeks, except for qualifying leave to care for a covered military member with a serious injury or illness which is a maximum of 26-weeks in a 12-month period.

Continued Employee Benefits:

While an employee is on leave under this policy, the county will continue to pay the employee's medical plan premium at the same rate as if the employee had been actively at work. The employee is required to pay for dependent coverage and for any other coverage for which the employee would normally pay, or the coverage will be discontinued. An employee's obligation to pay for coverage will be made through regular payroll deduction while the employee is on paid leave status. While on unpaid leave, the employee is required to pay for premiums due to the county no later than 30 days after the date of the pay period in which the premium comes due. The county may cancel unpaid coverage by providing the employee with advance written notice, not less than 15 days before the coverage will be cancelled for non-payment.

At the end of the 12-week leave period or the 26-week leave period in a single 12-month period to care for an injured covered military member, an eligible employee will be offered COBRA if they are unable to return to work.

Intermittent Leave and Reduced Schedule:

An employee may only take intermittent leave under this policy if it is necessary for the care and treatment of a serious health condition of the employee, the employee's eligible family member or the care of a covered military member or veteran.

An employee may only work a reduced schedule under this policy if it is necessary for the care and

treatment of a serious health condition of the employee, the employee's eligible family member, or the care of a covered military member or veteran.

All work time missed as the result of intermittent leave or a reduced work schedule under this policy will be deducted from the employee's 12-week or 26-week leave eligibility in a single 12-month period.

Certification Requirements:

The county has the right to ask for certification of the serious health condition of the employee or the employee's eligible family member when the employee requests or is using leave under this policy.

The county may send a request for medical certification to an employee who has been out of work for three or more days to determine the employee's FMLA eligibility. The employee is requested to have his or her physician complete and return the medical certification within 15 days of the employee's receipt of the form to be eligible for FMLA. An employee's failure to return the medical certification may result in denial of FMLA by the county.

The employee must respond to the county's request for certification within 15 days of receipt of the request or provide a reasonable explanation for the delay in writing before the 15th day after receipt of the request. If an employee does not provide certification or otherwise respond, the county may deny leave under this policy.

An employee is required to provide certification of his or her serious health condition of the employee by having the employee's treating health care provider complete and submit an FMLA form WH-380-E. Also included with this form is the Genetic Information Non-Discrimination statement to be given to any and all health care providers.

An employee is required to provide certification of the serious health condition of an eligible family member by having the family member's treating health care provider complete and submit an FMLA form WH-380-F. Also included with this form is the Genetic Information Non-Discrimination statement to be given to any and all health care providers.

An employee is required to provide certification for leave taken because of a qualifying exigency by having the employee complete and submit an FMLA form WH-384.

An employee is required to provide certification for leave taken for a serious injury or illness of a covered military member or veteran by having the member's or veteran's Department of Defense treating health care provider complete and submit an FMLA form WH-385. The employee may also be required to provide the county with confirmation of the family or next of kin relationship to the seriously injured or ill covered military member or veteran.

If an employee requests intermittent leave or a reduced work schedule, the certification submitted must also include the dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. The county may request re-certification for intermittent or reduced schedule leave every six months in connection with an eligible absence.

The county may ask for a second opinion from a health care provider of the county's choice, at the expense of the county, if the county has reason to question the certification, unless the leave is

necessary to care for a seriously injured or ill covered service member supported by an invitational travel order (ITO) or invitational travel authorization (ITA) to join an injured or ill service member at his or her bedside.

If there is a conflict between the certification submitted by the employee and the second certification obtained by the county, the county may require a third certification, at the expense of the county, from a health care provider agreed upon by both the employee and the county. The third opinion is final and binding on the county and the employee.

Requesting Leave:

Unless FMLA leave is unforeseeable, an employee is required to submit a written request for leave under this policy to his or her immediate supervisor.

Where reasonably practicable, an employee should give his or her immediate supervisor a minimum of 30 days' notice before beginning leave under this policy. Where it is not reasonably practicable to give 30 days' notice, the employee is required to give as much notice as possible.

Reinstatement:

An employee returning from leave under this policy, and who has not exceeded the 12-week maximum leave period allowed, will be returned to the same job or a job equivalent to the job the employee held before going on FMLA leave. An employee who has not exceeded the 26-week maximum leave period in a single 12-month period, allowed to care for a seriously ill or injured covered military member, will be returned to the same job or a job equivalent to the job the employee help before going on leave.

If an employee is placed in a different position, it will be one with equivalent status, pay, benefits, and other employment terms and which entails substantially equivalent skill, effort, responsibility, and authority.

The county has no obligation to reinstate an employee who takes more than the 12 weeks of leave allowed under this policy, or who elects not to return to work after using the maximum leave allowed, including an employee with available sick or vacation leave.

Repayment Of Benefits:

Unless an employee is unable to return to work because of the serious medical condition of the employee or an eligible family member, or another situation beyond the control of the employee, an employee who does not return to work after using the maximum leave allowed under this policy will be required to reimburse the county for all medical premiums and other benefits paid by the county while the employee was on leave without pay related to his or her FMLA leave.

Other Benefits:

While on leave without pay under this policy, an employee does not earn vacation or sick leave, is not eligible for holiday pay, and does not earn other benefits afforded to employees actively at work, except as stated in this policy, unless other employees who go on leave without pay are allowed to do so.

An employee who is out on approved FMLA leave may not take trips outside of the county unless the travel is related to the employee's own serious health condition, the serious health condition of the child, spouse, or parent of the employee or to attend qualifying military events. An employee may ask his or her immediate supervisor for written permission to take other trips outside of the county which may be granted at the supervisor' sole discretion.

If the county has a policy forbidding employees from working other jobs, an employee on approved FMLA leave may also be forbidden from working another job while on FMLA leave from the county.

Regulation:

Any area or issue regarding family and medical leave that is not addressed in this policy is subject to the basic requirements of the FMLA and the regulations issued to implement it.
RETURN-TO-WORK:

An employee is required to provide a fitness-for-duty certification before the employee returns to work.

Enforcement:

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer for unlawful discrimination under the FMLA. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any federal or state law that provides greater family of medical leave rights.

PAID QUARANTINE LEAVE FOR PEACE OFFICERS AND DETENTION WORKERS

Ochiltree County shall provide paid quarantine leave for peace officers and detention officers employed by Ochiltree County and ordered by the elected law enforcement official of their agency and a health authority to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. This includes peace officers and detention officers, as defined by this policy, who are employed by, appointed to, or elected to their position.

1. Detention officer means an individual appointed or employed by a county as a county jailer or other individual responsible for the care and custody of individuals incarcerated in a county jail.
2. Health authority has the meaning assigned by Section 121.021 of the Health and Safety Code. A health authority is a physician appointed under the provisions of Chapter 121 to administer state and local laws relating to public health within the appointing body's jurisdiction. A health authority must be a competent physician with a reputable professional standing who is legally qualified to practice medicine in the state and a resident of the state. They must take an official oath and file with the department. For counties that do not establish a local health department or public health district, they may appoint a physician as health authority to administer state and local laws relating to public health in the county's jurisdiction.
3. Peace Officer means an individual described by Article 2.12, Code of Criminal Procedure, who is elected for, employed by, or appointed by the county. Eligible employees who are on qualifying paid quarantine leave shall receive all employment benefits and compensation, including leave accrual, retirement, and health benefits for the duration of the leave; and, if

applicable, shall be reimbursed for reasonable costs related to the quarantine, including lodging, medical, and transportation. An employee on qualifying paid quarantine leave will not have their leave balances reduced. Eligible employees will be required to have an elected law enforcement official of their agency and a health authority note stating that they need to be quarantined or isolated due to a possible or known exposure to a communicable disease while on duty.

Eligible employees will need to indicate Quarantine Leave as "QL" on the days that they were scheduled but not physically at work. This will still be paid time off. Off duty exposure will not be covered under this policy. A qualifying employee should discuss the above benefits and reimbursements with the Ochiltree County Human Resources Department.

BEREAVEMENT LEAVE

All employees shall be allowed up to 40 hours of leave with pay for a death in the immediate family. For purposes of this policy, immediate family shall include the employee's spouse, child, parent, mother- and father-in-law, stepparents, stepchildren, stepsiblings, aunt, uncle, grandparents or grandparents-in-law, grandchildren, brother- and sister-in-law, and daughter- or son-in-law, foster child, or sibling of the employee or the employee's spouse. Employees may be allowed time off with pay, up to a maximum of 4 hours, to attend the funeral of a relative who is not a member of the immediate family or the funeral of a friend. If leave is needed beyond the limits set in this policy, it may be charged to available vacation or compensatory time or to leave without pay.

CIVIL LEAVE

Jury duty: All regular full-time employees shall receive their normal pay for the period they are called for jury duty which includes both the jury selection process and, if selected, the time the employee actually spends serving on the jury. Any fee paid for such service may be retained by the employee.

Official court attendance: All regular employees subpoenaed or requested to attend court to appear as a witness or to testify in some official capacity on behalf of Ochiltree County shall be entitled to leave with pay for such period as his/her court attendance may require. Any fee paid for such service may be retained by the employee.

Private litigation: If an employee is absent from work to appear in private litigation in which the employee is a principal party, the time off shall be charged to vacation leave or leave without pay.

MILITARY LEAVE

Guard and reserve: Regular Ochiltree County employees who are members of the National Guard or active reserve components of the United States Armed Forces shall be allowed up to fifteen (15) days off per year with pay to attend authorized training sessions and exercises.

The fifteen-day paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next year.

Pay for attendance at reserve or national guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule.

An employee may use annual vacation leave or leave without pay if he/she must attend reserve or National Guard training sessions or exercises in excess of the fifteen-day paid maximum.

Orders: An employee going on military leave shall provide his/her supervisor with a set of orders within three (3) days after receiving them. The supervisor shall provide the treasurer with a copy of orders as soon as he/she receives them.

Active military: County employees who leave their positions as a result of being called to active military service or who voluntarily enter the Armed Forces of the United States shall be eligible for reemployment in accordance with the state and federal regulations in effect at the time of their release from active duty.

LEAVE WITHOUT PAY FOR PERSONAL REASONS

Maximum: Each supervisor shall have the authority to grant an employee up to sixty (60) days leave without pay for personal reasons provided that no problems will be created by leaving the employee's job unfilled for the period of the requested leave.

Upon the recommendation of the supervisor and the department head, the Commissioners Court may grant and employee personal leave without pay for a period of up to ninety (90) days provided the employee's positions may be left unfilled for the period requested without creating undue hardship on the department.

Benefits during personal leave: An employee on personal leave without pay shall not accrue vacation or sick leave during the period of personal leave.

An employee on personal leave without pay may continue medical and life insurance coverage on him/herself and, if applicable, coverage on eligible dependents by paying the premiums for such coverage on or before the due date set by Ochiltree County.

Use of paid leave: Unless a special exception is granted by the Commissioners Court, leave without pay for personal reasons shall only be granted after all available vacation leave is used.

DEMOTIONS

Demotions are the movement of an employee from one position to another with a decreased responsibility or complexity of job duties or to a lower salary. Elected officials, appointed officials or department heads may choose to demote or reassign any employees who are unable to meet performance requirements, for disciplinary reasons or for any other reason as deemed necessary by the official. Upon demotion, an employee's salary may be adjusted downward.

TRANSFERS

Transfers are the lateral movement of an employee from one position to another with the same responsibility or complexity of job duties with no change in salary.

Elected officials, appointed officials or department heads may transfer an employee in their department to a vacant position. All transfers must be handled in accordance with the budget adopted by Commissioners Court.

PROMOTIONS

Promotions are the movement of an employee from one position to another with an increased responsibility or complexity of job duties, and to a higher salary.

Elected officials, appointed officials or department heads may promote an employee in their department to a vacant position. All promotions must be handled in accordance with the budget adopted by Commissioners Court.

SEPARATIONS

A separation shall be defined as any situation in which the employer-employee relationship between the County and a County employee ends. All separations from Ochiltree County shall be designated as one of the following types:

1. A **resignation** shall be classified as any situation in which an employee voluntarily leaves their employment with Ochiltree County and the separation does not fall into one of the other categories. Employees who are resigning should submit a written notice of resignation to their supervisor.
2. A **retirement** shall be any situation in which an employee meets the requirements to collect benefits under the County's retirement program and voluntarily elects to leave employment with the County to do so. An employee who is retiring should notify their supervisor of that intent at least 30 days prior to the actual retirement date to help prevent delays in starting the payment of retirement benefits.
3. A **dismissal** shall be any involuntary separation of employment that does not fall into one of the other categories of separation. Ochiltree County is an "at will" employer and a supervisor may dismiss an employee at any time for any legal reason or no reason, with or without notice.
4. An employee shall be separated from employment because of a **reduction in force** when their position is abolished or when there is a lack of funds to support the position or there is a lack of work to justify the position.
5. A separation by **death** shall occur when an individual dies while currently employed by the County. If an employee dies while still employed by the County, their legally designated beneficiary or estate shall receive all earned pay and payable benefits.

RETIREMENT

All regular employees (full time, part time, and regular variable hours) shall be eligible for the retirement benefit offered through the Texas County and District Retirement System. Temporary

seasonal and temporary short-term part-time employees will not be eligible for retirement benefits. Eligible employees shall make contributions to the retirement program through a system of payroll deduction. Ochiltree County shall make a contribution to each eligible employee's retirement account according to requirements of TCDRS. Information on the retirement program may be obtained at the County Treasurer's Office during the normal working hours for that office.

RETIREE REHIRES

Retired employees shall be eligible to apply for open positions with Ochiltree County as long as the following provisions are met: 1) The retiree has been retired for at least one calendar months, 2) No prior arrangement or agreement was made between Ochiltree County and the retiree for re-employment, and 3) strict adherence to normal leaving employment procedures were followed at the time of the employee's retirement.

The retiree must have a bona fide separation of employment and have been retired for a minimum of one calendar month. A bona fide separation means there is no prior agreement or understanding between Ochiltree County and the retiree that the retiree would be rehired after retirement. According to Rule 107.4 adopted by the TCDRS Board of Trustees, restrictions apply to elected officials, people employed for the same or different position in the same or different department, employee status changes, and independent contractors.

Newly elected officials who have recently retired from the county cannot draw their retirement because they have an arrangement to return to work for the county. Employees also cannot retire with an agreement to go work in a different department or different position. Changing employee status does not matter when determining if someone is still working for the county. Also, an employee cannot retire from the county with an arrangement to begin work as an independent contractor either.

Rehired retirees who did not have a bona fide separation of employment may owe a 10 percent excise tax and be required to repay all of their monthly retirement payments. Abusing the retirement provisions in such a manner would violate a qualification requirement for retirement plans under Section 401(a) of the Internal Revenue Code, potentially resulting in significant tax consequences for the employer, its participating members and those retired employees.

Any retiree who meets all other TCDRS requirements, who is rehired consistent with this policy, must establish a new membership with TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selections.

GROUP MEDICAL AND LIFE INSURANCE

Eligibility: All regular full-time employees of Ochiltree County shall be eligible for coverage under the group medical and life insurance program provided by Ochiltree County. Ochiltree County will pay the premiums for such group policies.

Dependent coverage: An employee eligible for coverage under the group hospitalization and medical insurance program of the county may include eligible family members under the coverage by paying a portion of the premium cost.

Premiums for family members covered under this plan shall be deducted from the employee's paycheck.

Employees may inquire in the treasurer's or auditor's office as to current costs for enrolling family members on county's hospitalization, life, and medical insurance plans.

Benefits: The benefits for this program shall be in accordance with the provisions of the master contract.

A copy of the master contract shall be kept in the auditor's office and may be reviewed by employees during normal working hours.

A covered employee and covered dependents, under certain circumstances, may elect at their sole expense, to continue benefits for up to 18 months. Information on the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) is available in the auditor's office.

COBRA CONTINUATION HEALTH COVERAGE - FAQ

What is COBRA continuation health coverage?

Congress passed the landmark Consolidated Omnibus Budget Reconciliation Act (COBRA) health benefit provisions in 1986. The law amends the Employee Retirement Income Security Act, the Internal Revenue Code and the Public Health Service Act to provide continuation of group health coverage that otherwise might be terminated.

What does COBRA do?

COBRA provides certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates. This coverage, however, is only available when coverage is lost due to certain specific events. Group health coverage for COBRA participants is usually more expensive than health coverage for active employees, since usually the employer pays a part of the premium for active employees while COBRA participants generally pay the entire premium themselves. It is ordinarily less expensive, though, than individual health coverage.

Who is entitled to benefits under COBRA?

There are three elements to qualifying for COBRA benefits. COBRA establishes specific criteria for plans, qualified beneficiaries, and qualifying events.

1. **Plan Coverage** - Group health plans for employers with 20 or more employees on more than 50 percent of their typical business days in the previous calendar year are subject to COBRA. (Both full and part-time employees are counted to determine whether a plan is subject to COBRA. Each part-time employee counts as a fraction of an employee, with the fraction equal to the number of hours that the part-time employee worked divided by the hours an employee must work to be considered full time.
2. **Qualified Beneficiaries** – A qualified beneficiary generally is an individual covered by a group health plan on the day before a qualifying event who is an employee, the employee's spouse, or an employee's dependent child. In certain cases, a retired employee, the retired employee's spouse, and the retired employee's dependent children may be qualified beneficiaries. In addition, any child born to or placed for adoption with a covered employee during the period of

COBRA coverage is considered a qualified beneficiary. Agents, independent contractors, and directors who participate in the group health plan may also be qualified beneficiaries.

3. **Qualifying Events** – Qualifying events are certain events that would cause an individual to lose health coverage. The type of qualifying event will determine who the qualified beneficiaries are and the amount of time that a plan must offer the health coverage to them under COBRA. A plan, at its discretion, may provide longer periods of continuation coverage.
    a. Qualifying Events for Employees:
        i. Voluntary or involuntary termination of employment for reasons other than gross misconduct.
        ii. Reduction in the number of hours of employment.
    b. Qualifying Events for Spouses:
        i. Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
        ii. Reduction in the hours worked by the covered employee
        iii. Covered employee's becoming entitle to Medicare
        iv. Divorce or legal separation of the covered employee
        v. Death of the covered employee
    c. Qualifying Events for Dependent Children:
        i. Loss of dependent child status under the plan rules
        ii. Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct.
        iii. Reduction in the hours worked by the covered employee
        iv. Covered employee's becoming entitle to Medicare
        v. Divorce or legal separation of the covered employee
        vi. Death of the covered employee

How does a person become eligible for COBRA continuation coverage?

