SECTION 1. EMPLOYMENT PRACTICES

1.1 EQUAL EMPLOYMENT OPPORTUNITY

THE COUNTY PROVIDES EQUAL EMPLOYMENT OPPORTUNITIES TO ALL EMPLOYEES AND APPLICANTS FOR EMPLOYMENT WITHOUT REGARD TO RACE, COLOR, RELIGION, GENDER, NATIONAL ORIGIN, AGE, GENETIC INFORMATION NONDISCRIMINATION ACT (GINA), OR DISABILITY IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE AND LOCAL LAWS. THIS POLICY APPLIES TO ALL TERMS AND CONDITIONS OF EMPLOYMENT, INCLUDING, BUT NOT LIMITED TO HIRING, PLACEMENT, PROMOTION, TERMINATION, LAYOFF, RECALL, TRANSFER, LEAVE OF ABSENCE, COMPENSATION AND TRAINING.

SECTION 1. EMPLOYMENT PRACTICES

1.2 HARASSMENT

THE COUNTY PROHIBITS ANY FORM OF HARASSMENT BASED ON RACE, COLOR, RELIGION, GENETIC INFORMATION, PREGNANCY, FAMILY OR MILITARY LEAVE STATUS OR VETERAN'S STATUS, SEX, NATIONAL ORIGIN, AGE, DISABILITY, OR STATUS IN ANY GROUP PROTECTED BY STATE, FEDERAL AND LOCAL LAW. SUBSTANTIAL INTERFERENCE WITH THE ABILITY OF THE COUNTY'S EMPLOYEES TO PERFORM THEIR EXPECTED JOB DUTIES WILL NOT BE TOLERATED.

CONDUCT BECOMES HARASSMENT WHEN (1) THE SUBMISSION TO THE CONDUCT IS MADE A CONDITION OF EMPLOYMENT; AND (2) THE SUBMISSION TO, OR REJECTION OF; THE CONDUCT CREATES AN OFFENSIVE, INTIMIDATING OR HOSTILE WORKING ENVIRONMENT OR HAS THE PURPOSE OR EFFECT OF INTERFERING WITH WORK PERFORMANCE INCLUDING BUT IS NOT LIMITED TO:

A. SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF EMPLOYMENT;
B. SUBMISSION TO OR REJECTION OF SUCH CONDUCT IS USED AS THE BASIS FOR DECISIONS AFFECTING AN INDIVIDUAL'S EMPLOYMENT; SUCH CONDUCT HAS THE PURPOSE OR EFFECT OF CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT.

THE COUNTY PROHIBITS THE FOLLOWING:

1. ANY UNWELCOME SEXUAL ADVANCES AND/OR REQUESTS FOR SEXUAL FAVORS, AND ALL OTHER VERBAL OR PHYSICAL CONDUCT OF A SEXUAL NATURE, WHICH INCLUDES SLURS, JOKES, STATEMENTS, GESTURES, TOUCHING, PICTURES, EMAILS OR
2. OFFENSIVE COMMENTS, JOKES, INNUENDOES, OR OTHER SEXUAL ORIENTED OR OTHER PROTECTED CLASS INDICATED ABOVE STATEMENTS.

HARASSMENT IS PROHIBITED BY LAMPASAS COUNTY WHETHER COMMITTED BY AN ELECTED OFFICIAL, APPOINTED OFFICIAL, DEPARTMENT HEAD, CO-WORKER OR NON-EMPLOYEE WITH WHOM THE COUNTY DOES BUSINESS.

COMPLAINT PROCEDURE

EACH MEMBER OF MANAGEMENT AND EACH EMPLOYEE OF THIS COUNTY IS RESPONSIBLE FOR CREATING AN ATMOSPHERE FREE OF DISCRIMINATION AND HARASSMENT, SEXUAL OR OTHERWISE. FURTHER, EVERYONE IS RESPONSIBLE FOR RESPECTING THE RIGHTS OF OTHERS.

