

FALLS COUNTY CENTRAL
APPRAISAL DISTRICT

PERSONNEL RULES AND
REGULATIONS

Approved by Falls County Appraisal District Board of Directors

Chairman

Secretary

Date Approved

BUSINESS CODE OF ETHICS

The Central Appraisal District of Falls County seeks to conduct its business in accordance with the highest standards. We should strive to maintain a Code of Business Ethics which spells out the conduct the District requires.

No employee is to entertain or be entertained beyond usual and reasonable limits, which are normal and acceptable in terms of his business responsibilities.

No employee is to give or receive anything that can be construed as a bribe, kick-back, or other illegal or unethical payment. An employee who receives such an offer must report it immediately to the Chief Appraiser.

No employee may allow a transaction with a vendor or others to be structured or recorded in a way non consistent with normal business practice.

We need your cooperation in protecting our mutual interest by ensuring that our business relationship is open and honest.

NON-DISCRIMINATION POLICIES

Article 6252-14, 62526 Denial of right to work because of age

Section 1. It is hereby declared to be the policy of the State of Texas that no person shall be denied the right to work, earn a living, and to support himself and his family solely because of age.

Section 2. No agency, board, commission, department, or institution of the government of the State of Texas, nor any political subdivision of the State of Texas, shall establish a maximum age under sixty-five (65) years, nor a minimum age over twenty-one (21) years for employment, nor shall any person who is a citizen of this state be denied employment by such agency, board, commission, department, or institution, or any political subdivision of the State of Texas solely because of age; provide, however, nothing in this act shall be construed to prevent the imposition of minimum and maximum age restrictions for law enforcement peace officers, or for fire-fighters; provided, further, that the provisions of this Act shall not apply to institutions of higher education with established retirement programs.

Article 6252-16, VTCS. Discrimination against persons because of race, religion, color, sex, or national origin.

Prohibition on discriminatory action by state or local government officers or employees.

Section 1. (a) No officer or employee of the state or of a political subdivision of the state, when acting or purporting to act in his official capacity may:

1. Refuse to employ a person because of the person's race, religion, color, sex, or national origin.
2. Discharge a person from employment because of the person's race, religion, color, sex, or national origin.
3. Refuse to issue a license, permit, or certificate of a person because of the person's race, religion, color, sex, or national origin.
4. Revoke or suspend the license, permit, or certificate of a person because of the person's race, religion, color, sex, or national origin.
5. Refuse to permit a person to use facilities open to the public and owned, operated, or managed, by or on behalf of the state or a political subdivision of the state, because of a person's race, religion, color, sex, or national origin.

6. Refuse to permit a person to participate in a program owned, operated, or managed by or on behalf of the state or political division of the state, because of a person's race, religion, color, sex, or national origin.
7. Refuse to grant a benefit to, or impose an unreasonable burden upon, a person because of the person's race, religion, color, sex, or national origin.
8. Refuse to let a bid to a person because of the person's race, religion, color, sex, or national origin.

Equitable Remedy

Section 2. Whenever a person has engaged, or there are reasonable grounds to believe that a person is about to engage in an act or practice prohibited by Section 1 of this Act, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order may be instituted by the person aggrieved. In any action commenced under this Section, court in its discretion, may allow the prevailing party, other than the state, a reasonable attorney's fee as part of the costs, and the state is liable for costs the same as a private person.

Discriminatory employment practices; hearing procedure

Section 2a (a) A political subdivision of this state may establish a formal procedure by ordinance or other action of the governing body for processing a charge of a discriminatory act or practice prohibited by Section 1(a)(1) or (2) of this Act, against an officer or employee of the political subdivision. The political subdivision which adopts this formal procedure shall have authority to promulgate rules and regulations to effectuate the purpose of this Act.

- (b) The procedure must include the following:
 - (1) Provision for an impartial hearing within a reasonable time after the receipt of a written charge.
 - (2) Appointment of an impartial hearing officer or board to investigate and determine the validity of the charge.
 - (3) Delegation of authority to the impartial hearing officer or board to take appropriate corrective action if a violation has occurred, including, but not limited to, reinstatement, hiring, or promotion of the aggrieved individual, with or without pay, or any other equitable relief necessary to correct and rectify the violation, and
 - (4) Designation of an officer as the deferral officer to receive notice of alleged unlawful employment practices from the

Equal Employment Opportunity Commission as provided
for in Public Law 88-352, Title VII,
Section 706@; 78 Stat. 241 (42 U.S.C. 200e-5)

- c. If a political subdivision establishes a formal procedure in compliance with this section, the deferral officer designated in the procedure shall become the appropriate local officer for the purposes of receiving the notice as set out in Section 4 of this Act.

