

POLICY ON EMPLOYEE BENEFITS PROGRAM

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| Retirement Plans | <ol style="list-style-type: none"> 1. Matagorda County employees are fortunate to have two mandatory retirement plans which are tax deferred. The plans are as follows: <ol style="list-style-type: none"> a. Texas County and District Retirement System; and b. Matagorda County, The Alternate Plan. |
| Insurance Plans | <ol style="list-style-type: none"> 2. Matagorda County employees are furnished the following insurance plans at no cost to the employee unless otherwise noted: <ol style="list-style-type: none"> a. Long Term Disability Insurance (Details in Matagorda County Alternate Plan Handbook); b. Term Life, Accident and Dismemberment Insurance (Details in Matagorda County Alternate Plan Handbook); c. Hospital Major Medical Insurance with provisions for dependent coverage at reduced cost, Term Life, Accident and Dismemberment Insurances (Details in Plan Benefits booklets and policies); d. Medicare Insurance Coverage payroll deduction of 1.45%, matched by the County, required of all employees hired after April 1, 1986; e. Workers' Compensation Insurance; and f. Unemployment Insurance (non-elected employees only). |
| Paid/Unpaid Employee Leave | <ol style="list-style-type: none"> 3. Matagorda County provides paid and unpaid leave benefits for its regular full-time employees. |
| Paid/Unpaid Employee Leave | <ol style="list-style-type: none"> 4. Types of leave include holiday, vacation, sick, civil, military, long term disability, voluntary leave without pay for personal reasons, family and medical leave, and workers compensation benefits. 5. Details of paid/unpaid employee leave policies are found in sections 3.06, 3.07, 3.08, 3.09, 3.10, 3.11, 3.12, and 3.13 of this personnel policy. |

POLICY ON EMPLOYEE BENEFITS PROGRAM

(continued)

Coordination of
Leave Policies

6. It is the policy of Matagorda County that all leave policies are coordinated so that, in no event, will the total leave to which an employee is entitled be greater than any of the individual leave benefits available to him/her.
7. The County Treasurer, in coordination with the department head, is available to assist an employee in determining the amount of leave he/she has available.

POLICY ON MATAGORDA COUNTY HEALTH CARE PLAN

- Eligibility
1. All regular full-time employees of Matagorda County shall be eligible for coverage under the group hospitalization, medical, dental, and life insurance program provided by the County under its self-funded plan, Matagorda County Health Care Plan (MCHCP).

Coverage begins on the first day of the month following 60 days after hire date.
 3. The County shall pay the premium for coverage of eligible employees.
 4. Eligible employees who elect to decline coverage under MCHCP shall complete the waiver form in the County Treasurer's Office. If an employee who has declined MCHCP coverage wishes to be reinstated in the Plan, the employee should apply by submitting a Payroll Change Notice during the annual enrollment period.
- Dependent Coverage
5. An employee eligible for coverage under the group hospitalization, medical, and dental insurance program of the County may include eligible family members under the coverage by paying the pro rata cost of their coverage.
 6. Premiums for family members covered under this plan shall be deducted from the employee's paycheck.
- Eligible Retirement Benefits
7. An eligible Matagorda County retiree will be eligible for lifetime medical insurance benefits, with premiums paid by the County, if on the date of termination from county employment:
 - a. he/she has been a regular full-time employee of Matagorda County for at least eight (8) years and he/she has attained the age of at least sixty (60);or
 - b. he/she has a combined age and total service with Matagorda County of 75 or more, with at least (8) years of service; or
 - c. he/she has been a regular full-time employee of Matagorda County for at least thirty (30) years.In calculating years of service under a or b, a rehired employee may combine prior service with current service only if eligible under Policy 3.15, paragraph 8.

POLICY ON MATAGORDA COUNTY HEALTH CARE PLAN
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| Retiree Return
To Work | 8. When a Matagorda County retiree returns to work for the County, either in the same department or a new department, he/she will continue to be classified as a covered retiree and there is no new-hire waiting period.

9. If the County had been paying the retiree's health insurance coverage premiums, those costs will continue to be charged to the county's retiree health insurance budget and not to the department's budget.

10. If the retiree had been paying his/her health insurance coverage premiums, those costs will be paid by the department while the retiree is employed with that department. |
| MCHCP Plan
Document | 11. The benefits for this program shall be in accordance with the provisions of the MCHCP document. |

POLICY ON HEALTH INSURANCE CONTINUATION COVERAGE (COBRA)