ALL CLAIMS OF HARASSMENT SHALL BE TAKEN SERIOUSLY AND INVESTIGATED PROMPTLY AND THOROUGHLY. IT IS THE INTENT THAT THE PRIVACY OF THE PEOPLE INVOLVED WILL BE PROTECTED TO THE EXTENT REASONABLY POSSIBLE TO CONDUCT A PROPER INVESTIGATION. WHILE CLAIMS OF HARASSMENT SHALL BE HANDLED WITH DISCRETION, THERE CAN BE NO COMPLETE ASSURANCE OF FULL CONFIDENTIALITY.

THE OFFICIAL OR DEPARTMENT HEAD TO WHICH A CLAIM HAS BEEN REPORTED SHALL BE RESPONSIBLE FOR SEEING THAT PROMPT ACTION IS TAKEN TO INVESTIGATE THE CLAIM. ONCE THE INVESTIGATION IS COMPLETE, THE PARTIES INVOLVED SHALL BE NOTIFIED OF THE RESULT OF THE INVESTIGATION AND ANY ACTIONS WHICH ARE TO BE TAKEN.

IF YOU EXPERIENCE ANY JOB-RELATED HARASSMENT BASED ON YOUR SEX, RACE, COLOR, NATIONAL ORIGIN, RELIGION, DISABILITY, VETERAN OR MILITARY STATUS, GENETICS, PREGNANCY OR ANOTHER FACTOR, OR BELIEVE THAT YOU HAVE BEEN TREATED IN AN UNLAWFUL, DISCRIMINATORY MANNER, THESE PROCEDURES WILL BE FOLLOWED:

1. WHEN PRACTICAL, CONFRONT THE HARASSER AND ASK THEM TO STOP THE UNWANTED BEHAVIOR.
2. RECORD THE TIME, PLACE AND SPECIFICS OF THE INCIDENT, INCLUDING ANY WITNESSES.

HARASSMENT (cont'd.)

3. PROMPTLY REPORT THE INCIDENT TO YOUR SUPERVISOR, WHO WILL INVESTIGATE THE MATTER, TAKE APPROPRIATE ACTION AND REPORT IT AS NECESSARY TO THE HUMAN RESOURCES DIRECTOR.
4. IF YOU BELIEVE IT WOULD BE INAPPROPRIATE TO DISCUSS THE MATTER WITH YOUR SUPERVISOR, YOU MAY BYPASS YOUR SUPERVISOR AND REPORT IT DIRECTLY TO THE HEAD OF YOUR DEPARTMENT OR TO THE HUMAN RESOURCES DIRECTOR, COUNTY ATTORNEY OR COUNTY JUDGE WHO WILL UNDERTAKE AN INVESTIGATION.
5. IF THE INVESTIGATION SUBSTANTIATES THE COMPLAINT IS VALID, IMMEDIATE CORRECTIVE ACTION TO STOP THE HARASSMENT AND PREVENT REOCCURRENCE WILL BE TAKEN. SUCH CORRECTIVE ACTION MAY INCLUDE DISCIPLINE UP TO AND INCLUDING DISCHARGE OF THE OFFENDING PERSON.

REPORTS OF ACTS OF PERCEIVED HARASSMENT, DISCRIMINATION OR RETALIATORY ACTS SHOULD BE MADE IN GOOD FAITH. ANYONE WHO FALSIFIES A COMPLAINT OR FALSIFIES INFORMATION IN AN INVESTIGATION MAY FACE DISCIPLINARY MEASURES.

REPORTING OR FAILING TO REPORT CLAIMS IN ACCORDANCE WITH THE PROCEDURE GIVEN IN THIS POLICY SHALL NOT LIMIT OTHER LEGAL RECOURSE AN EMPLOYEE MAY HAVE IN REGARD TO SEXUAL HARASSMENT CHARGES.