PENALTY

Section 3. A person who knowingly violates a provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than one year or both.

NOTICE OF ALLEGED UNLAWFUL EMPLOYMENT PRACTICE

Section 4. The District Attorneys and/or the County Attorneys of this state are hereby designated as the appropriate state or local official to receive the notice of an alleged unlawful employment practice occurring in this state from the Equal Employment Opportunity.

Commission as provided for in Public Law 88-352, Title VII, Section
706@, 78 Stat. 241 (42 U.S.C. 2000e-5)

Acts 1967, 60th Leg., p. 138, Ch 72, eff. August 28, 1967, Sec. 1, subsec. (a)
amended by Acts 1971, 62nd Leg., p. 2994, Ch.989,subsec. 1, eff. August 30, 1971.
Sec. 2a added by Acts 1975, 64th Leg., p. 366, Ch. 157, subsec. 1., eff.
September 1, 1975.

PERSONNEL POLICIES FOR CENTRAL APPRAISAL DISTRICT OF FALLS COUNTY

INTRODUCTION

The Falls County Central Appraisal District was formed in 1980 after guidelines were established by the Texas Property Tax Code, and is responsible for appraising property in the District for ad valorem taxes on property in the District. The Appraisal District is a political subdivision of the State of Texas. (Ad valorem is Latin for “according to value”.)

Appraisal District employees have direct contact with the taxpayers of the thirteen (13) jurisdictions by personal meetings in the Appraisal District office, as well as telephone calls and on-site inspections of properties.

The Appraisal District handles the necessary application for exemptions, partial exemptions, and special valuation such as homestead exemption forms, Over-65 homestead exemptions, Open-Space Agricultural forms, Disabled Persons, Disabled Veterans, etc. An informative pamphlet on various exemptions is available to taxpayers and employees in the District office.

Each District employee should remember that he/she is working for the taxing entities and the taxpayers. When given a job to do, it should be followed through to the fullest extent possible. Completely finishing a job will most likely insure against unnecessary errors occurring.

The District is here to serve the taxpayers with unfailing courtesy, regardless of provocation. You should try to meet all situations that arise calmly and courteously, and should refer any problems, which you cannot resolve to the Chief Appraiser. The taxpayer should always be regarded as a necessity, not an inconvenience. Courtesy by way of telephone manners is also extremely important when dealing with the taxpayers by telephone.

Always approach our guests with a positive attitude and treat them with the same respect you demand from businesses that you patronize.

Also, it is important to be courteous to your fellow workers and associates. No one likes a “grump”. Be kind to your fellow colleagues, and you will find that your work goes smoother, and with less complications. Be cooperative within your area of work and the Appraisal District as a whole.

When a fellow employee is working with a taxpayer, do not step into the conversation and/or meeting unless you're asked for assistance. An employee needing assistance will ask for it, and only then should you render aid.

It is not a good practice to take food or drink to your workstation; however, this will be permitted if the food is kept in safe containers, free of easy spill. The documents we work with are maintained for permanent records, and if they are soiled from food or drink, it can cause embarrassment both on our part as the District and you as an individual.

Guests judge us by what they see of our work and us. Good housekeeping means neatness in our place of work and doing our work in an orderly manner. It will make your job easier and enable you to do it more efficiently if your station is kept neat and clean. Make good housekeeping a regular habit. We want the District to look its best at all times.

GENERAL INFORMATION FOR ALL EMPLOYEES

SECTION 1 – STAFFING

Vacancy Announcement- All vacancies will be filled by promoting from the existing staff or by announcements in the local papers for openings.

1. Types of Positions

- Regular – Full-Time Employee
 - An employee who works forty or more hours per week and fifty-two weeks per year and who has successfully completed the probationary period of ninety days.
- Part-Time Employee
 - An employee filling an hourly-wage position requiring less than forty hours per week.
- Temporary Employee
 - Employee appointed for a specific period of time, with the anticipated date of termination indicated at the time of employment. This employee is ineligible for benefits.
- Probationary Employee-
 - An employee who has not completed a period of ninety (90) days of employment for the Central Appraisal District of Falls County.

SECTION 2 – PROBATIONARY PERIOD

All employees entering the Central Appraisal District of Falls County service are required to serve a probationary period of ninety (90) days. During this time, other staff members will explain what the District requires of them, will help them learn their jobs, and will instruct them in specific areas as needed.