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| COBRA | 1. Matagorda County does comply with the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, as amended. Any revisions or amendments to such act that are mandatory for governmental employers are automatically adopted and incorporated into this policy at the time such revisions or amendments are adopted under Federal law. |
| Continuation of Coverage | 2. Continuation of certain Group Health and Related Benefits is available to covered employees and their dependents upon termination of employment and other qualifying events under the provisions of Title X of the Consolidated Omnibus Budget Reconciliation Act of 1985, Public Law 99-272 (“COBRA”), including applicable amendments, and conversion rights of the policy(ies) and plan(s) in force. Eligible employees, retirees, and dependents should refer to provider materials and relevant publications and notices by the County for further information. |
| Contact Treasurer for More Information | 3. If you have any question about continuation of your group health and related benefit coverage, please contact the Matagorda County Treasurer, Room 302 Matagorda County Courthouse, Bay City, Texas 77414 (979) 244-7609. Also, if you have changed marital status or you or your spouse have changed addresses, please notify the Matagorda County Treasurer at the above address. |

POLICY ON RETIREMENT BENEFITS

Texas County
And District
Retirement
System

1. Matagorda County participates in the Texas County and District Retirement System (TCDRS).
2. All full-time employees and all part-time regular employees shall participate in the TCDRS retirement program.
3. Details of benefits provided by the program are available for review at the County Treasurer's office during normal work hours.
4. Matagorda County has adopted the Annually Determined Contribution Rate Plan (ADCR) for funding the TCDRS retirement plan. The employee's fixed contribution rate is 7% of gross monthly compensation. The employer's contribution rate is determined annually.
5. The employee's share of the retirement contribution shall be deducted from each paycheck.

Alternate Plan

6. In lieu of Social Security, Matagorda County has established a deferred compensation plan known as the Alternate Plan in which employees shall participate as a condition of employment.
7. Details of benefits provided by the Alternate Plan are available for review at the County Treasurer's office during normal work hours.
8. Matagorda County contributes 6.85% of the employee's salary to the program to fund long-term disability, life insurance and contributions to the employee's annuity. Matagorda County contributes 3.75% of a part-time or temporary employee's salary to the program to fund the employee's annuity.
9. A full-time regular employee's portion of deferred compensation is 6.7% of his/her gross salary plus any additional amount he/she wishes to contribute as allowed by law.

POLICY ON RETIREMENT BENEFITS

(continued)

Alternate
Retirement

10. A part-time or temporary employee contributes 3.75% of his/her gross salary to the Alternate Plan. A part-time or temporary employee is eligible to withdraw his/her deposits when he/she has not worked for the County for one (1) calendar year.
11. The employee's portion of alternate retirement shall be deducted from his/her paycheck.

POLICY ON AWARDS

Service Awards 1. Awards for “Recognition of Service to Matagorda County” will be presented to County employees with the following years of service (employment must have been full-time, but does not have to be continuous):

- a. Elected officials:
 - 4 years 20 years
 - 8 years 24 years
 - 12 years 28 years
 - 16 years 32 years

- b. Employees:
 - 5 years 25 years
 - 10 years 30 years
 - 15 years 35 years
 - 20 years 40 years

Awards presented are those items approved by the Commissioners Court.

Retirement 2. Upon retirement, Elected Officials and Employees will receive special recognition.

POLICY ON HOLIDAYS

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| Eligibility | 1. All regular full-time employees of the County shall be eligible to receive a day off with pay for each official County holiday. |
| Official Holidays | 2. County employees shall observe official holidays as designated by the Matagorda County Commissioners Court. In order to meet the needs of the county, certain departments or employees may be required to work holidays and will be given an alternate day off.

3. Employees that are members of religious faiths which celebrate recognized religious holidays, employees that are members of organizations which celebrate recognized holidays, or employees that elect to celebrate holidays which are not an official County holiday may take leave for those days and charge such time against the employee's Vacation Leave. The employee will make written request to the department head for such additional leave at least one (1) week in advance of the time requested. After reviewing the request, the department head will answer such request within two (2) days.

4. Employees absent from work due to injury or illness on the day before or the day after an authorized holiday may be required, at the discretion of the department head, to present a doctor's statement on the nature of the illness or injury in order to receive pay for the holiday. |

POLICY ON VACATION

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| Eligibility | 1. | All regular full-time employees of Matagorda County shall be eligible for paid vacation. |
| Amount | 2. | Vacation shall be accrued in accordance with the attached Vacation Accrual Schedule (3.07, page 3 of 3). |
| Waiting Period | 3. | An employee shall be required to work for a minimum of six (6) months in a position eligible to accrue vacation before he/she may take any vacation. |
| Maximum Period | 4. | The maximum amount of unused vacation that an employee shall be allowed to have at any one time shall be the amount the employee would normally accrue in eighteen (18) months. |
| Pay in Lieu of Time off | 5. | An employee shall not be allowed to receive pay in lieu of taking time off for vacation. |
| Requests for Approval | 6. | Supervisors shall approve and schedule the vacations of their employees with consideration being given to seniority, operating needs of the department, and employee. |
| New Employees | 7. | Vacation leave will begin to accrue on the first full month following employment. |
| Borrowing Vacation | 8. | Employees shall not be allowed to borrow vacation against possible future vacation earnings. |
| Holidays During Vacation | 9. | If a holiday falls during the period an employee will be on vacation, the holiday shall be handled in accordance with the provisions of the Policy on Holiday Leave and will not be charged against the employee's vacation balance. |
| Vacation Pay at Termination | 10. | Employees who have been employed for fewer than six (6) months in a position which accrues vacation shall receive no pay for accrued vacation at the termination of employment. |
| | 11. | Employees who have been employed for six (6) or more months in a position which accrues vacation shall be paid for all unused vacation at their regular rate upon termination of employment. |

