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**EL PASO COUNTY SHERIFF'S OFFICE CIVIL SERVICE COMMISSION:
NOTICE: CHANGE OF RULES**

DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS

POSTED: Monday, September 21, 2020 – by 5:00 pm

In accordance with Sec. 1.4.01 of the Civil Service Commission, this notice contains the proposed changes regarding sections in the Civil Service Commission Rules & Regulations. They will be discussed and appropriate action will be taken at the following special meeting:

Monday, October 5, 2020

YouTube Channel: El Paso County, Texas Public Meetings

<https://www.youtube.com/channel/UCiMSJrlbRPMdIh69bCmogQ>

Proposed Change #1: Discuss and take appropriate action to approve recommended changes to Chapter 3, Section 4 *Compensation – Safe Harbor Provisions for the FLSA*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

3.4.01 It is the policy of the County to fully comply with the Fair Labor Standards Act. In keeping with commitment, the County will make a good faith effort to properly classify employees and pay exempt employees their full salary for any workweek in which they perform work, regardless of the number of days or hours worked, subject only to deductions that are permitted by law. Full day deductions from pay that are permitted by law include, for example, deductions for vacation, personal time off, sick days before or after eligibility for paid sick leave, or deductions for infractions of written workplace conduct rules. Full or partial day deductions may be made from the salaries of exempt employees for infractions of safety rules of major significance or for use of intermittent leave under the Family and Medical Leave Act.

3.4.02 It is further the policy of the County to promptly investigate and correct any improper classifications, payroll deductions, or other payroll practices that do not comply with the Act. If an employee believes that an improper payroll practice – such as an improper classification or improper deduction from an exempt salary – has occurred, he or she may make a complaint to the Human Resources Department. Human Resources will see that the matter is appropriately reviewed; the employee will be reimbursed for the amount of any inappropriate deduction found to be taken.

Proposed Change #2: Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 2 *Employment – Sick Leave*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

5.2.01 All full time, regular non-elected employees who have completed 90 days of full time service are eligible to use accrued sick leave with pay when the employee is unable to perform his duties because of ~~illness, injury, or other temporary disability; personal medical needs, family care or bereavement, care of an immediate family member with a serious health condition, or adoption-related purposes.~~

5.2.02 Sick leave is accumulated from the date of employment for all full time regular non-elected employees at the rate of ~~3.0774.6153~~ hours per pay period. (120 hours per year.) Maximum accumulation is 720 hours ninety (90) days.

~~5.2.03~~ ~~The use of paid sick leave is authorized only for an employee who has completed three (3) months of full-time service.~~

5.2.034 To be eligible for paid sick leave, the employee is required to notify his/her supervisor at the beginning of the workday, at least one hour prior to the scheduled reporting time, unless exigent circumstances exist. Absences of three (3) or more consecutive workdays for sick leave or dependent illness must be verified by a licensed physician. Written verification, in the form of a certificate or statement, must be presented to the supervisor upon returning to work. Written verification may also be required for any illness or injury if sick leave abuse is suspected.

~~5.2.05 Use of accumulated paid sick leave shall be authorized should a member of the immediate family be ill or injured.~~

5.2.046 Payment for accumulated sick leave is not authorized after notice of separation except for employee's covered by the Agreement between El Paso County and the El Paso County Sheriff's Officers Association.

5.2.057 Immediate family member is defined for purposes of this policy as: spouse, registered domestic partners, children, parents, grandparents, grandchildren, siblings, guardianship relationship, and in-laws and step/half relationships with the same degree.

5.2.068 In the event the employee's sick leave balances are depleted, the employee may qualify for sick leave donations in accordance with the County's Sick Leave Pool Program.¹

5.2.079 Accrual Rates Performance Evaluations

The Sheriff may choose to link non-protected² employee absences due to sick leave to their performance evaluations. While the Sheriff retains discretion to establish internal procedures regarding acceptable absences standards, a recommended matrix is below:

Exceeds Standards rating:	0 to 26 4 hours
Meets Standards rating:	26 4.01 to 41 20 hours
Below Standards rating:	41 20.01 + hours

Proposed Change #3: Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 3 *Employment – Vacation Leave*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

5.3.01 Eligibility

Regular full-time and part-time non-elected employees shall be eligible to use vacation leave with pay after 180 days of continuous service with the County.

