

1. EMPLOYEE COMPENSATION

1.1 FAIR LABOR STANDARDS ACT SAFE HARBOR

Lampasas 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, Lampasas County will make the necessary corrections at the next payroll. 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 contact the Treasurer's Office at (512)-556-8271.

Employees who are classified as non-exempt employees must maintain an accurate record of the total hours worked each day. It is the responsibility of each employee to verify that their time sheets are correct. Your timesheet must accurately reflect all regular and overtime hours worked; any absences, late arrivals, or early departures. Do not sign your timesheet if it is not accurate. When you receive each pay check, 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. All time worked is to be recorded on your timesheet. 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 timesheet. 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 your HR representative in the Treasurer's Office.

It is a violation of Lampasas County policy for any employee to falsify a timesheet, or to alter another employee's timesheet. It is also a serious violation of county policy for any employee, supervisor or official to instruct an employee to incorrectly or falsely report hours worked, or to alter another employee's timesheet 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 your HR representative in the Treasurer's Office, by phone: (512) 556-8271, or in person at 409 S. Pecan St. Ste. 209; Lampasas, TX 76550.

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 modified 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;
2. Full day disciplinary suspensions for infractions of our written policies and procedures;

3. Full day for violating safety rules of a major significance;
4. Family and Medical Leave or Military Leave absences;
5. To offset amounts received as payment for jury and witness fees or military pay;
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;
2. Your absence because the facility is closed on a scheduled work day;
3. Your absence because of the County's operating requirements;
4. Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work;
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 any improper deductions or your pay does not accurately reflect your hours worked, you should immediately report the matter to the Treasurer's Office, by phone: (512) 556-8271, or in person at 409 S. Pecan St. Ste. 209; Lampasas, TX 76550.

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.

1.2 INTERNAL REVENUE SERVICE (IRS) FRINGE BENEFITS

Lampasas 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.

1.3 COMPENSATION

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

Lampasas County complies with the Fair Labor Standards Act 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. *(See Policy 1.10 Below)*

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.

Advances in pay shall not be made to any employee for any reason.

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.

1.4 PAYROLL DEDUCTIONS

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

RETIREMENT

Employees eligible for membership in the Texas County and District Retirement System shall have their contributions to that system deducted from each paycheck.

OPTIONAL DEDUCTIONS

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 HR representative in the Treasurer's Office.

1.5 WORK WEEKS AND WORK PERIODS

For purposes of recordkeeping and to determine overtime in compliance with the Fair Labor Standards Act (FLSA), the workweek for Lampasas County shall begin at 12:01 a.m. on each Tuesday and end seven (7) consecutive days later. Law Enforcement employees who fall under the FLSA 207(k) exemption shall have a work period of 28 days and 171 hours as established by the Lampasas County Commissioners Court.

1.6 TIMESHEETS

Each employee must fill out a timesheet, accurately recording all time worked and leave taken, whether paid or unpaid, and turn it in to their supervisor on the last day of every pay period. Elected officials or department heads are responsible for ensuring that all hours worked and leave taken are accurately reported on their employee's timesheets and submitting them to the payroll office.

All questions or clarifications regarding timesheets will be directed to the affected department head or designee. To ensure timeliness of payroll processing, if an issue that arises during payroll processing is not resolved before payroll is complete then a final resolution will be made on the next regularly scheduled payroll.

Failure to complete a timesheet may result in an employee only receiving minimum wage payment until the proper timesheet has been completed and turned into the payroll department. Timesheets are governmental documents and as such require accurate and truthful information. Falsifying a timesheet is a criminal offense.

1.7 PAY PERIODS

The pay period for Lampasas County shall be a two week pay period with the pay period dates established by the Commissioners' Court. If a payday falls on a holiday, paychecks shall be issued on the last workday immediately preceding the holiday.

1.8 WORK SCHEDULES

The normal hours of work for most positions in the County shall be from 8:00 a.m. until 5:00 p.m., Monday through Friday. Each official or department head shall determine the exact working schedules for their employees. 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, or may be subject to call back in case of emergency or special need.

1.9 HOURS WORKED

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.

1.10 LAW ENFORCEMENT PAY AND OVERTIME

Lampasas 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 due after 171 hours actually worked.

Law enforcement employees' salary covers all hours up to 171 hours with a minimum of 160 hours reported for the work period. Actual hours worked between 161 hours and 171 hours will be paid at the employee's straight hourly rate. Overtime rates will be due after 171 hours are actually worked within the 28 day work period.

Paid leave shall not be counted in determining if overtime has been worked, only actual hours physically worked. In other words, overtime will not accrue in any work period during which an employee reports sick, vacation, or compensatory time until the number of actual hours worked reported during the work period exceeds 171.

Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

1.11 OVERTIME CALCULATIONS AND RULES

With the exception of law enforcement as stated in 1.10 above; Overtime shall include all time actually worked for the county in excess of 40 hours in any workweek. No paid leave, i.e. holiday, personal, vacation, administrative leave or emergency leave, will be counted in determining overtime hours. Employees must physically work in excess of 40 hours in a workweek when determining overtime. Except in emergency situations, an employee shall be required to have authorization from their supervisor before working overtime.

OVERTIME COMPENSATION

Overtime compensation shall be paid in the form of compensatory time off in accordance with the provisions of the FLSA. Covered employees shall receive paid compensatory time off at a rate of one and one-half (1 ½) times the amount of overtime worked.

COMPENSATORY TIME MAXIMUM

The maximum amount of unused compensatory time an employee shall be allowed to have at any one time is 24 hours. When an employee has reached the maximum accrual of compensatory time, any additional overtime worked shall be compensated at a rate of one and one-half (1 ½) the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum.

USE OF COMPESATORY TIME

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 supervisor approval. Lampasas County shall have the right to require employees to use earned compensatory time at the convenience of the county.

PAYMENT FOR COMPESATORY TIME

Payment for compensatory time, which may be approved by the Department head only if adequate funds are available in the department's budget, is discouraged due to the contingent financial liability this creates for the County. Compensatory time should be scheduled as soon as possible after overtime hours are worked and shall be used by the end of each fiscal year (September 30).

If an employee terminates employment, for any reason, prior to using all earned compensatory time, they shall be paid for all unused compensatory time in accordance with the requirements of the FLSA.

Lampasas 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. Lampasas 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.

RECORDKEEPING

Each employee shall be responsible for recording any compensatory time used within a pay period on the time sheet for that pay period. Department heads are responsible for ensuring that all hours worked are accurately reported on their employee's timesheets and submitting them to the payroll office.

1.12 LONGEVITY PAY

Lampasas County recognizes the loyalty of its long term employees with a monetary incentive paid after an employee's fifth year of service.

ELIGIBILITY

Employee must have a minimum of five consecutive years of full time employment with the County, time does not include hours worked in a temporary or part time status. Length of service is calculated from the first December 1st of an employee's tenure. Any termination in employment, whether voluntary or involuntary, will result in employee losing their longevity status. If a former employee is re-hired by the County their longevity date will reset to the new hire date.

Appointed and elected officials are not eligible for longevity pay.

PAYMENT

Longevity pay is included with the first regular paycheck of December. Recipients must be an employee of the County on December 1 to receive a longevity payment of \$120 per year of service with a maximum of \$2,400 for 20 plus years of service. Longevity pay does not increase an employee's base salary.

YEARS OF SERVICE (as of December 1 anniversary date)	LONGEVITY PAYMENT (\$120 per year of service)
5 years	\$600
6 years	\$720
7 years	\$840
8 years	\$960
9 years	\$1,080
10 years	\$1,200
11 years	\$1,320
12 years	\$1,440
13 years	\$1,560
14 years	\$1,680
15 years	\$1,800
16 years	\$1,920
17 years	\$2,040
18 years	\$2,160
19 years	\$2,280
20 years or more	\$2,400

1.13 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 re-assign any employee who is 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 and documented in the employee's personnel file.

1.14 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 and documented in the employee's personnel file.

1.15 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 and documented in the employee's personnel file.

1.16 SEPARATIONS

A separation shall be defined as any situation in which the employer-employee relationship between the County and a County employee ends.

TYPES

All separations from Lampasas County shall be designated as one of the following types:

Resignation

A resignation shall be classified when an employee voluntarily leaves their employment with Lampasas 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.

Retirement

A retirement shall be when an employee meets one of the following eligibility requirements to collect benefits under the County's retirement program and voluntarily elects to leave employment with the County to do so.

1. Employee is 60 years of age with 8 years of service.
2. Employee's age plus years of service equals 75.
3. Any age with 20 years of service.

An employee who is retiring should notify their supervisor and HR of that intent at least 30 days prior to the actual retirement date to help prevent delays in starting the payment of retirement benefits.

Dismissal

A dismissal shall be any involuntary separation of employment that does not fall into one of the other categories of separation. Lampasas 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.

Reduction in force

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.

Death

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.

NOTIFICATION

As soon as a department head becomes aware of a separation from employment, or the intent to separate employment, by an employee the supervisor shall be responsible for immediately notifying the HR Representative in the Treasurer’s Office.

1.17 RETIREE REHIRES

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

1. The retiree has been retired for at least one calendar month,
2. No prior arrangement or agreement was made between Lampasas 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 1 full calendar month. A bona fide separation means there is no prior agreement or understanding between Lampasas 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.