



**POLK COUNTY, TEXAS**

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**TO:** Sydney Murphy, County Judge & County Commissioners

**FROM:** Adrena Gilbert, Human Resources Supervisor

**RE:** Revision of Personnel Management Systems Book 2

**DATE:** April 21, 2021

**Book 2:** **2.00 Employee Responsibilities**  
Revision of 2.01 to add information about employee visitors in the office area.

## **2.00 EMPLOYEE RESPONSIBILITIES**

**2.01 GENERAL.** The county is a public, tax-supported organization. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct at all times. Employees are required to give a full day's work, to carry out efficiently the work items assigned as their responsibility, to maintain good moral conduct, and to do their parts in maintaining good relationships with the public, their supervisor, county officials, and their fellow employees. Employees should refrain from having visitors in their area and be cognizant of their time spent with visitors. Visitors (i.e. spouses, children, family, etc.) must be approved by the Elected Official/Department Head prior to those individuals being present in the workplace.

**2.02 PROFESSIONAL APPEARANCE.** Employees of the county are hired to provide services to the county's citizens and to perform specific tasks in a professional manner. As representatives of the county, employees are encouraged to set and meet high standards both in performing quality work and in presenting a professional personal image to the public. While the county does not have a formal dress code, employees are expected to exercise regular hygiene care and to dress and groom themselves in a neat and tasteful manner which is appropriate to the particular job being performed. Expensive clothes are not necessary, but a neat, well groomed appearance and a courteous attitude are necessary in creating and maintaining a professional, favorable image of the county's work force.

**2.03 TIMELINESS AND ATTENDANCE.** Employees are to be punctual in reporting for work, keeping appointments, and meeting schedules for completion of work.

An employee who expects to be late for or absent from work must report the expected tardiness or absence to his or her supervisor not later than one hour before the time the employee is scheduled to begin work, as a general rule, unless emergency conditions exist. A department head may require a different reporting schedule if it would work better for that particular department. See also the **Leave Time** chapter of these policies for matters involving planned absences.

Failure to report within the required period can be considered justification for disallowing paid sick leave for an absence and for disciplinary action. Unless otherwise approved by the supervisor, employees are expected to call on each day of absence. Where the nature of the absence necessitates an extended period of time off, longer reporting intervals may be approved by the supervisor. Frequent tardiness or unexcused absence is not permissible and is grounds for disciplinary action up to and including termination.

**2.04 OUTSIDE ACTIVITIES.** Employees may not engage in any outside employment, activity, or enterprise determined by the elected or appointed department head (1) to be inconsistent or incompatible with employment with the county; or (2) to affect the employee's job performance adversely.

Any department head or elected official, at his or her discretion, may require that employees in that department notify the department head or elected official prior to the employee's acceptance of any outside employment, including self-employment.

The county accepts no liability for any action, failure to act, injury to self or others, property damage, or any other damage or workers compensation claim resulting from outside employment by a county employee or official.

**2.05 GIFTS AND GRATUITIES.** A county officer or employee may not accept any gift or free service that might tend to influence his or her official actions or impair his or her independence of judgment in performance of duties for the county. See "Conflict of Interest" section below.

#### **2.06 CONFLICT OF INTEREST.**

1. County Elected Officials. A member of the commissioners' court and certain other county officials shall not participate in a vote or decision affecting a business or real estate in which the member or official has a substantial interest. The details of this prohibition are set out in the county's "Conflict of Interest Policy for Members of the Commissioners Court and Certain other County Officials."
2. County Employees. An Employee may not (1) solicit or accept or agree to accept a financial benefits, other than from the county, that might reasonably tend to influence his or her performance of duties for the county or that he or she knows or should know is offered with intent to influence the employee's performance; (2) accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties; (3) accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the county; (4) make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the county; or (5) solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as a county employee in favor of that person.

*(Legal Reference: V.T.C.A., Local Government Code, Chapter 171)*

**2.07 POLITICAL ACTIVITY.** Employees of the county are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

An employee may not:

1. Use his or her official authority or influence to interfere with or affect the result of an election or nomination for office; or
2. Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose.

All county employees, except elected officials, are prohibited from participating in any way in any political activity while wearing a county uniform, regardless of whether the employee is on duty or on his or her own time. In addition, no county-owned property, vehicle, building, and/or office may be used for displaying campaign materials or for conducting any partisan political activity.

An employee who runs for election to an elected county office is encouraged, but not required, to take a leave of absence beginning upon filing for elected office and ending upon certification of the final election.

In addition, any county employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected). County employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the federal government.

An employee's political activity which is not in violation of this section shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee.

*(Legal Reference: U.S. Hatch Act of 1940, as amended)*

**2.08 COMMUNICATIONS.** From time to time, an employee may be given directions from persons other than his or her immediate supervisor or elected or appointed department head. In such cases, it is the employee's responsibility to notify his or her immediate supervisor about the direction, its purpose, and the relevant facts of the situation. Failure to do so in a timely manner may result in disciplinary action.

Communication with the public about county issues or problems is the responsibility of the appropriate department head or elected official. Employees are to refer the public to the appropriate elected or appointed department head if a question is non-routine, controversial, or outside of the scope of the employee's normal duties.