5.3.02 Accrual Rates

Based on years of service to the County³, non-elected employees, other than employees covered by the agreement between The County of El Paso, Texas and the El Paso County Sheriff's Officers' Association shall accrue vacation leave at the following rates:

¹ See the Sick Leave Pool policy for further details.

² Protected sick leave refers to that which is protected by FMLA, ADA, Workers Compensation or any other legally protected time.

³ See the Reemployment/Reinstatement Policy for accrual rate guidelines for those employees returning to work for the County after voluntary resignation.

FULL-TIME EMPLOYEE:

YEARS

up to 5 years

ACCRUAL RATE

80 hours per year,
earned at the rate of 3.077
hours per pay period, up to a maximum of 160 hours.

5 thru 15 years

120 hours per year,
earned at the rate of 4.616
hours per pay period, up to maximum of 240 hours.

15 years or more

160 hours per year,
earned at the rate of 6.154
hours per pay period, up to a maximum of 320 hours.

PART-TIME EMPLOYEE:

YEARS

up to 5 years

ACCRUAL RATE

40 hours per year,
earned at the rate of 1.539
hours per pay period, up to a maximum of 80 hours.

5 thru 15 years

60 hours per year,
earned at the rate of 2.308
hours per pay period, up to a maximum of 120 hours.

15 years or more

80 hours per year,
earned at the rate of 3.077
hours per pay period up to a maximum of 160 hours.

5.3.03

Leave Leniency

Due to the COVID-19 pandemic, and its effect on Sheriff's employees' ability to utilize vacation during this time, effective April 1, 2020 maximum accrual rates will be increased by 25% for each category above until September 30, 2021. Thereafter, normal maximum accrual rates will resume in accordance with this policy.

- (1) Example: If the current maximum is 160 hours, the maximum rate would increase by 25% - or 40 hours - for a total of 200 hours.
- (2) Once normal maximum accrual rates resume, any hours accrued in excess of the maximum limit during the leave leniency period shall not be forfeited, but shall remain in the employee's accrual bank for future use.

5.3.04

Accrual Maximums

Vacation leave may be accumulated up to a maximum of two (2) times the annual vacation benefit depending on the length of service. Days earned in excess of the accrued limit will be forfeited.

5.3.045

Vacation Requests

An employee must request vacation leave in advance from the Sheriff or his designee. The Sheriff may establish a policy regarding the procedure employees must follow to submit requests for vacation time.

Requests for annual leave will not be unreasonably denied; however, Office operations must be considered in granting requests.

5.3.056 Payment Upon Separation

After 180 days of continuous service, a non-elected employee who separates from employment with the County will be paid for accrued vacation leave.

5.3.067 Vacation Leave Upon Transfer

Generally, if an employee is transferred from one County department and remains in a full-time employment capacity, all unused vacation leave shall remain to the employee's credit as though no change had been made. Any previously approved leave shall be resubmitted for approval by the receiving department.

Employees transferring from a full-time employment status to a part-time status shall retain any unused vacation leave; however, accrual rates will change according to their new employment status based on Section 5.3.02 of this policy.

5.3.078 Holidays During Vacation Leave

Official County holidays occurring during the employee's vacation leave shall not be counted against vacation leave balance.

Proposed Change #4: Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 11 *Employment – Sick Leave Pool*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

5.11.01 Policy

~~The Commissioners Court has established a program to allow employees to voluntarily contribute on an annual basis, sick leave hours time earned by the employee to a County-wide sick leave pool (the "Sick Leave Pool" or ("SLP")) that the employee is then eligible to use if, because of a catastrophic injury or illness, the employee has exhausted all the accrued paid leave and compensatory time to which the employee is otherwise entitled. Commissioners Court has appointed the County Chief Human Resources Officer as the Pool Administrator ("Administrator"). The purpose of the Sick Leave Pool is to help alleviate the financial hardship caused when a catastrophic illness or injury forces an employee to exhaust all accrued paid leave and compensatory time and subsequently lose compensation from the County.~~

~~The El Paso County Sick Leave Pool policy has been established pursuant to the authority in Subchapter E, Section 157.071 et. al. of the Texas Local Government Code.~~

~~This policy is not intended, nor shall it be interpreted, to interfere with an employee's rights in accordance with the Family and Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), or the Worker's Compensation Act.~~

5.11.02 Definitions

~~Administrator - The Chief Human Resources Officer, or designee, serves as the Administrator of this program.~~