- A. The probationary period will be used as a trial period to determine whether the employee has the ability, attitude, self-discipline and motivations to be punctual, and to perform his/her duties satisfactorily.
- B. Probationary employees shall be evaluated by the Chief Appraiser and Designated instructor at the midpoint of their probationary period in writing and again immediately prior to the completion of their ninety-day probationary period. Only those employees who meet acceptable standards during their probationary periods shall be retained. At anytime during the probationary period, the Chief Appraiser may evaluate the probationary employee's performance in writing and discharge the probationary employee.
- C. Upon satisfactory completion of the ninety-day probationary period, each employee will be entitled to full benefits, including sick leave and annual leave.

SECTION 3 – RESIGNATION

To resign in good standing, an employee must notify the Chief Appraiser at least ten working days prior to the effective date of termination in writing.

The written notice shall state the date the resignation shall become effective and reasons for leaving the Central Appraisal District of Falls County.

An exit letter will be filed with the Chief Appraiser upon the termination of an employee. Also, C.O.B.R.A. letter shall be sent to home.

SECTION 4 – PROMOTIONS

It shall be the policy of the Central Appraisal District of Falls County to provide promotional opportunities wherever possible to current District employees.

Updated records will be maintained for all employees as candidates for promotional considerations. All promotions will be based on merit and fitness.

Education

According to the Texas Property Tax Code, the District must register with the Board of Tax Professional Examiners (BTPE), all personnel who deal with the valuation of property. (i.e. Chief Appraiser and Field Appraisers, etc.) The District will assume the expense to register these employees. Once registered with the BTPE, the employee has five years in which to become Certified, completing a minimum of eight courses. The District will pay for the following:

1. Tuition
2. Mileage (state required) to and from the destination of school/testing area.
3. Meals at \$35.00 per diem.
4. Lodging, not to exceed government rate or rate of on-site lodging.

Any retakes of courses shall be at the expense of the employee.

Once certified, an employee must maintain the certification by collecting seventy-five continuing credits over a five-year period. The expense incurred by the employee in obtaining the CEU's will be paid for by the District.

SECTION 5 – ADMINISTRATIVE POLICIES

A. Hours of Work/Overtime

Most Appraisal District employees will work forty hours per week. Some employees, due to the nature of their work, may have to work more than forty hours per week at certain times during the year. Compensation for this time will have to be arranged with the Chief Appraiser prior to actually working overtime.

B. Tardiness

All employees are expected to arrive at work on time. If an employee is late for work, he/she should notify the Chief Appraiser as soon as possible.

Repeated tardiness at the start of each day, returning from lunch, or office break, will subject an employee to disciplinary action by the Chief Appraiser.

C. Rest Periods

Morning and afternoon rest periods (coffee breaks) of fifteen minutes are to be taken at times designated by the Chief Appraiser. Employees are discouraged from leaving the premises during these breaks. ****State and Local Government Employees Under the Fair Labor Standards Act****

This Act does not require any guidelines or regulate the items below.

This Act does not require: Vacation, holiday, severance or sick pay, meal or rest periods, pay raises or fringe benefits, a discharge notice or reason for discharge, or any limit on the number of hours of work for persons sixteen years of age or over.

These and similar matters are determined by agreement between the employer and the employees or their authorized representatives.

D. Travel

Travel outside of Central Appraisal District of Falls County may be required of some employees for reasons of business or to attend educational conferences. All such travel must be approved by the Chief Appraiser in advance.

E. Telephone Usage

1. Business Calls

Telephones in the office of the Central Appraisal District are for conducting the District's business.

2. Personal Calls

As a courtesy, the Appraisal District grants employees the use of the telephone on a limited basis for personal calls during business hours.

Infrequent and thoughtful use of these telephones for personal business will make it possible for the privilege to continue.

SECTION 6 – APPEARANCE

Employees are urged to use good judgment in the manner of their appearance. Appropriate clothing is essential to provide a professional appearance.

SECTION 7 – COMPENSATION

A. Temporary and Part-Time Employees

Temporary and Part-time Employees will be paid on a bi-monthly basis. These employees are not eligible for the benefits full-time employees receive (See Sec. 7-C)

B. Full-Time Employees

All Full-time employees will be paid on a bi-monthly basis. Falls County Central Appraisal District employees will be paid on the 15th day and on the last day of the month unless these dates fall on a non-work day; then the checks will be disbursed on the last workday closest to this date.

C. Benefits

1. Paid Leaves

a. Holidays

The following days are designated as official holidays with pay for all regular full-time employees of Falls County Central Appraisal District or observance of holidays will be kept in accordance with the Falls County schedule:

New Year's Day

Martin Luther King's Birthday

Good Friday

Memorial Day

Emancipation Proclamation Day

Independence Day

Labor Day

Veterans Day

Thanksgiving Day (and Friday after)

Christmas Day (and day before or after)

Full-time regular employees shall be entitled to paid holidays.

