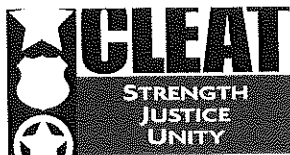


APPENDIX "A"
DUES DEDUCTION AUTHORIZATION
COMBINED LAW ENFORCEMENT ASSOCIATIONS OF TEXAS



HAYS COUNTY LAW ENFORCEMENT ASSOCIATION
WWW.HCLEA.COM

Hays County Payroll Deduction Request Form

This form is the employee authorization form for Hays County payroll deduction for the Hays County Law Enforcement Association and the Combined Law Enforcement Associations of Texas HCLEA/CLEAT dues deduction. This form shall be completed and signed by the employee and returned to the Hays County Payroll Office.

HCLEA DUES: \$10.00 Per Month/CLEAT DUES: \$36.00 Per Month. Total Due: \$46.00 Per Month

EMPLOYEE AUTHORIZATION

I request the Hays County Treasures Office/Payroll Office to deduct the above amount from my paycheck each month and forward these deductions to the **Combined Law Enforcement Associations of Texas (CLEAT)** beginning on the requested effective date shown below.

Effective date: ____/____/____ **All deductions will occur the 1st of the month**

CLEAT MEMBERSHIP APPLICATION

Membership Type

☐ NEW ☐ Reactivated ☐ Update

Membership Information

Name: _____ Agency: _____ Title _____

Address: _____ City: _____ State: ____ Zip Code: _____

DOB: _____ TCOLE PID: _____ LAST 4 of SSN: _____ Phone # _____

Personal E-Mail Address: _____

Beneficiary Information

Beneficiary Name: _____ Relationship: _____

Signature: _____ Date: _____

Printed Name: _____ Referred by: _____

Received in Payroll:

Date:

By:

FOR USE ONLY: COMBINED LAW ENFORCEMENT ASSOCIATIONS OF TEXAS

RECEIVED: _____ ENTERED: _____ REP: _____

APPENDIX "B"
TERMINATION OF DUES DEDUCTION
COMBINED LAW ENFORCEMENT ASSOCIATIONS OF TEXAS

Employee No: _____

Employee Social Security No: _____

Name: _____

(Last) (First) (M.I.)

Address: _____

Zip Code: _____

I hereby terminate the authorization previously executed by me for dues deduction for the Combined Law Enforcement Associations of Texas and request that the County of Hays make no further deductions under said authorization. This termination of dues deduction is entirely voluntary on my part and I understand that the County of Hays will not be liable for failure to promptly effectuate this termination for any reason.

Signed: _____

Date: _____

APPENDIX "C"
GRIEVANCE FORMS

Grievance No. _____

BARGAINING UNIT MEMBER GRIEVANCE FORM
TO BARGAINING AGENT GRIEVANCE COMMITTEE

Grievance Submittal

Employee must use this form, or one substantially like it, for filing grievances with the Union grievance committee and subsequent steps of the procedure.

Name	Address	City/State/Zip	Phone
------	---------	----------------	-------

Division	Title/Rank	Station/Shift	Phone
----------	------------	---------------	-------

A. Factual Basis of the Grievance. Include date, time, place, and employees or individuals involved. If more space is needed, continue on a separate sheet of paper, and attach to this form.

B. Contract Articles, Terms, Etc. Believed to be Violated. Identify specific provisions of the Contract. Use supplement form if necessary.

C. Remedy or Adjustment Sought. Use supplement form if necessary.

Employee Signature

Date

HCLEA Representative

Date

Sheriff or Constable/designee as applicable

Date

Grievance No. _____

**BARGAINING AGENT'S STANDARD GRIEVANCE FORM
GRIEVANCE COMMITTEE FINDINGS AND RECOMMENDATION**

Grievance Committee's Submittal. Refer to Grievance cause number for employee's statement of facts.

Name	Address	City/State	Phone
------	---------	------------	-------

Division	Title/Rank	Station/Shift	Phone
----------	------------	---------------	-------

Grievance Committee Statement

The HCLEA Grievance Committee met and reviewed the above referenced grievance and reached the following Conclusion(s) on the Subject Grievance.

GRIEVANCE COMMITTEE RECOMMENDATION

Forward for Adjustment _____ **Reject Grievance** _____

Grievance Committee Representative

Date

HCLEA Representative

Date

(LOGO)

**HAYS COUNTY SHERIFF'S OFFICE
CIVIL SERVICE RULES**

**Hays County Sheriff's Civil Service Commission
San Marcos, Texas 78666
Published November 5, 2024**

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DEFINITIONS

Hays County Sheriff's Office Civil Service Rules 11/24

APPEAL means a request in writing by a covered employee of the Sheriff's Office addressed to and filed with the Commission in the manner and within the timeframe provided by these Rules, seeking a review or hearing of facts therein represented to constitute a deprivation or impairment of rights vested in such employee as a member of the Classified Service. An appeal is not a grievance.

APPLICANT means a person who is seeking employment or a promotion in the Classified Service. This term includes any person who has completed an application for employment for a specific Classified Position for which the Hays County Sheriff's Office or Hays County Department of Human Resources is recruiting applicants for a Classified Position.

CHAIRPERSON means chair of the Commission.

CIVIL SERVICE STAFF means an employee of the Commission. Where context requires, Civil Service Staff includes an employee of another office or department conducting the functions of the Commission.

CLASS means a group of jobs that have similar duties and responsibilities, and have similar requirements regarding education, experience, knowledge, skills, and abilities. All jobs in a Class have similar types of duties, but jobs within the same Class may have different grades, titles, and pay ranges.

CLASSIFICATION means the structuring of jobs, arranged into appropriate groups according to an overall plan of organization. Where context is required, Classification also refers to the process by which the proper Class, grade, and title for each job is determined.

CLASSIFICATION LIST means a written orderly arrangement and description of Department jobs on the basis of classification.

CLASSIFIED EMPLOYEE means a regular, full-time employee occupying a Position in the Classified Service. Except where context requires otherwise, all references to Employees in these Rules refer only to Classified Employees.

CLASSIFIED POSITION means a Position filled, or vacant with the option of being filled, by a Classified Employee.

CLASSIFIED SERVICE means all regular, non-temporary, full-time Employees of the Sheriff's Office who are state-licensed peace officers, state-licensed county jailers, , those corrections specialists who are state-licensed as county jailers, and personnel who are state-licensed telecommunicators, state-licensed TLETS specialists assigned as telecommunications systems specialists, state-licensed 911 custodians, emergency communications officers, lead emergency communications officers, and communications managers. This term also includes any of these employees who are on authorized leave of absence and whose Position is being held by the Department for the employee's return.

*For purposes of these Rules, the positions of TLETS specialists, state-licensed county jailers, and state-licensed 911 custodians are only subject to the Rules pertinent to layoffs and dismissals and disciplinary action.

COMMISSION means the Hays County Sheriff's Office Civil Service Commission.

COMMISSION MEMBER means a member of the Hays County Sheriff's Office Civil Service Commission who has been duly appointed and has taken office, and whose successor has not been appointed.

COMMISSIONERS COURT means the legally-authorized elected body that provides for the oversight for the operation of the governmental entity that is the County of Hays, Texas. The Court is comprised of the Hays County Judge and four (4) Hays County Commissioners.

COMPETITIVE EXAMINATION means an Examination in which the candidates are in competition and from which an Eligibility List is promulgated.

DEMOTION means the transfer of an Employee from a Position in one Classification Position to a Position in another Classification for which the maximum rate of pay is lower. The four major reasons for a Demotion normally are:

- Employee's request;
- Position reclassification by Commissioners Court;
- Reduction in force;
- Disciplinary action.

Additionally, an Employee is demoted when the Employee's Position is reclassified from one grade to a higher grade and the Employee is not retained therein.

DEPARTMENT means the Hays County Sheriff's Office.

ELIGIBILITY LIST means the list of persons, ranked on the list in order of total score, who have been found qualified through suitable criteria and tests for hire or promotion to Positions in the Classified Service.

EMPLOYEE means a person occupying a Classified Position in the Sheriff's Office. Except where the Rules state otherwise, employee means Classified Employee.

EXAMINATION means all tests of fitness and qualifications, taken together, that are applied to determine eligibility of applicants for Positions of any class in the Classified Service.

FULL-TIME EMPLOYEE means one who has a regularly assigned work schedule of at least 40 hours per workweek.

HEARING means a session of the Commission held for the purpose of receiving evidence and reaching a decision with respect to matters or issues appropriately submitted to the Commission for determination.

LOUDERMILL MEETING means a pre-disciplinary meeting that allows an Employee to present the Employee's version of the events at issue before the Employee's supervisor makes a decision regarding disciplinary action against the Employee.

PERFORMANCE RATING means the evaluation by an Employee's supervisor of the manner in which said Employee's service was rendered.

POSITION means a job consisting of a group of current duties and responsibilities, assigned, or delegated by proper authority, permitting employment of one full-time Employee. A Position may be occupied, or it may be vacant.

PROBATIONARY EMPLOYEE means an Employee who has not yet completed a period of probation, whether initial probation after hire, or otherwise, after appointment to the Classified Position currently occupied.

PROBATIONARY PERIOD means the length of time during which an Employee is on trial in a working test period and is expected to prove complete fitness for the Position. An Employee may be in a Probationary Period after original appointment or after promotion.

PROMOTIONAL EXAMINATION means all tests of fitness and qualifications, taken together, that are applied to determine the eligibility of applicants for promotion.

REGULAR EMPLOYEE means one who occupies a full-time Position of a non-temporary nature.

REGULAR PART-TIME EMPLOYEE means an individual employed by the County and who has a regularly assigned work schedule between sixteen (16) and twenty-eight (28) hours per workweek with no ending date.

REINSTATEMENT LIST means a list of persons, broken down by civil service Classification and arranged in order of entitlement to reinstatement in each, who have occupied Positions in the Classified Service, who have separated from the Classified Service, or who were demoted, and who may be certified for re-appointment or promotion, when vacancies occur.

RULES means these Hays County Sheriff's Office Civil Service Rules as established and included by addendum to the 2024 Collective Bargaining Agreement between the County and the Hays County Law Enforcement Association. Rule

SCORE means grade attained by a person on an exam, such as for promotion, given by, for, or in the Department.

SECRETARY, when used alone, means the Secretary of the Sheriff's Office Civil Service Commission.

SEPARATION means the voluntary or involuntary discontinuation of employment with the County for any reason.

SUSPENSION means the period of time during which an Employee is forbidden to

work. A Suspension may be with or without pay.

TERMINATION OF EMPLOYMENT means the discontinuation of an Employee's service with the County as a result of dismissal or termination for cause.

WORKWEEK means a seven-day period commencing at the beginning of Sunday and continuing through the following Saturday.

CHAPTER 1 ORGANIZATION

Hays County Sheriff's Office Civil Service Rules 11/24

1.1 PURPOSE

1.1.1 The civil service system for the Hays County Sheriff's Office has been established pursuant to Chapter 174 of the Texas Local Government Code as a part of a collectively bargained contract approved and ratified by the Hays County Commissioners Court and the Hays County Law Enforcement Association membership. In addition, the Hays County Commissioners Court approval of this Collective Bargaining Agreement, including these Civil Service Rules, does hereby constitute an order that a civil service system is created for the Hays County Sheriff's Office pursuant to Subchapter A of Chapter 158 of the Texas Local Government Code. The Sheriff's Office civil service system of Hays County is intended to provide certain protections to County Law Enforcement Officers, Corrections Personnel, and Emergency Communications Personnel assigned to the Hays County Sheriff's Office for the purpose of developing and enforcing Rules regarding the selection of employees and their advancement, rights, benefits and working conditions. The civil service system rRules are established by an exhibit to the Collective Bargaining Agreement and identified as Appendix D (Hays County Sheriff's Office Civil Service Rules). These Rules are prescribed to govern the function of the Commission and intended to promote professionalism in the Sheriff's Office and to assure Employees in the Classified Service fair and impartial treatment at all times, subject to merit system standards, appeal rights, and other provisions as set forth in these Rules.

Hereafter, these Rules shall govern and regulate the employment process for the classified personnel of the Sheriff's Office as appointed for employment in the County. The adopted and stated Rules are subject to change and modification only as approved, in writing, by both the Hays County Commissioners Court and the Hays County Law Enforcement Agency after submitting the suggested modification and obtaining the Commission's opinion on the matter. Such modification does not require the consent of the Commission but does require their opinion on the suggested modification.