POLICY ON VACATION
(continued)

- Record-keeping
12. Each department head or his/her designee shall maintain and update on a monthly basis a vacation record for each employee in his/her department which shows:
 - a. the vacation balance at the start of the month;
 - b. the hours of vacation earned during the month;
 - c. the hours of vacation used during the month; and
 - d. the vacation balance at the end of the month.
 13. The “Employee Vacation Summary” form shall be used for maintaining employee vacation records. (A copy of this form is included at the end of this policy.)
 14. The employee’s monthly payroll check attachment shall report the employee’s vacation time accrual as on record with the County Treasurer.

POLICY ON VACATION
(continued)

MATAGORDA COUNTY VACATION ACCRUAL SCHEDULE

FULL-TIME REGULAR EMPLOYEES

<u>Years of Service</u> <u>Service</u>	<u>Hours Accrued</u> <u>Per Month</u>	<u>Annual Accrual</u> <u>(Hours)</u>
Less than 5	6.67	80
5 to 10	8.00	96
Over 10	10.00	120
Over 20	13.33	160

POLICY ON SICK LEAVE

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| Eligibility | 1. All full-time regular employees shall be eligible for paid sick leave. |
| Amount | 2. Full-time regular employees shall accrue 6.67 hours per month or 80 hours sick leave per year. |
| Accumulation | 3. Any unused sick leave at the end of the calendar year shall be carried over into the next calendar year. |
| Maximum Accrual | 4. The maximum accrual that can be carried over into a new calendar year is 440 hours. |
| Types of Usage | 5. Eligible employees may use accrued sick leave for absence from work due to: <ul style="list-style-type: none">a. personal illness or physical or mental incapacity;b. medical, dental or optical examinations or treatments;c. medical quarantine resulting from exposure to a contagious disease;d. illness of a member of the employee's immediate family. Immediate family shall be defined as parent, child, spouse, brother, sister, grandparent, parent-in-law, brother-in-law, sister-in-law, and grandchildren of either spouse; and/ore. bereavement - up to five (5) days paid sick leave may be authorized by a department head in case of a death in the employee's immediate family, as defined in 5.d above. |
| Notification of Sick Leave | 6. An employee shall be responsible for notifying his/her supervisor as early as is practical on the first day of sick leave absence and request that approved sick leave be granted.

7. If more than one day of sick leave is needed, the employee shall be responsible for notifying his/her supervisor of the expected length of the absence on the first day of sick leave or shall be required to notify his/her supervisor on a daily basis for each day he/she is unable to come to work.

8. An employee shall be required to request prior approval from his/her supervisor for sick leave to be used for non-emergency medical, dental, and optical appointments. |

POLICY ON SICK LEAVE
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| Documentation | 9. | An employee's supervisor may request acceptable documentation of an employee's illness or injury where it is deemed necessary for approval of a sick leave request. |
| New Employees | 10. | Sick leave will begin to accrue on the first full month following employment. |
| Borrowing | 11. | Employees shall <u>not</u> be allowed to borrow sick leave against possible future accruals. An employee who has no sick leave remaining may request leave under other Matagorda County Leave Policies. |
| Maximum Available | 12. | The maximum amount of sick leave that an employee will have available at any given time is the unused balance at the end of the preceding month. |
| Pay at Termination | 13. | An employee shall receive no pay for any unused sick leave balance at the time of termination of employment. |
| Record-keeping | 14. | Each department head or his/her designee shall maintain and update on a monthly basis a sick leave record for each employee which shows: <ul style="list-style-type: none">a. the sick leave balance at the start of the month;b. the hours of sick leave earned during the month;c. the hours of sick leave used during the month; andd. the sick leave balance at the end of the month. |
| | 15. | The "Employee Sick Leave Summary" form shall be used for maintaining employee sick leave records. (A copy of this form is included at the end of this policy.) |
| | 16. | The employee's monthly payroll check attachment shall report the employee's sick leave accrual as on record with the County Treasurer. |
| Sick Bank | 17. | Each employee of the county will be furnished a copy of the "Matagorda County Employees Sick Leave Bank" which appears between sections 3.08 and 3.09 of these policies. |