To be eligible for COBRA coverage, you must have been enrolled in your employer's health plan when you worked, and the health plan must continue to be in effect for active employees. COBRA continuation coverage is available upon the occurrence of a qualifying event that would, except for the COBRA continuation coverage, cause an individual to lose his or her health care coverage.

What group health plans are subject to COBRA?

The law generally covers health plans maintained by private-sector employers with 20 or more employees, employee organizations, or state or local government.

What process must individuals follow to elect COBRA continuation coverage?

Employers must notify plan administrators of a qualifying event within 30 days after an employee's death, termination, reduced hours of employment or entitlement to Medicare.

A qualified beneficiary must notify the plan administrator of a qualifying event within 60 days after divorce or legal separation or a child's ceasing to be covered as a dependent under plan rules.

Plan participants and beneficiaries generally must be sent an election notice not later than 14 days after the plan administrator receives notice that a qualifying event has occurred. The individual then has 60 days to decide whether to elect COBRA continuation coverage. The person has 45 days after electing coverage to pay the initial premium.

How long after a qualifying event do I have to elect COBRA coverage?

Qualified beneficiaries must be given an election period during which each qualified beneficiary may choose whether to elect COBRA coverage. Each qualified beneficiary may independently elect COBRA coverage. A covered employee or the covered employee's spouse may elect COBRA coverage on behalf of all other qualified beneficiaries. A parent of legal guardian may elect on behalf of a minor child. Qualified beneficiaries must be given at least 60 days for the election. This period is measured from the later of the coverage loss date or the date the COBRA election notice is provided by the employer or plan administrator. The election notice must be provided in person or by first class mail within 14 days after the plan administrator receives notice that a qualifying even has occurred.

The Trade Adjustment Assistance Act of 2002 amended COBRA to provide certain trade affected workers with a second opportunity to elect COBRA continuation coverage. Individuals who are eligible for trade adjustment assistance (TAA) or alternative trade adjustment assistance (ATAA) and who did not elect COBRA during the general election period may get a second election period. This additional, second election period is measured 60 days from the first day of the month in which an individual is determined TAA-eligible. For example, if an individual's general election period runs out and he or she is determined TAA-eligible 61 days after separating from employment, at the beginning of the month, he or she would have approximately 60 more days to elect COBRA. However, if this same individual is not determined TAA-eligible until the end of the month, the 60 days are still measured from the first of the month, in effect giving the individual about 30 days. Additionally, the Trade Act of 2002 added another limit on the second election period. A COBRA election must be made not later than 6 months after the date of the TAA-related loss of coverage. COBRA coverage chosen during the second election period typically begins on the first day of that period. More information about the Trade Act is available at www.doleta.gov/tradeact.

How do I file a COBRA claim for benefits?

Health plan rules must explain how to obtain benefits and must include written procedures for processing claims. Claims procedures must be described in the Summary Plan Description.

You should submit a claim for benefits in accordance with the plans' rules for filing claims. If the claim is denied, you must be given notice of the denial in writing generally within 90 days after the claim is filed. The notice should state the reasons for the denial, any additional information needed to support the claim, and procedures for appealing the denial.

You will have at least 60 days to appeal a denial and you must receive a decision on the appeal generally within 60 days after that.

Contact the plan administrator for more information on filing a claim for benefits. Complete plan rules are available from employer's or benefit's offices. There can be charges up to 25 cents per page for copies of plan rules.

Can individuals qualify for longer periods of COBRA continuation coverage?

Yes, disability can extend the 18-month period of continuation coverage for a qualifying event that is a termination of employment or reduction of hours. To qualify for additional months of COBRA continuation coverage, the qualified beneficiary must:

1) Have a ruling from the Social Security Administration that he or she became disabled within the first 60 days of COBRA continuation coverage.
2) Send the plan a copy of the Social Security ruling letter within 60 days of receipt, but prior to expiration of the 18-month period of coverage.

If these requirements are met, the entire family qualifies for an additional 11 months of COBRA continuation coverage. Plans can charge 150% of the premium cost for the extended period of coverage.

Is a divorced spouse entitled to COBRA coverage from their former spouses' group health plan?

Under COBRA, participants, covered spouses and dependent children may continue their plan coverage for a limited time when they would otherwise lose coverage due to a particular event, such as divorce (or legal separation). A covered employee's spouse who would lose coverage due to a divorce may elect continuation coverage under the plan for a maximum of 36 months. A qualified beneficiary must notify the plan administrator of a qualifying event within 60 days after divorce or legal separation. After being notified of a divorce, the plan administrator must give notice, generally within 14 days, to the qualified beneficiary of the right to elect COBRA continuation coverage.

Divorced spouses may call their plan administrator or the EBSA Toll-Free number, 1-866-444-3272, if they have questions about COBRA continuation coverage or their rights under ERISA.

If I waive COBRA coverage during the election period, can I still get coverage at a later date?

If a qualified beneficiary waives COBRA coverage during the election period, he or she may revoke the waiver of coverage before the end of the election period. A beneficiary may then elect COBRA coverage. Then, the plan needs only provide continuation coverage beginning on the date the waiver is revoked.

Under COBRA, what benefits must be covered?

Qualified beneficiaries must be offered coverage identical to that available to similarly situated beneficiaries who are not receiving COBRA coverage under the plan (generally, the same coverage that the qualified beneficiary had immediately before qualifying for continuation coverage). A change in the benefits under the plan for the active employees will also apply to qualified beneficiaries. Qualified beneficiaries must be allowed to make the same choices given to non-COBRA beneficiaries under the plan, such as during periods of open enrollment by the plan.

When does COBRA coverage begin?

COBRA coverage begins on the date that health care coverage would otherwise have been lost by reason of a qualifying event.

How long does COBRA coverage last?

COBRA establishes required periods of coverage for continuation health benefits. A plan, however, may provide longer periods of coverage beyond those required by COBRA. COBRA beneficiaries generally are eligible for group coverage for a maximum of 18 months for qualifying events due to employment termination or reduction of hours of work. Certain qualifying events, or a second qualifying event during the initial period of coverage, may permit a beneficiary to receive a

maximum of 36 months of coverage.

Coverage begins on the date that coverage would otherwise have been lost by reason of a qualifying event and will end at the end of the maximum period. It may end earlier if:

1) Premiums are not paid on a timely basis.
2) The employer ceases to maintain any group health plan.
3) After the COBRA election, coverage is obtained with another employer group health plan that does not contain any exclusion or limitation with respect to any pre-existing condition of such beneficiary. However, if other group health coverage is obtained prior to the COBRA election, COBRA coverage may not be discontinued, even if the other coverage continues after the COBRA election.
4) After the COBRA election, a beneficiary becomes entitled to Medicare benefits. However, if Medicare is obtained prior to COBRA election, COBRA coverage may not be discontinued, even if the other coverage continues after the COBRA election.

Although COBRA specifies certain periods of time that continued health coverage must be offered to qualified beneficiaries, COBRA does not prohibit plans from offering continuation health coverage that goes beyond the COBRA periods.

Some plans allow participants and beneficiaries to convert group health coverage to an individual policy. If this option is generally available from the plan, a qualified beneficiary who pays for COBRA coverage must be given the option of converting to an individual policy at the end of the COBRA continuation coverage period. The option must be given to enroll in a conversion health plan within 180 days before COBRA coverage ends. The premium for a conversion policy may be more expensive than the premium of a group plan, and the conversion policy may provide a lower level of coverage. The conversion option, however, is not available if the beneficiary ends COBRA coverage before reaching the end of the maximum period of COBRA coverage.

Who pays for COBRA coverage?

Beneficiaries may be required to pay for COBRA coverage. The premium cannot exceed 102 percent of the cost to the plan for similarly situated individuals who have not incurred a qualifying event, including both the portion paid by employees and any portion paid by the employer before the qualifying event, plus 2 percent for administrative costs.

For qualified beneficiaries receiving the 11-month disability extension of coverage, the premium for those additional months may be increased to 150 percent of the plan's total cost of coverage.

COBRA premiums may be increased if the costs to the plan increase but generally must be fixed in advance of each 12-month premium cycle. The plan must allow you to pay premiums on a monthly basis if you ask to do so, and the plan may allow you to make payments at other intervals (weekly or quarterly).

The initial premium payment must be made within 45 days after the date of the COBRA election by the qualified beneficiary. Payment generally must cover the period of coverage from the date of COBRA election retroactive to the date of the loss of coverage due to the qualifying event. Premiums for successive periods of coverage are due on the date stated in the plan with a minimum 30-day grace period for payments. Payment is considered to be made on the date it is sent to the plan.

If premiums are not paid by the first day of the period of coverage, the plan ahs the option to cancel coverage until payment is received and then reinstate coverage retroactively to the beginning of the period of coverage.

If the amount of the payment made to the plan is made in error but is not significantly less than the amount due, the plan is required to notify you of the deficiency and grant a reasonable period (for this purpose, 30 days is considered reasonable) to pay the difference. The plan is not obligated to send monthly premium notices.

COBRA beneficiaries remain subject to the rules of the plan and therefore must satisfy all costs related to co-payments and deductibles and are subject to catastrophic and other benefit limits.

If I elect COBRA, how much do I pay?

When you were an active employee, your employer may have paid all or part of your group health premiums. Under COBRA, as a former employee no longer receiving benefits, you will usually pay the entire premium amount, that is, the portion of the premium that you paid as an active employee and the amount of the contribution made by your employer. In addition, there may be a 2 percent administrative fee.

While COBRA rates may seem high, you will be paying group premium rates, which are usually lower than individual rates.

Since it is likely that there will be a lapse of a month or more between the date of layoff and the time you make the COBRA election decision, you may have to pay health premiums retroactively – from the time of separation from the company. The first premium, for instance, will cover the entire time since your last day of employment with your former employer.

You should also be aware that it is your responsibility to pay for COBRA coverage even if you do not receive a monthly statement.

Although they are not required to do so, some employers may subsidize COBRA coverage.

I've heard that the COBRA Premium Reduction (Subsidy) ends on August 31, 2011. Is this true?

Not necessarily. Some individuals will still be eligible to receive the subsidy beyond August 31, 2011. The American Recovery and Reinvestment Act (ARRA) provided a COBRA premium reduction for eligible individuals who were involuntarily terminated from employment through the end of May 2010. Due to the statutory sunset, the COBRA premium reduction under ARRA is not available for individuals who experience involuntary terminations after May 31, 2010. However, individuals who qualified on or before May 31, 2010, may continue to pay reduced premiums for up to 15 months, as long as they are not eligible for another group health plan or Medicare even if their COBRA coverage did not start until a later date due to the terms of a severance arrangement, or the use of banked hours or other similar provision that delayed the start of their COBRA coverage. For example, if an individual was involuntarily terminated on May 31, 2010, and due to the terms of a severance agreement their COBRA coverage did not start until December 1, 2010, they would still be eligible for the full 15 months of subsidy through February 29, 2012, as long as they are not eligible for another group health plan or Medicare.

If I did not make the premium payment on time and my coverage was canceled, what can I do?

You may want to contact your plan and ask if they will reinstate your coverage; however, if your coverage was terminated for not making the payment within the grace period, the plan is not required to reinstate your coverage. If you believe your coverage was canceled inappropriately, please contact an EBSA Benefits Advisor at 1-866-444-3272 for assistance.

If you have lost coverage and are not eligible to enroll in a new employer's plan or a spouse's plan, you may want to contact your state department of insurance to get information about obtaining an individual policy. You may be able to cover your children under your state's Children's Health Insurance Program. Call 1-877-KIDS-NOW.

Additionally, the Affordable Care Act provides that plans or issuers that make available coverage to dependent children must make such coverage available for children up to age 26. Because this provision has a varying applicability date, contact the plan to see if such coverage is available. The Affordable Care Act also established Pre-existing Condition Insurance Plans (PCIP) for those with pre-existing conditions. For information about how these plans work, go to www.heathcare.gov.

If you have limited income and resources (assets), you may want to contact your state to determine if you are eligible for Medicaid or other programs that may assist you in obtaining assistance with health coverage.

Can I receive COBRA benefits while on FMLA leave?

The Family and Medical Leave Act, effective August 5, 1993, requires an employer to maintain coverage under any group health plan for an employee on FMLA leave under the same condition's coverage would have been provided if the employee had continued working. Coverage provided under the FMLS is not COBRA coverage, and FMLA leave is not a qualifying event under COBRA. A COBRA qualifying event may occur, however, when an employer's obligation to maintain health benefits under FMLA ceases, such as when an employee notifies an employer of his or her intent not to return to work.

Further information on FMLA is available from the nearest office of the Wage and Hour Division; listed in most telephone directories under U.S. Government, U.S. Department of Labor.

How do I find out about COBRA coverage and how do I elect to take it?

Employers or health plan administrators must provide an initial general notice if you are entitled to COBRA benefits. You probably received the initial notice about COBRA coverage when you were hired.

When you are no longer eligible for health coverage, your employer has to provide you with a specific notice regarding your rights to COBRA continuation benefits.

Employers must notify their plan administrators within 30 days after an employee's termination or after a reduction in hours that causes an employee to lose health benefits.

The plan administrator must provide notice to individual employees of their right to elect COBRA coverage within 14 days after the administrator has received notice from the employer.

You must respond to this notice and elect COBRA coverage by the 60th day after the written notice is sent or the day health care coverage ceases, whichever is later.

Spouses and dependent children covered under your health plan have an independent right to elect COBRA coverage upon your termination or reduction in hours. If, for instance, you have a family member with an illness at the time you are laid off, that person alone can elect coverage.

RETIREMENT BENEFITS

Ochiltree County shall participate in the retirement and the pre-retirement death benefit program of the Texas County and District Retirement System.

Details of eligibility for and benefits provided by the program shall be available for review at the Treasurer's Office during normal business hours.

The employee's share of the retirement contribution shall be deducted from each paycheck. The current deduction for retirement benefits is seven (7) %.

SOCIAL SECURITY/MEDICARE

All Ochiltree County employees shall participate in the federal Social Security/Medicare program, which provides certain retirement and disability income benefits.

Deductions shall be made from each employee's paycheck in accordance with the requirements of the Social Security/Medicare program.

Ochiltree County shall pay an amount equal to the employee's Social Security/Medicare deduction to each employee's Social Security account in accordance with the regulations of the program.

WORKERS' COMPENSATION

All Ochiltree 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 their 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, with the exception of Law Enforcement employees who receive salary continuation.

Employees may use paid leave for all workers' compensation time off less than 8 days.

All employees who are placed on Worker's Compensation leave will fall under the Family Medical Leave Act. Ochiltree County runs FMLA and Worker's Compensation concurrently.

Any employee who suffers a job-related illness or injury is required to notify their 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.

RETURN TO WORK

This policy covers employees who are on leave due to a work-related injury or illness. Because employees are our most valuable resource, Ochiltree County attempts to help employees return to work as soon as possible.

An employee on leave due to a work-related injury or illness may return to work only when Ochiltree County receives a medical release from the treating doctor. It is a violation of County policy for any employee receiving worker's compensation benefits of any kind to be employed with a third party on a full-time or part-time basis. Violation of this policy may result in termination.

Return to work options:

- Return to prior position at full duty with doctor release stating that the injured employee can perform the job functions without restrictions.
- Light Duty – for any employee who is not able to return to their prior position and perform the regular duties of that job but can return with certain restrictions, Ochiltree County will try to accommodate light duty when possible but **cannot guarantee** the availability of light duty.

Employees on light duty are not guaranteed the rate of pay they received for the position they held at the time of injury or illness. The pay rate for light duty is based on the knowledge, skills and abilities required for that job, as well as general market conditions. Employees in a light duty position are not permitted to supplement their workers' compensation benefits by using their vacation, holiday, compensatory or sick leave.

Four (4) week limit - Light duty assignments are **temporary** arrangements intended to complement and facilitate the healing process. Light duty may be initially offered for a period of four (4) weeks and then will be reviewed and evaluated by the supervisor based, in part, on the recommendation of the physician (unless FMLA time is still available).

Employee refusal of work - In the event an employee refuses to return to regular or light duty work in response to a written, bona fide offer of employment by Ochiltree County, the employee may be separated from employment with Ochiltree County subject to FMLA qualification and his/her position may be filled permanently. A written, bona fide offer of employment must clearly state:

- The position offered and the duties of the position
- Ochiltree County's agreement to meet the conditions set out by the treating doctor
- The job's wage, working hours and location.

Medical Information

All employees' medical information is held in strict confidence in accordance with the Americans with Disabilities Act Amendments Act (ADAAA). Medical inquiries are limited to those permitted under the Texas Workers Compensation Statute and applicable federal law.

Coordination with FMLA

Nothing in this policy should be construed as denying employees their rights under the Family Medical Leave Act (FMLA) or any other federal or state law. It is Ochiltree County's policy to designate an employee's leave due to a work-related injury or illness as FMLA, if eligible. Ochiltree County counts the period of any employee's light duty assignment toward the employee's FMLA entitlement.

Until employees have exhausted their twelve (12) week FMLA entitlement, they have the right to be reinstated to their original job or an equivalent job provided they are able to perform the essential functions of the job.

EMPLOYEE SAFETY

Ochiltree 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 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.