1.2 SEVERABILITY

1.2.1 If any Rule, section, paragraph, sentence, clause, or phrase of these Rules is declared unconstitutional or void for any reason, such decision shall not affect the validity of the remaining portions of these Rules. The Commissioners Court and the Commission hereby declare that they would have prescribed and adopted these Rules, and each Rule, section, paragraph, sentence, clause, and phrase herein, irrespective of the fact that any one or more of the other Rules, sections, paragraphs, sentences, clauses, or phrases may be found unconstitutional or void.

1.3 AMENDMENT OF RULES AND CLARIFICATIONS OR INTERPRETATIONS OF RULES

1.3.1 Amendments to the Rules may be made Rule via the following methods:

(a) Upon recognition that an amendment is needed by either the HCLEA or the County, the parties shall confer and discuss the necessity of the amendment;

(b) If the HCLEA and the County agree that an amendment shall be necessary, they shall indicate their agreement in writing and shall bring the amendment forth to the Commission;

(c) The Commission shall discuss the amendment and provide an opinion to the HCLEA and the County;

(d) The HCLEA and the County shall then submit the amendment to the Commissioners Court and the Commission shall submit their opinion on the amendment to the Commissioners Court;

(e) The Commissioners Court shall then make a determination on the amendment during an open meeting of the Commissioners Court.

(f) In the event the Commission recognizes that an amendment is needed (as opposed to the HCLEA or County), the Commission shall discuss the amendment needed and submit its opinion to the HCLEA and the County. If the HCLEA and County agree the amendment is necessary, they shall indicate their agreement in writing and shall submit the amendment to the Commissioners Court. In addition, the Commission shall submit their opinion on the amendment to the Commissioners Court. The Commissioners Court shall then make a determination on the amendment during an open meeting of the Commissioners Court.

(g) In no event shall an amendment be submitted to the Commissioners Court if both the HCLEA and the County have not agreed to the amendment in writing.

1.3.2 In the event any terms of these Rules are determined to be lacking in clarity or there exists an interpretation issue or disagreement, the HCLEA and the County shall enter into a Memorandum of Understanding (MOU) to clarify such terms in question. The MOU shall be executed by both the HCLEA and the County but is not required to be submitted to the Commission for approval.

1.4 EFFECTIVE DATE

1.4.1 These Rules shall be effective January 1, 2025. The prior Sheriff's Office Rules govern disciplinary action for any act of the Employee that occurred prior to that date, and the prior policy and Rules are continued in effect solely for that purpose.

1.5 COMPOSITION OF COMMISSION

1.5.1 Appointments. The Civil Service Commission shall consist of five (5) Commission Members. The Hays County Commissioners Court shall appoint one member of the Civil Service Commission. The Hays County Auditor shall appoint one member of the Civil Service Commission. The Hays County Sheriff shall appoint one member of the Civil Service Commission. The Hays County Law Enforcement Association President, on behalf of the Association, shall appoint two members of the Civil Service Commission. The Commissioners Court, the County Auditor, the Sheriff, and the President of the Hays County Law Enforcement Association shall appoint each respective Civil Service Commission Member to the Civil Service Commission within thirty (30) days of the approved effective date of the Collective Bargaining Contract between the County and the Hays County Law Enforcement Association.

Thereafter, whenever a vacancy may occur of an appointed Civil Service Commission Member, that respective appointer as outlined above shall be responsible for naming a replacement appointee Civil Service Commission Member within thirty (30) days of the Position becoming vacant. Commission Members may be appointed to multiple terms.

1.5.2 Eligibility Requirements. To be eligible for appointment to the Commission, a person must be a United States citizen, be at least 25 years old, be of good moral character, and have resided in Hays County for the three years immediately preceding the date on which the person's term will begin. Any person who is a current employee of the County, or a person related to a Classified Employee or Civil Service Commission Member by the first, second, or third degree of consanguinity or a person related to a Classified Employee or Civil Service Commission Member within the first or second degree of affinity, are not eligible for appointment to the Commission.

1.5.3 Removal of Commission Member. If it is alleged that a Commission Member has committed misconduct in office:

(a) The Commission shall hold a meeting to determine whether a Commission Member has committed misconduct;

(b) Four (4) out of five (5) Commission Members must find the Commission Member has committed misconduct;

(c) If four (4) out of five (5) Commission Members find the Commission Member has committed misconduct, the Commission shall recommend that Member's removal to the Commissioners Court;

(d) Commissioners Court shall make the final determination on whether that Commission Member has committed misconduct and should be removed from the Commission;

(e) In order for the Commissioners Court to remove the Commission Member based on misconduct, all five (5) Commissioners Court members shall be present at an open meeting of the Commissioners Court and four (4) out of five (5) Commissioners Court members must vote in favor of the Commission Member's removal.

Misconduct shall be defined as the mismanagement of a position by action or inaction, neglect that jeopardizes the life or property of another, intentional wrongdoing or malfeasance, intentional violation of a law, or violation of a policy or Rule adopted to ensure the orderly work and the safety of the goals of the Commission.

If a Commission Member is removed from the Commission, they are not eligible for reappointment at any point.

If a Commission Member is indicted or charged by information with a criminal offense the Commission Member shall be automatically suspended from the Commission . If the Commission Member pleads guilty or is found to be guilty, the Commission Member shall not be eligible for reappointment at any

point. If the Commission Member is not found to be guilty, the Commission Member is eligible for reappointment in the future.

The appointing agency as outlined in Section 1.5.1 shall appoint a substitute Commission Member upon the suspension or removal of a Commission Member.

1.6 CIVIL SERVICE COMMISSION

1.6.1 Term of Office. The Commission consists of five (5) Commission Members with their term of office lasting two (2) years, except that for the initial appointments of the Commission Members appointed by the HCLEA, the Commission Member appointed by the County Auditor, whom shall be appointed to only a one-year term of office, thereby creating staggered Terms of Office for Commission Members. A Civil Service Commission Member serves until the Commission Member's successor has been appointed and has qualified. Vacancies on the Civil Service Commission must be filled by appointment of the respective Commissioners Court, County Auditor, Sheriff, or the Hays County Law Enforcement Association President to fill any unexpired term of the Commission Member whose Position has been vacated.

1.6.2 Chairperson. Once the five (5) Commission Members have been appointed to the Commission, they shall choose the Chairperson by a majority vote at their first meeting. Such Commission Member shall serve as Chairperson for a period of one (1) year. At the expiration of the year, and each year following, the Commission shall revisit the Chairperson position and elect a Commission Member to serve as Chairperson. A Commission Member can serve unlimited terms as the Chairperson.

1.6.3 Responsibilities. The Civil Service Commission has the responsibility to adopt, publish and enforce Rules relating to:

1. Selections and classifications of Employees;
2. Competitive examination;
3. Promotions, seniority, and tenure;
4. Layoffs and dismissals;
5. Disciplinary action;

1.6.4 Meetings. Regular meetings of the Civil Service Commission are held on a monthly basis, or as needed as determined by the Commission. All meetings of the Commission are open to the public and the time and date of the meetings are posted in accordance with the Texas Open Meetings Act. Special meetings of the Commission may be called by the Chairperson or ~~the three~~ three other Commission Members upon giving reasonable advance notice to each Commission Member. The Civil Service Director shall be responsible for coordinating the availability of the three (3) Commission Members for purposes of calling a Special Meeting. Any reasonable advance notice must still be in compliance with the Texas Open Meetings Act.

1.6.5 Quorum. Three members of the Commission constitute a quorum.

1.6.6 Rules of Orders. Roberts Rules of Order are used as a guide by the Commission in its proceedings. The normal order of business is:

1. approval of minutes;
2. consideration of reports;
3. unfinished business;
4. new business;
5. hearings.

A Commission Member may record in the minutes the Commission Member's approval of, or objection to any act of the Commission together with the reasons.

1.6.7 Minutes. The Secretary of the Commission shall be responsible for writing the minutes of each meeting and shall note the following:

1. the time and place of each meeting of the Commission;
2. the names of the Commission Members present;
3. all official actions of the Commission;
4. the official vote by each Commission Member except where the action is unanimous;

The minutes are presented for approval at the next regular meeting of the Commission.

The minutes, upon approval by the Commission, are open for public inspection.

1.6.8 Agenda Items. Any Employee may request that the Civil Service Commission consider a matter at its meeting. Such a request must be submitted to the Director in writing. The Director will determine whether the request falls under the Commission's authority and may place the matter on the agenda for a future meeting if sponsored by any Commission Member. Any Commission Member may request that a matter be placed on the agenda for a future meeting. If a request is received after an agenda has been posted but before the scheduled meeting, the Director will determine whether to amend the posted agenda or include the item on an agenda of a future meeting. An Employee who has submitted a written request will be notified by the Commission whether the request will be included on an agenda and, if so, of the date and time of the meeting for which the item is scheduled.

Agenda items relating to developing a new Rule or amending existing Civil Service Rules shall be submitted to the Sheriff, the County, and the Hays County Law Enforcement Association by the Civil Service Director in writing at least thirty (30) days prior to a Civil Service Commission meeting in which the Rule will be considered. Any agenda items related to these matters shall be in accordance with the provisions in Section 1.3.1 above. Rule

1.6.9 Communications. All communications or requests to the Civil Service Commission are to be made in writing. A summary of the request, and whether the request was approved or denied, shall be kept in an agenda request file of the Commission. All items to be included on the agenda for the Civil Service Commission must be received by the Civil Service Director ten (10) days prior to a meeting. Commission Members will receive agenda and necessary documents at least seventy-two (72) hours prior to the scheduled meeting.

1.6.10 Attendance. If a Civil Service Commission Member has three (3) unexcused absences within a calendar year, then the absent member is automatically deemed to have resigned, and the Position will be declared vacant. The Chairperson may determine unexcused absences based on a dialogue with Commission Members and shall list in the meeting minutes unexcused absences as appropriate. For purposes of clarity, excused absences may be due to occurrences of physical health or mental symptoms, illness, health conditions, medical appointments, communicable illness, family emergencies including but not limited to death or illness of a family member, court judicial proceedings, jury duty and absence due military deployment activities and other appropriate excusable absences. Absence without any legitimate reason shall be an unexcused absence. The request will be made by the Commission to the appointing agency for the replacement of such respectively appointed member.

1.6.11 The County shall provide legal support to the Commission on an as needed basis. If any circumstance creates a conflicting interest between the Commission and the County, the County shall provide for independent legal counsel for the Commission at the County's expense.

1.7 DIRECTOR OF CIVIL SERVICE

1.7.1 Appointment. The Sheriff's Office Director of Human Resources is the Director of Civil Service. The Director is subject to all applicable Hays County personnel policies, and the Sheriff has authority to investigate an alleged violation of a personnel policy or policies and take appropriate personnel action as warranted.

The Director shall manage the Hays County Civil Service Commission and any subordinate employees necessary to administer these Rules. The Commission may request funding from the Hays County Commissioners Court for personnel necessary for the efficient administration of the Commission and for administering these approved Rules through Civil Service staff on a day-to-day basis.

The Director shall have the power and shall have the responsibility for the implementation of pertinent Rules and regulations that are in effect upon formation and as may be approved or amended in accordance with Section 1.3 of these Rules. For the purposes of administering Civil Service Rules as applicable to the Classified Service of the Sheriff's Office, the Sheriff's Human Resources Director shall be under the independent supervision of the Hays County Civil Service Commission Members. For the purposes of administering non-classified employment processes of the Sheriff's Office, the Sheriff's Office Human Resources Director shall be directed by the Sheriff.

1.7.2 Duties. The Director of Civil Service or their designee will function as Secretary to the Commission. The Director will direct employees of the Commission. The Director shall also facilitate actions and proceedings of the Commission and develop and recommend for action by the Commission:

1. procedures for the establishment and conduct of competitive exams
2. such other procedures necessary to provide for the efficient administration of the Commission.
3. administer a broad human resources program within the Sheriff's Classified Service which includes, but is not limited to:
 - a. recruitment and examination of applicants;
 - b. classification of Positions;
 - c. certify the names of eligible individuals to the appointing authority for filling vacancies in the Classified Service of the Sheriff's Office
 - d. direct all promotional processes within the Classified Service of the Sheriff's Office
 - e. salary determination and benefits;
 - f. employee information and counseling;
 - g. in-service training;
 - h. performance appraisal system;
 - i. leaves of absence;
 - j. maintenance and development of human resources standards and programs.

1.8 APPLICABILITY

1.8.1 The Civil Service Rules apply only to the Employees of Sheriff's Office who are regular, non-temporary, full-time Employees who are state-licensed peace officers, state-licensed county jailers, those corrections specialists who are state-licensed as county jailers, and personnel who are state-licensed telecommunicators, state-licensed TLETS specialists assigned as telecommunications systems specialists, state-licensed 911 custodians, emergency communications officers, lead emergency communications officers, and communications managers. This term also includes any of these employees who are on authorized leave of absence and whose Position is being held by the Department for the employee's return.

