



Travis County Commissioners Court Agenda Request

Meeting Date: November 26, 2013
Prepared By/Phone Number: Melissa Velasquez, Executive Assistant
512-854-9558
Elected/Appointed Official/Dept. Head: County Judge's Office
Commissioners Court Sponsor:

AGENDA LANGUAGE:

REQUEST TO GRANT LEAVE WITH PAY FOR CERTAIN COUNTY EMPLOYEES

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

The Court has received inquiries regarding the granting leave with pay for county employees who have suffered losses and were affected by recent flooding in a manner similar to leave granted for employees affected by the Wildfires in 2011 in accordance with Travis County's Leave With Pay Policy, Section 10.045 of the Travis County Code. The backup and minutes from the September 20, 2011 Voting Session are attached.

STAFF RECOMMENDATIONS:

Staff seeks direction from the Court.

ISSUES AND OPPORTUNITIES:

On September 20, 2011, the Court decided that Section 10.045(a)(1), Leave with Pay, does apply to these types of disaster situations and authorized County Executives to function as the Court to implement this provision of the Code allowing:

- (a) "an elected/appointed official (to) grant an employee up to five working days per fiscal year of leave with pay when it is in the County's best interest to (1) protect the health and safety of employees"...

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials should be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.



Travis County Commissioners Court Agenda Request

Meeting Date: September 20, 2011

Prepared By/Phone Number:

Elected/Appointed Official/Dept. Head: Leroy Nellis, Acting County Executive, Planning and Budget

Commissioners Court Sponsor: Judge Sam Biscoe

A handwritten signature in black ink, appearing to read "Leroy Nellis", written over the typed name in the previous block.

AGENDA LANGUAGE: "Will be reworded by the County Judge's office" Use of Leave with Pay Travis County Policy 10.045 as it relates to use by employees who suffered a loss due to current wildfires.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
Please see attached documentation.

STAFF RECOMMENDATIONS: Please see attached documentation.

ISSUES AND OPPORTUNITIES: Please see attached documentation.

FISCAL IMPACT AND SOURCE OF FUNDING: Please see attached documentation.

REQUIRED AUTHORIZATIONS:

Leroy Nellis, Planning and Budget Office, (512) 854-9106

Jessica Rio, Planning and Budget Office, (512) 854-9106

Cheryl Aker, County Judge's Office, (512) 854-9555

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.

10.045 Leave with Pay³⁴

- (a) An Elected/Appointed Official may grant an employee up to five working days per fiscal year of leave with pay when it's in the county's best interest to:
 - (1) Protect the health and safety of employees, or
 - (2) Relieve the employee of his/her duties pending the results of an investigation, when an employee could be suspended, demoted, or terminated.
- (b) For non-exempt employees, the leave with pay hours will be counted as productive hours and qualify for overtime/compensatory time calculation.
- (c) The Commissioners Court, prior to being granted, must approve an extension of leave with pay beyond the original five days, except in the case of Title VII claims where the County Judge, at his/her discretion, may approve an extension of leave with pay of up to ten days working days beyond the five original days.

10.04501 Timesheets and Leave Requests by Certain Employees³⁵

- (a) All employees who are supervised directly by the Commissioners Court (County Executive, Legislative Liaison, Special Assistant, etc.), like all other employees, are subject to the leave provisions in Chapter 10 of the Travis County Code.
- (b) Any employee who is supervised directly by the Commissioners Court shall submit timesheets and requests for any type of leave to the County Judge.
- (c) The County Judge is authorized to act as the Elected/Appointed Official or the supervisor for employees supervised directly by the Commissioners Court in relation to taking appropriate action regarding timesheets and requests to use any type of leave.
- (d) In his discretion, the County Judge, on his own or upon request of the employee, may present the request for leave to the Commissioners Court for consideration at a meeting of the Travis County Commissioners Court.

10.0451 Unpaid Transferred Vacation Leave³⁶

- (a) The purpose of this section is to provide a means by which a transfer employee who has been paid for the vacation leave accrued while an employee at the City of Austin to be away from work without pay for up to the

³⁴ Section 10.045 was amended 10/14/2003, Item A1.