POLICY ON CIVIL LEAVE

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| Civil Leave | 1. | Employees must notify the appropriate supervisor prior to taking civil leave. When an employee has completed civil leave, he or she must report to the county for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on civil leave, he or she must notify the appropriate supervisor daily at the beginning of the workday. |
| Jury Duty | 2. | All regular full-time County employees shall receive their normal pay for the period they are called for jury duty which includes both the jury selection process and, if selected, the time the employees actually spend serving on the jury. |
| Private Litigation | 3. | If an employee is absent from work to appear in private litigation in which he/she is a principal party, the time off shall be charged to vacation leave or leave without pay. |
| Subpoenaed
Witness | 4. | All regular full-time County employees shall receive their normal pay for the period of time they are serving as a subpoenaed witness in an official proceeding concerning county business. |

POLICY ON MILITARY LEAVE

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| Military Leave | <ol style="list-style-type: none">1. Regular employees who are members of the State Military Forces or members of any of the Reserve Components of the Armed Forces of the United States are entitled to leave of absence from their duties, without loss of time or efficiency rating, vacation time, or salary on all days during which they are engaged in authorized training or duty ordered by proper authority, not to exceed 15 days in any one calendar year.2. The fifteen-day paid military leave shall apply to the calendar year and any unused balance at the end of the year shall not be carried forward into the next year.3. Pay for attendance at Reserve or National Guard training sessions or exercises shall be authorized only for periods which fall within the employee's normal work schedule.4. For an employee to use annual vacation leave or voluntary leave without pay, he/she must attend Reserve or National Guard training sessions or exercises in excess of the fifteen (15) days paid maximum. |
| Orders | <ol style="list-style-type: none">5. An employee going on military leave shall provide his/her supervisor with a set of military orders within three (3) days after receiving them. |
| Active Military | <ol style="list-style-type: none">6. An employee who leaves his/her position of employment with the County as a result of being called to active military service or who voluntarily enters the Armed Forces of the United States shall be eligible for re-employment in accordance with the state and federal regulations in effect at the time of his/her honorable release from active duty. |

POLICY ON FAMILY AND MEDICAL LEAVE (FMLA)

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| Eligible Employees | 1. To be eligible for family leave, an employee must have been employed continuously by the county for at least the previous 12 months and have worked at least 1,250 hours during those 12 months in a regular position. This policy applies equally to male and female employees. However, if both spouses are employed by the county, and the reason for the leave is to care for a newly arrived or sick child or a sick parent, 12 weeks is the aggregate family leave limit for both. Temporary employees are not eligible for family leave. |
| Eligible Circumstances | 2. An eligible employee is entitled to 12 unpaid workweeks of leave during any 12-month period for three purposes: (1) birth or placement for adoption or foster care of a child (only within 12 months of the birth or placement); or (2) serious health condition of a spouse, child, or parent; or (3) the employee's own serious health condition. A serious health condition is one that requires either inpatient care of continuing treatment by a health care provider. |
| Calculation of 12-month Period | 3. The 12-month period for eligibility for leave is calculated on an individual employee basis in a uniform manner for all employees. The 12-month period is measured forward from the date any employee's first Family and Medical Leave Act (FMLA) leave begins. |
| Definition of Family Members | 4. "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in the place of a parent. The child must be under 18 years of age or an individual 18 years of age or older who is incapable of self-care because of a mental or physical disability. "Spouse" means a husband or wife as defined or recognized under state law for purposes of marriage, including common law marriage. |
| Limitations/Restrictions | 5. Leave may be taken on an intermittent or reduced basis for the birth or adoption of a child only if the arrangement is agreed to by the county. However, leave for serious health conditions—either of an eligible family member of the employee or the employee—may be taken intermittently or on a reduced schedule if medically necessary, provided the other conditions of these policies are met. |
| Temporary Transfer | 6. If the employee's request for intermittent leave is foreseeable based on planned medical treatment, the county may require the employee to transfer temporarily to an alternative position, with equivalent pay and benefits, that better accommodates recurring periods of leave. |

POLICY ON FAMILY AND MEDICAL LEAVE (FMLA)
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| Maximum Duration | 7. The total cumulative maximum period of time which an employee may be absent from work on family leave during any 12-month period is 12 weeks, regardless of whether all or a portion of the leave period is paid or unpaid. If an employee has accrued sick leave or vacation at the time the family leave commences, the employee must exhaust those leave balances before being eligible for unpaid family leave. Once the employee's leave balances have been exhausted, the county will then provide enough unpaid family leave to total 12 weeks. During the unpaid portion of an employee's family leave period, the employee accrues no additional vacation leave, sick leave, or any other type of leave. |
| Notice | 8. In the case of leave for birth or placement of a child, an employee must provide at least 30 day's advance notice before the date on which the leave would begin. If the employee is unable to provide 30 days' notice, he or she must provide as much notice as is practicable, usually within one or two business days of the date the employee is aware of the need to request leave. In the case of leave for a serious medical condition, if the leave is foreseeable based on planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly the county's operations. The same advanced notice requirements apply. |
| Certificate of Condition | 9. An employee requesting a paid or unpaid leave of absence for extended illness or temporary disability must submit to the department head (1) a medical doctor's statement as to the date upon which the employee is no longer able to perform his or her duties or (2) a statement that the employee is needed to care for a spouse, parent, or child, with the expected length of the recuperation period or an estimate of the time required to care for the family member, and appropriate medical facts regarding the condition. In addition, the employee must also provide the department head with a written statement from the employee concerning his or her intentions about returning to work at the county. An employee on family leave must contact his or her supervisor at least once each workweek unless another schedule satisfactory to the county has been established in writing and signed by the department head and the employee. |