1.9 CLASSIFIED EMPLOYEE RECORDS

1.9.1 Official Roster. The Director of Civil Service shall maintain an official roster containing the names, job title, or code, salary, ethnicity, hire date, and department of all employees holding Positions in the Civil Service of Hays County.

1.9.2 Civil Service Personnel Files. The Director of Civil Service or their designee shall maintain a complete employment record of all employees holding Positions in the Classified Service of Hays County.

(a) The Director or the Director's designee shall maintain a Civil Service personnel file on each member of the Classified Service. The personnel file must contain all personnel actions, personal information gathered during new hire processing, benefit information and internal County sponsored training courses, educational courses, and seminars if such information is provided by the Employee. The Civil Service personnel file shall also include any letter, memorandum, or document relating to:

- (1) a commendation, congratulation, or honor bestowed on the Classified Employee by a member of the public or by the employing agency for an action, duty, or activity that relates to the person's official duties;
- (2) any misconduct by the Classified Employee if the misconduct resulted in disciplinary action in accordance with these Rules by the Sheriff's Office; and
- (3) the periodic evaluation of the Classified Employee by a supervisor.

(b) A letter, memorandum, or document relating to alleged misconduct by the Classified Employee may not be placed in the person's Civil Service personnel file if the employing agency determines that there is insufficient evidence to sustain the charge of misconduct. Such documentation shall be kept in a separate, internal, file with the Hays County Sheriff's Office.

(c) A letter, memorandum, or document relating to disciplinary action taken against the Classified Employee or to alleged misconduct by the Classified Employee that is placed in the person's Civil Service personnel file as provided by Subsection (a)(2) shall be removed from the Employee's file if the Commission finds that:

- (1) the disciplinary action was taken without just cause; or
- (2) the charge of misconduct was not supported by sufficient evidence.

In the event documentation is required to be removed from the Employee's Civil Service personnel file, such documentation shall be included in the separate, internal, file with the Hays County Sheriff's Office.

(d) If a negative letter, memorandum, document, or other notation of negative impact is included in a Classified Employee's Civil Service personnel file, the Director or the Director's designee

shall, within fifteen (15) business days after the date of the inclusion, notify the affected Classified Employee. The Classified Employee may, on or before the fifteenth (15th) business day after the date of receipt of the notification, file a written response to the negative letter, memorandum, document, or other notation. If the Classified Employee files such a response, that response shall also be included in the Classified Employee's Civil Service personnel file.

(e) The Classified Employee is entitled, on request to the Director, to a copy of any letter, memorandum, or document placed in the person's Civil Service personnel file. The County may charge the Classified Employee a reasonable fee not to exceed actual cost for any copies provided under this subsection.

1.10 CERTIFICATION

1.10.1 The Director of Civil Service shall certify to the County's office responsible for payroll the name of each person appointed or employed in accordance with the provisions of the Civil Service Rules.

1.11 RULES AND REGULATIONS

1.11.1 Establishment. The Rules of the Commission that are currently in effect are contained within these Hays County Sheriff's Office Civil Service Rules. These Rules have been approved by the Hays County Commissioners Court by agreement with the Hays County Law Enforcement Association and by virtue of the ratified Collective Bargaining Agreement and are in effect unless amended in accordance with Section 1.3 of these Rules.

1.11.2 Adoption or Amendment of the Rules. The Commission's opinion on the adoption or amendment of any Rule shall be made only at an open meeting of the Commission. At such a meeting, any opinion on the adoption or amendment of a Rule may be adopted by majority vote of the Commission.

1.11.3 All Rules and amendments shall become effective on the date of their approval by the Commission. Re-numeration does not change the validity of the Rules. All Rules and amendments are available on the employee website; electronic or digital copies transmitted via county email and printed copies as may be appropriate upon request.

1.12 PUBLISHING OF RULES

1.12.1 Whenever the Commission shall have adopted any such Rules or amendments to existing Rules, it shall cause the same to be reduced to writing and publish same by:

1. Emailing a copy of all such Rules and regulations to the Sheriff.
2. Posting all such Rules in a conspicuous and public place for a period of ten (10) days in the primary office building of the Sheriff's Office.
3. Digital transmission via emails or mailing a copy of all such Rules to any substation or any location where more than three Classified Employees are permanently assigned.

4. Emailing a digital copy to each Classified Employee.

1.12.2 The Director of the Civil Service Commission shall keep on hand copies of said Rules for free distribution to Employees of the Sheriff's Office requesting same and said Rules and regulations shall be kept available for inspection by any interested citizen.

1.12.3 Classification plans and eligibility lists may be established by the Commission, but the same will be published in the manner set out in Rule 1.12.1 above.

1.13 SECURITY OF CIVIL SERVICE COMMISSION MATERIALS

1.13.1 All materials including but not limited to exams, oral board questions, score sheets, answer sheets, results, grievances, hearings and Rules shall be secured in the office of the Civil Service Commission and shall be in the care and control of the Civil Service Director.

1.14 COLLECTIVE BARGAINING

1.14.1 The Commission recognizes that Chapter 174 of the Texas Local Government Code enables the County and the Association as the exclusive bargaining agent representing its regular, non-temporary, full-time Employees of the Sheriff's Office who are state-licensed peace officers, state-licensed county jailers, , those corrections specialists who are state-licensed as county jailers, and personnel who are state-licensed telecommunicators, state-licensed TLETS specialists assigned as telecommunications systems specialists, state-licensed telecommunicators assigned as 911 custodians, emergency communications officers, lead emergency communications officers, and communications managers to enter into collective bargaining agreement(s). Where such an agreement "specifically provides" other than these Rules, the collective bargaining agreement will prevail over the Rules listed in this exhibit. Additionally, any such applicable collective bargaining agreement is incorporated in these Rules for all purposes.

CHAPTER 2 CLASSIFICATION PLAN

Hays County Sheriff's Office Civil Service Rules 11/24

2.01 CLASSIFIED AND UNCLASSIFIED SERVICE

2.01.1 The Classified Service will include those Positions within the Hays County Sheriff's Office as herein listed:

1. licensed peace officers;
2. personnel licensed and assigned as corrections officers;
3. corrections specialists who are licensed as county jailers*;
4. personnel assigned to the Sheriff's Office Emergency Communication Center as:
 - a. telecommunications system specialists
 - b. emergency communications officers
 - c. lead emergency communications officers
 - d. communications managers
 - e. TLETS specialists*
 - f. state-licensed 911 custodians*
5. above-listed Position employees while on approved leave of absence from the County.

*For purposes of these Rules, the positions of TLETS specialists, state-licensed county jailers, and state-licensed 911 custodians are only subject to the Rules pertinent to layoffs and dismissals and disciplinary action.

2.01.2 The Unclassified Service will consist of all other personnel employed within the Sheriff's Office and any licensed peace officer if that officer is a licensed attorney and is assigned in a Position as legal counsel to the Sheriff or the department. The Commission nor the Sheriff may designate as exempt and unclassified, any future created Position that may be authorized and funded by the Commissioners Court in classifications of captain or below. Any future creation of any such additional unclassified exempt Position by the Commission or the Sheriff shall not diminish the number of Positions within the classifications of captain or below.

2.02 CLASSIFICATION PLAN

2.02.1 The Classification Plan for classes of Positions in the Hays County Sheriff's Office with such amendments as may be made thereto from time to time, will constitute the "Classification Plan" for Positions in the Sheriff's Office.

2.02.2 The Classification Plan for the administration of the Civil Service System in the Hays County Sheriff's Office including the number of Positions of each Classification, will be approved by the Hays County Commissioners Court, the Civil Service Commission, and by the Sheriff. Such Classification Plan will be on file in the office of the Civil Service Commission.

2.03 CLASS SPECIFICATIONS

2.03.1 The Commission shall maintain a description or specification for each Class in the Classified Service of the Sheriff's Office. The Sheriff and his staff shall manage the personnel of the Sheriff's Office within the approved Class specifications and plan. The Sheriff and his staff may develop recommendations for modification to Class specifications and the Classification Plan as necessary to facilitate the proper operational management of the Sheriff's Office. Changes to the plan shall be approved by the Commission and the Commissioners Court.

2.03.2 Class specifications describe the Positions, and the duties, authority, and responsibilities of Employees assigned to Positions in each Class. In determining the Class to which any Position will be allocated, the Class specification will be considered in its entirety in relation to other classes in the Classification plan and will be used as a guide to the assignment, direction, and control of the work of any Employee; in passing upon the eligibility of candidates for the Positions; in evaluating qualifications of applicants; and in determining the relation of classes to each other.

2.03.3 A Class is a Position or a number of Positions with duties sufficiently similar that:

1. The same descriptive title may be used to designate each Position in the Class.
2. The same level of education, experience, knowledge, ability, and other qualifications may be required of incumbents.
3. The same schedule of compensation should apply with equity under substantially the same employment conditions.

2.03.4 Any requirements or special qualifications for the Class, including but not limited to license, educational achievement, or legal qualifications, will constitute a basis for acceptance or rejection of applications for the Class and for the evaluation of the qualifications of applicants. In the event that such qualifications are not specifically stated in the class specifications but do exist in state or county laws or ordinances, they will have the same effect as if they had been set forth in the specifications.

2.03.5 The Class specifications in the classification plan will have the following force and effect:

1. They are descriptive and explanatory and are not restrictive.
2. The use of a particular expression or illustration as to duties, qualifications, or other attributes will not be held to exclude others not mentioned, if such others are similar in kind or quality, nor limit the power of the Sheriff to modify or alter the detailed tasks involved in the duties of any Positions.

3. When substantial change of duties is made, except for a temporary period or by the addition of duties that are incidental to the main employment, such change will be reported by the Sheriff their designee, to the Commission with a view to possible reclassification of the Position if the Commission believes the changes are so substantial to render the current classification inadequate to the overall classification plan.

2.04 ALLOCATION OF POSITIONS TO CLASSES

2.04.1 The Civil Service Commission shall have oversight to ensure that the Sheriff allocates each Position in the Classified Service to its appropriate Class, placing in each Class those Positions which are substantially similar in difficulty, responsibility, and character of work as to require generally the same kind and amount of training and experience for proper performance and to justify approximately equal pay.

2.04.2 A new Class will be evaluated by the Commission upon recommendation of the Sheriff when it has been determined that the duties and responsibilities of a Position or Positions, assigned by competent authority are unique in terms of character, difficulty, and responsibility and do not meet the specifications for an existing Class.

2.04.3 The Civil Service Commission and the Sheriff on behalf of the Sheriff's Office has the right to initiate and conduct investigations of Positions in the Classified Service and to propose change in classification when the facts are considered to warrant such action. The Civil Service Commission will submit to Commissioners Court a report with its recommendations on any proposed amendment to the classification plan.

2.05 REVIEWS AND APPEALS

Any Employee adversely affected by any classification action may request the Civil Service Commission to review such action. Such request for review will be made in writing within thirty (30) days of notification of such action and will specify the basis for the request. The Civil Service Commission may either amend the classification action or provide the Employee with reasons for not doing so. The decision of the Civil Service Commission is final.

2.06 EFFECT OF CLASSIFICATION CHANGES ON INCUMBENT

2.06.1 (a) Whenever a Position is reclassified from one Class to a higher class, the incumbent will not continue in the Position, except temporarily, unless the incumbent gains eligibility for the new Class and receives an appointment thereto in accordance with the Rules pertaining to promotions into higher Classified Positions.

2.06.2 Whenever a Position is reclassified from one Class to a lower Class, the incumbent may elect to retain the Position in the lower Class. If the incumbent declines to remain in the Position in the lower Class, he may move to a Position in that classification under the provisions of the Rule relating to reduction in force.

2.06.3 Whenever the title of a Class is changed without a change in duties or responsibilities, the incumbent will have the same status in the new Class as was held in the old Class.