Part-time and temporary employees will not be paid for holidays.

An employee on vacation when a holiday occurs will be granted a holiday at a date approved by the Chief Appraiser.

2. Vacation

Annual vacation is provided for full-time permanent employees. Temporary and part-time employees DO NOT qualify for vacation time.

After ONE YEAR OF EMPLOYMENT, A FULL-TIME EMPLOYEE earns one day for each prior month worked (12 days vacation). Only after these twelve days have been earned, is the employee eligible for vacation.

- 1) Vacation time is marked by the date of employment. Vacation for the first year's service should be taken on or about the employee's anniversary date. (i.e. Employed July 1st, June 30th of following year 12 days vacation accrued. From July 1st through December 31st six (6) days vacation accrued, but only five (5) days can be carried over to the succeeding calendar year.)
- 2) Vacations will be scheduled far enough in advance to allow planning which will minimize the effect the vacationing employee's absence and will avoid misuse of vacation time.
- 3) Normally, an employee with longer service will be given preference in vacationing scheduling.

- 4) There will be NO unearned vacation time granted to an employee.
- 5) Vacations should be used in maximum increments up to total number of days that the employee has earned. Vacation time taken in periods of less than five working days is discouraged due to record keeping. The Falls County Central Appraisal District will pay for vacation time accrued only when an employee leaves the district. The maximum number of days that an individual can carry over at the end of a calendar year to the succeeding calendar year will be five days. All unused vacation in excess of five days at the end of a calendar year will be forfeited.
- 6) Employees terminating with less than one year's service to the Central Appraisal District of Falls County will not be paid for accrued vacation.
- 7) The Chief Appraiser will have the authority to change vacation schedules for any employee of the District if the workload requires it, or if other employees are absent.

3. Sick Leave

The Falls County Central Appraisal District allows one day per month for sick leave for all full-time employees. Sick leave may be accumulated up to sixty working days; any balance will be lost. No one will receive compensation for sick leave upon termination of service with the District.

- a. Sick leave accumulation begins immediately upon employment; however, an employee must become a full-time employee to receive paid sick leave.
- b. Any illness in excess of two days must be verified by a doctor's statement if requested by the Chief Appraiser.
- c. Temporary and part-time employees are not eligible to accrue or take sick leave with pay.
- d. An employee who becomes ill and cannot report to work must notify the Chief Appraiser not later than one hour after the regular reporting time. Failure to make proper notification without valid reason constitutes absence without pay.
- e. When an employee exceeds the amount of accrued sick leave, the employee shall then be allowed to take accrued vacation time in order to remain on the payroll. When vacation time is totally used, the employee is then removed from the payroll and will be placed on unpaid leave of absence. Any premiums for dependents must be paid to Falls County. Method of payment must be arranged with the County.

4. Maternity Leave

All aspects of sick leave policy shall apply to maternity leave, except that arrangements must be made as to the length of leave an expectant employee will be taking. Unpaid leave of absence cannot exceed ninety days unless there are medical reasons.

5. Funeral Leave

An allowance of three working days with pay may be extended to an employee who has completed the probationary period of ninety days and is full-time, if there is a death in the immediate family.

- a. Immediate family is defined as an employee's husband, wife, son, daughter, father, mother, father-in-law, mother-in-law, brother, sister, grandfather, grandmother, grandchild, brother-in-law, or sister-in-law.
- b. Time taken by an employee to attend a funeral of one other than an immediate family member must be approved by the Chief Appraiser and time charged to vacation when available.

6. Civic Duty

Jury duty and trial witness duty will be paid leave. Employees serving on juries will retain any fees paid for their services. When an employee of the District is summoned to report for Jury Duty, either in County or District Court, he/she should report to work as usual at 8:00 A.M./ 1:00 P.M. (unless court time is either of these times) in the morning or afternoon. The employee should work until such time is deemed necessary (i.e. 8:50A.M. if duty begins at 9:00 A.M.) for employee to report to the courtroom. When the employee's services are no longer required by the court, the employee should once again report for work, if time is still remaining in a regular workday (i.e. before 12:00 Noon or before 5:00 P.M.).

D. Unpaid Leave

1. Personal Business

Leave without pay may be granted to any employee for up to five working days to take care of personal business. Any exceptions to this policy must be approved by the Chief Appraiser. Leave granted ONLY if workload permits unless a real emergency exists.

2. Absence Without Authorization

Any employee failing to report for duty or failing to remain at work as scheduled, without proper notification, authorization, or excuse shall not be

paid for the period involved. Such absence will also be grounds for disciplinary action.