DRUG AND ALCOHOL- ALL EMPLOYEES

Definitions

For purposes of this policy, the terms appearing below have the following meanings:

1) **"Alcohol"** means an alcoholic beverage, including beer, wine, and liquor.
2) **"Controlled substance"** includes any illegal drug as defined below, as well as any other substances included in the schedules of the Federal Controlled Substances Act (28 U.S.C. § 801, *et seq.*) or the Texas Controlled Substances Act (chapter 481, Texas Health, and Safety Code), in addition to any substance included in the Penalty Groups set forth in the Texas Controlled Substances Act. A controlled substance is "unauthorized" for purposes of this policy if the employee who possesses or uses the substance does not have a valid prescription for that substance at the time of its possession or use.
3) **"County premises"** includes all property, buildings, structures, job sites (where a county employee is working), parking lots and means of transportation owned, leased, or otherwise used for county business, including motor vehicles, equipment, or machinery.
4) **"Drug paraphernalia"** means equipment, a product or material used or intended for use in growing, producing, storing, containing, injecting, ingesting, or inhaling a drug or controlled substance.
5) **"Failing a drug test"** means confirmation of an initial test result which shows a detectable level of an illegal drug, unauthorized controlled substance, drug metabolite or alcohol in the body.
6) **"Illegal drug"** means heroin, cocaine, crack cocaine, cannabinoids (marijuana, hashish,

THC), PCP (phencyclidine), LSD (lysergic acid diethylamide), psilocybin (the hallucinogen derived from certain mushrooms), methamphetamine and any other controlled substance not validly prescribed by a physician.

7) **"Inhalant"** includes any "abusable volatile chemical" as that term is defined in the Texas Health and Safety Code, when such a substance is used or possessed with intent to inhale or ingest the substance contrary to the instructions on the label of the container in which the substance is packaged and, in a manner, intended to create a condition of intoxication.

Intent of Policy

Ochiltree County recognizes that drug and alcohol abuse are among the top public health problems affecting society today. Just as importantly, the county also recognizes that the use of illegal drugs, alcohol, and the abuse of controlled substances in the workplace creates significant safety hazards, interferes with effective and efficient workplace performance and is wholly inconsistent with the lawful and proper functioning of county government. These issues are significantly controlled by maintaining a drug-free workplace. This policy is intended to address these concerns and attain the goal of a drug-free workplace for the benefit of county employees and Ochiltree County citizens.

Ochiltree 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 their 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 Ochiltree 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. An employee may not use 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 their 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 their job duties.

If the use of a medication could compromise an employee's ability to do their job or the safety of the employee, fellow employees or the public, the employee must report the condition to their supervisor at

the start of the workday or used 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.

An employee who voluntarily asks for time off to get treatment and recover from a drug or alcohol abuse problem will be given protections as required by law. Upon returning to work from a bona fide inpatient treatment facility, the employee will be subjected to a volunteer drug testing program as often as monthly until there is evidence the employee no longer uses it. Failure to comply with the requirements of the post rehabilitative program, including refusing the volunteer testing program may result in termination. The post rehabilitative program will last for as long as two years. If at any time the employee tests positive or refuses the volunteer drug test during this post rehabilitative program the employee may be terminated.

Ochiltree County will drug test employees who ARE NOT CDL license holders under the following conditions:

1. **Pre-employment**: An applicant for employment for a sensitive position, such as law enforcement, medical or safety-related occupations, whom the county intends to hire and who has received a conditional offer of employment, may be required to submit to drug testing as a condition of employment if requested by the elected official or department head with authority to hire the applicant. Such an applicant must sign a Pre-employment Drug and Alcohol Testing Consent Form as a condition of employment.
2. **Post-accident testing**: All employees directly involved in an on-the-job accident or incident resulting in property damage and/or medical treatment may be required to be tested. This will be at the discretion of their elected official or supervisor.
3. **Suspicion-Based Testing:** Under the Influence shall be defined as having a blood alcohol concentration of .04 or more.
4. **Reasonable suspicion**: If an employee is having work performance problems or displaying behavior that may be alcohol or drug related or is otherwise demonstrating conduct that may be in violation of this drug and alcohol policy where immediate action is necessary, the elected official or supervisor will require that employee to submit to breathe test or urinalysis. The following conditions might be signs of possible alcohol or drug use:
    i. Abnormally dilated or constricted pupils
    ii. Glazed stare – redness of eyes (sclera)
    iii. Flushed face
    iv. Change of speech (faster, slower, slurred)
    v. Constant sniffing
    vi. Increased absences
    vii. Redness under nose

viii. Sudden weight loss
ix. Needle Marks
x. Change in personality (i.e. paranoia)
xi. Increased appetite for sweets
xii. Forgetfulness, performance faltering, poor concentration
xiii. Borrowing money from co-workers or seeking an advance of pay or other unusual display of need for money
xiv. Constant fatigue or hyperactivity
xv. Smell of alcohol
xvi. Difficulty walking
xvii. Excessive, unexplained absences
xviii. Dulled mental processes
xix. Slow reaction rate

Elected Officials or supervisors must take action if they have reason to believe one or more of the above listed conditions is indicated and that the substance abuse is affecting their employee's job performance or behavior. The following steps will be taken:

1. Confront the employee involved and keep them under direct observation until the situation is resolved. Inform the employee of the problem with their job performance and specific violations of the County Policy.
2. If the supervisor believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a drug or alcohol test. If the employee refuses to submit to testing for any reason, the employee may be terminated.
3. Employees will be asked to release any evidence, such as alcohol or drug paraphernalia, relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline, up to and including termination. All confiscated evidence will be receipted for with signatures of either the elected official or supervisor as well as the employee.
4. The elected official or supervisor will **remove** the employee from the county workstation and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence. Under no circumstances will the employee be allowed to drive a vehicle until a confirmed negative test result is received.
5. The elected official or supervisor shall, within 24 hours or before the results of the controlled substance test are released, document the particular facts related to the behavior or performance problems and present such documentation to the Treasurer's Office for filing.

Testing Procedures

1. The employee will be escorted and driven to the designated facility for specimen collection and/or testing.
2. The employee will be required to follow the drug testing protocol of the medical facility providing the testing.
3. If the employee desires another test to be given, they may do so within 2 hours of the specimen being collected and the same specimen will be used. The cost of this request will be paid for by the employee. All initial costs will be paid for by Ochiltree County.

4. The employee will be placed on paid administrative leave until the results of the test are known. The elected official or supervisor will make arrangements to ensure that the employee is safely returned to their residence.
5. Under no circumstances, unless required or authorized by law, will alcohol or drug testing information be released without written consent from the employee.

Each employee is expected to cooperate and consent to a drug test when requested under the terms of this policy. Refusal to consent to a drug and/or alcohol test when requested is cause for termination.

Any employee who violates this drug and alcohol policy may be terminated.

Employee Assistance Program

Ochiltree County will provide employees and their families with a confidential referral for 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 resulting from the referral will be paid according to the terms of the Ochiltree County group health insurance plan.

Reservation of Rights

Ochiltree County and each elected official who adopts this policy reserves the right to interpret, change, suspend or cancel all or any part of this policy or its procedures or benefits discussed herein. Although compliance with this policy is considered a condition of continued employment, **NOTHING IN THIS POLICY ALTERS AN EMPLOYEE'S STATUS AND SHALL NOT CONSTITUTE OR BE DEEMED A CONTRACTOR PROMISE OF EMPLOYMENT. NOTHING IN THIS POLICY ALTERS ANY COUNTY EMPLOYEE'S STATUS AS AN "AT-WILL" EMPLOYEE. EMPLOYEES REMAIN FREE TO RESIGN THEIR EMPLOYMENT AT ANY TIME AND FOR ANY OR NO REASON, WITHOUT NOTICE, AND THE COUNTY RETAINS THE RIGHT TO DISCHARGE ANY EMPLOYEE AT ANY TIME, FOR ANY OR NO REASON, WITH OR WITHOUT NOTICE.**

Other Laws and Regulations

The provisions of this policy shall apply in addition to, and shall be subordinate to, any requirement imposed by applicable federal or state laws, regulations, or judicial decisions. Any unenforceable provision of this policy shall be deemed to be deleted, and the remainder of this policy shall remain in full force and effect. This policy is intended to comply with the Drug-Free Workplace Act of 1988 and the Texas Workers' Compensation laws.

Confidentiality

All information relating to counseling, medical treatment, drug testing or any other procedure under this policy shall be confidential unless release is authorized in writing by the employee.

Discrimination Not Intended

No provision of this policy is intended to discriminate against any employee or applicant for employment with Ochiltree County on the basis of any disability contemplated by Title I of the Americans with Disabilities Act or chapter 21 of the Texas Labor Code. It should be noted that current

use of illegal drugs is not considered to be a disability under the Americans with Disabilities Act or chapter 21 of the Texas Labor Code. In any event, the purposes of this policy are to promote workplace safety and to ensure that all employees can safely and effectively perform the essential functions of their jobs, with or without accommodation.

DRUG AND ALCOHOL – CDL EMPLOYEES

CDL Drivers are an extremely valuable resource for Ochiltree County's business. Their health and safety are a serious County concern. Drug or alcohol use may pose a serious threat to drivers' health and safety. It is, therefore, the policy of the County to prohibit CDL employees from being under the influence of or using illegal drugs or alcohol during working hours.

The Federal Highway Administration ("FHWA") has issued regulations, which require the County to implement a controlled substance testing program. The County will comply with these. All CDL 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 Ochiltree County that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) or alcohol by any CDL driver while on County premises, engaged in County business, while operating County equipment, or while under the authority of the County is strictly prohibited. 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. Ochiltree County will conduct pre-employment, random, reasonable suspicion, and post-accident drug testing in accordance with federal law.

It is the policy of Ochiltree County to comply with the U.S. Department of Transportation, FMCSA Clearinghouse, a secure online database that provides employers with real-time information about CDL driver drug and alcohol program violations. Ochiltree County will conduct electronic queries as required by FMCSA's drug and alcohol use testing program, for checking CDL driver violation histories. Drivers may view their own records. Employees will be required to provide a consent form from the CDL holder to conduct both Limited and Specific inquiries.

A detailed policy and procedure are available at the Treasurer's office.

WORKPLACE VIOLENCE

Ochiltree County is committed to providing a workplace free of violence. Ochiltree 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, 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. No employee may possess a firearm or other weapon other than an authorized law enforcement official, with or without permits in all county offices and buildings owned or used by Ochiltree County, this also includes county owned vehicles. 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.

SOCIAL MEDIA

For purposes of this policy "social media" includes, but is not limited to, online forums, blogs, and social networking sites, such as TikTok, Twitter, Facebook, LinkedIn, YouTube, and Instagram, etc. Ochiltree 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 and/or position in the county; is used to harass supervisors, co-workers, customers, or vendors; creates a hostile work environment; or harms the goodwill and reputation of Ochiltree County among the community at large. Ochiltree 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 Ochiltree County make clear that you are an employee of Ochiltree County and that the views posted are yours alone and do not represent the views of Ochiltree County.
- Do not mention Ochiltree County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Ochiltree 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 Ochiltree County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Ochiltree 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 Ochiltree County's website or post Ochiltree County material on a social media site without written permission from your supervisor.
- All Ochiltree 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 Ochiltree County must be kept confidential and should not be discussed through in social media forum.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

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

MILEAGE AND TRAVEL EXPENSE REIMBURSEMENT

Reimbursement for travel, meals, and lodging is available for employees conducting business on behalf of Ochiltree County. Vouchers for reimbursement must be submitted directly to the office of the Ochiltree County Treasurer by the employee incurring the expense. **THERE WILL BE NO REIMBURSEMENT FOR EXPENSES EXCEPT ON DIRECT SUBMISSION TO THE TREASURER BY THE EMPLOYEE.**

A request for "Advance in Anticipation of Travel Expenses" may be made by an employee. The request must have the written approval of the department head and be submitted directly to the office of the Treasurer. When the travel is completed, the employee must submit a completed travel voucher detailing the travel expenses as outlined below. The completed travel voucher must be approved by the department head and any money advanced in excess of that reflected on the voucher returned to the Treasurer.

Transportation:

1. The time allowed for driving to a meeting will be limited to one (1) hour per 50 miles. Example: 200-mile trip = 4 hours driving time allowable. Overnight expenses will not be allowed when it is feasible to depart home by 7:00 a.m. to attend a meeting and return home by 9:00 p.m. following the meeting.
2. Automobile reimbursement is at the standard mileage rate applied in accordance with IRS regulations per mile based on the IRS Regulations. (Mileage for Deputies of the Ochiltree County Sheriff's Department is exempted from this policy and is accounted for as a separate budgeted line item). The Ochiltree County Treasurers Office will compute the reimbursement. If more than one person from an office is attending the same meeting, reimbursement will be based on 3 people per car whenever it is possible for them to travel together. If maximum utilization of cars isn't made, mileage reimbursement will be limited. The only exceptions allowable are delayed departures or early returns solely for the convenience of Ochiltree County. If mileage reimbursement exceeds regular coach airfare, the amount of airfare will be paid. If you drive a county owned vehicle, you may claim reimbursement for gasoline. Gasoline receipts must be attached to the travel voucher.
3. Your airline ticket stub must be attached to your travel voucher.
4. Taxi or shuttle transit receipts (to and from airport and hotel) and airport parking receipts must be attached to the travel voucher in order to receive reimbursement.

Lodging and meals:

Reimbursement for lodging is available when the business of the county requires an overnight stay outside the limits of Ochiltree County. Your hotel bill must accompany your travel voucher and must be within the County's per diem guidelines.

No receipts are required for meals, and you may estimate the amounts. Reimbursement will be based on actual expenses listed, up to the allowed per diem rate of $51.00 per day.

If the allowable travel time doesn't require that you stay overnight, reimbursement will be limited to the cost of meals. In no event will reimbursement for meals exceed $12.75 per four-hour period outside the limits of Ochiltree County and not to exceed a maximum of $51.00 per day.

If an employee of Ochiltree County lives outside the territorial limits of Ochiltree County and the

employee's workstation is located in Ochiltree County, there will be no reimbursement for daily meals.

Miscellaneous:

Any miscellaneous expenses, such as rent cars, must be approved in advance by the department head and the rental car receipt must accompany your travel voucher.

Non-reimbursable expenses:

1. Rental cars (without prior approval)
2. Taxi or Shuttle Transit fares (without receipts)
3. Entertainment expenses
4. Liquor
5. Tips
6. Telephone calls
7. Laundry charges
8. Charges for miscellaneous hotel services

CONFERENCES AND SEMINARS

While Commissioners Court approval is not required before an elected official or department head attends or allows a county employee under his supervision to attend, a conference or seminar in connection with the department's official duties, care must be exercised in the expenditure of funds budgeted for such purpose. The elected official or department head must assure that the line item for such expenditures is used in travel to conferences and seminars that first satisfies continuing education requirements for the office holder or employee and second furthers the legitimate county employment interests of the office holder or employee. Should the office holder or department head fail to properly manage the available conference and seminar funds and thereby fails to first satisfy the continuing education requirements for the office holder or employees, the elected officials or department head jeopardizes future budget approval of this line item. If the elected official or department head fails to assure the expenditures from this fund are used to further the legitimate county employment interest of the office holder or employee, the elected official or department head may be personally liable for the payment of such expenses.

ISSUANCE OF PURCHASE ORDERS AND PURCHASING PRACTICES

The following personnel are authorized to issue purchase orders or make purchases in the amounts indicated without prior approval of the Commissioners Court.

Person or Position	Dollar Limitation
County Judge	$15,000.00
All Commissioners	15,000.00
Shop Foreman	2,500.00
Maintenance Mechanic	500.00
Elected Department Heads	10,000.00
Non-Elected Department Heads	10,000.00
Chief Deputy, Sheriff's Department	2,500.00

The purchase order or purchase must:

1. meet the County Auditor's established criteria for a budgeted line item;
2. the purchase order or purchase, together with all other outstanding purchase orders, must not exceed the remaining balance in the budgeted line item; and
3. the person issuing the purchase order or making the purchase must have authority to encumber the line item.

No purchase order shall be issued to a vendor or purchase made from a vendor whose principal place of business is outside the limits of Ochiltree County, Texas, unless after investigation with local vendors, the use of a vendor outside the county provides a savings to the county of not less than 10 percent (10%) or FIVE HUNDERD AND NO/100 ($500.00) DOLLARS, on the item or service to be purchased or the item or service is not locally available.

The following procedure must be followed in the issuance of a valid Purchase Order:

1. Obtain a blank purchase order from one of the persons authorized to issue a Purchase Order. Complete the Purchase Order, exercising care to identify the issuer, the vendor's name, the item purchased, the end user and an authorized signature.
2. When the item is delivered from the vendor, be sure the invoice amount corresponds with the purchase price shown on the Purchase Order.
3. Return the Purchase Order to the vendor with instructions for the vendor to attach the Purchase Order to invoice when it is submitted to the County for payment.

If none of the individuals authorized to issue purchase orders is available, do not make the purchase.

If you are out of town and need repairs to your vehicle in order to return home, call one of the people designated above and ask for a Purchase Order over the phone and obtain verbal authority to make the needed repairs. When in doubt about the procedure, call the County Judge or any Commissioner regarding the appropriate action.

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.

EMPLOYEE EVALUATIONS

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.

SEPARATION FROM EMPLOYMENT

Types: All separation from employment with Ochiltree County shall be designated as one of the following: Resignation, Retirement, Dismissal, Disability, Reduction in Force (Lay-Off), Discharge without fault, or Death.

1. A **Resignation** shall be classified as any situation in which an employee voluntarily leaves his/her employment with Ochiltree County and the separation does not fall into one of the other categories.
   To resign in good standing, the employee shall be required to notify his/her supervisor of the intent to resign at least ten (10) working days prior to the last day of work.
2. A **Dismissal** shall be any involuntary separation from employment, which does not fall into one of the other categories.
3. A **Separation for Disability** shall be any situation in which the employee is unable to perform the duties of his/her job for physical or mental reasons.
4. **Reduction In Force** (Lay-Off) - While such action is avoided whenever possible, employees of Ochiltree County may be laid off where a department head deems it necessary because of shortage of funds or work, the abolition of a job or jobs, other material changes in the organization or for other reasons which are beyond the control of the employee or employer.
   a. A Lay-Off shall not reflect discredit on an employee or on his/her ability to do the job in which he/she was employed.
   b. Whenever possible, employees who are laid off in one department may be integrated into other departments by transfer.
   c. If Lay-Offs are required, they shall be based on the continuing need for a particular function.
5. **Discharge Without Fault** - All employees of Ochiltree County are, because of the political nature of county government, "Employees At Will". Because of this "Employees At Will" policy, all employees are subject to DISCHARGE WITHOUT FAULT from the staff of an elected official.
   a. "DISCHARGE WITHOUT FAULT" shall not reflect discredit on the employee or on the employee's ability to do the job for which they were employed, and the employee is, upon "DISCHARGE WITHOUT FAULT", entitled for unemployment compensation benefits as provided by law.
6. Upon the **Death** of an employee while in the service of Ochiltree County, his/her designated beneficiary or estate shall receive all earned pay and payable benefits.