THE COUNTY PROHIBITS ANY FORM OF RETALIATION AGAINST ANY EMPLOYEE FOR FILING A COMPLAINT UNDER THIS POLICY OR FOR ASSISTING IN A COMPLAINT INVESTIGATION. NO HARDSHIP, NO LOSS OF BENEFIT AND NO PENALTY MAY BE IMPOSED ON AN EMPLOYEE AS PUNISHMENT FOR:

a. FILING OR RESPONDING TO A COMPLAINT OF DISCRIMINATION OR HARASSMENT;
b. APPEARING AS A WITNESS IN THE INVESTIGATION OF A COMPLAINT; OR
c. SERVING AS AN INVESTIGATOR.

EMPLOYEES WHO FEEL THEY HAVE BEEN SUBJECTED TO RETALIATION SHOULD IMMEDIATELY REPORT THE SITUATION TO THE ELECTED OR APPOINTED OFFICIAL WHO IS RESPONSIBLE FOR THE DEPARTMENT IN WHICH THEY WORK. IF, FOR ANY REASON, THE EMPLOYEE FEELS THAT REPORTING THE RETALIATION TO THE DEPARTMENT HEAD MAY NOT BE THE BEST COURSE OF ACTION, THE REPORT SHOULD BE MADE TO THE HUMAN RESOURCES DIRECTOR, COUNTY JUDGE OR TO THE COUNTY ATTORNEY.

SECTION 1. EMPLOYMENT PRACTICES

1.3 NONDISCRIMINATION AGAINST AND ACCOMMODATION OF INDIVIDUALS WITH DISABILITIES

THE COUNTY COMPLIES WITH THE AMERICANS WITH DISABILITIES ACT AND APPLICABLE STATE AND LOCAL LAWS PROVIDING FOR NONDISCRIMINATION IN EMPLOYMENT AGAINST QUALIFIED INDIVIDUALS WITH DISABILITIES. THE COUNTY ALSO PROVIDES REASONABLE ACCOMMODATION FOR SUCH INDIVIDUALS IN ACCORDANCE WITH THESE LAWS. IN THIS CONNECTION, THE COUNTY HAS ESTABLISHED AN ACCOMMODATION ASSESSMENT COMMITTEE (AAC) THAT EVALUATES THE FEASIBILITY OF REQUESTED ACCOMMODATIONS IN LIGHT OF THE AMERICANS WITH DISABILITIES ACT GUIDELINES, DETERMINES WHETHER SUCH ACCOMMODATION WILL CREATE AN UNDUE HARDSHIP ON THE COUNTY, AND ESTABLISHES A BUDGET FOR ACCOMMODATION. IT IS THE COUNTY'S POLICY TO, WITHOUT LIMITATION:

1. ENSURE THAT QUALIFIED INDIVIDUALS WITH DISABILITIES ARE TREATED IN A NONDISCRIMINATORY MANNER IN THE PRE-EMPLOYMENT PROCESS AND THAT EMPLOYEES WITH DISABILITIES ARE TREATED IN A NONDISCRIMINATORY MANNER IN ALL TERMS, CONDITIONS, AND PRIVILEGES OF EMPLOYMENT.

2. KEEP ALL MEDICAL-RELATED INFORMATION CONFIDENTIAL IN ACCORDANCE WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT AND RETAIN SUCH INFORMATION IN SEPARATE CONFIDENTIAL FILES.

3. PROVIDE APPLICANTS AND EMPLOYEES WITH DISABILITIES WITH REASONABLE ACCOMMODATION, EXCEPT WHERE SUCH AN ACCOMMODATION WOULD CREATE AN UNDUE HARDSHIP ON THE COUNTY.

4. NOTIFY INDIVIDUALS WITH DISABILITIES THAT THE COUNTY PROVIDES REASONABLE ACCOMMODATION TO QUALIFIED INDIVIDUALS WITH DISABILITIES, BY INCLUDING THIS POLICY IN THE COUNTY'S EMPLOYEE HANDBOOK AND BY POSTING THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S POSTER ON NOT DISCRIMINATING AGAINST INDIVIDUALS WITH DISABILITIES AND OTHER PROJECTED GROUPS CONSPICUOUSLY THROUGHOUT THE COUNTY'S FACILITIES.

