

4. SAFETY AND HEALTH EMPLOYEE RESPONSIBILITY

4.1 WORKERS COMPENSATION

All Lampasas 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 accrued 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. Lampasas 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.

Lampasas County will make every effort to bring the injured employee back to work as soon as reasonably possible. Lampasas County has a return-to-work policy in place and if a position is found that will meet all the restrictions, the employee will be given a bona fide offer of employment. If the employee refuses to return to work, and family medical leave has been exhausted, workers' compensation benefits may be affected, and the employee may be terminated.

4.2 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, Lampasas 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 Lampasas 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's 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, Lampasas 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 Lampasas County, the employee may be separated from county employment subject to FMLA qualification and their position may be filled permanently. A written, bona fide offer of employment must clearly state:

- The position offered and the duties of the position
- Lampasas 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 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 Lampasas County's policy to designate an employee's leave due to a work-related injury or illness as FMLA, if eligible. Lampasas 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.

4.3 EMPLOYEE SAFETY

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

All employees must adhere to the general safety standards established 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.

4.4 WORKPLACE SECURITY AND SAFETY DURING EMERGENCIES

Lampasas County's first obligation is to protect the public and county employees in the event of a natural disaster, threat or act of violence, terrorism or any other security issue. The County Emergency Management Coordinator and County Judge will be immediately notified of all situations that affect or has the potential to affect county services or property.

A security and safety issue is an act or threat of significant and immediate threat to the employees, the public or to county property. A natural disaster is defined as any event or force of nature that has catastrophic consequences such as flood, fire, lightning, tornado, earthquake, or hurricane related situation.

The following office holders are the decision makers regarding occupancy and use of County property and buildings:

Courthouse, Annex I, Annex II

The County Judge is responsible to determine whether these buildings and surrounding property should be closed or evacuated as well as the safety measures needed to re-open. The Judge will notify department heads of the safety issue and required response. Each department head will notify their staff.

Sheriff's Department, Road and Bridge Precincts and Justice of the Peace offices 2/3 and 4

The elected official of each department is responsible to determine whether the building and surrounding property should be closed or evacuated and the safety measures needed to be re-opened. Staff will be notified of the safety issue by the elected official or their designee. The County Judge will be notified of the closure or evacuation.

Certain county employees may be required to provide services during a security issue. These may include Law Enforcement, Road and Bridge and Emergency Management.

Department heads are encouraged to plan in advance for security and safety situations to ensure that the continuity of government services and information is provided for their department. Coordination and cooperation with emergency response officials is required at all levels, whether the security issue is a local, state or national issue.

TIME REPORTING

Employees who are required to vacate the premises based on a security issue will report the time as Admin Leave. The decision maker will determine the amount of time employees were affected by the security issue.

4.5 DRUG AND ALCOHOL- ALL EMPLOYEES

Lampasas County is a drug and alcohol free workplace. A county employee may not be present at work while their 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 county employees 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.

While on duty, employees may not have a detectable amount of alcohol, recreational drug, or non-prescribed intoxicating substance in their body.

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 use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty).

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

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

Lampasas County will drug test employees who are not CDL license holders under the following conditions:

PRE-EMPLOYMENT DRUG TESTING

Lampasas County has a pre-employment drug testing requirement that must be passed post offer before an employee starts their first day of work. All offers of employment are conditional upon passing a drug and alcohol test. The employee will sign a consent waiver.

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.

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 Lampasas 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.

4.6 DRUG AND ALCOHOL- CDL EMPLOYEES

Drug or alcohol use may pose a serious threat to driver health and safety. Therefore, it is County policy 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.

Lampasas County strictly prohibits the use, sale, purchase, transfer, having possession of or being under the influence 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. 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. Lampasas County will conduct pre-employment, random, reasonable suspicion and post-accident drug testing in accordance with federal law.

It is the policy of Lampasas 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. Lampasas 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 to conduct both Limited and Specific inquiries.

A detailed policy and procedure is available from the HR representative in the Treasurer’s office.

4.7 WORKPLACE VIOLENCE

Lampasas County is committed to providing a workplace free of violence and 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. Employees must refrain from any conduct or comments that might make another employee suspicious or in fear for their safety. All threats will be taken seriously and will be investigated.

No employee may unlawfully possess a firearm or other weapon while on county property, a county vehicle, or performing any duty on behalf of the county. Employees found in violation of this policy may be subject to discipline up to and including immediate termination.

4.8 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. Lampasas 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 Lampasas County

among the community at large. Lampasas 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 Lampasas County make clear that you are a county employee and that the views posted are yours alone and do not represent the views of Lampasas County.
- Do not mention Lampasas County supervisors, employees, customers or vendors without their express consent.
- Do not pick fights. If you see a misrepresentation about Lampasas 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 Lampasas County computer equipment for non-work related activities without written permission. Social media activities should not interfere with your duties at work. Lampasas 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 Lampasas County's website or post Lampasas County material on a social media site without written permission from your supervisor.
- All Lampasas 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 Lampasas County must be kept confidential and should not be discussed on social media.
- Violation of this policy may lead to discipline up to and including the immediate termination of employment.

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