

Personnel Issues

Lorie Floyd
Human Resources Consultant Supervisor

Disclaimer

Agenda



Follow Us On Facebook!



TEXAS ASSOCIATION *of* COUNTIES
RISK MANAGEMENT POOL

Disclaimer

This training is designed to provide general information about the subject matter covered. Neither TAC nor the trainers are engaged in rendering legal advice. If you need legal advice, TAC recommends that you seek the services of a competent attorney who is familiar with your specific situation.

Collective Bargaining Agreement Disclaimer

If your county has a Collective Bargaining Agreement, please refer to the specific language in your agreement and consult with your county attorney or legal counsel, as some things discussed in this presentation may not be applicable to your County. Your county may be subject to the terms and agreements in your Collective Bargaining Agreement.

Components of Human Resources



County Policies

- Comply with Federal and State Laws
- Practice should match your written policy
- Acknowledgment form signed by all employees when policy changes, or every five years
- Review policy, at a minimum every five years
- Update as needed, as laws change
- Changes require Court approval





Compliance with Federal and State Laws

FMLA

FLSA

Family Medical Leave Act

All counties with 50 or more employees employed within 75 miles of the workplace must grant FMLA to eligible employees.



**Requirements
and
Responsibilities**

County Requirements

- Post the notice approved by Department of Labor – Applicants must have access
- Include information about employee rights in policy
- Must provide written notice to employee of their rights and responsibilities and designate leave within 5 business days



Supervisor Responsibilities

- Recognize the need to designate leave as family medical leave
- Cooperate with employees seeking leave
- Be cautious when dealing with attendance problems
- Make sure employees understand their rights
- Do not retaliate against employees who request or take family medical leave
- Be consistent

Fair Labors Standard Act

Sets minimum wage

Sets record keeping requirements

Sets equal pay for equal work

Establishes overtime pay requirements

Restricts child labor

Provides nursing mothers breaks

Exemptions

Exempt vs Non Exempt

Exempt means they are exempt from overtime

- **Executive**
- **Administrative**
- **Professional**

Position must meet the criteria to be exempt

- **Salary test - \$35,568**
- **Job Duties test**

Law Enforcement

207(k) allows for partial overtime exemption for law enforcement employees.

Court must adopt this exemption, not self executing

- **Establish work period**
- **Work hours**
- **Clear policy that describes the process**



Time Sheets

Complete and Accurate Record

Governmental record

Falsification TX Penal Code 37.10

Absence of records equals PROBLEMS



Job
Descriptions

Termination

Documentation



Job Descriptions

Valuable for:

- Hiring
- FMLA
- Job Accommodations
- Worker's compensation

What are the essential functions?
Physical requirements?



At-Will Unemployment and Liability



**Documentation
is KEY!**



Human Resources Consultants



Northeast

Halie Bever

469-682-7963

halieb@county.org



Northwest

Rita Fyffe

903-424-7334

ritaf@county.org



Southwest

Cheraun Blankenship

512-615-3784

cheraunb@county.org



Southeast

Lisa Idais

512-615-2825

lisai@county.org



Supervisor

Lorie Floyd

512-765-2128

lorief@county.org