PROCEDURES FOR REQUESTING AN ACCOMMODATION

QUALIFIED INDIVIDUALS WITH DISABILITIES MAY MAKE REQUESTS FOR REASONABLE ACCOMMODATION TO THE COUNTY JUDGE. ON RECEIPT OF AN ACCOMMODATION REQUEST, THE COUNTY JUDGE WILL MEET WITH THE REQUESTING INDIVIDUAL TO DISCUSS AND IDENTIFY THE PRECISE LIMITATIONS RESULTING FROM THE DISABILITY AND THE POTENTIAL ACCOMMODATION THAT THE COUNTY MIGHT MAKE TO HELP OVERCOME THOSE LIMITATIONS.

THE COUNTY JUDGE AND, IF NECESSARY, APPROPRIATE MANAGEMENT REPRESENTATIVES IDENTIFIED AS HAVING A NEED TO KNOW, WILL DETERMINE THE FEASIBILITY OF THE REQUESTED ACCOMMODATION, CONSIDERING VARIOUS FACTORS INCLUDING, BUT NOT LIMITED TO, THE NATURE AND COSTS OF THE ACCOMMODATION, THE AVAILABILITY OF TAX CREDITS AND DEDUCTIONS, OUTSIDE FUNDING, THE ACCOMMODATION'S IMPACT ON THE OPERATION OF THE FACILITY, INCLUDING ITS IMPACT ON THE ABILITY OF OTHER EMPLOYEES TO PERFORM THEIR DUTIES AND ON THE FACILITY'S ABILITY TO CONDUCT BUSINESS.

THE COUNTY JUDGE WILL INFORM THE EMPLOYEE OF THE COUNTY'S DECISION ON THE ACCOMMODATION REQUEST IF DENIED; EMPLOYEES WILL BE ADVISED OF THEIR RIGHT TO APPEAL THE COUNTY'S DECISION TO THE AAC BY SUBMITTING A WRITTEN STATEMENT TO THE COUNTY JUDGE ALONG WITH THE REASONS FOR THE REQUEST.

5. THE AAC WILL REVIEW ALL EMPLOYEE APPEALS. AFTER REVIEWING AN EMPLOYEE'S APPEAL, THE AAC WILL NOTIFY THE COUNTY JUDGE OF ITS DECISION. THE COUNTY JUDGE WILL, IN TURN, NOTIFY THE INDIVIDUAL MAKING THE APPEAL OF THE AAC'S DECISION, WHICH WILL BE FINAL.

SECTION 1. EMPLOYMENT PRACTICES

1.4 EMPLOYEE SUGGESTIONS FOR REASONABLE ACCOMMODATION

THE EMPLOYEE WAS INTERVIEWED ON _____, _____, FOR THE PURPOSE OF DISCUSSING THE NEED FOR A REASONABLE ACCOMMODATION, WHICH WOULD PERMIT THE EMPLOYEE TO PERFORM THE ESSENTIAL FUNCTION OF HIS/HER OLD JOB OR ANOTHER JOB.

DURING THE INTERVIEW, THE EMPLOYEE WAS NOTIFIED BY THE REPRESENTATIVES OF THE COUNTY OF LAMPASAS THAT THE COUNTY DETERMINED THAT, DUE TO THE WORK RESTRICTIONS (COPY ATTACHED) IMPOSED BY THE ATTENDING PHYSICIAN, THE EMPLOYEE CANNOT PERFORM THE ESSENTIAL FUNCTIONS OF HIS/HER CURRENT JOB, _____, WITHOUT ACCOMMODATION. THE EMPLOYEE WAS ASKED TO COMPLETE THE FOLLOWING PARAGRAPH (1) WHICH ASKS WHETHER THE EMPLOYEE AGREES WITH THE COUNTY'S DETERMINATION AND (2) TO IDENTIFY ANY REASONABLE ACCOMMODATION(S) THAT WOULD PERMIT THE EMPLOYEE TO PERFORM HIS/HER JOB AND (3) WHICH IDENTIFIES ANY OTHER ACCOMMODATION DESIRED BY EMPLOYEE.