ADVERSE PERSONNEL ACTION AND DISMISSAL

Involuntary termination from employment (Dismissal) is but one of several adverse personnel actions that may be taken against an employee. Available sanctions include, but are not limited to, negative personnel evaluations, verbal reprimands, written reprimands which become a permanent part of the employee's personnel file, temporary suspension from duty without pay, demotion, demotion with reduction in pay, and involuntary termination (Dismissal).

Adverse personnel actions may be taken against employees for any of the following reasons:

1. Violation of the CODE OF ETHICS;
2. Violation of any policy contained in this handbook;
3. Violation of any departmental rule of which the employee has notice;
4. Violation of any penal law of grade of felony;
5. Violation of any misdemeanor penal law involving moral turpitude;
6. Public intoxication;
7. Consumption or possession of alcohol while on duty;
8. Consumption or possession of any controlled substance listed in the Texas Controlled Substances Act, (V.A.C.S. 4476-15, as amended), copies of which are maintained for employee review by the Ochiltree County Sheriff's Department, or possession of paraphernalia identified as equipment, a produce or material that is used or intended for use in concealing an illegal drug or for injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug or controlled substance;
9. Failure to carry out the lawful directives of the employee's supervisor;
10. Absence from the employee's duty station without leave from the supervisor;
11. Deliberate disrespect for or personal denigration of fellow employees, supervisor, or members of the public.
12. Misuse, misapplication, or misappropriation of county property.
13. Engaging in personal pursuits during duty hours, which interferes with the employee's job responsibility.
14. Failure to perform assigned job tasks.
15. Misrepresentation of the employee's rights, duties, authority, or responsibility.
16. Encouraging, aiding, or assisting any employee in the violation of any of the above.
17. Failure to report a violation of any of the above.

TERMINATION PAY

If an employee leaves the service of Ochiltree County **after** their initial six-month probationary status, his/her final paycheck shall include:

1. Pay for all hours worked but for which payment has not been received;
2. Where applicable, pay for compensatory time which has been earned but not yet used;
3. Pay for any leave time for which payment is due under the provisions of the County's personnel policies.

*Longevity terminates when employment is terminated.

RETIREE REHIRES

Retired employees shall be eligible to apply for open positions with Ochiltree County as long as the following provisions are met:

1. the retiree has been retired for at least 2 calendar months and
2. no prior arrangement or agreement was made between Ochiltree County and the retiree for reemployment.

The retiree must have a bona fide separation of employment and have been retired for a minimum of 2

calendar months. A bona fide separation means there is no prior agreement or understanding between Ochiltree County and the retiree that the retiree would be rehired after retirement.

Rehired retirees who did not have a bona fide separation of employment may owe a 10 percent excise tax and be required to repay all their monthly retirement payments. Abusing the retirement provisions in such a manner would violate a qualification requirement for retirement plans under Section 401(a) of the Internal Revenue Code, potentially resulting in significant tax consequences for the employer, its participating members, and those retired employees.

Any retiree who meets all other TCDRS requirements, who is rehired consistent with this policy, must establish a new membership with TCDRS and will be considered to be a new member for the purposes of beneficiary determination and benefit selections.

SAFETY POLICIES

HAZARD COMMUNICATION

All chemicals are potential health hazards; therefore, it is the policy of this county that compliance with the federal codes and state rules and regulations will be strictly followed by employees and supervisors.

Each county department will prepare a list of all solid, liquid, and gaseous chemicals being used or stored at all locations where employees congregate or perform their assigned duties. It shall be the responsibility of the department's elected official, manager, or supervisor to prepare the aforementioned list and contact the chemical manufacturer and obtain the corresponding Material Safety Data Sheets (MSDS) for each of the chemicals indicated on the list. MSDS sheets will be placed in a protective prominently labeled binder that is accessible to employees. The chemical list and MSDS sheets will be kept current and cross checked quarterly and updated as necessary by the department head.

When ordering replacement chemicals, the responsible party shall require as part of the purchase that the manufacturer provide one copy of the MSDS sheets by return mail and attach one copy of the MSDS sheets to the materials when delivered. No materials should be accepted without the MSDS sheets. All chemicals must be labeled with approved labels by the manufacturer or the County. Labels will be affixed to the container in a location where employees can easily identify the material.

When chemicals are transferred from their original container, the receiving container must be of an approved type and be labeled. If the transfer of the chemical is for immediate use, the labeling is not required. Immediate use generally means the complete use of the chemical during that work shift.

The department's elected official, manager or supervisor is responsible for training all employees who may come in contact with chemical hazards. Employees must know:

1. The hazards of the chemical being used.
2. The appearance or smell of the hazardous chemical to which they may be exposed. How to locate, understand and read an MSDS sheet.
3. How to properly use, store, and transfer the material in a safe manner.
4. What personal protection equipment is required while using hazardous chemicals.
5. Emergency response and clean up procedures in the event of contamination or spill.

EMERGENCY RESPONSE

In the event an accident occurs, each employee should take the necessary emergency response as outlined below:

Personal Injuries

If the employee is injured, other employees in the immediate area should assist the injured. The senior employee on site shall have the responsibility to assess the severity of the injury and is authorized to take action as indicated below:

1. Provide first aid to the injured.
2. Take the injured to the County's designated physician or clinic.
3. Contact an Emergency Medical Services (EMS) or ambulance.

For severe injuries, provide first aid as necessary, make the injured as comfortable as possible, (but do not move the injured party), and call or have another employee call: 911.

If the injured is not severe but needs a physician's attention, the supervisor shall escort the injured employee to Ochiltree General Hospital or to the designated physician.

Fire

If a fire occurs each employee should:

1. Protect injured person from further danger.
2. Sound an alert to notify person in the area.
3. Evacuate the facilities.
4. Call the fire department at 911
5. Attempt to extinguish the fire using the proper equipment.

Bomb Threat

In the event of a bomb threat, all employees should evacuate the facilities. Get far enough away to prevent injury from flying glass and debris and call 911.

Hazardous Material Incident

Chemical spills or exposure to chemical accidents can be extremely hazardous. Often the chemicals involved can change from dormant to volatile when exposed to the environment or in contact with other materials. Evacuate all employees where a hazardous material incident occurs and then call:

Texas Department of Public Safety
Amarillo, Texas
(806) 359-4751

CAUTION – Local fire or police units may not have the required certifications or equipment to respond or clean up an incident; therefore, investigate a qualified source to respond.

GENERAL SAFETY RULES

The following rules will be applicable to all work areas. These rules, together with those developed by the combined efforts of the department heads and their employees, are helpful in promoting safety consciousness and reducing accidents.

1. Employees shall not turn on, use, repair, or operate any machine, tool, vehicle, crane, electricity, gas, steam, air, acid, caustic or other dangerous material or equipment unless authorized by a supervisor and have been trained in the proper safety precautions.
2. Safety guards and devices furnished by the county, or the department will be used.
3. Approved personnel protection equipment will be worn.
4. Only a tool, equipment, machine, etc. that is properly maintained and adjusted may be used.
5. Tools may not be modified.
6. Floors must be kept free of paper clips, pencils, rubber bands, trash, coffee, food, and any other material or debris that might cause someone to trip or slip. Employees responsible for such material or substance spilled shall clean it up immediately.

7. Horseplay, running, and practical jokes are prohibited because of potential slipping, tripping collisions.
8. Immediately report all injuries to supervisor.

CLOTHING AND SAFE DRESS

1. Wear clothing appropriate to work assignments. Clothing should be clean and in good condition.
2. Supervisors are responsible for ensuring that employees are informed of the requirements for clothing that is suitable for the work to be performed.
3. For those working with machinery or in other hazardous operations, all apparel should be well fitted, with no loose or flowing appendages. Sleeves, if full length, should be buttoned at the wrist. Never work without a shirt.
4. Employees must wear shoes. Shoes should be well fitted with good soles and heels that completely cover the foot. Open-toe shoes, or lightweight shoes of canvas "sneaker" type may not be safe. Safety shoes or safety toecaps are mandatory in foot-hazardous work.
5. Employees with long hair who work around moving machinery must wear adequate hair covering to avoid entanglement.
6. Jewelry such as rings, pendants, necklaces, earrings, watches, shall not be worn whenever they constitute a hazard. Working around moving machines, electrical or electronics equipment would be an example of this.

PERSONAL PROTECTIVE EQUIPMENT

General

1. Protective equipment for eyes, face, head, back, protective clothing, respiratory devices, and protective barriers shall be provided and used wherever necessary.
2. Where employees provide their own protective equipment, the department shall be responsible for assuring its adequacy, including proper maintenance and sanitation.
3. Protectors shall:
    a. Provide adequate protection.
    b. Be comfortable.
    c. Fit snugly and not interfere with physical movement.
    d. Be durable.
    e. Be capable of being disinfected.
    f. Be easily cleaned.

4. Personal protective equipment shall comply with the standards of the American National Standards Institute, Bureau of Standards, or other recognized authorities.
5. Protectors shall be maintained in a sanitary and reliable condition at all times. Safety devices, including protective clothing worn by the employee, shall not be interchanged among employees until properly cleaned. When ordinary cleaning will not remove the risk of infection, additional precautionary measures may be required.

Body

1. Other body protection may be required for employees whose work exposes parts of their body.
2. Appropriate clothing shall be worn at all times.
3. Clothing saturation with flammable liquids, corrosive substances, irritants, or oxidizing agents shall be removed and shall not be worn until properly cleaned.

Ear

1. Ear protection shall be provided by the county and used by employees whenever noise levels are high.
2. Supervisors whose employees are engaged in noisy operations or who work in noisy areas will be responsible for ensuring the use of approved hearing devices.
3. Employees must wear an appropriate hearing protection device whenever exposed to hazardous noise. Hazardous noise is determined when it is difficult to hear a loud spoken voice at a distance of one (1) foot.
4. Earplug type hearing protective devices are recommended.
5. Cotton is not an acceptable protective device.
6. Ear protectors should be washed with mild soap and water after use. Dirty equipment may cause infection.

Eyes and Face

1. Employees working in locations where eye hazardous substances, or strong light rays are inherent must wear eye protection.
2. The employer shall provide suitable protection.
3. Visitors who are exposed to eye hazards will be provided with protective eyewear by the county.
4. Face and eye protection equipment shall be kept clean and in good repair. The use of equipment with structural or optical defects shall be prohibited.
5. Only safety eyewear or face wear, which meets the American National Standards Institute (ANSI) – 787 standards, is permitted.
6. To protect against radiant energy when welding, burning, or cutting, the use of welding filter lenses shall conform to the following shade specifications:

Arc weld over 400 amps	Shade 14
Arc weld 200-400 amps	Shade 12
Arc weld 75-200 amps	Shade 10
Arc weld 30-75 amps	Shade 8
Heavy gas weld and cutting	Shade 8
Arc weld up to 30 amps	Shade 6
Medium gas weld and cutting	Shade 6
Light gas weld, cutting, & brazing	Shade 5/4

7. Full-face shields, chemical splash goggles or hoods with shields, shall be worn when exposed to or handling caustics, acids, or cryogenic liquids.
8. In laboratories, it may be necessary to perform demonstrations involving potentially hazardous operations so that employees can observe certain reactions. Transparent shields or barricades may be used. Even if a shield or barricade is utilized, the demonstrator and

employees are at increased risk, and must therefore wear adequate personal eye protection.
9. Persons wearing contact lenses face additional eye dangers. In eye hazard areas, they are required to wear goggles or face shields instead of safety glasses.

Feet

1. Appropriate foot protection is required for employees who are exposed to hot, corrosive, poisonous substances, falling objects, crushing, or penetrating actions which may cause injuries, or who are required to work in abnormally wet locations.
2. Defective or inappropriate footwear should not be worn.
3. Safety footwear must meet ANSI Standard requirements.
4. Full coverage work or dress shoes must be worn in shops, laboratories, and other areas designated as foot hazard areas. Open, high heel, or canvas shoes will not be worn in these areas.

Hands

1. Hand protection may be required for work involving unusual and excessive exposure to cuts, burns, corrosive irritants, allergenic or other harmful substances.
2. Wearing gloves by a machine operator is not advisable. Gauntlet or loose-cuff gloves are not permitted around moving machinery.
3. Employees performing industrial work should equip themselves with general-purpose gloves. Cotton or fabric gloves are suitable for protection against dirt, slivers, chafing, or abrasions. Leather gloves are more effective in resisting moderate heat, chips, and rough objects. Special purpose gloves such as chrome-tanned leather gloves, rubber gloves, chemical-resistant gloves, etc. should also be considered.

Head

1. Employees working where there is a danger of head injury from impact, falling or flying objects, or from electrical shock and burns, must wear a protective helmet.
2. Helmets that protect employees against impact and penetration of falling and flying objects must meet the ANSI Standard for industrial head protection.
3. Helmets that protect against exposure to high voltage electrical shock and burns must also meet the applicable ANSI Standard.

LIFTING AND MANUAL MATERIAL HANDLING

General Rules

This county recognizes that lifting and material handling type injuries make up a major portion of our risk for employee injury. We also recognize that in order to reduce the risk of this type of injury, we must find alternatives to manual lifting and manual handling. Employees are to follow these procedures when handling materials:

1. Try to eliminate the need for lifting or reduce the risk for lifting injuries through:
    a. Organizing storage of materials.
    b. Limiting bulk and weight of materials to be lifted. Keep package sizes manageable. (Remember that bulky and awkward objects cause most material handling injuries.)

c. Keep aisles clear when carrying materials to prevent trips, stumbling, etc.
d. Make sure you are aware of the weight of the object. Underestimating or overestimating the weight of an object can lead to injury.
e. Wipe off wet, greasy, or slippery objects before handling them.

2. Use mechanical lifting devices whenever possible, rather than lifting manually. If the appropriate device is not available, contact your supervisor or someone who is authorized to purchase or budget those items.
3. Lift as a last resort if mechanical aids are not available and the lift is necessary. This county recognizes that all lifting cannot be eliminated. When lifting alone, follow either of the appropriate lifting procedures below.
    a. Two hand squat lift involves six (6) steps:
        i. Keep feet parted-one alongside and one behind the object.
        ii. Keep back straight, nearly vertical.
        iii. Tuck elbows and arms in and hold load close to body.
        iv. Grasp the object with your whole hand, not just the fingers.
        v. Tuck your chin in.
        vi. Keep body weight directly over feet.
    b. An assisted one-hand lift should be used when it is impossible to bend the knees and squat. Reaching over into a container to lift something would be a good example of this.
        i. Place the non-lifting hand on the container top, bend over the container.
        ii. While bending over, kick the foot on the same side as the non-lifting hand rearward to provide forward body balance.
        iii. Reach and grasp object to be lifted.
        iv. Push down with the non-lifting hand on the container top raising the upper body to a vertical position. Be sure to let the non-lifting hand do the work, not the back.
        v. Remember, this technique is not always practical. This type of lift should be limited to a load weight of 15-20 lbs.
    c. Twisting the body should always be avoided. Turn your body as a whole unit to reduce the risk of an injury while lifting and carrying loads.
    d. It is impractical to establish a definite limit on how much weight can be lifted; however, based on an infrequent lift, the following chart can be used as a guideline. This is based on a normal lift (with no twisting) of a standard size tote box (19" x13 ½" x 5 ½"). Allowances should be made if the object is bulkier than this, by decreasing the allowable weight.

HEIGHT OF LIFT	WORKFORCE	90%	75%
Floor to knuckle	Men	37 lbs	45 lbs
	Women	28 lbs	33 lbs
Knuckle to shoulder	Men	34 lbs	43 lbs
	Women	25 lbs	29 lbs
Shoulder to arm	Men	29 lbs	39 lbs
	Women	24 lbs	26 lbs

4. If the employee will be lifting more than one (1) time per minute, these figures should be reduced.
5. Employees who will be lifting objects on the job should keep themselves in good physical condition. If you are going to be lifting objects that are heavy, or lifting for a prolonged period, take time to do some stretching and warm up exercises prior to starting the job.

OFFICE EQUIPMENT

Electric Extension Cords for Office Use

1. Flexible cords should be in good repair and must bear the Underwriters Laboratory Label (UL) or meet NFPA 70 standards. Do not use frayed or damaged cords.
2. Only use three wire (grounded) electrical cords.
3. If the permanent electrical system does not have a ground circuit, only connect the extension ford to a ground fault-interrupting device (GFI).
4. Flexible cords should be short (6 feet in length), limited to temporary use. Never cross traveled pathways unless suitable protected to avoid damage or tripping hazards.
5. Do not use two-wire flexible cords and adaptor plugs because equipment is not grounded when connected to them.
6. Never splice any flexible cord or electrical cord.
7. Never tack cords to walls, etc. Keep cords away from pinch-points and hot or wet surfaces. Never string cords across the ceiling, over pipes, or near sinks, and never place cords or plugs under physical stress or tension (see "Electrical Safety', for additional details).

Office Safety

1. Pencil sharpeners shall not be installed where they might be an obstruction.
2. Electric cords must be kept in good repair. Replace cords when outer insulation is broken. All cords must bear U.L. labels.
3. Equip fans with suitable guards. Do not place fans where they might be struck.
4. Thumbtacks and other sharp, pointed objects should be kept in containers, not loose in desk drawers.
5. Fasten individual upright shelves, lockers and cabinets to floors or walls, if the possibility of overturning exists. Where there are two (2) or more, fasten them together.
6. Do not open more than one (1) drawer of a file cabinet at one time. Close drawers when not in use.
7. When it is necessary to store material on top of lockers of file cabinets, regard the weight, shape, and stability of the material.
8. Have defective chairs repaired or replaced promptly.
9. Do not tilt back in straight chairs.
10. Use care when cleaning glass used for desktops.
11. Use knives, razor blades, scissors, or shears with care. Sheath cutting edge instruments when not in use.
12. Equip paper cutters with a safety bar. Adjust blade spring tension so that the blade will not fall from its own weight.
13. Arrange desks to that electrical and telephone outlets and leads are not tripping hazards.
14. Repair or replace splintered or jagged edges, or other defects found on office equipment.
15. Spindle (spike) files should not be used.
16. Before using office machines, be sure they are properly located and not in danger of falling.
17. Never clean or lubricate electrical appliances when they are in operation.
18. Protection should be provided against moving parts on typewriters, bookkeeping, tabulation machines, and other types of power-driven office equipment.
19. Do not put broken glass in wastebaskets. Broken glass should be packed in heavy paper, marked "broken glass" and placed alongside the wastebasket at the end of the day so that the

person removing wastepaper will not be cut accidentally.