CHAPTER 3 EMPLOYMENT

Hays County Sheriff's Office Civil Service Rules 11/24

3.01 EMPLOYMENT VACANCIES CLASSIFIED PERSONNEL

3.01.1 The Sheriff will coordinate with the Director of Civil Service and the Human Resources Director to advertise job announcements. The posting notice will include the title, job code, starting pay range, closing date, job summary, qualifications, any special physical requirements and any skill or performance tests that apply. Posting notices shall be made within three business days from the request by the Sheriff's Office and will be posted in a conspicuous place in the Sheriff's Office, on the Human Resources job postings bulletin board, the Hays County website and may be posted with other organizations outside of the County as appropriate to increase applicant flow. Recruitment for Classified Positions may be continuous and applications may be accepted, and processed as needed, however when no eligibility list of qualified applicants exists, a vacancy announcement must be posted prior to administering any entry level hiring process for non-licensed applicants to be selected for any vacant Position in the Classified Service if the Sheriff's Office intends to hire and train non-licensed applicants to fill vacant Positions. Classified Positions wherein the applicants must possess a state license to meet minimum hiring requirements set as minimum standards for employment by the Sheriff's Office, a vacancy announcement must be posted prior to acceptance of applications for non-entry level licensed Positions openings.

Any person desiring employment with the Sheriff's Office must first complete an application for the classified employment Position that the candidate is seeking employment. This includes Intra-departmental candidates for entry level employment Positions in different Classified Positions considered to be in a specific career track. (For example, the career track of Emergency Communications would be the Classified Positions of Emergency Communications Officers, Lead Emergency Communication Officer, TLETS specialists, 911 custodians, and Emergency Communication Manager whereas the career track for County Jailers would be the Classified Positions of Corrections Officers, Corporals, Sergeants, Lieutenants, and Captain, while Sheriff's Law Enforcement career track would be Classified Positions of Deputy Sheriff, Corporal/Detective, Sergeant/ Deputy Inspector, Lieutenant/ Inspector, Captain and finally Chief Deputy.)

The Director of Civil Service or designee will screen all applications received to ensure that all applicants meet the minimum standards and qualifications for the Position. The Director of Civil Service is responsible for maintaining a current record of each applicant's status in the selection process. Applications for job vacancies may be rejected solely based on inadvertent omissions or deficiencies that cannot be corrected prior to the testing. Intentional omission or deception on the application constitutes grounds for disqualification and future employment consideration. The Civil Service Director is responsible for answering inquiries from applicants in a timely manner.

3.02 EMPLOYMENT CRITERIA AND PURPOSE

3.02.1 The purpose of this Rule is to establish policy and procedures which standardize the hiring process for applicants who seek employment within the Classified Service of the Hays County Sheriff's Office. It is the policy of the Hays County Sheriff's Office and the County to treat every applicant in a respectful and equitable manner during the hiring process while conforming to the legal requirements of Federal, State, and local law, and to allow every qualified applicant an equal opportunity to demonstrate their suitability for employment. The hiring process for the Sheriff's Office posted Positions are intended to produce separate eligibility lists for Classified Positions in the Sheriff's Office.

3.02.2 It shall be the policy of the Sheriff's Office and the Civil Service Commission that current employees have priority in the hiring process. If Positions are opened to both new applicants and current employees and all qualifications are equal, the preference shall be given to the current employee. Intra-departmental transfer for entry level employment Positions should be encouraged by the Sheriff. Eligible applicants for intra-departmental entry level Positions for the separate career tracks who are not selected shall be advised in writing within ten (10) days as to the reason(s) for non-selection; and given career guidance by the appropriate Sheriff's management staff as to what the applicant should do in order to become more competitive.

3.03 DEFINITIONS:

3.03.1 COMPLETED APPLICATION means the Hays County Sheriff's Office application completely filled out with any initial required attached documentation, submitted to the Hays County Sheriff's Office Human Resource Director.

3.03.2 T.C.O.L.E. is an abbreviation for the Texas Commission on Law Enforcement.

3.03.3 TEMPORARY DISQUALIFICATION means an applicant is disqualified until all criteria are achieved or selection time limits are met. If the criteria are not met prior to December 31 of the year in which the application was first submitted, the application will no longer be processed and will be placed in archives. The applicant will then be required to submit a new application. However, if an applicant requests in December, or the appointing authority seeks to continue processing, a pending application may be carried over into the new year.

3.04 APPLICATION PROCESS

3.04.1 Submission of Application. An applicant interested in seeking employment within the Classified Service of Hays County Sheriff's Office must submit a Completed Application to the Hays County Human Resources Department. An application will not be considered complete until it complies with Rule 3.03.1.

3.04.2 All collected applications from within the County will be directed to the Office of the Civil Service Director within one business day of the receipt. After an applicant's application is reviewed by Civil Service personnel, those applications that appear to meet departmental requirements will be forwarded to the Sheriff's Office of Professional Responsibility (OPR) Deputy Inspector within two

business days for a preliminary background check. Applicants for Sheriff's Office Positions approved by the Deputy Inspector shall be forwarded back to the Director for continued processing and may be scheduled for some or all of the following job-related tests as required by the minimum hiring standards of the appointing authority:

a. Written Test. All applicants must pass a current written examination as required for the Position applied, that has been authorized and adopted by the Commission for the Position sought.

Passing scores will be determined before the date of the test. Applicants who do not attain a passing grade on their written test must wait a period of three (3) months from the time they took the written test before being allowed to retake the test.

b. Physical Ability. Deputy and corrections officer applicants will be required to take a physical ability test appropriate to the job sought that has been approved by the Commission.

c. Psychological Testing. Any applicant who is required to complete psychological testing for licensure by the state will be disqualified if in the opinion of a psychologist acting on the County Sheriff's behalf, the applicant is unable to be certified within the requirements set by TCOLE. Psychological testing will not be scheduled prior to a conditional job offer being made. Failure of the psychological disqualifies an applicant for one year.

d. Typing Test. An applicant for a Position will be required to take a typing test if it is job related as determined by the appointing authority.

e. Background Investigation. The investigation of an applicant's history regarding employment, education, driving, criminal history, and a history of financial responsibility, or any such area of investigation deemed reasonable and justifiable for purposes of employment. The background investigation will be conducted by a trained background investigator as expeditiously as possible. Employees assigned to conduct background investigations will keep the Civil Service Director apprised of each applicant's status weekly. Completed background investigation reports will be reviewed by the OPR Deputy Inspector with the Sheriff's Office for final disposition by the Civil Service Director.

f. Drug Screen. A process designed to determine whether or not an applicant has used illegal or unauthorized drugs/chemicals. Drug testing will not be scheduled prior to a conditional job offer being made.

g. Health Assessment. Testing done by appropriate health providers to determine the health and fitness of an applicant for a particular Position. Testing and health assessment will not be scheduled prior to a conditional job offer being made.

h. Oral Interview. An eligible applicant may be contacted and scheduled for a personal interview with a background investigator for the purpose of verifying all information in his/her application.

3. Completeness of Application. An application must be filled out completely with all required information included. Any failure to include pertinent information will result in the rejection of the application.

4. Required Support Information. All documents requested by the application, such as birth certificate, DD-214 (if applicable) and high school diploma, G.E.D. and/or college transcripts must be attached. Without these documents, the application is incomplete and will not be processed or accepted.

5. Contradictory or Inconsistent Information. Contradictory or inconsistent information may serve as grounds for disqualification or may be given appropriate weight in the decision to reject or to approve an applicant. When the contradiction or inconsistency involves information supplied by the applicant or admissions by the applicant, the applicant shall be advised accordingly and given an opportunity to explain. An applicant may be disqualified for dishonesty, serious distortions, or purposeful omissions during the selection process. Disqualification: In cases in which an applicant intentionally falsified, inaccurately reported, or withheld information he/she shall be permanently rejected.

6. Cooperation. An applicant who fails to cooperate fully in submitting accurate information or who fails to submit information updates/changes within ten (10) days of the change and/or who fails to keep scheduled appointments with Office of Professional Responsibility (OPR) Deputy Inspector or staff for Sheriff's Office, applicants will be disqualified and will not be eligible to reapply for ninety (90) days. However, in the event of extenuating circumstances, a decision may be made by the appointing authority to continue the application process. The reasons for this decision will be documented and included in the applicant's file.

7. Structured Interview Board. All applicants must have a passing score on this interview in order to be considered for employment. An Interview Board will consist of an appropriate number of rating members as determined appropriate by the Sheriff or their designated representative and will provide that determination and supply the Interview Board rating members.

3.05 MINIMUM REQUIREMENTS

3.05.1 Minimum requirements for applicants will be set by Sheriff's Office General Orders Chapter 401, Employment Practices and approved by the Commission. Changes in state and federal law supersede the General Orders Minimum requirement. Commission approval of the Sheriff's General Orders pertaining to Employment Practices does not create or acknowledge any property or liberty interest for any applicant.

3.06 HIRING PROCESS

3.06.1 ACCEPTANCE OF COMPLETED APPLICATION. The Completed Application that has been fully processed and the applicant is acceptable for appointment of employment will be submitted to the Civil Service Director where it will be stamped with the time and date received. The Civil Service Director shall maintain a file of completed applications received with all support information. The

Sheriff's Office Human Resources Director will also maintain a file copy of all completed applications with all supportive detail as a redundancy. Such files will be maintained and/or destroyed in accordance with applicable records regulations or State law.

3.07 EMPLOYEE ELIGIBILITY LIST

3.07.1 An applicant deemed acceptable for employment within the Sheriff's Office will be placed on an Eligibility List by the Civil Service Director for each respective Classified Position according to the date of approval. If more than one applicant is deemed acceptable for employment on the same date, then the Director will rank the Eligibility List based on the first received initial application. Military Veterans with a minimum of 3 years honorable service will be given hiring preference and will be ranked higher on the Eligibility List than applicants who have no military service. The Civil Service Director will verify each candidate's military service via the Department of Defense form 214 (DD-214) to ensure that the candidate was honorably discharged.

The Director of Civil Service will maintain separate Eligibility Lists for each job classification of the Classified Service for which employment processing is being completed. Honorably discharged veterans will be ranked higher than other applicants on the any Eligibility List for any classifications being processed for employment.

3.08 ASSIGNMENTS

3.08.1 An applicant must be willing to accept any assignment or shift within the Sheriff's Office for which the applicant is seeking appointment and to work weekends, nights, and holidays as may be required. Religious beliefs will be accommodated by the County in accordance with the law.

3.09 UNFORESEEN SITUATIONS

3.09.1 It is recognized that no Rule will address every possible hiring situation. Situations not covered by these Rules will be addressed on a case-by-case basis. In no event will any Rule be read to preclude hiring people when following the usual Rules, requirements, or time periods would create or extend a public emergency.

3.10 REQUEST TO FILL VACANT POSITIONS

3.10.1 The Sheriff must submit a request to the Director of Civil Service for a list of eligible applicants to fill all Classified Positions. Not later than one business day after receipt of a personnel request, if an Eligibility List for qualified applicants exists, the Director shall furnish a list of eligible applicants ranked in the order of their acceptance to the appointing authority for the appropriate Classified Position to be filled. Open Positions in the Classified Services will be appointed by the Sheriff only from an existing certificated Eligibility List maintained by the Director of Civil Service for each respective Position in the Sheriff's Office.

3.11 SELECTION PROCESS

3.11.1 The Sheriff or their designated representative will make selections for Classified Positions within the Sheriff's Office from the list of eligible applicants that are provided by the Civil Service

Director. Final selection for each Position will be made from this certified list of applicants in accordance with Chapter 5 Certification and Appointments. If the Sheriff does not select an applicant from the appropriate list furnished by the Director, written justification must be provided to the Civil Service Director. If there is more than one Position vacancy in the same Class for employment that is being recruited for, the Sheriff may select applicants from the same list until exhausted

CHAPTER 4 PROBATION

Hays County Sheriff's Civil Service Rules 10/24

4.01 PROBATIONARY PERIODS

4.01.1 It is the purpose of the Probationary Period to evaluate the capability and willingness to perform of the newly hired Employee or an Employee transferred to a different Position in the Classified Service and to provide a set period of time in which to train Probationary Employee in the skills and knowledge necessary to perform his assigned duties.

4.01.2 There will be no Probationary Period following:

1. Reduction in rank or return to former assignment following the unsuccessful completion of a Probationary Period.
2. Rehiring of Employees laid off due to shortage of Positions if the Employee had successfully completed probation prior to his being demoted due to a shortage of Positions, provided that the Employee has been laid off for a period of twenty-four (24) months or less.

4.02 LENGTH OF PROBATIONARY PERIOD

4.02.1 Newly hired licensed Employees and personnel hired to Corrections and Communications Positions will serve a Probationary Period of one year from the date of their hire. Newly hired unlicensed employees who will receive basic peace officer training will serve a Probationary Period of one year from the date of their commissioning by the Sheriff. Transfer employees entering into a licensed peace officer Position will serve a new Probationary Period of one hundred eighty (180) days from the date they are commissioned as a peace officer by the Sheriff.

4.02.2 A Probationary Employee that is reassigned in his duties by the Sheriff or supervisory personnel shall not have the Probationary Period interrupted.