POLICY ON FAMILY AND MEDICAL LEAVE (FMLA)
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| Certificate of Condition | 10. The county may also require subsequent re-certifications as reasonably needed. Failure to provide required medical status reports or to contact the office on the schedule required by the department head is grounds for disciplinary action. |
| Second, Third Opinions | 11. The county may require a second opinion, and if conflicting, a third opinion from a health care provider as to the need for and scheduling of family leave. The second and third opinions, if sought and obtained by the county, will be paid for by the county and will be obtained from independent health care providers who are not employed by the county. If a third opinion is necessary, the third opinion obtained is final. |
| Return to Work/
Assurances | 12. After completion of an approved family leave period, an employee will be returned either to the same position he or she held before the leave began or to a position equivalent to the previously held position in pay, benefits, and other terms and conditions of employment. Regardless of whether the family leave period is paid, unpaid, or a combination of paid and unpaid, the employee's health insurance coverage will be continued in the same manner and at the same level as it would have been had the employee continued in employment for the duration of the family leave period. However, should the employee decide, at any time after family leave begins, that he or she will not return to work at the county, the employee must reimburse the county for health coverage premiums paid by the county on behalf of the employee during the family leave period unless the reason for not returning to work is the continuation, recurrence, or onset of a serious health condition, or other circumstances beyond the employee's control. This is subject to certification. |
| Retention of Benefits | 13. An employee on family leave does not lose any previously accrued seniority or employment benefits, but does not earn any leave credits or other benefits during the unpaid portion of the leave. After returning to work from a family leave that has been extended to six months or more, an employee receives an adjusted employment date and adjusted anniversary date which reflect the period of time the employee was on unpaid family leave. The adjusted date will be used for the purpose of calculating leave accrual and any other benefits based on longevity. |

POLICY ON FAMILY AND MEDICAL LEAVE (FMLA)
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| Summary Act | 14. | The county has posted a summary of the Family and Medical Leave Act on its central bulletin board for employees' information. |
| Request for Extension of Family and Medical Leave | 15. | If an employee requests additional unpaid leave beyond the 12-week maximum allowable under the family and medical leave provisions of these policies, any extension granted will be under the terms set out in the section of these policies headed "Other Leaves of Absence Without Pay." Employees should read the referenced section carefully and understand the differences between these two types of leaves before requesting an extension. |
| Documentation | 16. | All documentation regarding family leave will be filed in the employee's medical file, which is maintained separate from the personnel files and is accessible to a limited number of persons only on a "need to know" basis. |
| Servicemember Family and Medical Leave | 17. | The FMLA entitles eligible employees to take leave for a covered family member's service in the Armed Forces ("Servicemember FMLA"). This policy provides general notice of employee rights to such leave. Except as mentioned below, an employee's rights and obligations to Servicemember FMLA Leave are governed by our existing FMLA policy. |
| Employee Entitlement to Servicemember FMLA Leave Entitlement | 18. | Servicemember FMLA provides eligible employees unpaid leave for any one, or for a combination, of the following reasons:
a. A "qualifying exigency" arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan; and/or
b. To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank or rating. |
| Duration of Servicemember FMLA | 19. | When leave is due to a "Qualifying Exigency," an eligible employee may take up to 12 workweeks of leave during any 12-month period. |

POLICY ON FAMILY AND MEDICAL LEAVE (FMLA)
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| Duration of Servicemember FMLA | 20. | When leave is to care for an injured or ill service member, an eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. |
| Runs Concurrent | 21. | Servicemember FMLA runs concurrent with other leave entitlements provided under federal, state and local law. |
| Leave under State Military Leave Laws | 22. | A growing number of states provide leave for family members of servicemembers. The entitlements for such leave differ from state to state. Our policy is to comply with such laws in any circumstances where they apply to employees of the County. |
| Mandatory Amendments | 23. | Any revisions or amendments to the Family and Medical Leave Act of 1993 that are mandatory for governmental employers are automatically adopted and incorporated into this policy at the time such revisions or amendments are adopted under Federal law. |
| Employee Questions | 24. | If you have any questions regarding FMLA or servicemember FMLA leave, please contact the County Treasurer at 979-244-7609. |