E. Coverage for Employees on Leave of Absence

1. Employees on Paid Leave of Absence

- a. The employee will continue to participate in all benefit plans.
- b. The employee will be paid for holidays occurring during the leave.

2. Employees on Unpaid Leave of Absence

- a. The employee will pay his/her normal share of group insurance premiums if any exist.
- b. The employee will **NOT** be paid for holidays occurring during the leave.
- c. The employee will **NOT** accrue sick leave or vacation time during the leave.
- d. The employee will have his/her continuous service date revert to the last day worked prior to the start of the leave.

F. Insurance

1. Health Insurance Coverage

Coverage is provided for full-time employees at no cost to the employee. The health insurance policy covers hospitalization and medical expenses as set out in the present policy. Health insurance group coverage is also available for employees' dependents at a reasonable cost to the employee. Coverage begins at the first of the month following hire date.

2. Life Insurance

All full-time employees are covered under a group life insurance policy based on percentage of yearly income.

3. Worker's Compensation

All employees are automatically covered under the Worker's Compensation Insurance Act. This act entitles an injured employee to be compensated for lost time due to an on-the-job injury. Sick leave is not charged to employees under this leave.

4. Retirement

The Falls County Central Appraisal District is a member of the Texas County and District Retirement System, and all employees participate in the system. Seven percent of the employee's monthly salary is withheld and placed in the system, along with a matching amount from the District. Upon termination of employment, unless said employee has vested time in the system (ten years), only the money, with interest, which was withheld

from the employee's salary, is returned to the employee upon request.

SECTION 8-DISCIPLINARY ACTION

A. Policy

All employees of the Falls County Central Appraisal District are expected to be mature, professional adults. In the event that the Chief Appraiser must discipline an employee, fairness and proper record-keeping will be most important. Below is a list of some causes for disciplinary action and/or dismissal:

1. Incompetency, inefficiency, or negligence in performing the duties of the position.
2. Insubordination, refusal or failure to carry out instructions.
3. Falsification of pre-employment data.
4. Abuse of sick leave policy.
5. Excessive tardiness/absenteeism.
6. Unexcused absence from the place of work/failure to notify the Chief Appraiser of absences/abandonment of position.
7. Use of abusive language while on duty.
8. Reporting for duty while under influence of alcohol or narcotics.
9. Destruction, misappropriation, theft, or conversion of the Central Appraisal District of Falls County's property.
10. The receipt of any gift, reward, or other form of remuneration, in addition to regular compensation, from any outside source for the performance of the employee's regular duties and responsibilities when by its receipt, the position of the District and/or the employee would tend to be compromised.
11. Violation of the personnel rules and regulations of the Falls County Central Appraisal District.

B. Category of Discipline

Depending on the severity of the infraction, the following forms of discipline may be administered:

1. Verbal reprimand.
2. Written reprimand.
3. Suspension with pay.
4. Suspension without pay.

5. Termination.

C. Transfers and Layoffs

Transfers and layoffs are not to be used for any disciplinary action against any employee.

D. Procedure

1. All disciplinary action, except for oral reprimand, shall be properly documented and filed immediately in the employee's personnel file by the Chief Appraiser.
2. Except for oral reprimands, the Chief Appraiser will document all disciplinary action taken. The Chief Appraiser will provide a copy of the action to the employee being disciplined.

SECTION 9 – POLITICAL INVOLVEMENT

- A. Employees are encouraged to vote on election day for the person(s) or party of their choice. The Chief Appraiser may grant a reasonable amount of time off, at full pay, to employees who wish to vote during working hours.
- B. Employees shall not infer that their personal opinion regarding a candidate reflects the attitude of other members of the district.
- C. Employees will not be allowed to perform or be involved in political campaigning or related activities during normal business hours.
- D. Employees will not be required to participate in political campaigns or related activities during normal business hours.
- E. Employees will not be required to participate in political campaigns or related activities as a condition to obtain or retain employment. No employee will be disciplined, terminated, or deprived of any of his/her employment rights for refusal to participate in a political campaign or related activity.

SECTION 10 – STAFF MEETINGS

Staff meetings are called for the purpose of keeping District employees informed of changes that would affect their customers (taxpayers) of the District or their employees. When the meetings are called, all employees are expected to attend except when excused by the Chief Appraiser.