5.11.02 **Catastrophic Injury or Illness**

~~A catastrophic illness and/or injury is a serious debilitating illness, injury, impairment, or physical or mental condition that affects the employee or the employee's immediate family member and is defined as a condition or combination of conditions affecting the mental or physical health of the employee or immediate family member that has been under prolonged treatment of a licensed practitioner for at least thirty (30) days which is likely to result in a loss of more than ten (10) consecutive work days for the employee. Leave taken on an intermittent basis which does not require the employee to be absent from work for a period of at least 10 days does not qualify. The physician certification must be included in the employee's request for use of time from the SLP.~~

- ~~A. terminal, life-threatening, and/or very severe; and~~
- ~~B. present for a minimum of thirty (30) consecutive calendar days; and~~
- ~~C. forces the employee to exhaust all of his/her accrued leave; and~~
- ~~D. involves:~~

- ~~(1) A period of illness or injury or treatment connected with inpatient care (e.g. overnight stay) in a hospital, hospice, or residential medical care facility for ten (10) or more consecutive days; or~~
- ~~(2) A period of illness or injury requiring absence from work of ten (10) or more consecutive work days, and that also involves continuing treatment by (or under the supervision of) a licensed physician.~~

5.11.03

Employee Eligibility and Contribution to the SLP

~~"Employee" means a Sheriff's employee with twelve (12) or more months of continuous employment with the County who is paid from the general fund of the County, from a special fund of the County, or from special grants paid through the County.~~

~~**Immediate Family Member** - Spouse, registered domestic partners, children, parents, grandparents, grandchildren, siblings, guardianship relationship, and in-laws and step/half relationships within the same degree.~~

~~A. In order to be able to use the SLP, eligible employees must meet all three of the following criteria:~~

- ~~(1) Contribute to the SLP each year during the annual leave contribution period as designated (generally December) on the designated form, for new employees, within thirty one (31) days of the date they complete twelve (12) months of continuous service; or within thirty one (31) days after the adoption of this policy.~~
- ~~(2) Contribute at least one (1) day (8 hours), but no more than five (5) days (40 hours), of accrued sick leave time earned by the employee. An employee who is terminated, resigns, or retires may donate not more than ten (10) days (80 hours) of accrued sick time to take effect immediately before the effective date of the termination, resignation, or retirement.~~
- ~~(3) Employees who contribute sick leave must have a remaining balance of at least five (5) days (40 hours) of sick leave in their account immediately after making the donation. The Administrator shall credit the SLP with the amount of time contributed by the employee and shall permanently deduct the same amount of sick leave time from the employee, as if the employee had used the sick leave time for personal purposes. Employee contribution of sick leave to the SLP is final.~~

~~**Sick Leave Pool Bank** - The system to track sick leave donated by employees for allocation to eligible employees.~~

~~5.11.04 Requesting Time from the SLP~~

- ~~A. An employee who has contributed to the SLP must apply to the Administrator on the designated form for permission to use time in the County SLP. Employees not enrolled in the SLP are not eligible to receive sick leave time from the SLP.~~
- ~~B. If an employee is physically unable to complete the designated form for sick leave from the SLP, his/her the Supervisor may submit the form on the employee's behalf.~~
- ~~C. The employee must have exhausted all the accrued paid leave and compensatory time to which the employee is otherwise entitled before being eligible to request time from the SLP.~~
- ~~D. The SLP may be used only by employees for his/her personal illness or disability or for a family member whose illness or injury meets the guidelines of the SLP.~~
- ~~E. All hours used will count towards the employee's FMLA entitlement. The amount of leave donations and the amount of leave accrued cannot exceed the amount of time allowed under the FMLA.~~
- ~~F. If the Administrator determines that the employee's request meets the requirements, the Administrator shall approve the transfer of sick leave from the SLP and credit the time to the employee as needed.~~
- ~~G. The employee may use the time in the same manner as sick leave earned by the employee in the course of employment.~~
- ~~H. An employee absent on sick leave transferred from the SLP is treated for all purposes as if the employee were absent on earned sick leave.~~
- ~~I. An employee requesting time from the SLP must not have a written record of disciplinary and/or corrective action for leave abuse or misuse of leave within the past twelve (12) months.~~

5.11.03 Contributions

- A. Contributions to the SLP are voluntary and are not required in order for eligible employees participate in the SLP if qualified.
- B. The Administrator will publicize the period of donation to the sick leave pool at least once a year; however, the frequency, and method of publicizing will depend on the balance of the SLP and the current and/or projected usage.
- C. Employees wishing to contribute during the donation period must contribute a minimum of one (1) day (8 hours) of accrued sick time but no more than five (5) days (40 hours) and have at least five (5) days (40 hours) of accrued sick leave time remaining after their contribution.
- D. An employee who separates employment may donate not more than ten (10) days (80 hours) of accrued sick leaved time earned by the employee to take effect immediately before the effective date of separation.
- E. Once an employee contributes hours to the SLP, the hours become the property of the SLP, and the donating employee has not further claim to these hours.