4.03 EVALUATION OF PROBATIONARY PERIOD

The Probationary Employee shall be evaluated at least twice during the Probationary Period by his immediate supervisor. One evaluation will be conducted at an appropriate time as determined appropriate by the Chief Deputy with regards to the training process of the Probationary Employee and a second evaluation must be not less than ten (10) days prior to the end of the Probationary Period.

4.04 FAILURE TO COMPLETE PROBATION

4.04.1 Original Probation. The Sheriff or their designated representative, upon showing cause, has the authority to terminate the Probationary Employee's employment if on original probation. Cause shall be deemed sufficient if the failure to meet the standards of performance as set by the Sheriff's Office is documented showing of a lack of willingness to perform required duties, inability to perform required duties, a lack of dependability, or a combination of all. A member of the Sheriff's Office who was advanced

into a different Classified Position and who has not completed a satisfactory Probationary Period, will be transferred back to the classification from which they transferred.

4.04.2 Extension of Original Probation. If the Sheriff or their designated representative determines that the Probationary Employee may achieve satisfactory performance with some amount of additional training, the authority may extend, with the concurrence of the Probationary Employee, the Probationary Period for the Probationary Employee not to exceed an additional ninety (90) days in order to achieve a satisfactory level of performance and to meet the standards required to continue employment in the Sheriff's Office.

4.05 NOTICE AND APPEAL OF FAILURE TO COMPLETE PROBATION

4.05.1 An Employee on probation from within the Sheriff's Office who receives a notice of return, or if on original probation, a notice of termination, may appeal to the Chief Deputy within five (5) working days.

1. The Chief Deputy shall have ten (10) working days to review the appeal.
2. The decision of the Chief Deputy shall be final in cases of original and transfer probation.

CHAPTER 5 CERTIFICATION AND APPOINTMENT

Hays County Sheriff's Office Civil Service Rules 11/24

5.01 POWER TO APPOINT All original appointments and reinstatements to the Classified Service shall be made by the Sheriff; under and in conformity with the provisions of the Civil Service Rules.

5.02 CERTIFICATION STANDARDS

5.02.1 Original Appointment to Classified Service:

1. Candidates shall be ranked in accordance with the date of their approval for employment.
2. The Sheriff or their designated representative shall conduct pre-employment background investigations, as needed, and as required by law, to determine candidates' ability to meet and to adhere to the high standards of conduct of the Department.

5.02.2 Promotions Within the Classified Service The Sheriff shall promote Employees within the Classified Service on the basis of the ranking on the Eligibility List.

5.03 CERTIFICATION PROCEEDINGS

5.03.1 New Employees When a vacancy occurs in an entry level Classified Position of a deputy, corrections officer, or dispatcher in the Sheriff's Office, the Sheriff or their designated representative shall request in writing from the Civil Service Director the names of suitable persons from the Eligibility List. The Director shall certify to the Sheriff or their designated representative the names of the three persons having the highest ranking on the Eligibility List.

1. From the three names certified, the Sheriff or their designated representative shall appoint the person having the highest ranking unless there is a valid reason the person having the second or third highest ranking on the employment Eligibility List should be appointed.
2. If the Sheriff or their designated representative does not appoint the person having the highest ranking, the Sheriff or their designated representative shall clearly set forth in writing the good and sufficient reason the person having the highest ranking was not appointed.
3. The reason required by Subsection (1) shall be filed with the Commission and a copy provided to the person having the highest ranking. If the Sheriff or their designated representative appoints the person having the third highest ranking, a copy of the report shall also be furnished to the person having the second highest ranking.

If any candidate shall be passed over on three occasions, the Sheriff or their designated representative shall submit in writing to the Commission the justification for so doing and, if justified in the judgment of the Commission, the name shall be dropped from the list.

5.03.2 Promotions The Director of the Civil Service Commission shall assemble promotional candidates into a list, based on a composite of all required scores and past experience. In the event of a tie in the scores of two or more candidates, the candidate who was employed first shall be given priority.

5.04 REINSTATEMENT AFTER SEPARATION FROM CLASSIFIED SERVICE

5.04.1 Employees who were in good standing at time of resignation may seek reemployment with the Sheriff's Office. At the discretion of the Sheriff, they may be placed at the top of the Eligibility List for employment if such employee seeks reemployment within twenty-four (24) calendar months of resignation.

5.04.2 Employees separated from service due to shortage of Positions shall be placed on a reinstatement list as outlined in Chapter 12.

CHAPTER 6 COMPENSATION PLAN

Hays County Sheriff's Office Civil Service Rules 11/24

6.01

The Commissioners Court, the Sheriff, and the Civil Service Commission recognize that Chapter 174 of the Texas Local Government Code enables the County and the Association to enter into collective bargaining agreement(s). Where such a collective bargaining agreement "specifically provides" a compensation plan for members of the Classified Service, the agreement shall prevail. Additionally, any such applicable collective bargaining agreement is incorporated in these Rules for the purpose of a compensation plan and other forms of compensation if provided by any Agreement.

In the event the collective bargaining agreement is repealed, the Commissioners Court shall determine the compensation plan pursuant to then-current Hays County policies.

CHAPTER 7 DISCIPLINARY ACTIONS AND APPEAL

Hays County Sheriff's Office Civil Service Rules 11/24

7.01 DISCIPLINARY ACTION DEFINED. A disciplinary action is any action taken against a Sheriff's Employee by the Sheriff's Office due to improper conduct by the Employee that will result in termination, suspension without pay, suspension with pay, demotion or reduction in rank, or a refusal to rehire. A written reprimand is also a disciplinary action, but is not subject to appeal to the Commission. A disciplinary suspension without pay by the Sheriff may not exceed one hundred twenty (120) hours. However, the Commission may order a reinstatement of a terminated employee without back pay even if the result is that the employee will have been unpaid for over one hundred twenty (120) hours.

7.01.1 AGREED SUSPENSIONS. If offered by the Sheriff's Office, an Employee may agree in writing to voluntarily accept, with no right of appeal, a suspension without pay of not less than one hundred twenty-one (121) hours or more than two hundred forty (240) hours for sustained improper conduct. The Employee must accept the offer not later than the fifth (5th) business day after the offer is made.

7.01.2 PROGRESSIVE DISCIPLINE. The purpose of the County's progressive discipline system is to ensure that discipline is imposed consistently and equitably, with the intention of correcting deficient performance and securing compliance with the working Rules. Generally, prior to suspension, demotion, or termination, the department authority (depending on the severity of the employee's actions) may use lesser forms of disciplinary action. However, nothing in this paragraph shall prohibit the department authority from proceeding to a level of discipline that includes suspension, termination, or demotion, if the Employee commits a major offense that warrants such discipline.

A verbal reprimand, a letter of understanding documenting corrective/development measures, and a development action plan documenting corrective/development measures are not considered as disciplinary action but are part of a comprehensive progressive disciplinary process. A written reprimand will be placed in the Employee's file maintained in accordance with these Rules for a period of one year after which the written reprimand shall be removed from the Civil Service personnel file and placed into the Sheriff's Office internal personnel file. Notwithstanding, the Sheriff or other department authority may consider all written reprimands issued to an employee, no matter the date upon which each was issued, when determining the appropriate level of discipline for a sustained violation of a policy then at issue.

7.02 IMPROPER CONDUCT DEFINED. No Employee shall engage in, or be involved in, any of the following acts or conduct, and the same shall constitute just cause for disciplinary action:

- (a) Absence without approval;
- (b) Incompetency or inefficiency;
- (c) Insubordination;
- (d) Drinking alcoholic beverages while on duty outside of the permissible parameters listed in the General Orders; or intoxication while on duty, or while on call;
- (e) Neglect of duty;

- (f) Negligence or willful damage to, or misuse of, public property or waste of supplies or equipment;
- (g) Violation of, or willful disregard of, any lawful regulation or order made and given by a Department supervisor;
- (h) Fraud in securing appointment of self or others;
- (i) Dishonesty;
- (j) Cowardice;
- (k) Use of illegal drugs or use of controlled substances exceeding therapeutic levels as prescribed by a physician licensed in the State of Texas;
- (l) Conviction of a misdemeanor or a felony except for a class "C" misdemeanor, [for the purposes of this provision, conviction includes being placed on probation or deferred adjudication or any other finding other than acquittal or unconditional dismissal of the charge];
- (m) Physical or verbal abuse of a person in custody of the Department;
- (n) Failure to meet requirements for licensure by the Texas Commission on Law Enforcement Officer Standards and Education;
- (o) Failure to achieve and maintain weapons proficiency as required by State Law and Departmental Policy;
- (p) Violation of any law, Civil Service Rule, any Special or General Order, or Policy; Rule
- (q) Violation of laws or Rules relating to abuse of workers compensation leave or benefits;
- (r) Employees are required to maintain control of their actions and never abuse inmates, prisoners, citizens, or fellow employees;
- (s) Employees shall not fraternize with inmates or Labor Detail participants and their families, including but not limited to:
 - 1. Communicating with inmate's or participant's family;
 - 2. Providing use of cellular phone to inmate's or participant's family;

Just cause shall be determined to be satisfied when one or more of the above-listed acts or conduct have been adequately documented by incident or evaluation reports or other supporting data.

7.03 EMPLOYEE RIGHT OF JUST CAUSE AND NOTICE. No employee shall be subject to any disciplinary action except when there is just cause, based on a preponderance of the evidence, to believe that improper conduct has occurred.

7.03.1 The Employee will be provided with at least fourteen (14) business days' notice of a scheduled Loudermill meeting, during which the Employee may respond to the proposed action prior to its imposition. The Employee will receive a notice of the meeting and the suggested action to be imposed. The Employee may waive the Employee's right to a Loudermill meeting in writing, after which the Sheriff or the Sheriff's designated representative may impose the final decision of discipline.

7.03.2 The Sheriff's Office shall provide the Employee or the Employee's representative with a copy of the Professional Responsibility Investigation Case Summary or Management Investigation Case Summary, as applicable, at least ten (10) business days prior to the Loudermill meeting. The Employee or Employee's representative may request any contents of the OPR Investigative File or Management Investigation File, as applicable, from the Sheriff's Office. For meetings involving peace officers, only a peace officer employed by the Sheriff's Office may serve as the Sheriff's designee. The Inspector over the Office of Professional Responsibility ("OPR") or the Deputy Inspector of OPR shall not serve as the Sheriff's designee for Loudermill meetings.

7.03.3 The Employee must appear personally unless waived by the Sheriff or the Sheriff's designated representative, and the Employee may have counsel/union representation during the Loudermill meeting. The time limit for a meeting shall be 30 minutes for a non-termination or non-reduction in rank and 45 minutes for a reduction in rank or a termination. Time may be extended upon agreement. The meeting shall be recorded. The Sheriff or the Sheriff's designated representative may ask questions of the Employee and of any witnesses. The Sheriff or the Sheriff's designated representative may be advised by appropriate counsel, however, that counsel may not ask questions directly to the employee. All parties may agree to a fifteen (15) minute meeting during their designated time that is not recorded where the Employee may meet privately with the Sheriff or the Sheriff's designated representative, without counsel present. All parties may also agree to a fifteen (15) minute meeting during their designated time that is not recorded where the Sheriff or the Sheriff's designated representative may meet privately with the Employee's counsel.

7.03.4 Within ten (10) business days after the Loudermill meeting, the Sheriff or the Sheriff's designated representative shall make the final decision on discipline pursuant to just cause standards and notify the Employee in writing.

7.04 EMPLOYEE RIGHT OF APPEAL OF DISCIPLINARY ACTION

7.04.1 The cause for disciplinary action shall be in writing and shall particularly state the reason or reasons for which the Sheriff or his designee determined that disciplinary action is necessary.

1. The Sheriff or designated representative shall deliver in person a copy of the statement of just cause for the suspension, demotion, or termination to an employee receiving disciplinary action. The copy of the written statement must inform the disciplined employee that if the person wants to appeal to the Commission, the person must file a written appeal with the Commission within ten (10) business days after the date the person receives the copy of the statement.