SECTION 11 – DRUG AND ALCOHOL USE/TESTING

- Statement of Purpose
 - Employees are Falls County Central Appraisal District’s most valuable resource; therefore, the employees’ health and safety are of utmost concern. The District also recognizes that drug and alcohol abuse gives rise to accidents, decreases productivity, and increases medical expenditures. In recognition of the nationwide drug and alcohol abuse problem, a drug-free work environment is a goal we hope to achieve. Falls County Central Appraisal District prohibits the use of controlled substances or alcohol in the workplace, or arriving for work impaired by or under the influence of a controlled substance or alcohol.
 - Drug and/or alcohol testing will be conducted for reasonable suspicion. The purpose for the drugs and alcohol testing is to promote a DRUG-FREE WORK ENVIRONMENT and to protect the employee who might be impaired by the use of a controlled substance, his or her fellow employees, and the general public from harm or injury.
- Scope
 - This policy applies to all Falls County Central Appraisal District employees and pre-employment finalists.
- Definitions
 - “Alcohol” is defined as ethyl alcohol. Alcohol, as used herein, includes any beverage, mixture or preparation containing ethyl alcohol.
 - “Controlled Substance” means a drug or substance listed in the Texas Controlled Substance Act and Federal Controlled Substance Act which includes, but is not limited to marijuana, cocaine, narcotics, opiates, opium derivatives, hallucinogens, inhalants, and any other substance having either a stimulant or depressant effect on the central nervous system such as amphetamines or barbiturates.
- “Impaired” means an employee’s diminished capacity to perform any duties on the job.
- “Under the influence” means the condition existing after the voluntary introduction of any amount of alcohol or controlled substance into the employee’s body.
 - “Motor Vehicle Accident” is defined as any incident involving motor-driven equipment in which there is damage to a vehicle. An accident in which an appraiser is driving their personal vehicle in the course of

their employment. Within this definition, the following circumstances will be considered an exception and testing will not occur in these instances unless there is other evidence to give reasonable suspicion.

- When a vehicle is damaged by flying debris (i.e. rocks, foreign objects, etc.)
 - When a vehicle is lawfully parked and is hit by another car.
 - Damage to a personal vehicle while conducting personal business
 - (i.e. traveling to and from work or during meal breaks where no
 - business is conducted).
 - “Reasonable Suspicion” is defined as a conclusion based on personal observation by any person of an employee’s conduct, subject to corroboration and documented in writing, reasonably prudent person to suspect that an employee is unable to satisfactorily perform his/her duties due to use of drugs or alcohol. Such inability to perform may include, but is not limited to, a drop in the employee’s performance level, impaired judgment or reasoning, decreased level of attention or behavioral change.
- Characteristics indicating reasonable suspicion may include, but are not limited to:
 - A pattern of abnormal or erratic behavior.
 - Physical symptoms such as glassy or bloodshot eyes, slurred speech, unsteady gait, poor coordination or reflexes.
 - Odor of alcoholic beverages or marijuana.
 - On-the-job accident.

Information provided by a reliable and credible source or possession of drugs or alcohol will constitute a basis for reliable suspicion.

D. Employee Responsibilities

It is every employee’s responsibility to:

1. Report to work during regularly scheduled hours not impaired by or under the influence of alcohol or controlled substances.
2. Not possess, use, or have the odor of alcohol or drugs on his/her breath during working hours, breaks, meal periods, while on the Appraisal District’s property in official capacity or while operating any vehicle in the course of his/her employment.
3. Report an accident immediately to the Chief Appraiser after it has occurred.
4. Not directly or through a third party sell or provide alcohol to any person or to any other employee while either employee or both employees are on duty.

5. Submit immediately to reasonable requests (based on “reasonable suspicion” as defined in SECTION 11-6 of this policy) for alcohol and/or drug analysis when requested by the Chief Appraiser.
6. At the beginning of the work shift, declare to the Chief Appraiser the use of any over-the-counter or prescription medication which may interfere with the safe and effective performance of duties of the operation of vehicle.
7. Provide within twenty-four hours of request a current valid prescription for any drug or medication identified when a drug screen/analysis is positive. If the prescription is not in the employee’s name, he/she may be subject to disciplinary action.