5.11.04 Eligibility

In order to use the SLP, eligible employees must meet the definition of employee and the following criteria:

- A. Must have exhausted all the accrued paid leave and compensatory time to which the employee is otherwise entitled before being eligible to request time from the SLP.
- B. Must not have a written record of disciplinary and/or corrective action for leave abuse or misuse of leave within the past twelve (12) months from the date of the SLP request.

5.11.05 Exclusions

The following describe situations which exclude employees from participating in the SLP program:

- A. Elective surgery does not qualify as a catastrophic illness or injury. If complications arise resulting in a serious health condition, the situation may qualify as a catastrophic illness or injury. Employees who are receiving Worker's Compensation benefits from the County or any other employment held by the employee.
- B. SLP time is not available for time off due to a job-incurred injury covered by Workers' Compensation benefits. Employees receiving Short and Long Term Disability and/or Supplemental Benefits to include social security disability benefits.
- C. Pregnancy in and of itself, is not a catastrophic illness or injury. Employees who have committed fraud or misrepresentation in the request or use of catastrophic leave.
- D. Employees on active Duty in the US Armed Forces or have been recalled to duty to receive treatment.

5.11.06 Maximum Leave Requests to Use SLP

The Pool Administrator shall determine the exact amount of time that an employee may be allocated from the SLP. The amounts allocated may be given in increments as determined by the Pool Administrator, but in total cannot exceed the lesser of the following in a plan year.

- A. Sixty (60) days (480 hours) of time, or Employees must apply to the SLP using the designated SLP Request Forms: SLP Request Form and SLP Certification Form. If the employee has FMLA documents on file, the Administrator may use these forms in lieu of the SLP Certification Form provided the FMLA documents include information for the Administrator to make a determination.
- B. 1/3 of the total amount of time available in the SLP at the time of the request. The SLP Request Form must be completed in its entirety, signed by the Sheriff and forwarded to the Administrator.
- C. The SLP Certification Form must be completed in its entirety by the employee and the medical provider.
- D. The SLP forms must be submitted no later than 30 calendar days from the date all accruals were exhausted.

- E. Failure to submit a completed SLP Request Form or the SLP Certification Form may cause a delay and possible denial of the request.
- F. If the initial information supplied is not adequate, the employee may be asked to provide further sufficiently detailed medical record information and a medical release for medical information to the Administrator, if requested. The Administrator may require an independent medical examination. Failure to comply with a request for additional medical information may result in delay or denial of the application.
- G. If an employee is physical unable to complete the SLP forms, the employee's family member or the Sheriff may submit the form(s) on the employee's behalf.

5.11.07

Confidentiality Withdrawals and Award from the SLP

~~All information received under this policy shall be kept confidential as required by law.~~

- A. The Administrator will review the SLP Request and SLP Certification Forms and determine eligibility. If the employee is eligible and meets the requirements, the Administrator will determine the amount of the SLP hours awarded as per this policy which will be allocated on a per pay period basis.
- B. SLP hours cannot be granted beyond the date the employee, or immediate family member, will exhaust FMLA unless leave under the ADA and/or personal leave have been approved.
- C. The maximum amount of sick leave hours awarded cannot exceed the lesser or one-third of the total amount of time in the SLP or 180 days (1440 hours). However, the Administrator shall determine the exact amount that an eligible recipient may draw from the pool based on the SLP balance at the time the request is approved.
- D. All hours used from the SLP will count towards the employee's FMLA entitlement.
- E. The SLP will be administered on a first-come, first-serve basis, determined by the date or time when all necessary information, certification, and releases have been provided. An employee's request to use the SLP hours is not a guarantee that SLP hours will be granted.
- F. An employee may not engage in secondary employment on the same calendar day(s) that the employee is paid with hours from the SLP.