2. The Sheriff or designated representative shall, within five (5) business days after the suspension, demotion, or termination is served on the employee, file a written statement with the Commission giving the reasons for the disciplinary action. The written statement filed with the Commission by the Sheriff or their designated representative must identify each civil service Rule that was violated by the disciplined employee and must describe the acts of the Employee that the Sheriff determines were a violation of the civil service Rules. However, the Sheriff's description of the acts by the Employee shall not violate the privacy rights of other parties and shall otherwise comply with all other confidentiality laws. It is not sufficient for the Sheriff to merely refer to the provisions of the Rules alleged to have been violated. If the Sheriff does not specifically point out in the written statement the act or acts of the employee that allegedly violated the civil service Rules, the commission shall promptly reinstate the person.
3. At the completion of the disciplinary action process, and regardless of outcome, a copy of all reports and investigations shall become a part of the Employee's internal Sheriff's Office personnel file maintained by the Director of Human Resources in the Sheriff's Office.
4. A copy of the full investigation resulting in disciplinary action shall be placed in the Employee's Civil Service personnel file maintained in the Civil Service Commission. That file shall be open to inspection upon a written request from the employee who is the subject of the file.

7.04.6 Upon written notice of an appeal, the Civil Service Commission shall, within fifteen (15) business days, set a hearing of the appeal at the earliest available date, except that continuances may be granted for good cause shown.

7.04.7 In each hearing, appeal, or review of any kind in which the Commission performs an adjudicatory function, the affected Employee is entitled to be represented by counsel or a person the Employee chooses. Each Commission proceeding shall be held in public.

7.04.8 The Sheriff, his designee, or the Sheriff's legal counsel and the Employee or the Employee's legal counsel or representative may file a request to the Chairman of the Commission to issue subpoenas and subpoenas duces tecum for the attendance of witnesses and for the production of documentary material that the requestor considers relevant to the case. The request must be made before the fifteenth (15th) day before the date the Commission hearing will be held. for a The request(s) shall contain the name(s) of the witness(es) with their address(es) and shall certify that the requestor has reason to believe that such witness(es) knows facts pertinent to the case. Subpoena Requests received after that time shall not be considered timely and shall be rejected.

7.04.9 In a proceeding before the Commission, the Chairman of the Commission shall, on request of the Sheriff, his designee, or the Sheriff's legal counsel and the Employee or the Employee's legal counsel or representative, administer oaths and issue such subpoenas and subpoenas duces tecum as mentioned above, so long as such subpoena requests are received pursuant to 7.04.8 above. An oath administered under this Section has the same force and effect as an oath administered by a magistrate in the magistrate's

judicial capacity. A response to a subpoena duces tecum under this Section is deemed to have been made under oath.

7.04.10 A person who is subpoenaed commits an offense if the person fails to appear as required by the subpoena. An offense under this Section is a misdemeanor punishable by a fine of up to \$1,000.

7.04.9 The Civil Service Commission shall render a final decision in writing to the Employee and the Sheriff within seven (7) business days after the end of the hearing. In rendering a final decision, the Civil Service Commission may:

1. sustain, overturn, or reduce the disciplinary action. The Commission may not enhance a disciplinary action by the Sheriff; or
2. grant the relief requested by the appeal and reinstate the employee. Reinstatement may include but not be limited to placement in the job assignment held by the employee at the time of the disciplinary action, no loss of benefits or with payment of all back wages and salary.

7.05 APPEALS OF COMMISSION DECISION

7.05.1 A County employee who, on a final decision of the Commission, is demoted, suspended, or removed from the employee's position may appeal the decision by filing a petition in a District Court in Hays County within thirty (30) days after the date of the decision.

7.05.2 The County who, on a final decision of the Commission, is receives an unfavorable decision may appeal the decision by filing a petition in a District Court in Hays County within thirty (30) days after the date of the decision.

7.06 EXCEPTIONS TO THIS RULE

7.06.1 Actions that do not result in loss of monetary benefits or direct compensation shall not be subject to this procedure.

7.06.2 Employees may not use this Rule to appeal notice of failure to complete probation.

7.06.3 Employees may not use this Rule to appeal administrative dismissals pertaining to FMLA and leave of absence policies that are in compliance with the Hays County Personnel Policy.

CHAPTER 8 PROMOTIONS AND ELIGIBILITY LISTS

Hays County Sheriff's Office Civil Service Rules 11/24

8.01 ELIGIBILITY FOR PROMOTIONS IN THE SHERIFF'S OFFICE:

To be eligible for promotion, an emergency communications officer, corrections officer, or deputy must meet the following prerequisites:

(a) Lead Communications Officer (Supervisor) (Non-Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Telecommunicator.
2. Must hold a Basic Telecommunicator Proficiency Certification, or higher certification.
3. Must have a minimum of twenty-four (24) months continuous, full-time employment with the Hays County Sheriff's Office as an Emergency Communications Officer prior to the promotional test date.
4. Must be presently serving in the rank of Emergency Communications Officer.

* In the event that a sufficient number of employees do not meet the eligibility requirements for this Position, this Position may be opened to all emergency communications officers of any tenure with the Hays County Sheriff's Office. If there still remains an insufficient number of employees to fill the Position, the Sheriff may petition, from the Commission, a waiver of this requirement and hire qualified persons from outside the Sheriff's Office if the waiver is obtained from the Commission.

(b) Communications Manager (Non-Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Telecommunicator.
2. Must hold a Basic Telecommunicator Proficiency Certification, or higher certification.
3. Must have a minimum of twenty-four (24) months continuous, full-time employment with the Hays County Sheriff's Office as a Lead Communications Officer (Supervisor) prior to the promotional test date.
4. Must be presently serving in the rank of Lead Communications Officer.

(c) Corrections Corporal (Non-Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Jailer.
2. Must hold a Basic Jailer Proficiency Certification, or higher certification.

3. Must have a minimum of twenty-four (24) months continuous, full-time employment with the Hays County Sheriff's Office as a Corrections Officer prior to the promotional test date.
4. Must be presently serving in the rank of Corrections Officer.

(d) Corrections Sergeant (Non-Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Jailer.
2. Must hold a Basic Jailer Proficiency Certification, or higher certification.
3. Must have a minimum of twenty-four (24) months continuous, full-time employment with the Hays County Sheriff's Office as a Corrections Corporal prior to the promotional test date.
4. Must be presently serving in the rank of Corrections Corporal.

(e) Corrections Lieutenant (Non-Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Jailer.
2. Must hold an Intermediate Jailer Proficiency Certification, or higher certification.
3. Must have a minimum of twenty-four (24) months of continuous, full-time employment with the Hays County Sheriff's Office as a Corrections Sergeant prior to the promotional test date.
4. Must currently be serving in the rank of Corrections Sergeant.

(f) Corrections Captain (Non-Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Jailer.
2. Must hold an Advanced Jailer Proficiency Certification, or higher certification.
3. Must have a minimum of one hundred and eight (108) months of continuous, full-time employment with the Hays County Sheriff's Office as a Jailer.
4. Must currently be serving in the rank of Lieutenant for a period of not less than thirty-six (36) months prior to appointment.

(g) Corporal/Detective (Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Peace Officer.
2. Must hold a Basic Peace Officer Proficiency Certification, or higher certification.
3. Must have a minimum of thirty-six (36) months continuous, full-time employment with the Hays County Sheriff's Office as a Peace Officer prior to the promotional test date and be patrol certified per the Hays County Sheriff's Office.
4. Must be presently serving in the rank of Deputy and have completed all 4 phases of FTO Training.

(h) Sergeant (Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Peace Officer.
2. Must hold a Basic Peace Officer Proficiency Certification, or higher certification.
3. Must have a minimum of twenty-four (24) months continuous, full-time employment with the Hays County Sheriff's Office as a Corporal/Detective Peace Officer prior to the promotional test date.
4. Must be presently serving in the rank of Corporal/Detective and must satisfy the prerequisite of having actually worked in the Sheriff's Office Criminal Investigations Division as a Detective not less than 2064 actual hours during their service with the Sheriff's Office. To be an eligible applicant for the Position of Sergeant (Certified Peace Officer) and to sit for the promotional examination, in addition to the requirements of subsection 8.02.4, a verification statement signed by the Sheriff's Office CID Lieutenant certifying that the applicant has satisfied the above stated prerequisite must accompany the Letter of Intent to the Civil Service Director outlined in subsection 8.02.4.

(i) Lieutenant (Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Peace Officer.
2. Must hold an Intermediate Peace Officer Proficiency Certification, or higher certification.
3. Must have a minimum of twenty-four (24) months continuous, full-time employment with the Hays County Sheriff's Office as a Sergeant Peace Officer prior to the promotional test date.

Must currently be serving in the rank of Sergeant (Certified Peace Officer).

(j) Captain (Certified Peace Officer):

1. Must be actively licensed by the Texas Commission on Law Enforcement (TCOLE) as a Peace Officer.
2. Must hold an Advanced Peace Officer Proficiency Certification, or higher certification.
3. Must have a minimum of one hundred and eight (108) months of continuous, full-time employment with the Hays County Sheriff's Office as a Peace Officer.
4. Must currently be serving in the rank of Lieutenant for a period of not less than thirty-six (36) months prior to appointment.

8.02 PROCEDURES FOR EXAMINATIONS:

8.02.1 The Civil Service Commission shall publish a list of promotional study material no less than ninety (90) days before the date a promotional examination is held, and the Commission shall post a notice that lists the sources from which the examination questions will be taken.

8.02.2 Before the 30th day before the date a promotional examination is held, the Commission shall post a notice of the examination in plain view on a bulletin board located in the main office building of the Sheriff's Office and in the Commission's office. The notice must show the Position to be filled or for which the examination is to be held, and the date, time, and place of the examination. The notice may also include the name of each source used for the examination, the number of questions taken from each source, and the chapter used in each source. The Commission shall also furnish sufficient copies of the notice for posting in the stations or subdepartments of the Sheriff's Office.

8.02.3 The Civil Service Commission will maintain all promotional materials and access will be limited to the Director or his/her designee.

8.02.4 All eligible personnel desiring to take the promotional test shall submit a Letter of Intent to the Civil Service Director on or before the 10th day before the date the examination is to be held. The Letter of Intent (LOI) must accompany all supporting documentation fulfilling requirements such as copies of TCOLE certification, college transcripts, degree diploma, Department of Defense form 214 (DD-214), etc., that are not on file. It is the responsibility of the applicant to confirm all supporting documents are accessible within his/her file or are attached to the LOI by the deadline for the LOI.

8.02.5 The Civil Service Commission may conduct a supplemental promotional selection process at any other time the Commission may be deemed necessary for the purpose of maintaining an eligibility list of candidates qualified for promotion.

8.02.6 All notifications, including as to the location, date and time and study materials for the promotional selection process will be posted in accordance with Rule 1.12.1 of these Rules.

8.03 PROMOTIONAL SELECTION PROCESS:

Selections for the Classified Positions of Captain and Inspector over the Office of Professional Responsibility, who serve within the Hays County Sheriff's Office, will be made by the Sheriff based on the eligibility requirements set forth in Section 8.01 of these Rules. The Sheriff's appointments to the rank of Captain will be from within current Classified Employees of the Sheriff's Office and personnel in the rank of Captain shall serve at the discretion of the Sheriff. None of the provisions related to examination, scoring, and placement on an eligibility list as outlined in Subsections 8.03.1 through 8.06.04 of these Rules apply to the appointment to the rank of Captain, and the Sheriff may waive the requirement contained in Section 8.01(i)4 of the minimum requirements at the Sheriff's discretion.

The Sheriff's selection and appointment of a Chief Deputy may be from within current Classified Employees of the Sheriff's Office, or the Sheriff may appoint from outside the department.. None of the provisions related to examination, scoring, and placement on an eligibility list as outlined in Subsections

8.03.1 through 8.06.04 of these Rules apply to the appointment to the rank of Chief Deputy Rule. The person who serves as Chief Deputy serves at the discretion of the Sheriff.

The Sheriff's selection and appointment of the Inspector over the Office of Professional Responsibility for the Sheriff's Office may be from within current Classified Employees of the Sheriff's Office who meet the minimum eligibility requirements for the Position of Lieutenant (Certified Peace Officer), or the Sheriff may appoint from outside the department, provided the appointee Certified Peace Officer in good standing with TCOLE. None of the provisions related to examination, scoring, and placement on an eligibility list as outlined in Subsections 8.03.1 through 8.06.04 of these Rules apply to the appointment to the rank of Inspector. The person who serves as Inspector over the Office of Professional Responsibility serves at the discretion of the Sheriff.

Advancement for the purpose of promotion for all other classifications are subject to the promotional selection process in accordance with these Rules.

8.03.1 Written Examination:

1. The written examination shall include questions pertaining to law enforcement practices and procedures, criminal and applicable civil law, leadership principles and departmental policies and procedures as provided in the study materials published by the Commission for the current testing year.
2. The written examination shall be administered by the Civil Service Commission at the location, date and time designated in the published Civil Service announcement.
3. The written examination requires a minimum score of seventy (70) based upon a total score of one hundred (100) points in order for the candidate to be eligible to proceed to the oral interview or assessment phase of the promotional selection process.
4. The grading of each promotional examination shall begin when one eligible promotional candidate completes the examination. As the eligible promotional candidates finish the examination, the examinations shall be graded at the examination location and in the presence of any candidate who wants to remain during the grading.
5. Within 24 hours after a promotional examination is held, the Commission shall post the individual raw test scores on a bulletin board located in the main lobby of the Hays County Public Safety Building.