³⁵ Section 10.04501 was added 7/28/2009, Item 40.

³⁶ Section 10.0451 added 3/19/1999, Item 4

Beth Blankenship - Wildfire Reporting Update

From: Beth Blankenship
To: Susan Spataro
Date: 9/16/2011 10:42 AM
Subject: Wildfire Reporting Update
CC: April Bacon; Diana Warner; Leroy Nellis

Susan, this is an update to the wildfire reporting issues that we talked about earlier in the week. As we discussed, my concerns relative to the reporting of time related to the wildfires are as follows:

1. We need to be able to audit the time sheets and ensure that time paid is in accordance with County policy.
2. We need to be able to verify that the treatment of time paid related to the wildfires is consistent across the County.
3. Policy 10.045 is believed by some to cover this disaster situation. The language of the policy does not appear to apply to these circumstances. We are unaware of any historical payments for time missed from work due to a disaster (including recent floods and the Pinnacle Fire) based on this policy. We understand that the County Attorney's office is looking at this issue and will provide guidance in this area.

If the Commissioners determine that employees who missed work because of the wildfire disaster can be compensated, it will not be possible for the employees to enter the time on their time sheets this week since we do not yet have direction from the Court. **Rather than do time sheet corrections, a better option would be for department heads and elected officials to send a letter to payroll which lists the affected employees, their employee identification numbers, each individual date to be paid, and the number of hours to be paid for each date.** The documents should provide the authorization to pay these hours. We would need to have this information by noon on Friday, September 23 to include such payments on the 9/30/2011 pay checks.

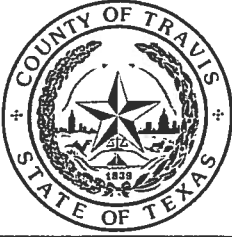
We have heard that exempt employees may be paid additional compensation for time worked related to the fires, but are unaware of any details. In addition, I understand that some departments are reporting time missed as administrative leave, whereas others are using current accruals (vacation, personal holiday, comp time, sick, etc.).

FYI...last week I worked with the Sheriff's office, the Constable offices, Emergency Services, and TNR to provide guidance on how employees who actually worked the fires are to report time so that we can prepare any reimbursement request that may be required. Jose Palacios set up projects for us to track the various fires, and we developed coding for the time sheets that will enable us to capture the information we need for future reporting. Despite these efforts, much of the work required to account for the fires will result in manual entries for the liaisons in the departments and for payroll.

Please let me know if I can provide any additional information.

Thanks,

Beth Blankenship
Travis County Auditor's Office
Payroll and Benefits Auditing
854-9124



Travis County
Texas

Agenda Item
5054



Consider and take appropriate action regarding Travis County policy, Section 10.045 (Leave with Pay), as it relates to employees who suffered a loss due to the recent wildfires of September 2011. (This item may be taken into Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney)

Information

Department: CC Agenda request **Sponsors:**
Category: General Government

Attachments

0920#7 Use of Leave with pay current wildfires
Item 7 additional

Meeting History

Sep 20, 2011 9:00 AM Video **Commissioners Court** **Voting Session**

Members of the Court heard from:

Diane Blankenship, Director, Human Resources Management Division (HRMD)

Susan Spataro, Travis County Auditor

Beth Blankenship, Chief Assistant County Auditor II, County Auditor's Office

MOTION: Section 10.045(a)(1) of the Travis County Code will be interpreted by the Commissioners Court as reaching employees who have been affected by the recent fires of September, 2011. The Commissioners Court authorizes County Executives to function as the Court as to implementation of this provision.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez

Transcript

Sep 20, 2011 9:00 AM **Commissioners Court** **Voting Session**

Show prev 60 sec

12:25 PM Ranch to make sure we've got everyone covered.
Thanks.
Anything else on b?
No, siri
C, other emergency measures to respond to exceptional brought conditions. Anything from the p rks department new and different?
12:26 PM