5.11.08

~~Compliance with Other Policies~~Procedure

~~All SLP usage, including returns to work, shall be in compliance with County policy and procedures. Any change to the Sick Leave Pool Program by the Commissioners Court shall be applicable to these rules as of the effective date of the Commissioners Court action.~~

A. Donations

- (1) The Administrator shall provide the County Auditor's a report of employees donating sick hours to the SLP and the County Auditor's shall credit the SLP with the amount of time contributed by the employees and shall deduct the corresponding amount of sick leave from the employees' accrued balances.

B. Withdrawals

- (1) An SLP request along with the SLP forms will be reviewed by the Administrator and any approved leave shall commence at the beginning of the follow pay period after the leave has been approved.
- (2) Once a request has been approved by the Administrator, the Administrator will provide the County Auditor's with the pertinent information for the Auditor's to credit the approved amount of time to the employee from the SLP bank.
- (3) An employee using hours from the SLP is treated for all intents and purposes as if the employee were absent on sick leave earned in the course and scope of employment.
- (4) Employees on approved SLP must provide the Administrator with updates from the treating physician at least every 30 calendar days. Failure to do so may result in the use of the SLP program being forfeited.
- (5) Denial of SLP hours is not grounds for filing a grievance and is excluded from the civil service grievance appeal process. SLP is not a right and is awarded based on availability of SLP leave in the SLP Bank, and the eligibility of the employee as determined by the Administrator.

5.11.09 Conformance with the LawUnused SLP Hours

If changes to the law or applicable regulations require changes to the provisions of this policy, this policy shall be deemed amended as of the effective date of the law or regulation to be in conformance thereof. All unused SLP hours disbursed to the employee will revert to the SLP bank under any of the following conditions:

- A. The employee returns to work in a full-duty light-duty or modified duty status;
- B. The employee's immediate family member is given a full release by his/her physician;
- C. The employee voluntarily returns to work after caring for the immediate family member;
- D. The employee resigns or is terminated with the County;
- E. The employee voluntarily cancels his/her participation in the SLP;
- F. The employee violates this policy and/or commits fraud or misrepresentation in the request or use of SLP;
- G. The employee exhausted the maximum approved SLP hours awarded; and
- H. The employee or immediate family member is deceased.

5.11.10 Confidentiality

All information received under this policy shall be kept confidential as required by law.

5.11.11 Compliance with Other Policies

All SLP usage, including return to work, shall be in compliance with all applicable County -and Sheriff's policies and procedures.

5.11.12 Violation of Policy

Employees who violate the provisions of this policy or attempt to use the SLP for any reason other than its intended purpose, will not be allowed to participate in the SLP and may be responsible to repay any money received for use of SLP hours. Such violation of policy may also result in disciplinary action, up to and including termination of employment.

5.11.13 Conformance with the Law

If changes to the law or applicable regulations require changes to the provisions of this policy, this policy shall be deemed amended as of the effective date of the law or regulation to be in conformance thereof.

Proposed Change #5: Discuss and take appropriate action to approve recommended changes to Chapter 6, Section 1 *Professional Conduct – Employee Appearance and Conduct*, of the El Paso County Sheriff’s Office Civil Service Commission Rules and Regulations.

6.1.01 Code of Conduct

Employees shall conduct themselves in a professional and ethical manner at all times. When performing their day to day duties involving contacts with the public, employees must be aware impressions of the Sheriff’s Office are formed, in part, upon their speech, conduct and general demeanor. Thus, employees are expected to be well-groomed professional in appearance, reliable, helpful, courteous and patient, in order to inspire confidence in the integrity and reliability of the Sheriff’s Office, and the services it provides. An employee should not engage in behavior during non-business hours likely to reflect badly on the reputation of, or undermine public confidence in, the Sheriff’s Office, including conduct which would impair employees’ performance of their jobs. While on duty, employees will maintain a work environment free from intimate, romantic or dating relationship gestures inappropriate for the work environment. Additional standards may be determined by the Sheriff.

6.1.02 Supervisory Conduct

Supervisors shall conduct themselves with professionalism, integrity, and exercise appropriate authority for their position. Behaviors or actions that diminish the perception of these qualities will be admonished.