20. Distorted or damaged metal or wire baskets should be repaired or replaced promptly, since sharp edges and points can cause injury.
21. Small ladders and stands must be equipped with treads of non-slip material and safety feet.
22. Ladders having broken or split rails or steps shall be destroyed.

BUILDINGS

Administrative Responsibilities For Buildings

The responsibility for the condition of all buildings and equipment rests with the department(s) occupying the building.

Building Inspections

Occupants of buildings should make periodic inspections to keep hazards at a minimum in all areas, covering such items as:

1. Good housekeeping.
2. Condition of stairs treads, floor tiles, and carpeting.
3. Exposed electrical and telephone outlets on the floor.
4. Loose Stairway railings.
5. Windows for cracked glass.
6. Walls and doorframes for protrusions.
7. Office furniture and machines in need of repair.
8. Proper storage of material.
9. Adequate lighting and ventilation.
10. Insects and other pests.
11. Lock on security doors.

Departments should document discrepancies found and submit requests for correction.

Corridors and Aisles

1. Corridors.
    a. Corridors and means of egress shall be designed and maintained to have adequate headroom, but in no case shall ceiling height be less than 7 feet 6 inches nor projection from the ceiling be less than 6 feet 8 inches from the floor.
    b. The required width of corridors shall be unobstructed.
2. Aisles.
    a. Every portion of every building in which there are seats, tables, equipment, or similar materials installed, shall be provided with isles leading to an exit.
    b. Where aisles are required, equipment, parts and stocks shall be arranged and spaced to provide not less than 6 feet 8 inches headroom to a safe means of egress from the building. In existing installations, which do not comply with the minimum headroom clearance and are impractical to correct, a suitable warning sign shall be placed near or on the obstruction and padded.
    c. Aisles leading to exits shall be a minimum of 44 inches unobstructed.

Doors

1. Exit doors should open to the outside of the building. When fully opened, the door shall not obstruct the exit width or impede the flow of traffic from any other route.
2. Every required exit doorway shall be of a size as determined by NFPA standards for occupancy of the building. The size of the exit shall not be less than 28" in existing structures and shall not be less than 32" in any new or newly remodeled structures that the County owns or operates. These exits must also be capable of handling the occupant load of the building in accordance with NFPA 101 Life Safety Code.
3. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort.
4. A latch or other fastening device on a door shall be provided with a knob, handle, panic bar, or other simple type of releasing device, the method of operation of which is obvious even in darkness.
5. A door designed to be kept normally closed as a means of egress, such as a door to a stair enclosure or stairwell, shall be provided with a reliable self-enclosing mechanism, and shall not at any time be secured in the open position. Signs should be posted on such doors.
6. When a door is required to be equipped with panic hardware, the panic hardware shall cause the door latch to release when sufficient force is applied to the releasing devices in the direction of exit travel. No lock, padlock, hasp, bar, chain, or other device, or combination thereof shall be installed or maintained at any time or in connection with any door on which panic hardware is required if such device prevents or is intended to prevent, the free use of the door for purpose of egress.
7. Doors that swing both ways, located between rooms such as kitchen and dining rooms shall be provided with view areas. One view area shall be provided for each door of swinging double doors.
8. No turnstile or similar device to restrict travel to one direction, or to collect fares or admission charges, shall be so placed as to obstruct any required means of egress.

Elevators

1. In each elevator there shall be posted a card or plate indicating the safe carrying capacity. The safe capacity for passenger elevators shall be expressed in terms of the maximum number of passengers and for freight elevators in terms of the number of pounds. The rated capacity shall never be exceeded.
2. Self-service elevators shall have operating instructions and emergency procedures clearly outlined and posted inside the car.
3. Passengers shall guard against tripping when entering or leaving an elevator. No one shall get on or off an elevator while it is in motion.
4. Passengers shall not use freight elevators unless they are authorized for passenger use. Elevators not authorized for passenger use shall carry signs to that effect.
5. Passenger elevators and automatic operation freight elevators shall be provided with an emergency alarm system, operable form within the car, which will provide effective means for summoning assistance at all hours in case of emergency.
6. Exposed gears, sprockets, tape or rope sheaves or drums of selectors floor controllers or signal machines and the ropes, chains, or tapes for driving same, in machine rooms and secondary machinery spaces, shall be guarded to protect against accidental contact.

Exits

1. Every building or usable portion thereof shall have at least two means of egress.
2. Each exit shall be remote from each other and so arranged and constructed as to minimize any possibility that both may be blocked by any one fire or other emergency condition.
3. Exits shall be so located and arranged that they are readily accessible at all times.
4. Exits form a room may open into adjoining or intervening rooms or areas provided such adjoining room is accessible to the area served and provided direct access to an exit and travel distance does not exceed 75 feet.
5. All exits shall discharge directly to the street, or to a yard, court, or other open space that gives safe access to a public way.
6. No obstruction or storage shall be placed in the exit.
7. At every required exit doorway, and whenever otherwise required to clearly indicate the direction of egress an exit sign shall be provided.
8. Every required sign designating an exit or way of exit shall be so located and of such size, color, and design as to readily visible. No decoration, furnishings, or equipment, which impair visibility of an exit sign, shall be permitted.
9. Every sign shall be illuminated by a reliable light source and maintained on a separate circuit or source of power.

Guardrails

1. Guardrails shall be provided on all open sides of unenclosed roof openings, open landings, balconies or porches, platforms, runways, ramps, or working levels more than 48 inches above the floor, ground, or other working area. Wherever guardrail protection is required state or federal standards will be applied.
2. A guardrail shall consist of top rail, mid-rail or equivalent protection, and posts, and shall have a vertical height within the range of 42 inches from the upper surface of the tip rail to the floor, platform, runway, or ramp level. Such rails shall be so constructed to withstand a force of 200 lbs. Applied downward or horizontally at any point.
3. Railings protecting floor openings, platforms, scaffolds, etc., shall be equipped with toe boards wherever, beneath the open side, persons can pass, there is moving machinery or there is equipment with which falling material could cause a hazard. A standard toe board shall be at least 4 inches in height and may be of any substantial material either solid or open, with openings not to exceed 1 inch in greatest dimension.

Places of Assembly

1. Every place of assembly shall maintain aisles and/or corridors in accordance with the previsions of this chapter, "Corridors and Aisles".
2. Where smoking is permitted, proper ashtrays should be provided, and at other convenient places approved noncombustible ashtrays or match receivers should be provided.
3. Fire extinguishers and/or fire hoses shall be visible and accessible at all times.
4. No person shall permit overcrowding or admittance of any person beyond the approved capacity of any place of public assemblage.
5. No person shall cause or permit any open flames to be used in any place of public assembly except when used in conjunction with approved heating or cooking appliances, or with special approval from the Fire Marshall.

Stairways

Every stairway or ramp serving any building or portion thereof shall conform to the requirements as set forth in NFPA other state or federal standards.

Workspace Access

1. Every permanent elevated location, where there is machinery, equipment, or material, which is customarily operated, adjusted, or otherwise handled shall be provided with a safe platform or maintenance runway. Access shall be by means of either fixed ladders or permanent ramps or stairways.
2. Every equipment room should have an opening large enough for an individual to exit at the opposite side from the door.

WORK SURFACES

Floors

1. All working surfaces such as floors and corridor type areas shall be kept in good repair so that they may be kept clean and orderly. Grease, water, or other slippery substances shall not be allowed to accumulate. It should be cleaned up at once.
2. Tripping hazards are a major source of falls so floors and other walking surfaces are to be kept as clear and unobstructed as possible.
3. Cords must not cross aisles or work area floor space without approved type ramps or other protection, which eliminates the trip hazard.
4. Mats and gratings or other non-slip materials shall be used in wet process areas and other locations where drainage is necessary.
5. Highly polished floors may present slipping hazards. To minimize this danger, wax that is applied on it should be an approved water emulsion wax of the non-slip type and applied in e with applicable instructions.
6. Carpeting shall be laid smoothly, and loose or torn floor covering shall be promptly repaired, replaced, or removed. Rugs not securely fastened to the floor shall have a rubberized non-slip backing or shall be laid over pads made of rubber or other slip-resistant material.
7. Permanent roadways, walkways, and materials storage outside yards shall be maintained free of dangerous depressions, obstruction, and debris.
8. All Interior access ways where vehicles or material handling powered machines is used, the access way will be properly marked with reflective paint or tape.

Floor Openings

1. Floor openings and floor holes into which a person can accidentally walk, shall be guarded by either standard railing on all exposed sides or a floor hole cover of standard strength hinged in place. When the cover is not in place, it shall be protected by a removable standard railing.
2. Floor opening covers should be made of solid construction, but where there is no exposure to falling materials, grill, or slatted covers with openings not over 1 inch in width may be used. Covers should be on non-slip surfaces and set flush. They shall not project more than 1 inch above the floor level.

3. Unused portions or service pits shall be either covered or protected by guardrails. This may be accomplished by movable post and chain rails or other guardrails which will provide equivalent protection.

Ladders

1. Straight ladders, step ladders, library type ladders, safety tools, and other climbing equipment must be made available as necessary and be maintained in a safe condition. Personnel must not be permitted to climb onto cabinets and other furnishings to reach elevated storage items or to work with racks or equipment installed above benches.
2. Ladders shall be maintained in good condition at all times. Ladders that are broken, weak or missing rungs shall be removed and destroyed.
3. Ladders shall not be loaded in excess of the safe capacity for which they were constructed. Long ladders shall be braced to prevent undue deflection.
4. Portable ladders shall be erected at a pitch of 75 ½ degrees for a maximum balance and strength. A simple rule for setting up a ladder at the proper angle is to place the base a distance from the vertical support equal to 1/4 of the working length (the length along the ladder between the foot and the top support) of the ladder.
5. Ladders shall extend at least 3 feet above the point of support at eves, gutters, or roofline. Unless suitable handholds are provided, the side rails of all ladders shall extend at least 3 feet above the upper landing.
6. Ladders, other than stepladders, shall be secured against displacement by fastening the feet rigidly to the floor, by lashing or fastening the ladder at the top and installing safety shoes.
7. Ladders shall not be painted in such a manner as to hide the grain structure of defects. Ladders may be kept coated with a suitable transparent preservative material.
8. The lashing of ladders together to increase the length of the ladder is prohibited.
9. Portable metal ladders shall not be used in the vicinity of electrical circuits in places where they may come in contact. Portable metal ladders shall be legibly marked with signs reading "CAUTION-DO NOT USE AROUND ELECTRICAL EQUIPMENT", or equivalent wording.
10. No one shall be permitted to stand and work on the top rung of a ladder.
11. Ladders shall not be placed in passageways, doorways, driveways, or any location where they may be displaced by activities being conducted on any other work, unless protected by barricades or guards.
12. Ladders should be stored in such a manner as to provide ease of access and to prevent danger of accident when withdrawing a ladder for use. Wood ladders, when not in use, should be stored at a location where they will not be exposed to the elements, but where there is good ventilation. Ladders stored in a horizontal position should be supported at a sufficient number of points to avoid sagging and permanent set.
13. On stepladders, these rules apply:
    a. Stepladders longer than 20 feet shall not be used.
    b. A uniform step spacing shall be employed which shall be not more than 12 inches.
    c. A metal spreader or locking device of sufficient size and strength to securely hold the front and back sections in open positions shall be a component of each stepladder.
    d. When in use, a stepladder should have a firm foundation and be secured or held while being used.
14. When ascending or descending, the user should face the ladder.
15. Ladders shall be inspected frequently and those which have developed defects shall be withdrawn from service for repair or destruction and tagged or marked as "Dangerous, Do Not Use.

ELECTRICAL SAFETY

General

1. The following table is helpful in understanding that a very small amount of electrical current is hazardous.

CURRENT IN MILLIAMPERES	EFFECT
2ma a-c or 10 ma d-c	Threshold of sensation: a strong tingling.
10 ma a-c or 60 ma d-c	Let go current, above which one freezes due to muscular contraction
100 ma a-c or 500 ma d-c	Death due to heart fibrillation and paralysis of breathing

The current passing through the body is the key factor in any shock accident. Most of the over 1,000 electric shock fatalities which occur in the U.S. every year are due to voltages of 440 volts. It is imperative that respect be given to all electrical equipment and circuits and that adequate precautions be taken regardless of voltage.

2. Typical body resistances are on the order of 1,000 ohms. Keep your resistance high by keeping hands and feet dry.
    a. Shoes must be worn at work (rubber soled shoes are preferable).
    b. The removal of rings and watches is recommended.
    c. Persons should never hold an energized electric appliance with wet hands, or when wearing wet shoes.
3. Do not touch electrical appliances when working at a sink.
4. Know the location of all power plugs and off switches on all equipment.
5. Assume all electronics gear is potentially lethal.
6. Report all shocks and defective equipment. A shock means something is wrong. The slightest shock when operating an electrical appliance in one location might, in another situation, result in instant death if part of the body made only slightly better contact with the ground or a grounded metallic object.
7. Use qualified electricians to do repairs.
8. In case of an accident:
    a. Break connections to victim by turning off the power or using a non-conducting object to separate victim and source. Do not touch the victim until contact is broken.
    b. Begin artificial respiration as quickly as possible. External cardiac massage may also be helpful.
    c. Obtain emergency assistance quickly by calling 911.
    d. When an electrical fire occurs, use C02 or all-purpose dry chemical extinguishers only.

Means of Disconnecting

1. All switches, circuit breakers, fuses and other control and protective devices shall be so located or arranged that they may be safely operated.
2. Each disconnecting means for motors and appliances, and service, feeder, or branch circuit at the point where it originates shall be legibly marked to indicate its purpose unless located and arranged so the purpose is evident. The marking be of sufficient durability to withstand the

environment involved.

3. Devices intended to break the circuit shall have an interrupting capacity sufficient for the voltage employed and for the current that must be interrupted.

Flexible Cords

1. Flexible electrical cords shall be used only for: (a) pendants, (b) wiring of fixtures, (c) connection of portable or appliances, (d) elevator cables, (e) wiring of cranes and hoist, (f) connection of stationary equipment to facilitate their frequent interchange, (g) prevention of the transmission of noise or vibration, (h) fixed or stationary appliances where the fastening means and mechanical connections are designed to permit removal for maintenance and repair, (i) data processing cables.
2. Flexible cords shall not be used: (a) as a substitute fixed wiring of a structure, (b) where run through holes in walls, ceilings, or floors, (c) where run through doorways, windows, or similar openings, (d) where attached to building surfaces, (e) where concealed behind building walls, ceilings, or floors.
3. Flexible cords shall be used only in continuous lengths without splice. The repair of hard-service flexible cords No. 12 shall be permitted if the completed splice retains the insulation, outer sheath properties, flexibility, and usage characteristics of the cord being spliced.
4. Flexible cords shall be so connected to devices and to fittings that tension will not be transmitted to joints or terminal screws. This shall be accomplished by a knot in the cord, winding with tape, by a special fitting designed for that purpose, or by other approved means which will prevent a pull-on cord from being directly transmitted to the joints or terminal screws.

Ground-Fault Circuit Protection

1. To protect employees using portable electrical equipment outdoors, wet, or in other hazardous locations; ground-fault circuit interrupters (GFCI) shall be used at all times when these conditions exist.
2. All 120-volt, AC, single phase, 15 and 20 ampere receptacle outlets in outdoor, wet, or other hazardous locations, shall have ground-fault circuit interrupters.

Grounding Equipment

1. Under any of the conditions described in (a) through (e) below, exposed non-current-carrying metal parts of cord and plug-connected equipment likely to become energized, shall be grounded. (Refer to the National Electrical Code for exceptions.)
    a. In hazardous locations (Flammable liquids and gases present.)
    b. Where operated at over 150 volts to ground.
    c. Potentially hazardous portable, hand-held, motor-operated tools and appliances such as drills, wet scrubbers, sanders, floor polishers and saws.
    d. Cord and plug-connected appliances used in damp or wet locations or by a person standing on the ground or metal floors or working inside of metal tanks, or boilers.
    e. Portable tools likely to be used in wet on conductive locations, unless double insulated.
2. Exposed noncurrent-carrying metal parts of fixed equipment likely to become energized under abnormal conditions shall be grounded when they are: (See National Electric Code for exceptions).
    a. Within 8 feet vertically or 5 feet horizontally of ground or grounded metal objects and subject to contact by persons.

b. Located in a wet or damp location and not isolated.
c. In a hazardous location.
d. Supplied by a metal-clad, metal-sheathed, or metal-raceway wiring method.
e. Operated with any terminal at over 150 volts to ground.

3. Exposed, non-current metal parts of the kinds of equipment described in (a) through (e) below, regardless of voltage, shall be grounded (See National Electric Code for exceptions).
   a. Switchboard frames and structures supporting switching equipment.
   b. Generator and motor frames in an electrically operated organ.
   c. Motor frames.
   d. Enclosures for motor controllers.
   e. Electric equipment for elevators and cranes.

Grounding of Live Parts

1. Live parts of electric equipment operating at 50 volts shall be guarded against accidental contact by approved s or other forms of approved enclosure or by:
   a. Location in a room, vault, or similar enclosure that is accessible only to qualified person.
   b. Suitable permanent, substantial partitions or screens so arranged that only qualified persons will have access to the space within reach of the live parts.
   c. Location to rooms and other guarded locations containing exposed live parts shall be marked with conspicuous warning signs forbidding unqualified persons to enter.