8.03.2 Review and Appeal of Promotional Examination:

1. On request, each eligible promotional candidate from each individual promotional examination is entitled to examine the person's promotional examination and answers, the examination grading, and the source material for the examination. If dissatisfied, the candidate may appeal, within five business days, to the Commission for review in accordance with this chapter. In

computing this period, a Saturday, Sunday, or County-recognized holiday is not considered a business day.

2. The Civil Service Director will facilitate the review process in the Civil Service Office upon request or may pre-post a scheduled date and time for all individual promotional candidates to review their promotional examination, answers, and source materials in a combined meeting for that purpose. The eligible promotional candidate may not remove the examination or copy a question used in the examination from the Civil Service Office or meeting venue established by the Civil Service Director.

8.03.2 Oral Interview and Assessment Center:

1. To determine eligibility for the candidate to proceed to the oral interview / assessment phase a score of seventy (70) or above must be attained on the written examination. All testing candidates who score a seventy (70) or above on the written examination will proceed to the oral interview or assessment phase. This applies to all ranks.
2. The oral interview / assessment will commence at the location, date, and time designated in the published Civil Service announcement to all candidates who have successfully passed the written examination.
3. Each year the Civil Service Commission shall convene a Board of Examiners, whose job will be to determine the current testing year's study material and to work with the third party exam writer(s) and assessors. The Board of Examiners shall consist of the following persons: two (2) representatives appointed by the Hays County Law Enforcement Association; two (2) representatives appointed by the Sheriff; and one (1) representative from the Civil Service Commission to deal with the materials related to Sheriff's Office Promotional issues. When the materials deal with Classified Positions within the Emergency Communication career track, alternate representatives will be appointed by the HCLEA from the Communications career field and when the materials deal with the Corrections career track, HCLEA will appoint alternate representatives from the Corrections career field. It is intended that Board of Examiners consist of only five (5) voting members in a given consideration for subject matter with alternate membership for career track considerations.
4. The Civil Service Commission shall oversee the selection and hiring of the third party independent exam writer(s) and assessors for all ranks and in the promotional process. The Commission shall seek the cooperation of local law enforcement agencies to serve as a panel of assessors for each promotional rank. Each panel of assessors shall consist of law enforcement personnel who are the same or higher rank as the Position being applied for promotion.
5. Each panel of assessors shall assess and assign each candidate appearing before them a numerical rating based upon his/her leadership skills, problem solving ability, communication skills, and presentation.

6. The Civil Service Commission shall monitor and electronically record each individual assessment. Oral Interview and Assessment Center scoring is not appealable by individual candidates to the Commission.
7. Upon completion of each assessment the Civil Service Commission will add the weight value of the written examination to the weight value of the assessment score. This total test score will then be added to time in service or time in rank depending on the rank of the exam taken, TCOLE proficiency certification, education, and/or military service. The total cumulative score will be used for the final ranking of the respective promotion candidate. Please see examples provided under 8.04 – Computation of Promotional Selection Scoring.

8.03.3 Calculation of Service and Educational Points

1. Time In Service Computation (only applicable on examination to become Lead Communicator Supervisor, Corrections Corporal, Sergeant, and Peace Officer Corporal/Detective, and Sergeant):
 - a. The Sheriff or his/her staff will make available to the Director of the Civil Service Commission each candidate's date of hire.
 - b. Candidates will receive one (1) point per year (calculated by anniversary date of hire) of creditable service not to exceed seven (7) years for Communications Officer testing to be Lead Communication Officer, Corrections Officer testing to be Corporal, Corrections Corporal tested to be Corrections Sergeant, Peace Officer Deputy testing to be Corporal/Detective, Peace Officer Corporal/Detective testing to be Peace Officer Sergeant.
2. Time In Rank Computation (only applicable on examination to become Communications Manager, Corrections Sergeant, Sheriff's Office Sergeant Peace Officer, Corrections Lieutenant, Sheriff's Office Peace Officer Lieutenant, Captain, and Corrections Captain):
 - a. The Sheriff or his/her staff will make available to the Director of the Civil Service Commission each candidate's date promoted to current rank.
 - b. Candidates will receive one (1) point per year (calculated by anniversary date of promotion) of time in current rank not to exceed five (5) years.
3. TCOLE Proficiency Certification Credit:
 - a. The Civil Service Director will verify with TCOLE the current license status of each candidate.
 - b. Proficiency certification must be met by the date that a candidate's Letter of Intent (LOI) is filed for the test that will be administered. Candidates shall provide the Director of Civil Service proof of required proficiency certification along with the Letter of Intent.
4. Education Credit:

- a. The Civil Service Director will verify that the college/university is an accredited institution, and the degree(s) has been attained. For example, having sixty college credit hours without actually receiving an associate degree from an accredited higher institution does not count as having an associate degree.
- b. Candidates will receive one (1) point for an associate degree, two (2) points for a bachelor's degree, three (3) points for a master's degree, and four (4) points for a doctorate degree (PhD) or Doctor of Jurisprudence degree (JD). It should be noted that candidates can only receive education credit for one degree and points added are not cumulative for each degree held.
- c. All degree programs must be completed by the date that a candidate's Letter of Intent (LOI) is filed for which the test will be administered. Candidates shall provide the Director of Civil Service an official transcript along with the Letter of Intent.

8.04 COMPUTATION OF PROMOTIONAL SELECTION SCORING:

The Director of the Civil Service Commission will determine the eligibility score for promotion for the ranks of Lead Communications Supervisor, Communications Manager, Corrections Corporal, Corrections Sergeant, Corrections Lieutenant, Corrections Captain, LE Corporal/Detective, LE Sergeant, LE Lieutenant, and LE Captain using the all criteria listed below

	Corporal/ Detective	Sergeant/ ERC Lead Comm	Lieutenant ERC Manager
(a) Written examination score: 70-100 points	70%	60%	50%
(b) Oral Interview/Assessment:	30%	40%	50%
(c) Time in service: 1 point per year of service up to a maximum of 7 years	7	7	N/A
(d) Time in rank: 1 point per year within current rank up to a maximum of 5 years	N/A	5	5
(e) TCOLE proficiency certification points: Intermediate – 1 point, Advanced – 2 points, Master – 3 points	3	3	3
(f) Education points per level of higher education degree: Associate – 1 point, Bachelor's – 2 points, Master's – 3 points, PhD, or JD – 4 points	4	4	4

Example 1 – Candidate Jones is testing for the Corrections Sergeant rank, and he scores an 85 on the written examination and a 95 on the assessment. Candidate Jones has been with the department for 8 years, has been a Corrections Corporal for 3 years, has an Advanced Jailer Proficiency Certification, and a Bachelor's Degree.

85 X 70% = 59.5 written examination points

95 X 30% = 28.5 assessment points

59.5 written examination points + 28.5 assessment points = 88 total points

88 total points + 7 points for time in service (maximum of 7 points) + 3 points for time in rank + 2 points for Advanced Jailer Proficiency Certification + 2 points for Bachelor's Degree = 102 total cumulative score

Example 2 – Candidate Smith is tested for the Lieutenant rank (certified peace officer), and she scores a 96 on the written examination and a 90 on the assessment. Candidate Smith has been a Sergeant for 6 years, has a Master Peace Officer Proficiency Certification, and a Master's Degree.

96 X 50% = 48 written examination points

90 X 50% = 45 assessment points

48 written examination points + 45 assessment points = 93 total points

93 total points + 5 points for time in rank (maximum of 5 points) + 3 points for Master Peace Officer Proficiency Certification + 3 points for Master's Degree = 104 total cumulative score

8.05 ELIGIBILITY LIST:

8.5.1 Sheriff's Office Candidates for the ranks of Lead Communications Supervisor, Communications Manager, Corrections Corporal, Corrections Sergeant, Corrections Lieutenant, Peace Officer Corporal/Detective, Peace Officer Sergeant, and Peace Officer Lieutenant will be ranked on the eligibility lists in descending order based upon the total cumulative score.

Ties on the list for candidates of all ranks will be decided by the candidate's date of hire with the Hays County Sheriff's Office. Further ties will be decided by the Employee Identification Number (EIN) with the lower number holding higher seniority.

8.5.2 Eligibility lists shall be posted as soon as they are finalized following the promotional process or on such date the supplemental eligibility lists are prepared. All such eligibility lists shall specify the date upon which the lists go into effect and the expiration date. The expiration date shall be one year from the date in which the list goes into effect.

8.5.3 Reasons for removal from the Eligibility List shall be:

1. Promotion
2. Declining promotion
3. Resignation or termination from the Sheriff's Office
4. Voluntary request of employee
5. Expiration of the eligibility list

8.5.4 Any employee on Leave of Absence will maintain his/her Position on the eligibility list but will not be eligible for promotion until he/she returns to full duty.

8.06 PROMOTION:

8.6.1 The Sheriff or the Sheriff's designated representative shall select from the appropriate promotional list a candidate from the top three ranked employees on the list.

8.6.2 Any candidate passed over on the current eligibility list shall have the following rights available:

1. The right to make a written request to the Sheriff for a written explanation of why the candidate was passed over. The Sheriff or the Sheriff's designated representative shall have ten (10) days to respond to the candidate's request; and

2. The right to appeal to the Civil Service Commission within thirty (30) days of notice by the Sheriff that another employee was being promoted, who was not next in line.

8.6.3 If the passed-over candidate is successful in the appeal process, the candidate shall automatically receive the next promotion when a vacancy to that rank occurs.

8.6.4 If the passed-over candidate is unsuccessful in the appeal process, the candidate shall remain in his/her current Position on the eligibility list.

CHAPTER 9 HOURS IN THE WEEK, OVERTIME, LEGAL HOLIDAYS, AND LEAVES OF ABSENCES

Hays County Sheriff's Office Civil Service Rules 11/24

9.01 HOURS IN WORK WEEK

An employee workweek is a fixed and regularly recurring period of 168 hours – seven consecutive 24 hour-hour periods. The number of hours constituting the workweek for any member of the Classified Service employed within the County Sheriff's Office will be set at 42 hours per week for licensed personnel assigned to law enforcement duties and correctional duties, and 40 hours per week for Classified Employees assigned duties as emergency communications officers, communications supervisors, communications managers. Sheriff's Deputies working patrol duties normally work a two-week work cycle consisting of 84 hours worked over a 14-day cycle.

9.02 EMPLOYMENT OUTSIDE OF THE DEPARTMENT

9.02.1 The Civil Service Commission will not permit any member of the Hays County Sheriff's Office to contract for, or be engaged in, any work of any kind outside regular working hours for compensation, unless specifically authorized to do so by the Sheriff or their designated representative. The Sheriff or their designee will be required to maintain in his office a permanent record of all outside employment which has been authorized and will be available to the Civil Service Commission upon request.

9.02.2 The Sheriff or their designated representative will maintain a current record of such approvals and will make available a report on same to the Civil Service Commission upon request.

9.03 OVERTIME Any employee filling a Classified Position allocated to any class for which a salary schedule is established may be required to work in excess of the number of hours prescribed for full-time employment by order of the Sheriff or an officer in their supervisory chain of command.

9.03.1 The method of compensation for overtime will be in accordance with the prevailing policy established by the Commissioners Court or as may be established in accordance with the Collective Bargaining Agreement between the County and the Hays County Law Enforcement Association.

9.03.2 In order to meet emergency situations, a Classified Employee's supervisor may temporarily adjust the hours of any individual employee or group of employees to provide for different schedules of hours or for overtime services outside of regular work hours, provided that such adjustments do not result in the requiring of less than the hours per week prescribed for full-time employment and provided further that employment in excess of the hours prescribed for full-time employment be predicated entirely on the operating need of the department.

9.03.3 In case of the death of an employee who, at the time of his death, has authorized overtime compensation due him under the existing policies of the County, payment for such overtime shall be made in accordance with state law.

9.04 LEGAL HOLIDAYS Holidays for all Classified Employees of the Hays County Sheriff's Office will be as set forth in the Hays County Personnel Regulations or as may be designated by Commissioners Court,

or as may be agreed to in a Collective Bargaining Agreement between the County and the Hays County Law Enforcement Association.