During normal working hours, employees will strive to maintain a work environment that is free from inappropriate (intimate, romantic or dating) relationships between supervisors and their subordinates or between employees involved in any other power-differentiated relationship. Power-differentiated relationships can lead to sexual harassment or the perception of harassment, and adversely affect employee morale, workplace operations, and productivity because of favoritism, or unfair treatment or the perception of such treatment.

A “power-differentiated relationship” is any supervisor-subordinate work relationship or other work relationship in which one employee supervises or manages (directly or indirectly) another employee or makes decisions concerning another employee’s work activities, conditions, or privileges of employment. The Sheriff does not otherwise discourage friendship or social activities among its employees.

In order to effectuate the purposes expressed above, if an intimate, romantic, or dating relationship develops between a supervisor and a subordinate, the supervisor involved in the relationship must promptly report to the Sheriff who shall investigate and take appropriate action to resolve the workplace relationship issues through transfer, discipline or other available options.

6.1.03 Code of Ethics

All employees shall be bound by the El Paso County Code of Ethics.

6.1.04 Confidentiality

All information concerning Sheriff's Office business must be held in strict confidence and must not be discussed with others on or off the job except for purposes of necessary Sheriff's Office business. Employees should remain mindful that business related discussions are not be had in any place or 6.1.01 Each employee's personal appearance and conduct represents the Office to the public and to other County employees. It is important that each employee make the best impression at all times by setting high standards in appearance and conduct.

Proposed Change #6: Discuss and take appropriate action to approve recommended changes to Chapter 6, Section 6 *Professional Conduct – Gifts*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

6.2.01 The Sheriff requires all employees to avoid any conflict between their interests and those of the County or the Sheriff's Office, and to disclose promptly any actual or potential conflicts.

6.2.02 The purpose of this policy is to ensure that the name, reputation, and integrity of the County and the Sheriff's Office are not compromised. The fundamental principle guiding its implementation is that no employee should have, or appear to have, any personal interests, relationships, or affiliations that conflict with the best interests of the County or the Sheriff's Office.

A. It is impossible to give an exhaustive list of situations that might present a conflict. However, among the most common situations that may constitute a conflict are:

- (1) Holding an interest in or accepting free or discounted goods from any company or organization that does, or is seeking to do, business with the County or the Sheriff's Office, by any employee who is in a position to directly or indirectly influence either the County's or the Sheriff's decision to do business, or the terms upon which business would be done with such company or organization.
- (2) Being employed by (including working as a consultant) or serving on the board of any organization that does, or is seeking to do, business with the County or the Sheriff's Office.
- (3) Gaining personally, e.g., through commissions, loans, expense or travel reimbursements or other compensation, from any company or organization doing or seeking to do, business with the County or the Sheriff's Office.
- (4) Partaking in an auction of County or Sheriff's Office Property or partaking in an auction conducted by the County or Sheriff's Office.⁴

B. A conflict of interest may also exist when a member of an employee's immediate family is involved in situations described above.

- (1) For purpose of this policy, refer to the County Ethics Code's definition of immediate family.

C. Employees shall not acquire a financial interest at a time when they believe or have reason to believe that the financial interest will be directly affected by an official action or decision made in their employment capacity.

D. Employees shall not benefit personally by virtue of their employment.

E. It is the responsibility of the employee to report promptly to the Sheriff any actual or potential conflict that may exist between the employee (and employee's immediate family) and the County or the Sheriff's Office.

- (1) It is the responsibility of the Sheriff to consult with the HR Department and the County Attorney's Office regarding reported conflicts which would be in violation of this policy.

Proposed Change #7: Discuss and take appropriate action to approve recommended changes to Chapter 6, Section 4 *Professional Conduct – Use and Care of County Owned Property*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

~~6.4.01 Employees shall not participate in bidding on El Paso County surplus equipment and auction supplies.~~

~~6.4.02 Intentional, reckless, or grossly negligent damage of County equipment or Sheriff's Office equipment or property may be grounds for disciplinary action up to and including dismissal.~~

Proposed Change #8: Discuss and take appropriate action to approve recommended changes to Chapter 6, Section 6 *Professional Conduct – Outside Employment*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