E. Administrative Directives

The following acts are prohibited and persons who commit these acts shall be subject to discipline, up to and including termination:

1. Employees shall not be impaired by or under the influence of alcohol or controlled substances when reporting to work, while on duty, or operating a personal vehicle while conducting Appraisal District business.
2. Employees shall not consume alcohol or controlled substances while on duty. Consumption of controlled substances or alcohol in a personal vehicle on duty is prohibited. Possession does not include having alcohol in personal vehicles.
3. Employees shall not use controlled substances or alcohol on or off the Appraisal District’s premises during work hours. For the purposes of this policy, work and meal breaks are included as work hours.
4. Employees shall not use or possess controlled substances or alcohol outside of work hours on Appraisal District property.
5. The Chief Appraiser will be responsible for consistent enforcement of this policy. A Chief Appraiser who knowingly permits a violation of this policy by employees under his/her direct supervision shall be subject to disciplinary action.
6. The Chief Appraiser shall request that an employee submit to drug and/or alcohol analysis when a supervisor has reasonable suspicion that an employee is under the influence of drugs and /or alcohol. The Chief Appraiser may request an employee to submit to a drug test after a motor vehicle accident as defined in Section 11 5.
7. The Chief Appraiser cannot physically search employees without reasonable suspicion.
8. The Chief Appraiser shall not confiscate, without consent, prescription drugs or medications from an employee.

F. Drug Testing Procedures

1. Promotions/Transfers

Promotions and transfers are not considered pre-employment; therefore, current employees will not be drug tested.

2. Pre-Employment

Falls County Central Appraisal District requires that every newly hired employees should be drug free. Screening will be limited to finalists upon completion of the employment screening process. Each offer of employment shall be conditional upon the passing of a drug test if requested to do so. The Appraisal District will not hire any applicant who fails or refuses to take the pre-employment drug test.

3. Reasonable Suspicion

As one means of promoting a drug-free environment, employees reasonably suspected of being impaired by, or under the influence of alcohol or controlled substances will be required to submit to chemical analysis of samples of urine and/or blood as a condition of continued employment. A Chief Appraiser who suspects that an employee is under the influence of drugs or alcohol, should immediately get another reliable witness to observe the employee's behavior (see definition of Reasonable Suspicion). If the second witness agrees with the suspicion, the following should occur:

- a. The Chief Appraiser shall document in writing the facts constituting reasonable suspicion that the employee is under the influence of drugs or alcohol.
- b. A Chief Appraiser shall hold a confidential meeting with the employee to discuss the reasonable suspicion and carefully note any explanations offered.
- c. Chief Appraiser shall notify the Board when there is reasonable suspicion that any employee may have illegal drugs in his/her possession or in an area jointly or fully controlled by the Appraisal District. After obtaining the approval of the Board of Directors, the Chief Appraiser shall provide the Police Department with the relevant information.

4. Continuation of Drug Test Procedures for Both After Accidents and Reasonable Suspicion

- a. If the need for a drug test occurs after the medical facility's hours of operation, the employee should be given written notice to report to work the next morning when he/she will be taken to the medical facility for a drug test. The notice should include ordering him/her not to take or use

- any substance that might affect the test. The employee must report to work whether he/she is scheduled. A copy of the executed notice should be maintained within the department.
- b. Prior to transporting an employee to the medical facility, the Chief Appraiser shall call the Board of Directors for test authorization. The medical facility maintains a list of the Appraisal District Personnel who can authorize a drug and/or alcohol test and who can receive the test results. If the need for a test occurs after normal working hours, the Chief Appraiser should call the Board of Directors at their homes for test authorization.
 - c. The Chief Appraiser requiring an employee to submit to a drug and/or alcohol analysis shall be responsible for the employee's transport to the Appraisal District's designated physician. A Chief Appraiser who can identify the employee should drive him/her to the medical facility.
 - d. The Chief Appraiser encountering an employee who refuses to submit to a drug and/or alcohol analysis upon request shall remind the employee that refusal to take the test will be considered insubordination and could result in termination. Then the Chief Appraiser should order the employee to take the test. If the employee still refuses, the supervisor should carefully document the conversation. The Chief Appraiser or designated Employee should then proceed with the pre-termination process.
 - e. After the drug/alcohol test, if the Chief Appraiser observes that the employee appears to be "under the influence", a family member of the employee should be contacted to take the employee home or the Chief Appraiser should make arrangements for the employee to be taken home. Appropriate leave balances (accrued vacation or sick leave) should be used for the loss of time. The employee should be instructed to report to the Chief Appraiser to determine if he/she is in a condition capable of doing work and the results of the tests are back.
 - f. **Tampering with Test**
Tampering with a urine specimen in an attempt to influence test results will result in separation of employment.
 - g. **Medical Exceptions**
Exceptions to this policy shall be made for employees who are reasonably suspected of being under the influence and impaired by medication taken according to prescription in the employee's name obtained from a licensed physician for medical purposes. Such individuals may be placed in an assignment consistent with their ability to perform the assigned task, or will be removed from the

workplace and allowed to use their accumulated sick leave until they are able to return to work.