POLICY ON LONG TERM DISABILITY LEAVE

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| Definition | 1. For purposes of this policy, long term disability (LTD) is defined, for the first 24 months of disability plus the waiting period (180 days), as the complete inability to work at the insured's own occupation. Thereafter, long term disability means the insured's complete inability to work at any occupation for which the insured is or becomes reasonably fitted by the insured's education, training, and experience. |
| | 2. Disability benefits are available to employees who qualify under the Group Long Term Disability and Term Life Insurance policies and the Group Annuity Contract's Disability Rider. |
| Eligibility | 3. Regular employees who have been employed for a minimum of six (6) months shall be eligible to request long term disability leave. |
| Request for LTD Leave | 4. To be eligible for privileges under this policy, an employee shall be required to request LTD leave as soon as is reasonably possible. |
| Physician's Care | 5. Benefits cease if the employee is not seen and/or treated by a physician on a regular basis. |
| Salary Replacement | 6. After a 180-day waiting period, the totally disabled insured will receive 60% of base pay up to a maximum benefit of \$5,000 per month. This benefit is coordinated with any other income, such as Social Security, Workers' Compensation or TCDRS payments. |
| Duration of Benefits | 7. The length of time for which long term disability benefits are payable is based on the age of the insured at the time total disability occurs. |
| Benefits During Leave of Absence | 8. During long term disability leave, an employee shall accrue no leave benefits, will not accrue service time for retirement, and will not be eligible for holiday pay. |
| Reinstatement Privileges | 9. While jobs of employees on LTD leave cannot be held open, an employee who is able to return to work after LTD leave shall receive special consideration for any job which opens in his/her department and for which he/she is qualified. |

POLICY ON LONG TERM DISABILITY LEAVE

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10. To retain privileges under this policy, an employee who has been on LTD leave shall be required to notify his/her supervisor of availability for work as soon as the disability ends.
11. Before being considered for any open position, an employee who has been on LTD leave shall be required to provide the County with a statement from the attending physician saying the employee is able to assume full work duties and responsibilities without affecting normal safety and well being of the employee, other employees or any other persons.
- Continuation of Insurance
12. The County shall continue to pay the premium on medical insurance for a maximum of 180 calendar days for an employee on LTD leave under COBRA benefit.
13. After being on LTD leave for 180 calendar days, an employee may continue any Matagorda County Health Care Plan medical insurance coverage on him/herself by paying the full premium for the employee coverage under COBRA time limits.
14. An employee on LTD leave may continue medical coverage on his/her eligible dependents by paying the premium for their coverage in accordance with COBRA time limits.
15. Employees on LTD leave paying for continued insurance coverage on themselves and/or their dependents shall be required to pay the premiums as required by COBRA law.
- Discontinuation of LTD Leave
16. An employee on LTD leave shall be removed from LTD leave and forfeit all privileges that go with such leave if any of the following occurs:
- a. the employee requests to be removed from LTD leave;
 - b. the employee intentionally misrepresents the nature or anticipated duration of the disability;
 - c. the employee fails to notify the County as soon as the disability ends;
 - d. the employee accepts a position with an employer other than the County;
 - e. the employee refuses to accept a suitable position with the County which is offered after the disability ends; or
 - f. the employee violates any of the provisions of this policy.

POLICY ON VOLUNTARY LEAVE WITHOUT PAY FOR PERSONAL REASONS

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| Definition | 1. | For purposes of this policy, voluntary leave without pay for personal reasons shall be defined as absence from work requested by the employee and granted by the department head. |
| Eligibility | 2. | Regular employees may request voluntary leave without pay for personal reasons. |
| | 3. | All request for leaves of absence will be handled on a case by case basis. |
| Amount | 4. | Eligible employees may be granted a voluntary leave of absence without pay for up to six months at the discretion of the department head. The decision as to whether such leave is granted shall be based on whether the job can remain unfilled for the length of the requested leave, and whether leaving the job open would be unduly disruptive to the operation of the County or Department. |
| Use of Paid Leave | 5. | Voluntary leave of absence without pay for personal reasons shall only be granted after all available vacation leave and comp time are used. |
| Benefits During
Leave of Absence | 6. | During a voluntary leave of absence of five or fewer working days, an employee shall continue to receive leave, service time, insurance and other benefits. |
| | 7. | During a voluntary leave of absence of more than five working days, an employee shall accrue no leave benefits, will not accrue service time for retirement, and will not be eligible for holiday pay. Medical and other insurance will be discontinued unless the employee pays the full premium for such coverage. All other benefits will be suspended while employee is on voluntary leave of absence. |
| Retention of Job | 8. | The county shall make reasonable efforts to hold open the position of the employee on voluntary leave of absence without pay. However, should unforeseen circumstances occur, such as a need to fill the position to continue effective operation of the Department or elimination of the job resulting from a reduction in force, the County cannot unconditionally guarantee reinstatement of the employee at the end of the leave period. |

POLICY ON WORKERS' COMPENSATION BENEFITS

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| Employee Responsibilities and Reports | 1. Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as those of other employees.