~~6.6.01 It is the policy of the Sheriff's Office that employees recognize their primary duties are to the Sheriff's Office and El Paso County. Employees are subject to be called to perform work duties at any time for emergencies, special assignments, overtime and the like, and the obligations of outside employment are always subordinate. An employee who seeks to engage in employment outside of his/her duties with the Sheriff's Office must receive the approval of the Sheriff prior to engaging in the outside employment. The employee must furnish to the Sheriff a detailed written description of the outside employment. Approval shall be given by the Sheriff, provided that such employment is not conducted during the hours the employee is scheduled to work for the Sheriff's Office; that such employment does not conflict with the employee's duties with the Sheriff's Office or County; that such employment does not adversely affect the public image of the County; and that such employment does not adversely affect the employee's availability and usefulness as an employee of the Sheriff's Office.. Additional standards and requirements may be established by the Sheriff.~~

~~The maximum hours an employee may perform outside or extra duty employment is 24 hours/week.~~

~~6.6.02 All employees requesting or engaging in outside or extra duty employment must comply with the Office's policies.~~

~~6.6.03 **Extra duty employment** is defined as secondary employment where the actual or potential use of law enforcement powers is anticipated.~~

Proposed Change #9: Discuss and take appropriate action to approve recommended changes to Chapter 6, Section 7 *Professional Conduct – Changes in Employee Personal Data*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

~~6.7.01 The employees' address, telephone number (both home and mobile if applicable), and personal email address shall be the official address and telephone number for use by El Paso County and the employee. Changes to an employees' personal data must be reported (or electronically updated) to the Human Resources Department and his/her supervisor within 30 days of such change. If an employee changes his/her address, or telephone number he shall promptly notify his immediate supervisor, who shall in turn forward the information to Human Resource using the prescribed form.~~

~~6.7.02 If an employee's marital or dependent status changes, the employee shall contact the Payroll Section of the County Auditor's Office or Human Resources and/or Payroll Office to receive forms necessary to make appropriate changes.~~

~~6.7.03 — If an employee changes his/her name, the employee must secure a new Social Security card bearing the changed name and must submit copy of social security card to Human Resources.~~

Proposed Change #10: Discuss and take appropriate action to approve recommended changes to Chapter 7, Section 1 *Performance Evaluation – Performance Management and Evaluations*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

7.1.03 Performance Management Procedure

A. Annual Evaluation

Each regular employee shall be given a written performance evaluation by the end of ~~each fiscal year, September 30th~~ August 31st, or on the employee's anniversary date in the current position.

- (1) The due date of the evaluation is at the discretion of the Sheriff and must be the same for the entire Office.
- (2) The Sheriff, or his designees, are responsible for completing annual evaluations and submitting them to the HR Department in a timely manner but no later than ~~October~~ September 5th of each year.
- (3) If an employee is due for an evaluation on his or her anniversary date as of result of a demotion, promotion, completion of the first year of employment or the Sheriff's election to complete evaluations on employee's anniversary dates, the evaluation is due five (5) days from the anniversary date.
- (4) Failure to submit timely evaluations may result in non-bargaining unit employees not receiving a step increase, if steps are approved by Commissioners Court for the related fiscal year. Additionally, no retroactive payments will be given for non-bargaining unit employees who do not receive a timely evaluation unless approved by Commissioners Court.

B. Probationary Evaluation

- (1) All newly hired employees shall be evaluated at the conclusion of their probationary period.
- (2) Probationary employees are not eligible for step increases until the completion of their first year anniversary.
- (3) All probationary evaluation forms shall be submitted to the HR Department within five (5) days from the date of the end of the employee's probationary period.
- (4) In the event an employee does not successfully complete the probationary period, the Sheriff should work with the HR Department and the County Attorney's Office to properly document employment separation.

C. Unscheduled Evaluation

Unscheduled evaluations are recommended in the following cases:

- (1) Prior to an employee being transferred to a new supervisor or unit.
- (2) Prior to an employee being placed on an extended leave status, to include military leave.

D. Coaching and Feedback Recommended

Supervisors are encouraged to communicate regularly with their employees. Providing ongoing feedback and coaching reports can assist with the annual evaluation. The purpose of performance coaching and feedback is to help managers improve the productivity of their employees, to develop and improve an employee's performance, and to correct poor performance.

- (1) Ideally, coaching should be completed at the end of each quarter: December 31, March 31, and June 30 of each year.
- (2) While coaching forms are available for use during these sessions, they are not required. Coaching forms are not submitted to HR; rather, they are kept at the supervisor level for future use when compiling the annual evaluation.

Copies of the proposed changes may be picked up in the Human Resources Office of the El Paso County Sheriff's Office at:

Sheriff's Headquarters
3850 Justice Road

Thank you!