1. EMPLOYEE'S RESPONSE TO COUNTY OF LAMPASAS' STATEMENT THAT HE/SHE CANNOT PERFORM THE ESSENTIAL FUNCTIONS OF HIS/HER CURRENT JOB, WITHOUT ACCOMMODATION:

_____I AGREE _____I DISAGREE

WITH THE COUNTY'S DETERMINATION THAT I CANNOT PERFORM THE ESSENTIAL FUNCTIONS OFMY CURRENT JOB, WITHOUT ACCOMMODATION.

REASON FOR DISAGREEMENT OR OTHER RESPONSE OR COMMENT:

_____
_____
_____

2. REASONABLE ACCOMMODATION(S) THAT WOULD PERMIT ME TO KEEP MY CURRENT JOB:

_____
_____

OTHER RESPONSE OR COMMENT:

_____
_____
_____

3. IN ADDITION TO ANY REASONABLE ACCOMMODATION(S) IDENTIFIED IN PARAGRAPH 2 (ABOVE), THE OTHER JOB OR JOBS TO WHICH I WOULD LIKE TO BE ASSIGNED AND ANY REASONABLE ACCOMMODATIONS(S) THAT WOULD PERMIT ME TO PERFORM THAT JOB OR THOSE JOBS, ARE AS FOLLOWS:

FIRST JOB:

_____

_____

REASONABLE ACCOMMODATION(S), IF ANY:

_____

_____

_____

EMPLOYEE SUGGESTIONS FOR REASONABLE ACCOMMODATION (CONTINUED)

SECOND JOB:
REASONABLE ACCOMMODATION(S), IF ANY:
_____

_____

THIRD JOB:
_____

REASONABLE ACCOMMODATION(S), IF ANY:
_____

_____

FOURTH JOB:
_____

REASONABLE ACCOMMODATION(S), IF ANY: _____

_____

FIFTH JOB:
_____

_____

REASONABLE ACCOMMODATION(S), IF ANY:
_____

_____

DATE: _____

_____
EMPLOYEE

_____
SUPERVISOR/MANAGER

TO ASSURE CONSISTENCY AND COMPLIANCE WITH THE COUNTY OF LAMPASAS' ADA COMPLIANCE POLICY, ONE MANAGEMENT PERSON ATTENDING THE INTERVIEW SHOULD BE THE COUNTY TREASURER WHO IS RESPONSIBLE FOR COMPLIANCE WITH THE ADA.

SECTION 1. EMPLOYMENT PRACTICES

1.5 CONFLICT OF INTEREST

EMPLOYEES OF LAMPASAS COUNTY SHALL NOT ENGAGE IN ANY EMPLOYMENT, RELATIONSHIP OR ACTIVITY WHICH COULD BE VIEWED AS A CONFLICT OF INTEREST BECAUSE OF THE POTENTIAL OR APPEARANCE OF AFFECTING THE EMPLOYEE'S JOB EFFICIENCY OR WHICH WOULD REDUCE HIS/HER WORK RESPONSIBILITY AS A COUNTY EMPLOYEE.

EMPLOYEE'S INVOLVED IN CONFLICT OF INTEREST SITUATIONS SHALL BE SUBJECT TO DISCIPLINE, UP TO AND INCLUDING TERMINATION.