Methods of Grounding

1. The grounding connections for metal noncurrent-carrying equipment shall be made on the supply side of the service disconnecting means.
2. The path to ground from circuits, equipment, and conductor enclosures shall:
   a. Be permanent and continuous.
   b. Have ample carrying capacity to conduct safely any currents liable to be impressed on it.
   c. Have impedance sufficiently low to limit the potential above ground and to facilitate the operation of the over current devices in the circuit.
3. Metal noncurrent-carrying fixed equipment where required to be grounded shall be grounded by an equipment grounding conductor contained within the same raceway, cable, or cord or otherwise run with the circuit conductors. The conductor cover shall have a continuous outer finish that is either green, or green with one or more yellow strips.
4. Noncurrent-carrying metal parts of cord and plug connected equipment (portable) where required to be grounded, shall be grounded by one of the methods indicated in (a), (b), or below:
   a. Use a metal plate on the conductors supplying such equipment if a grounding-type attachment plug with one fixed grounding contact is used for grounding the metal enclosure. The attachment plug should be secured to the metal plate and to equipment by conductors that are approved for the purpose.
   b. Use of a grounding conductor run with the power supply conductors in a cable assembly or flexible cord properly terminated in grounding-type attachment plug with one fixed grounding contact. The covering shall have a continuous outer finish that is either green or green with one or more yellow stripes.
   c. Use of a separate flexible wire or strap, insulated or bare, protected against physical damage.

Outdoor Conductor Clearances

For outside wiring all conductors shall comply with the clearances specified below:

LOCATION	MINIMUM CLEARANCE Low-voltage 0-600 volts
Above and along thoroughfares	20 feet
Above areas where it is possible to drive vehicles	16 feet
Above areas accessible to pedestrians only	12 feet
Above structures	8 feet
Distance away from windows, doors, scaffolds, or similar locations shall be maintained not less than:	3 feet

Work Procedures

1. Only qualified people shall work on energized equipment and/or wiring.
2. No employee shall work in such proximity to any part of an electric power circuit unless the employee is protected against electric shock by de-energizing the circuit and grounding it or by guarding against it by effective insulation or other means.
3. Suitable protective equipment or devices shall be provided and used on or near energized equipment for the protection of employees where there is a recognized hazard of electrical shock or burns. In lieu of protective equipment, barricades may be used to provide protection from exposed energized equipment.
4. Equipment or circuits that are de-energized shall be rendered inoperative and have tags attached at all points where such equipment or circuits can be energized.
5. All reasonable means shall be provided to bar unauthorized person and/or equipment from the immediate vicinity of the work in progress.

Working Space Around Electrical Equipment

1. Sufficient access and working space shall be provided and maintained around all electrical equipment to permit ready and safe operation and maintenance of such equipment.
2. The dimension of the working space in the direction of access to live parts operating at 600 volts or less which require examination, adjustment, servicing, or maintenance while alive, shall not be less than indicated in the Table. In addition to the dimensions shown in the Table, the workspace shall not be less than 30 inches wide in front of the electric equipment. Distances shall be measured from the live parts if such are exposed or from the enclosure front or opening if such are enclosed. Concrete, brick, or tile walls shall be considered as grounded.
3. For inside clearances the following shall govern:
    a. Exposed live parts on one side and no live or grounded parts on the other side of the working space.
    b. Exposed live parts on one side and grounded parts on the other side.
    c. Exposed live parts on both sides of the workspace.

VOLTAGE TO GROUND	MINNIMUM CLEAR DISTANCE (FEET) CONDITION
502 ½	2 ½, 3
1-600	2 ½, 3 ½, 4

4. The working space required by this Section shall not be used for storage.
5. At least one entrance of sufficient area shall be provided to give access to the working space around electrical equipment.
6. Adequate illumination shall be provided for all working spaces around electrical equipment. The light outlets shall be so arranged that persons changing lamps or making repairs on the lighting system will not be endangered by live parts or other equipment.
7. The minimum headroom of working space about switchboards, panel boards and control centers, which require manual operation or where there are live parts, exposed at any time shall be 6 ¼ feet.

FIRE PROTECTION

General

1. All fires, regardless of severity shall be reported to the Loss Control Committee. Information derived from these reports will assist in identifying areas and conditions that are hazardous. Corrective action to eliminate the hazard will be taken immediately.
2. All drapes, curtains, drops and Christmas trees, located in corridors, stairways, lobbies, passageways, and balconies shall be made of non-flammable material or be treated and maintained in a flame-retardant.
3. Exit lights, fire alarms, wet standpipe hose cabinets and fire extinguishers shall not be concealed by any decorative material.

Fire Alarms

1. All fire alarms shall be provided for emergency or signaling purposes at all county facilities.
2. Each fire alarm shall be securely mounted so that the bottom of the station is not less than 4 ½ feet and not more than 6 feet above the floor.
3. Fire alarms shall be distributed throughout buildings for that they are unobstructed, readily accessible and in the normal path of an exit.
4. The audible signal shall be of sufficient duration and intensity of 85d BA minimum and be capable of being heard by persons with average hearing ability at all locations inside the affected building.
5. All alarm systems shall be under the supervision of qualified persons. These persons shall test, inspect, and have general charge of all alterations and additions.

Fire Extinguishers

1. Portable fire extinguishers are designed for small fires and are necessary even if the property is equipped with automatic sprinklers, standpipe and hose, or other fixed equipment.
2. Portable extinguishers shall be kept fully charged, operable, and in their designated places at all times.
3. Extinguishers shall be located where they will be accessible and immediately available in the

event of fire. They shall be located along normal paths of travel including exits from an area.

4. Extinguishers shall not be obstructed from view. In large rooms, and in certain locations where visual obstructions cannot be completely avoided, means shall be provided to indicate the location and intended use of extinguishers.
5. Extinguishers shall be installed on the hangers or in the brackets supplied, mounted in cabinets, or set on shelves.
6. Extinguishers mounted in cabinets or wall recesses or set on shelves shall face outward for easy access.
7. Fire extinguishers shall be provided for the protection of the building structure, the occupancy hazards contained therein, and for the protection of life.
8. Minimal sizes and numbers of fire extinguishers for flammable liquids (Class B) and energized electrical equipment (Class C) shall be provided on the basis of NFPA requirements.
9. Extinguishers shall be inspected monthly to ensure they are in their designated place, to ensure they have not been actuated or tampered with and to detect any obvious physical damage, corrosion, or other impairments.
10. Extinguishers removed from the premises to be recharged shall be replaced by space extinguishers during the period they are gone.
11. Glass fire extinguishers shall be used only on wood or trash fires.

Venting Explosions

1. Vents are required in building areas containing operations where flammable gases, vapors, or mist, may be present in explosive concentration in the air.
2. Highly hazardous operations should be separated into individual units by pressure resisting walls, and each unit so formed should be vented to the outside of the building.
3. When venting a room, building, or piece of equipment, consideration must be given to the location into which an explosion is to be vented.

STORAGE & HANDLING OF FLAMMABLE LIQUID & MATERIALS

General

1. Limit the quantities at any one location to those actually necessary, but not to exceed the limits specified below.
2. Prohibit smoking and eliminate other possible ignition sources wherever flammable liquids are stored or used.
3. Avoid sparks from static charges generated by pouring; connect dispensing and receiving containers (if metal) by a suitable electrical conductor.
4. Provide fire extinguishers, as appropriate, at all locations of storage and use.
5. Prevent accumulation of vapors by careful handling and by providing adequate ventilation.
6. Use only approved containers, e.g., *safety cans, or metal drums, for all transportation and handling.
7. Label every container used for flammable liquids with the name of the material and the words "Danger-Flammable-Keep away for heat, sparks, and open flames-Keep closed when not in use."

CLASSIFICATION CODES AND HANDLING RESTRICTIONS				
	1A	1B	1C	II
Flash points	less than 73° F	less than 73° F	73°F -100° F	100° F-140° F
Boiling points	less than 100° F	greater than 100° F	----	---
Flammability hazard	extremely high	very high	high	moderate
Max Container Size				
Glass	1 pint	1 qt	1 gal	
Metal can	5 gal	5 gal	5 gal	?
Safety can*	5 gal	5 gal	5 gal	?
Metal can	60 gal	60 gal	60 gal	?
Max Quantities**	1,100 gal	2,200 gal	4,400 gal	8,800 gal

a. Special ***storage rooms with automatic extinguishers: all classifications-5 gal/sq. ft. but not to exceed 750 gallons.
b. Special ***storage rooms without automatic extinguishers: all classifications-2 gal/sq. ft. but not to exceed 300 gallons.
c. Offices and other areas of use not in safety cans: all classifications-10 gallons
d. Offices and other areas of use in approved *safety cans: all classifications-25 gallons.
e. Offices and other areas of use in approved **safety cabinets: all classifications-60 gallons

**Safety cans must be equipped with automatic closure for evaporation control and over pressure relief; they must be equipped with flame arrestors and Teflon gaskets at all opening.*

*** Max quantities at any location (isolated, special purpose building): Safety cabinets must be of double-wall steel construction with a three-point locking door, and two-inch sill at the bottom of the door. Label-"Flammable-Keep Fire Away." Inside storage rooms must have approved self-closing fire doors, liquid-tight seal where walls join the floor, a four-inch sill or equivalent sump with drain to a safe location; a gravity or mechanical ventilation system shall provide at least six complete changes of air per hour.*

Vapors, Flammable

1. Ventilation shall be sufficient so that under normal operating conditions concentrations of flammable vapors or gases in buildings, rooms or similarly enclosed places shall not exceed 20 percent of the lower explosive limit for such vapors.
2. No sources of ignition shall be permitted in any locations, indoors or outdoors, where the concentration of the flammable gases or vapors exceeds or may reasonably be expected to exceed 20 percent of the lower explosive limit in the working atmosphere.
3. Smoking is forbidden in any location where flammable vapor is present.

Compressed Gas

1. Cylinders shall be stored in well-protected, well-ventilated, dry locations, at least 20 feet from highly combustible materials such as oil or grease.
2. Cylinders may be stored in the open, but in such cases, protection is needed against weather, from the dampness of the ground, and containers should be shaded against the direct rays of the sun.

Bulk storage is to be in approved rooms or outside enclosures. Bulk storage cylinders should be chained, and security measures taken to prevent tampering and loss.

3. Do not store empty cylinders with the full ones, and do not place cylinders where they may become part of an electrical circuit.
4. All gas cylinders in service or storage, empty or full, shall be securely held upright in substantial racks or secured to other rigid structures so that they will not fall or be knocked over. During storage, cylinder caps should be in place.
5. All cylinders are to be considered full unless properly identified as empty. Empty cylinders should be returned to the supplier and not be permitted to accumulate. To prevent contamination and even explosive mixtures in cylinders, always leave at least 25-psi minimum pressure in all "empty" cylinders. Do not leave an empty cylinder attached to a pressurized system.
6. Gas cylinders in portable service shall be conveyed by suitable trucks to which they are securely fastened. During movement, cylinder caps should be in place.
7. Compressed gas cylinders shall be legibly marked, for the purpose of identifying the gas content, with either the chemical or the trade name of the gas. Such marking shall be my means of labeling and shall not be readily removable. The marking shall be located on the shoulder of the cylinder.
8. Cylinders should not be accepted unless the cylinder contents are clearly labeled. Do not accept cylinders which are damaged or do not have a valve protection cap.
9. Oxygen cylinders shall never be stored near highly combustible materials, near any substance likely to accelerate or cause a fire, or within 20 feet of other fuel gas cylinders, unless protected by a firewall rated at least 1/2 hour. Systems used for other gases must never be used for oxygen.
10. No attempt shall ever be made to transfer gases from one cylinder to another, to refill cylinders, or to mix gases in a cylinder.
11. Never force a gas cylinder valve. If the valve cannot be opened by the wheel or small wrench provided, the cylinder should be returned.
12. Use Compressed Gas Association (CGA) approved fittings and components.
13. Each department head shall determine that compressed gas cylinders under his control are in a safe condition to the extent that this can be determined by visual and other inspection. Cylinders with distinct visual bulge shall be removed from service until the nature of the defect is determined.
14. Compressed gas cylinders shall have pressure relief devices installed and maintained in accordance with requirements of the Compressed Gas Association. Types of safety relief devices are as follows:
    a. Frangible disc
    b. Fusible plug
    c. Safety relief valve
15. Piping used with compressed gases or air systems shall be steel, wrought iron, brass or copper pipe, or seamless copper, brass, or stainless-steel tubing. Piping systems shall be protected by pressure relief devices that function at not more than the design pressure of the systems and discharging upward to a safe location. All locations where the system can be accessed shall be equipped with a pressure regulator.

MACHINERY & MACHINE GUARDING

GENERAL

1. Machine guarding shall be provided to protect the operator and other persons in the machine area from injury as a result of coming in contact with the work in progress, and/or moving parts of the mechanical motions of the machines.
2. Guards shall be affixed to the machine where possible and secured elsewhere if for any reason attachments to the machine is not possible. The guard shall be such that it does not offer an accident hazard in itself.
3. The point of operation of machines whose operation exposes an employee to injury, shall be guarded.
4. The guarding device shall be in conformity with appropriate standards designed as to prevent the operator from having any part of his body in the danger zone during the operating cycle.
5. Distinct from guarding at the point of operation but complementary to it is the matter of guarding moving parts of equipment used in the mechanical transmission of power. These mechanisms include shafting, belts, pulleys, gears, etc.
6. There shall be conspicuously displayed at all machines driven by electric motors that are controlled by fully automatic starters and which may injure employees, permanent signs giving warning that the machines are automatically controlled and may start at any time.

Abrasive Wheels

1. Abrasive wheels shall be used only on machines provided with safety guards.
2. Such safety guards shall be hoods of such design and construction as to effectively protect the employee from flying fragments of a bursting wheel insofar as the operation will permit.
3. The hood guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain property alignment with the wheel, and the strength of the fastenings shall exceed the strength of the guard.
4. Grinding machines and work rests shall be used to support the work. They shall be of rigid construction and kept adjusted closely to the wheel with a maximum opening of
5. one-eighth inch to prevent the work from being hammered between the wheel and the rest.
6. An adjustable tongue-guard shall be installed at the top end of the hood guard and clearance to the wheel periphery shall not exceed one-fourth inch.
7. Immediately before mounting, all wheels shall be closely inspected and sounded by the user (ring test) to make sure they have not been damaged. The spindle speed shall be checked before mounting the wheel to be certain that it does not exceed the maximum operating speed marked on the wheel.

Grinding Safety Procedures

1. All abrasive-wheel machinery shall be equipped with protection hoods, which shall be of such design and construction as to effectively protect the user from flying fragments of a bursting wheel insofar as the operation will permit.
2. Wear a face shield, safety goggles, or cover goggles when grinding.
3. Grinding wheels shall be equipped with tool rests, which are set not more than one-eighth inch from the wheel.
4. The side of an emery wheel shall not be used for grinding unless it is a special type of wheel for that purpose.

5. Stand to one side when starting up a machine and do not exert great pressure on the wheel until it has had time to warm up.
6. Report to your supervisor immediately any broken, cracked, or otherwise defective wheel.
7. Mounting a new wheel should be done only by an experienced person.
8. Never use a wheel that has been dropped or has received a heavy blow, even though there is no apparent damage. The wheel may be weakened to a point where it may fly apart.
9. An abrasive wheel shall not be operated at a speed in excess of that recommended by the manufacturer of the wheel.

Cleaning, Repairing, and Servicing

1. Machinery or equipment capable of movement shall be stopped and the power source locked off or disengaged to prevent inadvertent movement during cleaning, servicing, or adjusting operations.
2. Every power-driven machine equipment with lockable controls shall be locked out or positively sealed in the "off" position during repair work. Machines not equipped with lockable controls shall be considered in compliance with this order when positive means are taken, such as de-energizing or disconnecting the equipment from its source of power, or other action which will prevent the machine from inadvertent movement.
3. A sufficient number of accident prevention signs or tags and padlocks, or other similarly effective means shall be provided and used. Signs, tags, or padlocks shall have means by which they can be readily secured to the controls.
4. If the machinery or equipment must be capable of movement during this period in order to perform the specific tasks, the employees shall minimize the hazard of movement by the use of extension tolls (e.g., extended swabs, brushes, scrapers) or other methods or means. Employees shall be made familiar with the safe use and maintenance of such tools with thorough training.

Washing with Solvents

1. Flammable liquids should not be used to clean floors, work benches, or other large surface areas.
2. The substances listed below should not be used to clean machines, equipment, and furniture:
    a. Carbon disulfide
    b. Chloroform
    c. Ether
    d. Pentachlorophenol
    e. Tetrachloroethane
    f. Tetrachloroethylene
    g. Trichloroethylene

Machines, Miscellaneous

1. When the periphery of the blades of a fan are less than seven (7) feet above the ground, floor, or working level, the blades shall be guarded. The guard shall have openings no larger than one-half (1/2) inch.
2. Each washing machine and dryer shall be equipped with an interlocking device that will prevent the inside cylinder from moving when the outer door on the case or shell is open and will also prevent the door from being opened while the inside cylinder is in motion.
3. The in-running sides of power operated rollers or cylinders on printing type presses shall be provided with a guard so arranged that the material can be fed to the rollers without permitting the operator's fingers to be caught between the rollers or cylinders.

4. Hand powered paper cutters shall have a safety bar to prevent fingers holding paper from coming into contact with the blade. The blade shall also be adjusted so as to not fall when released.
5. Horizontal tilting type mixers shall be provided with a cover over the top of the mixer. An interlocking device shall be provided, so that power cannot be applied to the agitators unless the mixer is in operating position, with cover in place. The mixer when tilted shall be operated with the cover open only if equipped with an electrical push button when operating the mixer with the cover open; the button shall be located so that the operator cannot reach into the mixer while pressing the button.

Metal Working Equipment

1. Drill presses should have the spindle enclosed as completely as possible. The chuck shall be tightened securely with the key. provided. The key shall not be left in the chuck. The work shall be firmly clamped, and a center punch used to score the material before the drilling operation is started. If the work should slip from the clamp, no attempt shall be made to stop it with the hands.
2. Circular metal saws should be equipped with a hood guard which automatically adjusts to the thickness of the stock being cut.
3. Band saws shall have upper and lower wheels completely enclosed with sheet metal or heavy small-mesh screen. The portion of the saw blade between the upper saw guide and the upper saw blade wheel shall be completely enclosed with a sliding fixture attached to the guide.