9.04.1 The Sheriff may request some or all Classified Employees under their supervision to report for work on any of the legal holidays. In all such cases, the Sheriff will arrange that the employees who work on such holidays receive compensation as described in the County's Personnel Policy or in accordance with the prevailing Collective Bargaining Agreement.

9.05 LEAVE OF ABSENCE Leaves of absence fall into the categories as set forth in the Hays County Personnel Policy that also set forth the maximum leave periods.

9.05.1 Leaves of absence may be granted by the Sheriff on application of the employee concerned and in compliance Hays County Personnel Policy. Leaves of absence will be subject to the needs of the Sheriff's Office. Any leave granted may be canceled before its expiration date, in which event proper effort will be made to notify the employee promptly of such cancellation.

9.05.2 The request for leave of absence, together with the reasons for the request, the period of leave desired, and a full statement as to the desire or intention of the employee to return to duty with the Hays County Sheriff's Office will be made in writing on the forms prescribed.

9.05.3 Leave of absence from duty will in no case be granted to an employee who has been employed in Hays County for less than one (1) year immediately preceding the date of leave, except in the case of sickness, disability, or urgent necessity, in which case the application for leave will be accompanied by such proof as the Sheriff may require.

CHAPTER 10 RECORDS AND REPORTS

Hays County Sheriff's Office Civil Service Rules 11/24

10.01 OFFICIAL ROSTER The Sheriff's Office Human Resources Director shall maintain a complete official roster of employees, showing for each employee his name, address, telephone number and Bureau assignment. The Official Roster will be furnished to the Civil Service Director upon request.

10.02 DESTRUCTION OF RECORDS

Records pertaining to a complaint and the investigation of such shall be kept permanently. Records pertaining to any examination, eligibility list or lists and general miscellaneous correspondence may be destroyed in compliance with the Texas State Library and Archives Commission records retention schedules.

CHAPTER 11 PERFORMANCE EVALUATIONS

Hays County Sheriff's Office Civil Service Rules 11/24

11.01 PURPOSE

1. The performance evaluation plan shall consist of objective service rating standards and reports that shall serve as a means whereby supervisory personnel and individual employees may review the actual performance of all personnel in relation to their duty assignments.
2. The performance evaluation shall further be a means of ascertaining and encouraging the improvement in performance by individual personnel and as a means for securing effective supervision of all personnel.

11.02 FREQUENCY

1. Performance evaluation reports shall be prepared on an annual basis for all permanent employees not on probation.
2. Performance evaluation reports shall also be prepared during probationary periods in accordance with Chapter 4, Probation.
3. Unscheduled performance ratings may be completed at any time as deemed necessary for either probationary or permanent employees.

11.03 RATING STANDARDS

These specific rating standards shall be applied uniformly in rating the efficiency and performance of each employee in accordance with the procedure adopted by the Civil Service Commission.

11.04 FACTORS RATED

The specific factors rated shall be applied uniformly in rating the efficiency and performance of each employee. The factors rated shall be recommended by the Sheriff and their staff and approved by the Civil Service Commission.

11.05 REVIEW

1. Upon completion of the performance evaluation, the rater shall conduct a review of said performance evaluation with the subject employee in complete privacy. During this interview, any progress, goals, suggestions for improvement, and deficiencies shall be covered.
2. Any changes in performance ratings must be signed by the employee and the rater.

11.06 SIGNATURES

Upon completion of the review of the performance evaluation report, the subject employee shall be afforded an opportunity to enter any comments in the appropriate space. The employee shall also indicate whether he

does or does not wish to discuss the performance evaluation report with the reviewer. The rater and subject employee shall sign and date all copies of the report. The employee's signature indicates that the conference has been held and an opportunity afforded to read the report. If the employee refuses to sign for any reason, the refusal shall be recorded in the report, after which it shall be forwarded for inclusion into the departments records and to the Civil Service Director for inclusion into the employee's personnel file.

11.07 RECONSIDERATION OF RATINGS

1. Should the employee request a review of said performance evaluation report with the reviewer, his request shall be granted within five (5) working days.
2. Any changes or modifications of ratings at this level must be signed by the reviewer and employee.
3. If the employee, after discussing the performance evaluation report with the reviewer, feels the need for further review, the employee may appeal immediately in writing to his Bureau Captain. The Sheriff's Bureau Captain's decision shall be final.

11.08 COMMISSION MAY REQUEST COPY

A copy of all performance evaluations shall be forwarded to the S.O. Human Resources Section and shall be available to the Civil Service Commission upon request.

CHAPTER 12 TENURE, LAYOFFS, AND REDUCTIONS IN RANK, RESIGNATIONS, RETIREMENTS, DEMOTIONS, SENIORITY

Hays County Sheriff's Office Civil Service Rules 11/24

12.01 TENURE OF CLASSIFIED EMPLOYEES

1. Every employee who is legally employed in accordance with the provisions of the Civil Service Rules and who successfully completes his working probationary period shall have indefinite tenure of employment in the Classified Service during meritorious service, except as provided in these Rules.
2. The Sheriff or the Sheriff's staff shall report to the Commission on each appointment in the Classified Service and on each promotion, reduction, suspension, transfer, separation, reinstatement, or other change in employment on such forms as prescribed by the Hays County departments responsible for payroll and/or employee benefits.

12.02 REMOVAL OF APPOINTED PERSONNEL WHO SERVE AT THE DISCRETION OF THE SHERIFF

1. The Classified Positions of Chief Deputy and Inspector over the Office of Professional Responsibility are appointed by the Sheriff and serve at the Sheriff's discretion. Rule
2. Personnel who serve as appointees by the Sheriff, if removed by the Sheriff at his or her discretion, shall be returned to the individual's former classification and rank in the Sheriff's Office held immediately prior to that individual's appointment by the Sheriff. All the time served in an appointed Position will be added to the seniority time and time in grade to the prior Position held in the classification plan prior to the appointment.
3. If the appointee was appointed in accordance with the Rule that authorizes the Sheriff to appoint from outside the Classified Service of the Sheriff's Office, the unappointed individual will be reduced in rank to the classification and grade of a Deputy Sheriff (Certified Peace Officer) with continued employment within the Sheriff's Office at the highest pay step of the Deputy Sheriff's pay scale. For seniority purposes, the unappointed individual's date of seniority will be his or her original date of commissioning as a peace officer by the Sheriff who appointed the individual to his or her appointed Position. Additionally, if that appointed individual has any former employment with the County, that time will be added to the individual's service time and seniority for all purposes.
4. Nothing within subsection 14.02 shall prevent the Sheriff from conducting disciplinary action in accordance with Section 7 and for just cause, against an individual appointed by the Sheriff.
5. If an appointee who is serving at the discretion of the Sheriff is returned to the appointee's former rank (or the rank of a Deputy Sheriff in the event the appointee was appointed from outside the Classified Service) in the Classified Service and such action creates an overage in the number of authorized funded Positions, subsection 12.03 governs any necessary reductions in rank or layoffs. If this causes an entry level employee to be laid off, the Commissioners Court may (but in no event shall be required to) fund the overage for any period of time to ensure promotional continuity within the Sheriff's Office.

12.03 REDUCTIONS IN RANK AND LAYOFFS

1. The appointing authority may layoff or reduce an employee when necessary:
 - (a) For reasons of economy or lack of work.
 - (b) Where there are more employees than Positions in any class within the department.
2. Order of layoff or reduction:
 - (a) Employees in the Classified Service shall be laid off or reduced in rank on the basis of inverse order of seniority.
 - (b) All promotional ranks in the Classified Service, Captain, Lieutenant, Sergeant, and Corporal/Detective, shall be reduced to the next lower rank until the shortage of Positions is adjusted.
 - (c) If seniority is the same, the person lowest on the original eligibility list is the first laid off.
3. Reinstatement Lists:
 - (a) The names of employees laid off or demoted in accordance with this Rule shall be entered on a list in the inverse order of their laying off or reduction of rank.
 - (b) Any new certifications or promotions in the affected class will come from the appropriate reinstatement list, if any, without regard to the current promotional eligibility list until the reinstatement list is depleted.
 - (c) Any employee refusing reinstatement to the Classified Service or promotion to previous rank shall be dropped from the reinstatement list.
 - (d) Any employee scoring unsatisfactory on his last two performance evaluations shall not be eligible to be placed on a reinstatement list.
 - (e) Any employee refusing to accept a reduction in rank during layoff and who voluntarily resigns his employment shall not be eligible for placement upon a reinstatement list.
 - (f) The reinstatement list for demoted employee's former promotional rank and grade will be for a period of not to exceed one year from the date of the reduction in rank. Thereafter demoted employees must compete for promotion in accordance with Section 8 of these Rules.

12.04 RESIGNATION FROM CLASSIFIED SERVICE

1. Upon the voluntary resignation by an employee from the Classified Service, the employee shall submit to the Sheriff a formal resignation in writing. The Sheriff shall forward a copy of such resignation to the Commission along with a payroll change notice (PCN) of such employee. The Director's receipt of such formal resignation and separation report shall constitute resignation from the Sheriff's Office in good standing.

2. Upon receipt of the resignation, the Director may conduct such investigation as they may deem proper and necessary to ascertain that the resignation was submitted in good faith by the employee. The date of such resignation and the findings of the investigation, if deemed necessary, shall be incorporated in the employee personnel record.
3. Any form of resignation found to have been filed with the Sheriff without date or with a future date, and that is not intended to be a voluntary resignation to be acted upon at the time of filing shall not be accepted by the Commission as a resignation. Each separation under such circumstances shall be deemed a dismissal and the provisions of these Rules relating to dismissals shall apply. Any request of the Sheriff for the filing of any form of resignation for probable future action at the option of the Sheriff shall be deemed to constitute prima facie evidence of coercion, in contravention of the purpose of the Civil Service Rules.

12.05 RETIREMENTS

1. Any person in the Classified Service who shall become eligible to retire and who shall be retired or pensioned under the provisions of any applicable retirement laws shall be deemed for the purpose of these Rules to have been separated as a member of the Sheriff's Office in good standing.
2. Any previously Classified Employee who retired because of disability, and at a date earlier than the specified retirement period and has recovered to the extent in the said opinion of a physician appointed by the Commission the employee is able to perform the usual and customary duties formerly handled by such employee, the employee may be reinstated as an employee, when an opening occurs. Said employee will not accrue any seniority for the period while on retirement.

12.06 DEMOTIONS DUE TO INABILITY TO PERFORM DUTIES

1. When an employee can no longer perform the essential duties of his assigned Position, he may, upon request of the Sheriff or upon his own initiative, be transferred to a vacant Position, the duties of which he is able to perform, in a class carrying a lower rate of pay, should there be a vacant Position available.
2. The employee shall first be served with a written notice of any demotion of this category and shall be given opportunity to make and file explanation and have the right of appeal to the Commission in the manner as set forth in the files for appeals from demotion or dismissal if such action was initiated by the office of the Sheriff.

12.07 INVOLUNTARY DEMOTIONS DUE TO ORDER OF COMMISSION OR COURT

In the event that an order of the Commission or a court of competent jurisdiction results in the forced or involuntary demotion of an employee, the employee so demoted shall be placed on a reinstatement list as prescribed under Rule 5.04.2

12.08 VOLUNTARY DEMOTION

1. An employee promoted to the rank of corporal/detective, sergeant, lieutenant, or captain may request that he/she be voluntarily demoted and returned to the rank of from which he/she was last promoted. Any such request for a voluntary demotion must be made in writing to the Sheriff, with a copy to the employee's Bureau Captain and the Commission and must be received by the Sheriff before the end of the employee's promotional probationary period for the rank from which the demotion is sought.

2. Upon receipt of the request for a voluntary demotion, the Director may make inquiry as he/she deems appropriate to ensure that the request was made voluntarily and in a timely manner. Unless the Director determines that the request was not made voluntarily or in a timely manner, the Commission will approve the voluntary demotion and order that it be effected forthwith.
3. In the event that a request for a voluntary demotion is made after the employee's promotional probationary period has ended, such request may be approved by the Commission, but, if approved, the Commission will order the employee demoted to the rank of deputy and not the rank from which he/she was last promoted.

12.09 SENIORITY

1. Seniority shall be calculated from:
 - (a) Date of hiring for entry-level Positions.
 - (b) Date of promotions for Lead Communications Office, Communications Manager, Corrections Corporal, Corrections Sergeant, Corrections Lieutenant, Corrections Captain, Licensed Peace Officer, Licensed Peace Officer Corporal/Detective, Licensed Peace Officer Sergeant, Licensed Peace Officer Lieutenant, and Licensed Peace Officer Captain.
 - (c) Seniority in rank is from date of promotion to the next higher rank.