**2.09 TELEPHONE USE.** Telephones are to be used for county business. It is understood that occasionally personal calls are necessary; however, use of telephones for local personal calls is permitted only if the number and length of calls are kept to a minimum.

County employees and officials may not place personal long-distance telephone calls on county telephone equipment unless the charges will be billed directly by the telephone company to the individual's personal account.

If the county furnishes a county official with cellular telephone service, any metered usage by the official for personal calls must be paid personally by the official on a monthly basis.

**2.10 UNIFORMS.** Some departments require some of their employees to wear uniforms. In such instances, the county will provide either the uniform itself, or an annual uniform allowance. Each employee is expected to keep his or her uniform in good condition. If a uniform service is not provided, the employee is expected to keep uniforms neat and clean at the employee's expense. Uniforms provided to employees are considered property of the County and shall be treated as such. (See "11.00 USE OF COUNTY PROPERTY")

**2.11 PURCHASING.** Purchases by county employees shall be made only as authorized by elected or appointed county department heads or the commissioners court and shall be made only after obtaining a purchase order number. Additionally, all purchases must be made in accordance with state purchasing laws as they apply to counties.

*(Legal Reference: V.T.C.A., Local Government Code, Chapter 262)*

**2.12 INDEBTEDNESS TO THE COUNTY.** State law prohibits issuing a paycheck or any other payment to a county employee if the employee is indebted to the county or to the state and notice of the indebtedness has been filed with the county auditor and county treasurer.

*(Legal Reference: V.T.C.A., Local Government Code, Section 154.025. Applies only to counties with populations of 190,000 or less)*

**2.13 CELL PHONE POLICY – Personal and County Issued.** The purpose of this policy is to provide guidelines for employee's personal cell phones practices and the assignment, use and control of Polk County issued cell phones to ensure such equipment is used in the most efficient and ethical manner. This policy applies to all employees and cell phone use in County buildings or vehicles during work hours and while conducting official business. The term "Cell Phone" is defined as any handheld electronic communication device with the ability to receive and/or transmit voice, text, photographic images, digital images, or data messages without a cable. Also included are, any and all devices capable of recording digitally, videotaping any sounds or conversations. Employees should be aware that using personal cell phones or devices for County business could potentially expose their personal records to public scrutiny or legal subpoena.

**Records created or received on a personal or County issued cell phone or device, including text messages and photographs that relate to Polk County business are considered Polk County records. Each Elected Official is the records management officer for the records of their office, and has their own policies and procedures for the administration of a records management program, to include records pertaining to County business on a personal or County issued cell phone. It is strongly recommended that employees use Polk County email rather than texts when communicating remotely, whenever possible.**

*It is a violation of this policy, and a Class "A" Misdemeanor, to delete, destroy, or otherwise make unavailable Polk County business records.*

**2.14 Social Media** While Polk County does not wish to infringe on OFF-DUTY TIME of its employees, certain activities on the part of an employee may become a problem if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile working environment for any employee; disrupting the smooth and orderly flow of work within the County; or harming the goodwill and reputation of the County and/or employees among its constituents or in the community at large. Employees must ensure that the use of social media does not produce the adverse consequences noted above. For this reason, the following guidelines apply to the use of social media during business hours, while on duty, or anytime you are acting as an employee, agent or official representative of the County, or for any social media posts directed to, or referencing, either directly or indirectly a County employee, constituent, official, vendor, contractor, sub-contractor, assignees or any other person or persons officially representing the County, to include but not limited to online forums, blogs and social networking sites such as Twitter, Facebook, LinkedIn, Instagram, YouTube, SnapChat and TikTok.

Where no policy or guideline exists, employees are expected to use their best judgment and take the most prudent action possible. If you are uncertain about the appropriateness of a social media posting, check with your manager or supervisor.

- a. An employee will not publish any personal information about themselves, another employee of Polk County, or constituent in any public medium (print, broadcast, digital, or online that:
  - 1. Involves a County employee, their co-workers, or the County in any kind of dispute or conflict with other employees or third parties in which threats of violence, coercion, obscene language or other words tending to incite an immediate breach of the peace are used;
  - 2. Interferes with the normal daily work or routine of any employee;
  - 3. Creates a harassing, demeaning, or hostile work environment for any employee;
  - 4. Causes a disruption of County business, or interferes with the delivery of goods or services to the County's clients or customers;
  - 5. Harms the established goodwill and reputation of the County and/or its employees among its constituents or in the community at large.
- b. Social media activities should never interfere with an employee's work commitments.
- c. Your online presence reflects on the County. Be aware that your comments, posts, or actions captured via digital or film images must not adversely affect the image of Polk County.
- d. Photos on any post shall not include photos of any County equipment, vehicles, uniforms or other property that conveys the same is owned by the County.
- e. You are responsible for your social media presence. Social media use that violates state or federal statutes or regulations can subject you to legal action by other employees, supervisors, customers or vendors, and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Employees can still be subject to disciplinary action for what they post on social media platforms, even if the employee did not use a County computer or if the post did not occur during work hours or on County property.
- f. Any confidential information that you obtained through your position at the County shall be kept confidential and shall not be discussed on any social media platform.
- g. Any employee violating the guidelines above will be subject to disciplinary action, up to and including termination of employment.