Woodworking Equipment

All portions of the saw blade shall be enclosed or guarded on band saws except the working portion of the blade between the bottom of the guide rolls and the table. The outside periphery of the enclosure shall be solid. The sides of the band wheels shall be either enclosed by solid material or wire mesh or perforated metal.

Rules For Shop Safety

1. Personnel shall not be permitted to operate any machinery until they have been instructed as to the hazards and the proper operation of such equipment and the use of protective devices.
2. All floors shall be kept in good repair and shall be free from protruding nails, splinters, holes, unevenness, and loose boards. Effective means shall be provided to prevent slipping.
3. Aisles shall be of sufficient width to permit the uncrowded and safe passing of personnel, trucks, or material. Effective means shall be provided to prevent slipping.
4. During all working periods each working area, operation, or process shall be adequately lighted and harmful glare minimized.
5. Tools, machines, devices, or other equipment that are hazardous because of defects or other conditions shall not be used until suitably repaired.
6. Areas around machines should be kept clear of obstructions and in non-slippery condition. All spilled oil or grease shall be cleaned up immediately.
7. Do not clean chips from the surface of machines with compressed air or with hands; a brush or hood should be used. Where general cleaning of machines and equipment by compressed air is considered necessary, the outlet pressure shall be reduced to not more than 40 psi by means of a regulator or pressure reducing control nozzles designed for this purpose.
8. Cleaning one's clothes with compressed air is prohibited.
9. When using portable electrical equipment around machine tools, keep all electrical cords clear of moving parts.
10. Do not place hand tolls on machines. Keep them in their assigned location.

11. Goggles or face shields shall be worn when grinding or when there is danger of flying particles.
12. All guards on machines are to be properly adjusted and in working order before starting the machinery.
13. All gear and belt guards must be in place before the machine is operated.
14. Machine guards must be kept in position at all times unless removal is authorized for repairs or cleaning.
15. Be sure all is clear before starting any machine.
16. A jig or fixture shall be used when cutting or forming irregular pieces or oblique angles.
17. All projecting keys, setscrews, and other projections in revolving parts shall be made flush or guarded by a substantial metal cover as practicable.
18. All power saws shall be guarded underneath and behind the table to prevent possible personal contact.
19. A mechanical or electrical power control shall be provided on each machine which will make it possible for the operator to cut off the power from the machine being operated without leaving his position at the point of operation.
20. Each activity whose operations create dust, shavings, chips, or slivers, shall be equipped with an exhaust system either continuous or automatic in action, of sufficient strength and capacity to remove such refuse from the points of operation and immediate vicinities of machine and workplaces.
21. Do not repair, oil, or clean machinery while it is in motion. Lubrication while machinery is in motion shall be done by remote control lubrication system.
22. Do not use electrical equipment or machines with frayed or otherwise deteriorated insulation.
23. Electrically driven portable machinery as well as fixed electrical equipment shall have the frame grounded.
24. Machines designed for a fixed location shall be securely anchored to prevent walking or moving.
25. Foot protection (safety shoes) should be considered where there is a reasonable possibility of dropping heavy objects. Footwear which is defective or inappropriate to the extent that ordinary use creates the possibility of foot injury (open toed sandals or tennis shoes) shall not be worn in shop areas.
26. Do not attempt to remove foreign objects from the eye or body; obtain property medical treatment.
27. In case of injury, no matter how slight, report it to your supervisor.

Band Saw Safety Procedures

1. Adjustable guards should be kept as close over the r point of operation as the work permits.
2. When a band breaks, shut off the machine and stand clear until the machine has stopped.
3. Never stop a machine by pushing material against the band.
4. Cracked saw blades should not be used. A "click" as the blade passes through the work denotes a cracked blade.

Circular Saw Safety Procedures

1. Stand to one side. Do not -stand directly in line with work being fed through saw.
2. A rip saw shall not be used for cross cutting, nor shall a crosscut saw be used for ripping.
3. See that the saw blade is in good condition before use. This means sharp, unbroken, free from cracks, and the property saw for the job.
4. Never reach over the saw to obtain material from the other side.
5. Never oil the saw or change the gauge while the machine is running.
6. When shutting off power, never stop the saw quickly by thrusting a piece of wood against it. Be

sure the saw has stopped before leaving it.

7. A pusher stick shall be used whenever the size or shape or the piece requires the hands to be near the blade of the saw.
8. The appropriate guards must be kept in place at all times.
9. Speed of Saw: The peripheral speed of circular saws shall not exceed 12,000 feet per minute unless the saw has been manufactured for a higher speed and is so marked.

Drill Press Safety Procedures

1. When drilling, tapping, or reaming material, see that it is securely fastened by blocks or clamps so that it cannot spin. In no case, should the operator rely on his hand to secure the material from turning.
2. When tightening the drill or chuck of drill press, be sure to remove the release key before starting the machine.
3. Run the drill only at the correct speed. Forcing or feeding too fast may cause broken drills and result in serious injury.
4. An operator should never attempt to loosen the chuck of a tapered shank drill unless the power is turned off.
5. When chucks are being removed from the spindle, the spindle should be lowered close to the table so the chuck will not fall.
6. Never use your hands to remove cuttings from the table.

Hand & Portable Powered Tools

1. All hand tools shall be maintained in a safe condition free of worn or defective parts.
2. All tools shall be restricted to the use for which they are intended and should be used only by those employees who are trained and qualified to use such tools.
3. Tools having mushroomed heads, split or defective handles, worn part, or other defects that impair their strength or render them unsafe for use shall be removed from service and shall not be reissued until the necessary repairs have been made.
4. Goggles shall be worn by persons using hand tools when there is a possibility of flying chips or other materials.
5. Listed below are some condition requirements for specific hand tools:
    a. Every file or rasp shall be equipped with a securely fitted, substantial handle.
    b. The head on a hammer shall be wedged securely and squarely on the handle and neither the head nor the handle shall be chipped or broken.
    c. Care shall be taken to select a screwdriver of the proper size to fit the screw. No screwdriver with a split or splintered handle shall be used. The point shall be kept in proper shape with a file or grinding wheel, and the screwdriver shall not be used as a substitute punch, nail puller, etc.
    d. Only wrenches in good condition shall be used; a vent wrench, if straightened, has been weakened and shall not be used. Always pull toward yourself, never push, since it is easier to brace against a backward pull than a sudden lunge forward should the tool slip or break.
    e. Pliers shall be kept free from grease and oil and the teeth or cutting edges shall be kept clean and sharp. The fulcrum pin, rivet, or bolt shall be snug but not tight.
    f. Only saws that are sharp and properly set shall be used. A crosscut saw shall be used for cutting across the grain; a rip saw for cutting with the grain.
    g. Hacksaws should be adjusted in the frame snug and tight enough to prevent buckling. The proper number of teeth per inch should be selected for the work. Pressure should be

on the down stroke only.

h. Wrecking bars and crowbars shall be kept sharpened and free from burrs.
i. Before shovels are used, they shall be inspected by the worker to be sure that they have a strong, smooth handle, the grip is free from splinters and that the blade is smooth and sharp.

Power Tools

1. Portable power tools shall be kept cleaned, oiled, and repaired. They shall be carefully inspected before use. The switches must operate properly, and the cords be clean and free from defects. The plug shall be clean and sound.
2. All portable powered tools capable of receiving guards and/or designed to accommodate guards shall be equipped with such guards so as to prevent the operator from having any part of his body in the danger zone during operating.
3. All electric powered portable tools with exposed noncurrent-carrying metal parts of cord and plug connected equipment which are liable to become energized shall be grounded. Portable tools protected by an approved system of double insulation, or its equivalent, need not be grounded. Where such an approved system is employed, the equipment shall be distinctly marked.
4. All hand-held powered tools of a hazardous nature such as circular saws having a blade diameter greater than 2 inches, chain saws, percussion tools, drills, tapper, fastener driver, grinders with wheels greater than 2 inches in diameter, disc sanders, belt sander, reciprocation saw, saber, scroll, and jig saws with blade shanks greater than one-fourth inch, and other similarly operating powered tools shall be equipped with a constant pressure switch or control that will shut off the power when the pressure is released. Other than circular saws, chain saws, and percussion tools, these tools may have a lock-on control provided that turn off can be accomplished by a single motion of the same finger or fingers that turn it on. All other less hazardous hand-held powered tools, such as routers, may be equipped with a positive "on-off" control.
5. Portable circular saws having a blade diameter over 2 inches, shall be equipped with guards or hoods which will automatically adjust themselves to the work when the saw is in use, so that none of the teeth are exposed to contact above the r- work; and when withdrawn from the work, the guard shall completely cover the saw to at least the depth of the teeth.
6. All pneumatic powered portable tools shall be equipped with an automatic air shut-off valve that stops the tool when the operator's hand is removed. Safety clips or retainers shall be used on all pneumatic tools.
7. Abrasive wheels shall be used only on machines provided with safety guards. The guard shall cover the spindle end, nut and flange3 projections.
8. All explosive-activated fastening tools muzzle ends shall have a protective shield or guard designed to confine any flying fragments or particles. The tool shall be so designed that it cannot be fired unless it is equipped with a protective shield or guard. A department shall not permit an employee to use a power-actuated tool until he has received training as prescribed by the manufacturer.

POWER MOWERS

General Rules

1. Power mowers shall bear a label certifying that they have been constructed in accordance with the provisions of ANSI B71.1-1972.
2. Power mowers shall be maintained in safe operating condition in accordance with the Owner's

Manual.

3. An indicator of blade rotation shall be provided on mowers that operate quietly.
4. The controls used for stopping, starting, speed control, and the enclosure shall extend 1/8 inch minimum below the lowest cutting point of the blade.
5. The discharge opening(s) shall be so placed or guarded that grass or debris will not discharge directly into the operator zone.
6. The word "CAUTION" or "DANGER" shall be placed on the mower at or near each discharge opening.
7. The blade(s) shall stop rotating within seven seconds after either declutching or shutting off drive power.

Operating Requirements

1. Area to be cut should be examined for loose objects such as tin cans, pieces of wire, or other objects. A serious injury can result from objects thrown by rotating blades.
2. The engine will be cut off when filling with gas. No smoking when filling.
3. Avoid slopes that are too steep for machines, whether a push mower or riding mower.
4. Suitable foot, eye, and head protection should be worn when operating power mowers.

Walk-Behind Mowers

1. The mower handle shall be fastened to the mower so as to prevent unintentional uncoupling while in operation.
2. A mower with a rope starter shall have a labeled, designated area for stabilizing the mower when starting the engine.
3. A shut-off device shall be provided to stop operation of the engine. This device shall require manual and intentional activation in order to restart the engine.

Riding Rotary Mowers

1. A disconnect device shall be provided between the engine (motor) or power source and the blade(s).
2. A means shall be provided to prevent the starting of the engine when the wheel drive control is in the engaged position. Such means shall not be required on units equipped with dead man controls.
3. A slip-resistant surface or other means shall be provided to minimize the possibility of an operator's foot slipping off the foot support or platform.
4. Towed rotary mower attachments shall have no front opening in the blade enclosure.

EXCAVATING AND TRENCHING

Excavation/Trenches

BEFORE OPENING ANY EXCAVATION, EFFORTS SHALL BE MADE, INCLUDING UTILITY COMPANY CONTACT, TO DETERMINE IF THERE ARE UNDERGROUND UTILITIES INSTALLATIONS IN THE AREA, AND THEY SHALL BE LOCATED AND SUPPORTED DURING THE EXCAVATION OPERATIONS.

CALL 1-800-344-8377 BEFORE DIGGING

1. The walls and faces of trenches 5 feet or more deep and " all excavations, in which employees are exposed to danger from moving ground or cave-in shall be guarded by a shoring system, sloping of the ground, or some other equivalent means.
2. In excavations which employees may be required to enter, excavated or other material shall be effectively stored and retained at least 2 feet or more from the edge of the excavation.
3. Daily inspections of excavations shall be made by a competent person. If evidence of possible cave-ins or slides is apparent, all work in the excavation shall cease until the necessary precautions have been taken to safeguard the employees.
4. Trenches 4 feet deep or more shall have an adequate means of exit such as ladders or steps, located so as to require no more than 25 feet of lateral travel.

SIGNS, LABELS, & COLOR CODES

Accident Prevention Signs

1. Accident prevention signs are intended to indicate specific hazards of a nature that failure to designate them may lead to accidental injury or property damage. All signs shall confirm to the requirements of this policy and each sign shall include the following:
    a) An approved heading that indicates the relative hazard.
    b) A statement of the type of hazard of what to do, or not to do, in the area. Signs shall be visible at all times when work is being performed and shall be removed or covered promptly when the hazards no longer exist.
2. Danger signs are to be used only where an immediate hazard exists. They indicate that special precautions must be taken. Danger signs are identified by a red upper panel with a black border and the word "DANGER" in white letters. Examples are as follows: DANGER-"HIGH VOLTAGE", DANGER-"NO SMOKING", DANGER-"KEEP OUT".
3. Caution signs are to be used only to warn against potential hazards or to caution against unsafe practices. They indicate possible hazards against which proper precautions should be taken. Caution signs are identified by a black panel with the word "CAUTION" in yellow letters.
4. Safety instructions signs are to be used where there is a need for general instructions and suggestions relative to safety measures. They are identified by a green panel with a word such as "THINK" or "BE CAREFUL", etc. in white letters. Examples are as follows: THINK-"REPORT UNSAFE CONDITIONS", BE CAREFUL-"WALK DON'T RUN".
5. Directional signs are for providing specific direction-type information. The standard color is red on white and the directional symbol should be dominate. Examples are as follows: ("THIS WAY OUT"-with arrow, "FIRE EXTINGUISHER"-with arrow.
6. On radiation warning signs, the standard color of the background shall be yellow, with the symbol and panel magenta. Any letters used against the yellow background shall be magenta or black.
7. The biological hazard warning sign is used to signify the presence of a biohazard. The primary symbol color should be fluorescent orange.
8. Blue shall be the standard color for information signs. It may be used as the background color for the complete sign or as a panel at the top of such types of "Notice" signs, which have a white background.
9. The slow-moving vehicle emblem consists of a fluorescent yellow-orange triangle with a dark red reflective border. The emblem is intended as a unique identification for, and it shall be used only on, vehicles which by design move slowly (25 m.p.h. or less) on public roads.

Accident Prevention Tags

1. Tags are a temporary means of warning all concerned of a hazardous condition, defective equipment, radiation hazards, etc. The tags are not to be considered as a complete warning method but should be used until a positive means can be employed to eliminate the hazard; for example, a "DO NOT START" tag shall be replaced on a damaged ladder and immediate arrangements made for the ladder to be taken out of service and sent to the repair shop.
2. "DANGER" tags shall be affixed to equipment which is being held out of service for repair or for equipment which poses an imminent or immediate hazard to the use. Before repair work is performed on equipment, a danger tag shall be attached, and the equipment shall be locked out of service.
3. "CAUTION" tags must be affixed to equipment, which poses a potential hazard to the user. The tags are also used to warn against unsafe practice.
4. "NOTICE" tags are to be utilized for conveying safety information or suggestions regarding equipment or conditions.
5. Other tags such as radiation or biological hazard shall use the same symbols and colors as required on signs.
6. During routine inspections of building areas, inspectors may affix red danger tags to equipment, which is observed in a state of disrepair or is deemed imminently or potentially hazardous. A time limit may be established for correction. Correction of deficiencies is the responsibility of the department head.

Color Code for Marking Physical Hazards

1. Red shall be the basic color for the identification of:
   a) Fire protection equipment and apparatus.
   b) Safety cans or other portable containers of flammable liquids.
   c) Emergency stop buttons or electrical switches used for emergency stopping of machinery.
   d) Danger signs.
2. Orange shall be used as a basic color for designation dangerous parts of machines or energized equipment and to emphasize such hazards when gear or other guards around moving equipment are open or removed, exposing unguarded hazards.
3. Yellow shall be the basic color for designating caution and for marking physical hazards such as: striking against, tripping, and "caught in between". Solid yellow, yellow and black stripes should be used interchangeably, using the combination which will attract the most attention in the particular environment.
4. Green shall be used as the basic color for designating "safety" and the location of first aid equipment.
5. Blue shall be limited to warning against the starting, the use of, or the movement of equipment under repair of being worked upon.
6. Purple shall be the basic color for designating radiation hazards.
7. Black, white, or a combination of these two, shall be the basic colors for the designation of traffic and housekeeping markings.

STORAGE AND HOUSEKEEPING

Housekeeping

Safety starts with housekeeping. A clean, neat, and orderly work area is an important reflection of safe work habits and attitudes. Therefore, the following housekeeping rules will apply:

1. All places of employment shall be kept clean and orderly and in a sanitary condition. The floor of each area shall be maintained in a clean and so far as possible, dry condition.
2. Any material spilled on the floor which could cause an accident must be cleaned up immediately.
3. During the course of work, all debris shall be kept reasonably cleared from work areas, and all waste shall be disposed of at intervals determined by the rate of accumulation and the capacity of the container. Always use containers supplied for this purpose.

General Storage Rules

1. Material wherever stored, shall not create a hazard. It shall be limited in height and shall be piled, stacked, or racked in a manner designed to prevent it from tipping, falling, collapsing, rolling, or spreading. Racks, bins, plans, blocks, sheets shall be used where necessary to make the piles stable.
2. Heavy or awkward items should always be stored near the bottom of shelves or cabinets as falling heavy items are a hazard to personnel.
3. Do not allow equipment to encroach within 36 inches (preferably 42") of all electrical panels. These panels contain the emergency switches for equipment and sometimes must be reached quickly.
4. Secure storage shelving, cabinets, and other items which may accidentally tip over or are subject to movement.

Indoor Storage

1. Storage shall not obstruct or adversely affect the means of exit.
2. The storage or materials which may generate heat or emit smoke in corridors and halls is not consistent with good fire safety practices. For this reason, it should be county policy that there be no lockers, cabinets, refrigerators, storage materials, or extensions of office facilities or functions in any corridor space of county buildings.
3. All materials shall be stored, handled, and piled with due regard to their fire characteristics.
4. Non-compatible materials, which may create a fire hazard, shall be segregated by a barrier having a fire resistance of at least 1 hour. Arrangements should permit convenient access for firefighting personnel.
5. Clearance shall be maintained around lights and heating units to prevent ignition of combustible materials.
6. Stacked materials shall have a minimum clearance of 18 inches between the top of the stack and the sprinkler system piping and deflectors.
7. In buildings without installed sprinkler systems, the material stack height shall not exceed fifteen (15) feet.
8. All stacks will have a minimum of thirty-six (36) inches clearance between the top of the stacks and joists, rafters, or roof trusses.
9. The maximum weight of materials stored on building floors or load carrying platforms, except those built directly on the ground, shall not exceed their safe carrying capacity. All elevated

storage areas will be marked with load capacity.