2. An employee must report every on-the-job accident, no matter how minor, to his or her supervisor immediately, but at least within 24 hours. The elected official or department head in charge is responsible for filing a written accident report immediately with the Treasurer's Office. |
| Mandatory Reporting | 3. Failure to report an on-the-job injury, no matter how minor, is grounds for disciplinary action. |
| Workplace Rules | 4. The following rules are designed to promote the safety and well-being of county employees and are to be observed by employees at all time:

a. no employee may engage in horseplay, wrestling, or practical joking while on duty or operating county equipment;
b. employees should maintain awareness of potential dangerous situations that may cause injury to themselves, fellow employees, or the public;
c. employees must report immediately to their supervisors any conditions that in their judgment threaten the health or safety of employees or the public;
d. an employee who is unable to perform his or her duties safely due to illness must promptly notify his or her supervisor; and
e. employees must immediately seek proper first aid treatment for all on-the-job injuries, including minor injuries, and must immediately report all injuries to their supervisor unless emergency circumstances exist. |
| Employee Suggestions | 5. Employees are encouraged to make suggestions to their supervisors for improvements that would make the county workplace safer or more healthful. |

POLICY ON WORKERS' COMPENSATION BENEFITS

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| Medical Attention | 6. An employee who sustains a bona fide, on-the-job, work-related injury may seek medical attention from the medical facility or professional of his or her choice. The county encourages employees to return to work as soon as they are able to do so. An employee returning to work must submit a physician's statement of medical condition and release to return to work. As determined by the commissioners court, at the county's expense, an employee may be required to submit to examination by an independent physician. |
| Insurance | 7. The county provides worker's compensation insurance for its employees. This insurance provides medical coverage for the on-the-job injury and a weekly payment if an employee is absent from work because of a bona fide, on-the-job, work-related injury for more than one week. All workers' compensation insurance claim forms must be submitted to the County Treasurer's office immediately for appropriate action to be taken. |
| Statutory Benefits | 8. Employees who sustain an injury at work may be eligible to receive benefits prescribed by the Texas Workers' Compensation Act. These benefits include compensation payments, medical care as reasonably required to cure and relieve the effects of the injury or occupational disease(s), and/or death benefits. |
| Weekly Payments | 9. State law provides that an employee will be eligible for weekly indemnity payments beginning on the eighth calendar day of lost time following an occupational injury.

10. Weekly indemnity payments for compensable injuries are temporary benefits, which will continue until the doctor certifies that the employee has received maximum medical improvement. Weekly indemnity payments for compensable injuries are made at 70 percent of the difference between the employee's average pre-injury weekly wage and the employee's earnings after the injury. For employees who earn less than \$8.50 per hour, the rate of payment for the first 26 weeks of temporary benefits is 75 percent of the difference between the employee's average weekly wage before the injury and the employee's earnings after the injury. Under the "low wage earner" |

POLICY ON WORKERS' COMPENSATION BENEFITS

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provision, temporary benefits cannot exceed 100 percent of the employee's actual wages for the previous year.

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| Waiting Period | 11. | Compensation benefits are subject to a seven calendar day waiting period. After 28 calendar days of lost time, the seven-day waiting period will be paid retroactively under workers' compensation. |
| Exclusion | 12. | Injuries caused by willful intent and attempt to injure self or to unlawfully injure another, intoxication, horseplay by the injured employee, an act of God except in certain limited circumstances (i.e., assigned to official duty during a hurricane, lighting storm, etc.), or act of a third party for personal reasons are excluded specifically from coverage. |
| Reporting Requirements | 13. | While on leave because of a bona fide, on-the-job, work-related injury, each time the employee sees the physician for consultation or treatment, he or she must provide a progress report to the County Treasurer's office. Any change in the employee's condition which might affect his or her entitlement to workers' compensation payments must also be reported to the County Treasurer's office. In addition, the injured employee must contact his or her supervisor periodically to report on his or her condition. Failure to provide the required medical status reports or to contact the supervisor on the schedule required by the elected official or department head is grounds for revoking the employee's leave and for taking disciplinary action. |
| Duration of Injury Leave | 14. | The maximum duration of occupational disability or injury leave is six months unless an extension is expressly authorized by the commissioners court. Request for extension may be authorized after careful review by the commissioners court, in no more than 30-day increments. |

POLICY ON WORKERS' COMPENSATION BENEFITS
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| Return to Service | 15. A written statement from the attending physician certifying that the employee has been released to return to work and specifying the type(s) of work he or she is capable of performing as well as any limitation(s) must be received by the county before an employee may return to work. All employees on injury leave must report to work after approval of either the employee's attending physician or an independent physician paid by the county. Failure to return to work when directed will result in appropriate disciplinary action, up to and including discharge.