PROHIBITED

ACTIVITIES WHICH CONSTITUTE A CONFLICT OF INTEREST SHALL INCLUDE BUT NOT BE LIMITED TO:

A. SOLICITING, ACCEPTING, OR AGREEING TO ACCEPT FINANCIAL BENEFIT, GIFT, OR FAVOR, OTHER THAN FROM THE COUNTY, THAT MIGHT REASONABLY TEND TO INFLUENCE THE EMPLOYEE'S PERFORMANCE DUTIES FOR THE COUNTY OR THAT THE EMPLOYEE KNOWS OR SHOULD KNOW IS OFFERED WITH THE INTENT TO INFLUENCE THE EMPLOYEE'S PERFORMANCE:

B. ACCEPTING EMPLOYMENT, COMPENSATION, GIFTS, OR FAVORS THAT MIGHT REASONABLY TEND TO INDUCE THE EMPLOYEE TO DISCLOSE CONFIDENTIAL INFORMATION ACQUIRED IN THE PERFORMANCE OF OFFICIAL DUTIES.

C. ACCEPTING EMPLOYMENT, COMPENSATION, GIFTS, OR FAVORS THAT MIGHT REASONABLY TEND TO IMPAIR INDEPENDENCE OF JUDGMENT IN PERFORMANCE OF DUTIES FOR THE COUNTY.

D. MAKING ANY PERSONAL INVESTMENT THAT MIGHT REASONABLY BE EXPECTED TO CREATE A SUBSTANTIAL CONFLICT BETWEEN THE EMPLOYEE'S PRIVATE INTEREST AND HIS/HER DUTIES FOR THE COUNTY.

E. SOLICITING, ACCEPTING, OR AGREEING TO ACCEPT A FINANCIAL BENEFIT FROM ANOTHER PERSON IN EXCHANGE FOR HAVING PERFORMED DUTIES AS A COUNTY EMPLOYEE IN FAVOR OF THAT PERSON.

SECTION 1. EMPLOYMENT PRACTICES

1.6 AT WILL EMPLOYMENT

ALL COUNTY EMPLOYEES ARE "AT WILL" EMPLOYEES AND NOTHING IN THIS POLICY GIVES AN EMPLOYEE ANY CONTRACT OF EMPLOYMENT, GUARANTEE OF ANY DURATION OF EMPLOYMENT, OR ANY OTHER PROPERTY INTEREST IN HIS/HER JOB. THE COUNTY OPERATES WITHIN REQUIREMENTS OF STATE AND FEDERAL LAW REGARDING EMPLOYMENT. THE COUNTY CAN ISSUE WARNINGS, TRANSFER, DEMOTE, DISMISS, OR ADMINISTER ANY OTHER FORM OF EMPLOYMENT DISCIPLINE AT ANY TIME, WITH OR WITHOUT NOTICE, FOR ANY REASON OR FOR NO REASON. THE COUNTY WILL ATTEMPT TO ENSURE THAT EMPLOYEE DISCIPLINE ACTIONS, INCLUDING DISMISSALS, ARE NOT MADE IN AN ARBITRARY OR CAPRICIOUS MANNER; HOWEVER, THESE PERSONNEL POLICIES DO NOT CONSTITUTE OR IMPLY A CONTRACT, AGREEMENT, PROMISE, OR GUARANTEE OF EMPLOYMENT OR OF CONTINUED EMPLOYMENT. THE COUNTY HAS THE RIGHT TO CHANGE THESE POLICIES AT ANY TIME, WITHOUT PRIOR NOTICE TO EMPLOYEES.

TEXAS LAW ALLOWS THE COUNTY TO MAINTAIN THIS "AT WILL" EMPLOYMENT RELATIONSHIP TO ITS EMPLOYEES. THIS MEANS THAT EITHER THE EMPLOYEE OR THE COUNTY CAN DECIDE THAT THE EMPLOYEE WILL LEAVE THE JOB WITHOUT EITHER PARTY HAVING TO GIVE A REASON. STATE AND FEDERAL LAWS DO REQUIRE THAT THE COUNTY NOT ACT IN A DISCRIMINATORY OR RETALIATORY WAY IN DISMISSING AN EMPLOYEE.