10. In warehouse-type storage areas, the following rules apply:
    a) Aisles and passageways for one-way forklift traffic shall be not less than 1 1/2 times the width vehicle or load. For two-way forklift traffic, the minimum width of aisles shall be not less than twice the width of the widest vehicles or loads plus 3 feet.
    b) Lanes for aisles and passageways shall be painted on the floor, or a similar method employed to mark such areas.
    c) Black, white, or a combination of these two shall be the basic colors for the designation of traffic and housekeeping markings.

Loose Material Storage

1. Materials dumped against walls or partitions shall not be stored to a height that will endanger the stability of such walls and partitions.
2. No employees shall be permitted to work on or over loose material, until they have been instructed in the hazards involved and the precautions that must be taken to prevent employees being caught in cave-in material.
3. In withdrawing materials, no overhanging shall be permitted to exist at any time.

Outdoor Storage

1. Combustible materials shall be piled with due regard to the stability of piles and in no case higher than 20 feet.
2. Driveways between and around combustible storage piles shall be at least 15 feet wide and maintained free from accumulation of rubbish, equipment, or other materials.
3. The entire storage site shall be kept free from accumulation of unnecessary combustible materials. Weeds and grass shall be kept down, and a regular procedure provided for the periodic cleanup of the entire area.
4. Storage shall be in orderly and regular pipes. No combustible material shall be stored outdoors within 10 feet of a building or structure.
5. Portable fire extinguishing equipment, suitable for the fire hazard involved, shall be provided at convenient, conspicuously accessible locations in the yard area.

VEHICLE OPERATIONS

General

1. Persons who operate vehicles on behalf of the county should extend every courtesy to both traffic and pedestrians.
2. Only those employees specifically authorized and who possess a valid driver's license shall operate vehicles on county business.
3. The following rules apply to the operation of vehicles on county business.
    a. Drivers shall be familiar with and obey all state motor vehicle laws that apply to them.
    b. A driver shall not permit unauthorized persons to drive, operate or ride in or on a county vehicle.
    c. Seat belts will be used.
    d. Employees shall not permit anyone to ride on the running boards, fenders, or any part of any motorized equipment except on the seats or inside the body walls. Riding in the backs of trucks is prohibited.

e. Employees shall not ride on loose materials or equipment carried on trucks; nor shall they ride on trailer or towed equipment, except when performing a job function.
f. Employees shall not jump on or off vehicles in motion.
g. Drivers shall keep a sharp lookout for pedestrians and for cyclists and be prepared for an immediate stop.

4. The following rules apply to vehicle condition:
   a. Windshields and windows shall be kept clear of anything that may obstruct the vision of the driver.
   b. Brakes shall be tested by the driver at the start of each day. The driver shall report all defects and they shall be adjusted or repaired before the vehicle is put in operation.
   c. Lights and other signaling devices shall be inspected daily. If found defective, they shall be repaired before vehicles are placed in operation. No vehicle shall be operated at night unless equipped with properly working headlights, taillights, and other necessary safety devices as required by law.
   d. Fuel, oil, water, and hydraulic systems will be checked twice a day and filled if necessary.
   e. All vehicles shall bear a Texas Department of Public Safety annual inspection sticker.
   f. Vehicles that don't meet Texas Department of Public Safety standards are not driven.
5. The following rules apply to hauling materials an equipment:
   a. Materials and equipment shall be loaded so they will not cause a hazard by shifting. Heavy equipment and materials shall be securely fastened.
   b. Red flags during the day and red lights at night shall be attached to equipment or material that extends more than four (4) feet beyond the back of the vehicle. Red flags or approved clearance lights shall be attached to loads extending more than two (2) feet beyond the front of the vehicle.
   c. Tools, materials, or equipment shall not be permitted to extend beyond the permanent fixtures provided on the side of the truck.
   d. Trailers or equipment, while being towed, shall be securely coupled to the truck, and joined by auxiliary chains or cable. Trailer lights shall be hooked up before use on a public road.
   e. Trucks shall not be operated unless back-up signals are in operating order.

Safety Rules for Garage Areas

1. The following rules apply to the use and repair of vehicle batteries:
   a. Battery charging installations shall be located in areas designated for that purpose.
   b. When charging batteries, the vent caps shall be kept in place to avoid electrolyte spray.
   c. Facilities for quick drenching of the eyes and body shall be provided within 25 feet of the battery areas for emergency use.
   d. When using jumper cables to start a second vehicle, follow these procedures to avoid either equipment damage or an explosion:
      i. It must be initially determined whether both vehicles are negatively grounded, (the negative terminal is connected to the engine block or frame), or positively grounded. It must also be determined that both batteries have the same nominal voltage (6 to 12 volts.) Do not mix these systems in any way, as damage occurs.
      ii. When both vehicles are negatively grounded (which most often is the case), connect the ends of one cable to the positive terminal of each battery. Finally, connect the other end of this cable to the engine block of the car being started. Do not make this final connection to the negative terminal of the weak battery. Disconnecting the batteries should be in reverse of this procedure.

2. The following rules apply to the fueling of vehicles and equipment:
    a. No internal combustion engine fuel tank shall be refilled with a flammable liquid while the motor is running. Fueling shall be done in such a manner that the likelihood of spillage is minimal. If a spill occurs, it shall be disposed of properly as required by hazardous materials incident response policy. Fuel tank caps shall be replaced before the engine is started.
    b. A gasoline pump shall be provided to service the fuel tanks of all gasoline engine driven equipment. A good metal-to-metal contact shall be kept between the fuel supply tank or nozzle of supply hose and the fuel tank.
    c. Open lights, open flames, or sparking or arcing equipment shall not be used near fuel storage tanks or internal combustion engine equipment while being fueled with flammable liquids.
    d. No smoking shall be permitted at or near the equipment being fueled. Post a conspicuous sign in each fueling area stating: "NO SMOKING WITHIN 25 FEET".
    e. A dry chemical or carbon dioxide fire extinguisher rated 6.BC or larger shall be in a location accessible to the fueling area.
3. The following apply to jacks and their use:
    a. The rated load shall be legibly and permanently marked on a prominent location on the jack by casting, stamping, or other suitable means.
    b. All jacks shall be designed so that their maximum safe extension cannot be exceeded.
    c. In the absence of a firm foundation, the base of the jack shall be blocked. If there is a possibility of slippage of the cap, a block shall be placed in-between the cap and the load.
    d. Employees shall not enter the zone beneath a jack-supported load unless it has been effectively blocked or cribbed.
    e. All jacks requiring cleaning and lubrication, such as screw jacks, shall be properly cleaned and lubricated at regular intervals. The lubricating instructions of the manufacturer should be followed, and only recommended lubricants should be used.
4. The following rules apply to tire inflation:
    a. Tire inflation shall be accomplished by means of a clip-on chuck with a minimum 24-inch length hose to an in-line foot or hand valve and gauge. A clip-on chuck and an in-line regulator (factory preset at 40 psi maximum) or a restraining device may be used as an equivalent.
    b. Tire inflation control valves shall automatically shut off the airflow when the valve is released by the operator or be of the preset regulator type.
    c. A tire restraining device, such as a cage, rack, or other effective method shall be used while inflating tires mounted on split rims or having retaining rings.

    EXCEPTION: While the wheel assembly is mounted on a vehicle, tires may be inflated without a restraining device, provided that remote control inflation equipment is used on and all persons stay out of danger area.

SPRAY PAINTING

General Rules

1. Spray painting operations using flammable or combustible liquids should be separated from other areas by either construction having fire resistance of at least 2 hours or by being in a separate building. Spray painting should be confined to property constructed spray booths or

rooms.

2. Spray booths shall be substantially constructed of steel, or masonry with interior surfaces smooth and continuous without edges and otherwise designed to prevent pocketing of residues and facilities cleaning. Space with a spray booth having a frontal area greater than 9 square feet should be protected with automatic sprinklers or have a fire curtain or metal door at the outer edge of the booth opening.
3. Electrical equipment located within 20 feet of the spraying area shall be explosion proof and installed and maintained in accordance with Chapter 5 of the National Electrical Code.
4. All spraying areas shall be kept free from the accumulations of deposits of combustible residues. If there are excessive accumulations of residues in booths, ducts, duct discharge points, or other spraying areas, then all spraying operations should be discontinued until conditions are corrected. Paint spray booth filters shall be replaced weekly or sooner if required.
5. Spraying areas shall be provided with mechanical ventilation adequate to dilute flammable vapors to less than 20 feet of their lower explosive limit.
6. Employees performing paint spray operations shall use provided respirators while spray painting.
7. Only respirators that have been approved for the paint to be applied will be used.
8. Only employees who have been trained and respirator fit tested will perform paint spray operations.

WELDING, CUTTING & BRAZING

General Rules

1. Welding and cutting are done on an ever-increasing variety of metals and metal coatings. Four primary hazards that are associated with welding operations are ultraviolet and infrared light, oxides of nitrogen, ozone, and metal fumes.
2. Cutting or welding shall be permitted only in areas that are, or have been, fire safe. Where objects to be welded or cut are not readily movable fire hazards in the vicinity shall be taken to a safe place.
3. Where objects to be welded or cut are not movable and where fire hazards cannot be removed, then guards shall be used to confine the heat, sparks and slag, and to protect the immovable fire hazards and nearby personnel.
4. Suitable fire extinguishing equipment shall be immediately available in the work area and shall be maintained in a state of readiness for instant use. It may be necessary to assign additional personnel to guard against fire while the actual welding is being performed, and for a sufficient period of time after the completion of the work to ensure that no possibility of fire exists.
5. No welding, cutting or other work shall be performed on used drums, barrels, tanks, or other containers until they have been cleaned so thoroughly as to make absolutely certain that there are no flammable materials present which when subjected to heat, might produce flammable or toxic vapors.
6. Goggles or other suitable eye protection shall be used during all gas welding or cutting operations. Eye protection shall be provided where needed for brazing operations.
7. All welders should wear flameproof gauntlet gloves. Flameproof aprons may be desirable as protection against radiated heat and sparks. Cotton clothing, if used, should be chemically treated to reduce its combustibility. All clothing should be reasonably free from oil or grease.
8. Local exhaust systems providing a minimum air velocity of 100 lineal feet per minute in the

welding zone shall be used where not feasible. Mechanical dilution ventilation sufficient to prevent exposures to concentration of airborne contaminants from exceeding those specified in Chapter 3 may be used instead.

9. Respiratory protective equipment shall be used when ventilation is not feasible.
10. Local exhaust ventilation shall be used when potentially hazardous materials are employed as base metals, fluxes, coating, plating or filter metals. These include, but are not limited to, the following materials:
    a. Beryllium
    b. Cadmium
    c. Chromium
    d. Fluorides
    e. Lead
    f. Mercury
    g. Zinc
    h. Inert-gas metal arc welding or oxygen cutting of stainless steel.
11. Workers or other adjacent to the welding areas shall be protected from the rays by noncombustible or flameproof screens or shields or shall be required to wear appropriate goggles.
12. When operations are suspended all welding equipment shall be shut off.
13. The frames of all arc welding and cutting machines shall be grounded either through third wire in the cable containing the circuit conductor or through a separate wire which is grounded at the sources of the current.
14. All arc welding and cutting cables shall be of the completely insulated, flexible, type capable of handling the maximum current requirements of the work in progress.
15. Mixtures of combustible gases and air are very explosive. No service or attachment facilitating or permitting mixture of air oxygen with combustible gases prior to consumption, except at the burner or in a standard torch or blow pipe, shall be allowed.
16. Acetylene and liquefied fuel-gas cylinders shall be placed with valve end up. If a leak develops at the fusible plug or elsewhere on a cylinder the cylinder shall be removed well away from any source of ignition, the cylinder valve slightly opened, and the fuel gas allowed to escape slowly. A warning shall be placed near this cylinder not to approach it with a lighted cigarette or other sources of ignition. Such a cylinder shall be plainly tagged as defective and in need of repair before re-filling.
17. The primary hazard associated with silver soldering is the inhalation of cadmium fumes. Silver solder generally contains 18% to 20% cadmium, which is emitted as a fume when silver solder is heated.
    a. Silver soldering operations should always be conducted where local exhaust ventilation is available to remove the cadmium fumes, and fluoride fumes, which may be emitted from the flux. Sometimes, if it is impractical or nearly impossible to provide exhaust ventilation, the worker should wear an approved respirator with a high efficiency particulate filter.

THE LOSS CONTROL COMMITTEE

Your County Loss Control Committee

1. Loss Control Coordinator – Your county loss control coordinator is designed by the Commissioners Court. County coordinators are generally chosen for their leadership skills.
2. Loss Control Committee Members – Committee members are also chosen by the Commissioners Court and generally include at least one person from the Commissioners Court and every county department. It is imperative that all departments be actively involved to maintain a good county wide program.
3. TAC Training Team – TAC's Loss Control staff is your training team. The TAC team is available to answer questions, help establish your county's loss control program and provide loss control training and technical assistance.

Responsibilities of County Officials & Employees

1. Overview – For a county loss control program to be effective, it is important that all employees actively participate.
2. Elected Officials – County officials established your committee out of concern for county employees and have given you authority by passing a Safety Policy Statement. The Commissioners Court and other elected officials are aware that a commitment of some time away from normal duties is necessary to establish and maintain an effective loss control program.
3. Managers & Supervisors – Encourage employees to participate; develop specific techniques and procedures for specific operations; eliminate unsafe conditions and employees; investigate accidents within the department; encourage employees to report unsafe conditions; and develop department safety rules.
4. Foremen – Explain safety rules and encourage compliance; give detailed instructions as to job performance; explain possible job hazards and safety precautions in assigning workers to jobs; see that injured workers receive first aid or medical attention.
5. Employees – Provide input and knowledge; understand their duties; recognize hazards and take precautions; inform supervisors of hazards and recommend how to eliminate them; wear personal protective clothing; immediately report all injuries or accidents to supervisors; always advise supervisor when assigned a task you have not been trained to do.

Purpose of Loss Control Committee Training

1. Develop general and specific loss control policies and procedures.
2. Promote employee awareness to work safety.
3. Reduce injuries, lower worker's compensation claims, and costs.
4. Set accident prevention goals for the county.
5. Perform accident investigations to determine causes, then take action to prevent recurrence.
6. Meet regularly to maintain the program.

Establishing Accident Prevention Goals

The committee should develop goals and projects to work on to constantly improve and upgrade your safety plan. These may be immediate, intermediate, or long-term goals. All of these goals should support the safety policy statement.

REGULATORY AGENCIES

Federal Regulatory Agencies

Department of Transportation (DOT) – governs transportation. The regulations affect your operations with regard to driver's license requirements and operation.

Environmental Protection Agency (EPA) – governs waste and emissions. Regulations affect county operations if they operate a solid waste disposal site, a hazardous materials waste facility or a water or wastewater plant.

Department of Labor (DOL) – governs employee safety through the Occupational Safety and Health Administration (OSHA). This agency requires employers to provide a safe working environment and places responsibility on the employer for making sure an employee is qualified or trained to perform the function they are assigned in a safe manner. OSHA also writes new standards, investigates serious incidents, and assesses penalties for violations of standards.

Federal Aviation Administration (FAA) – if your county operates an airport, it may fall under the regulations of the Federal Aviation Administration.

State Regulatory Agencies

Texas Water Commission (TWC) – governs water quality and water contamination issues. Works closely with EPA.

Texas Railroad Commission (TRC) – governs oil and gas production and related services such as pipelines. Regulates some entities with above ground storage tanks and come types of transportation.

Texas Department of Health (TDH) – governs environmental and public health issues. Most directly affects counties as relates to public health services and enforcing hazardous communications laws and hazardous chemical reporting. The TDH also regulates solid waste and medical waste disposal.

Texas Air Quality Control Board (TAQCB) – Establishes standards for air quality. Works closely with EPA.

Texas Worker's Compensation Commission (TWCC) – governs employee safety issues through their new Division of Safety and Health. TWCC is responsible for the administration of the Texas Worker's Compensation Act (SB-1) as directed by the Second Called Session of the 71st Legislative Session.

Overview of the Texas Worker's Compensation Act (SB-1):

This law modified and expanded previous legislation on worker's compensation rules. The major aim of the law is to reduce worker's compensation costs and claims through a well-developed, implemented, and managed safety and health program. This goal underlies the belief that a reduction in the number of injuries and causes of occupational disease should significantly reduce costs and increase worker productivity.

There is a 1-800 employee hotline for employees to phone in anonymous complaints about unsafe working conditions. These calls are taken seriously and usually prompt county inspections by an approved field safety representative.

SAFETY ACKNOWLEDGEMENT POLICY

It is the intent of this county to provide a safe environment for its employees to work. In order for these conditions to be met, the county has developed a number of safety policies it believes will promote a reasonably safe place for each employee to work. Improvement is always possible and additional recommendations are welcome and encouraged.

It is also the intent of this county for its employees to perform the work assigned in a safe manner; therefore, each employee has a responsibility to the county. These responsibilities include but are not limited to:

- the requirement to advise the supervisor when the employee does not know how to perform the work assigned,
- never to endanger other employees,
- report all unsafe conditions and injuries to the supervisor, and
- follow all safety policies established by the county.

Supervisors have the responsibility to: assign work to employees who are qualified through training or work experience; train the employee to perform the work correctly and safely; never require employees to perform their duties in an unsafe manner or environment; and follow county safety policies.

Employees are required to follow all safety policies of this county. Failure to adhere to the County safety policies may subject the employee to disciplinary action, up to and including termination. All employees are required to acknowledge that they have read and understand the Personnel Handbook as well as the Ochiltree County Safety Policies.

Printed Name of Employee: _____

Date: _____

Employee Signature: _____