h. Social Functions

Employees attending training and conferences may participate in social functions associated with the conference. This includes the consumption of alcohol, so long as the employee's conduct does not reflect adversely upon the Appraisal District. Employees who consume alcohol at these functions are encouraged not to drive and the purchase of such would be out of employee's pocket.

i. Confidentiality/Documentation

Laboratory reports or test results shall be maintained in a confidential medical file within the Chief Appraiser's office. The reports or test results may be disclosed to the Appraisal District management on a strictly need to know basis and to the tested employee/applicant upon request. Disclosures, without patient consent may also occur when:

1. the information is compelled by law or by judicial or administrative process;
2. the information has been placed at issue in a formal dispute between the employer and the employee;
3. the information is to be used in administering an employee benefit plan;
4. the information is needed by medical personnel for the diagnosis or treatment of the patient who is unable to authorize disclosure.

NOTE: All exceptions to this policy must be approved by the Board of Directors.

j. Severability

The provisions of this policy shall be/and are severable and if any of its Provisions shall be held unconstitutional or otherwise invalid by any Court or competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

k. Policy Violation

An applicant or employee who violates this policy will be subject to disciplinary action, which may include termination for a first offense.

An applicant or employee who resigns in lieu of separation or suspension from employment due to a violation of this policy will not be reconsidered for re-employment for a period of six months.

POLICIES FOR SEXUAL HARASSMENT

Quick. Define sexual harassment. You probably think first of the most widely publicized form of that offense in which a male supervisor demands favors from a female subordinate as a condition of keeping her job.

That picture is accurate-but incomplete. First, while a male harassing a female is by far the most common form of this offense, it is not universal. There are cases on the record of both female-male and homosexual harassment. Second, there need not actually be a specific quid pro quo. Third, even if there is, the threat of losing a job is not the only kind of blackmail, a harassing supervisor might exercise.

In this and many sensitive areas of employee relations, the path to the right policy is often obscured by misunderstanding. This presents policy writers with both a challenge and an opportunity.

The challenge is that an incomplete understanding of a problem like sexual harassment can lead to an incomplete policy. A policy that deals with only the most common understanding of the problem will fail to deal with variations that could be less familiar and even more serious. At the same time, a policy that recognizes all a problem's implications creates an opportunity. You can use it to help build a greater understanding among employees at all levels. A policy that increases understanding can be effective for that reason alone.

A policy's status as one of the rules of your organization can be effective against people who would not otherwise be inclined to observe it. A policy which also builds understanding of a problem and the proper responses can go much further. It can be a valuable guide to those employees who do want to act in good faith, but who need guidance on how to do it.

The following will prevent suggested policy manual and employee handbook provisions in several sensitive areas. These sample policies are designed not only to help enforce the established standards of behavior and performance, but to help all employees understand the full dimensions of the different situations.

SEXUAL HARASSMENT POLICY MANUAL

General policy: Sexual harassment of any kind will not be tolerated in this District. Sexual harassment is defined as a continuing pattern of unwelcome sexual advances, requests for sexual favors or physical contact of a sexual nature under any of these conditions:

- When submission to the conduct involves a condition of the individual's employment, either stated or implied
- The individual's submission or refusal is used, or might be used as the basis of an employment decision which affects the individual.
- The conduct unreasonably interferes with the individual's job performance or creates work environment that is intimidating hostile or offensive.

Complaint Procedure: Chief appraiser is responsible for handling all complaints of sexual harassment and for insuring that all are investigated fully and fairly, regardless of the manner in which they are made or the individuals involved. Employees should be encouraged to take complaints of sexual harassment to the Chief Appraiser.

A female counselor should always be trained and available should the complaining employee indicate such a preference.

Investigation: The Chief Appraiser should thoroughly and fairly investigate every complaint, without bias or premature judgment. Such an investigation should include interviews with the complaining employee, the subject of the complaint and co-workers and former employees who may have knowledge of the situation. The Chief Appraiser should also conduct a thorough review of files and other tangible evidence and should be given all necessary access privileges for this purpose. The Chief Appraiser should make every reasonable attempt to rationally and objectively resolve any questions of credibility between the complaining and the accused employees.

Disciplinary Action: The Chief Appraiser will review every case. The Chief Appraiser should ensure that the complaint has been fully and impartially investigated. If the evidence shows patterns of harassment as described in the general policy, the Chief Appraiser should take appropriate disciplinary action against the offending employee. Further action should follow the established policies and procedures of the disciplinary system.

No harassment complaint or any other justifiable complaint will be turned aside on a procedural technicality. The victim of sexual harassment almost always feels the offender is in a position of power. That's part of the very nature of the offense. It is vastly more important to keep lines of communication open than to insist that a victim work through an established channel.