16. The employee's supervisor must notify the county treasurer's office upon the employee's return to duty so that the county treasurer may resume record keeping for purposes of payroll, benefits, and leave and length-of-service accruals. |
| Temporary Light Duty Status | 17. During the course of an on-the-job injury leave of absence, if an employee is released by his or her physician for light duty, the employee's job or alternative job assignment(s) will be evaluated by the department head for a determination of whether a temporary position is available in which the county can use the employee's limited services for a temporary period of time. If no acceptable light duty assignment can be found, the employee will be placed on inactive status until released by the physician to return to his or her previous job. An employee who is able to return to work in light duty status is a temporary employee and may be required to work in a different department and perform duties not contained within his or her current job duties. When an employee is assigned to temporary light duty status and performing different duties, he or she will be paid according to the level of pay that he or she would receive for the temporary light duty job if the assignment were the result of a reorganization. A light duty assignment cannot exceed 90 days. In addition, the employee may receive workers' compensation payments in a reduced amount. |
| Inactive Status | 18. At the end of the initial six-month period after the injury, an injured employee unable to return to regular duty will be placed on inactive status unless an extension of injury leave is expressly authorized by the commissioners court. |

POLICY ON WORKERS' COMPENSATION BENEFITS

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| Inactive Status | 19. At the time the employee is placed on inactive status, the department head is free to hire or promote a temporary replacement. Temporary replacements may be used for a period of six months. If at the end of that six-month period, the injured employee remains unable to return to work, the temporary replacement may become a regular employee. The injured employee will remain on the county's records in an "inactive" status (not terminated). When the injured employee has reached maximum recovery, the county will consider the employee for employment in a capacity for which the employee is qualified, if a position is available. |
| Total Disability/
Retirement | 20. A determination of total disability may be rendered at any time during the course of the occupational disability or injury leave. Upon such a determination, the county treasurer's office, in consultation with the commissioners court, will make the necessary arrangements for the employee's retirement under the county's long-term disability plan. |
| Reasons for
Termination of
Employment
During Injury
Leave | 21. An employee may be terminated while on leave for an on-the-job injury for the following: <ul style="list-style-type: none">a. refusal to return to duty on the workday on which the employee has been released by the treating physician;b. failure to accept a "light duty" assignment;c. failing to follow prescribed treatment including medical appointments; andd. participating in activities which, according to the county's medical and legal advisor, justify termination because they are injurious to recovery or they do not aid in healing. |

POLICY ON WORKERS' COMPENSATION BENEFITS

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Final Release
Or Settlement

22. At the time of final release or settlement of a workers' compensation claim, the employee must furnish the county with a certificate from the employee's physician stating that the employee is able to return to work. The certificate must also specify any limitation(s) on the employee's physical condition and the estimated duration of the limitation(s). The county will then evaluate the employee's physical condition and determine whether he or she can perform the duties of the job previously held. If (a) the employee cannot perform his or her previous duties, or (b) no vacancy exist, or (c) no other suitable position is available, and (d) a reasonable effort has been made to place the employee in a suitable position, then he or she will be separated and paid accrued benefits. If the employee is separated from county employment at this point, the County Treasurer's office will:
- a. send him or her a certified, return receipt requested, letter;
 - b. explain the circumstances, outlining the reasonable effort made to place the employee in a suitable position; and
 - c. inform the employee that he or she has been separated from county employment and that he or she will be mailed a final paycheck, if applicable, for any accrued and payable leave benefits.

POLICY ON REHIRED EMPLOYEES

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| Rehired Employees | 1. | Employees who return to work for the county within one year of an employment separation will retain credit for their previous service toward some benefits as provided herein. |
| Probationary Period | 2. | An employee who is rehired by the County within 365 days after employment has terminated who is rehired to the same or substantially similar position in the same department will not have a new probationary period. If the individual is rehired into a different position in the same department or any position in a different department, the employee will complete a new probationary period for the new position. |
| Drug Testing | 3. | An employee who is rehired by the County within 365 days after employment has terminated shall not be required to submit to drug testing, upon approval of the Department Head. |
| Service Awards | 4. | An employee who is rehired by the County within 365 days after employment has terminated shall receive credit for prior service when calculating length of service for service awards. Seniority date will be calculated by the Treasurer's Office by adjusting the original hire date by the number of days the employee was not employed. |
| Vacation | 5. | An employee who is rehired by the County within 365 days after employment has terminated shall have prior service with the County counted toward years of service for calculating the rate of vacation accrual. |
| Sick Leave | 6. | An employee returning to work for the County within 365 days after employment has terminated shall receive all of their accrued sick time back if they did not donate their sick leave to the sick bank upon termination. |
| Health Benefits | 7. | An employee returning to work for the County within 90 days after employment has terminated shall be immediately enrolled in the County's health insurance plan. |
| Retirement Health Benefits | 8. | An employee returning to work for the County within 365 days after employment has terminated shall receive the lifetime medical insurance benefits they were previously entitled to under Section 3.02, provided any days not employed by the County have been made up to satisfy vesting requirements for such benefits. |