

COURT ORDER

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ORDER NO: 2011 1802

DATE: October 18, 2011

STATE OF TEXAS '

COUNTY OF DALLAS '

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 18th day of October, 2011, on motion made by John Wiley Price, District #3, and seconded by Dr. Elba Garcia, District #4, the following Order was adopted:

WHEREAS, Commissioners Court was briefed on October 11, 2011, regarding new policy language in Chapter 86 (Nepotism Policy) of the Dallas County Code; and

WHEREAS, The Human Resources/Civil Service Department with input from the Civil Section of the District Attorney's Office included the addition of specific policy language regarding the application of the policy and removed all references to elected officials who are covered under chapter 573 of the Texas Government Code; and

WHEREAS Upon review, Commissioners Court approved immediate adoption of the policy changes for inclusion in the Dallas County Code to allow ease of interpretation, implementation, and administration; and

WHEREAS The policy has been reviewed by the Civil Section of the District Attorney's Office, with recommendations in these policies consistent with Dallas County's Strategic Plan Vision 1.5: Maintain a strong, motivated Dallas County Workforce.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Dallas County Commissioners Court *hereby approve the revised policy language (Chapter 86 – Nepotism Policy) included in Attachment A for immediate inclusion in the Dallas County Code.*

DONE IN OPEN COURT this the 18th day of October, 2011.

Clay Lewis/Jenkins
County Judge

No m.a.

Maurine Dickey
Commissioner District #1

Mike Cantrell
Commissioner District #2

John Wiley Price
Commissioner District #3

Dr. Elba Garcia
Commissioner District #4

Recommended by:

Mattye Mauldin-Taylor, Ph.D., Director
Human Resources/Civil Service Department

DIVISION 6. NEPOTISM* (This section reflects court approved policy language: Court Order #2010 1711 – October 12, 2010).

*State law references: Nepotism, V.T.C.A., Government Code § 573.001 et seq.

Sec. 86-240 Policy Statement.

The purpose of this policy is to reduce potential conflicts or perceptions of favoritism that may occur with the hiring of immediate family members in the workplace. The following language will clearly define dallas county's policy regarding the standards for hiring relatives, or employees who become related by blood, marriage or adoption.

Sec. 86-241 Application.

This policy only applies to department heads appointed by the commissioners court and individuals who are supervised directly or indirectly by those department heads or their designees.

Sec. 86-241.2. Prohibited according to applicable law.

The hiring of employees shall not violate the laws against nepotism as contained in the state law or other applicable laws. This policy applies to all applicants and employees (regular full-time, temporary full-time, regular part-time, or temporary part-time capacity) to include applicants/temporary employees provided through temporary employment agencies. Sheriff's Department employees should consult the Sheriff's Department Civil Service Rules and Regulations for departmental guidance.

(Admin. Policy Manual, § A(2.13))

Sec. 86-242.3. Immediate family members enumerated.

Applicants who have any of the following immediate family members (related by blood, marriage, or adoption) presently working for the county will not be allowed to work in the same department: parent, husband, wife, child, stepchild, brother, sister, nephew, niece, stepbrother, stepsister, half-brother, half-sister, stepparent, cousin, grandparent, grandchild, uncle, aunt and any person serving as parent/guardian, or any relative living in the same household.

For example, *John has applied for a security officer position in the Office of Security and Emergency Management Department. His stepmother has a nephew currently employed in the department. John cannot work in the Security and Emergency Management Department because he currently has a cousin (by marriage) currently employed in the department.*

(Admin. Policy Manual, § A(2.14))

Sec. 86-243.4. Additional persons classified as immediate family.

Applicants and employees who have any of the following family members (related by blood, marriage, or adoption) currently working for the county may work in the same department

but may not work in the same section or division, nor may a supervisory relationship exist; parent-in-law, child-in-law, daughter-in-law, son-in-law, brother-in-law, and sister-in-law. A section or division is defined as a formal organizational structure or unit that has been formally established by the office of budget and evaluation.

For example, *John has applied for a position in the Juvenile Detention Center of the Juvenile Department. His sister-in-law is currently employed at the LETOT Center of the Juvenile Department. John may be employed to work in the Juvenile Department because he and his sister-in-law would be employed in a different division of the department where no supervisory relationship exists.*

(Admin. Policy Manual, § A(2.15); Ord. No. 2003-1097, 6-24-2003)

Sec. 86-2445. Becoming relatives after employment.

Employees who become relatives (by blood, marriage, or adoption) after employment are treated in accordance with sections 86-242 or 86-243). If the ~~elected official~~/department head is unable to make an acceptable accommodation (e.g., move to a different section or division), the ~~elected official~~/department head shall notify the employee(s) in writing that one of the employees must separate from the county within sixty (60) days. The employees shall make the decision about who will separate from county service. In the event the employees do not agree, the employee with the least seniority shall be separated from Dallas County.

(Admin. Policy Manual, § A(2.16); Ord. No. 2003-1097, 6-24-2003)

Sec. 86-2456. Consequences for violations.

It is the employee's responsibility to conform to this policy and failure to do so will result in termination.

(Ord. No. 2003-1097, 6-24-2003)

Sec. 86-2467. Exceptions to policy.

Exceptions to this policy must be briefed and approved by commissioners court as outlined below:

- a. Written justification for the exception must be submitted to the human resources/civil service director for review; and
- b. The written justification must include a formal organization chart(s) that identifies the placement of employees in regards to the exception; and
- c. The human resources/civil service director will submit the request for exception to commissioners court for review and approval; and
- d. If commissioners court approves the exception, any further movement/changes of the employees' status within the department (e.g., transfer, promotion, demotion, reclassification, etc.) must be briefed to commissioners court through Human Resources/Civil Service for review and approval; and
- e. The Human Resources/Civil Service Department will follow-up annually with departments who have been granted an exception to ensure continuing compliance.

Secs. 86-247--86-270. Reserved.

COURT ORDER

ORDER NO: 2011 1803

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DATE: October 18, 2011

STATE OF TEXAS '

COUNTY OF DALLAS '

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 18th day of October, 2011, on motion made by John Wiley Price, District #3, and seconded by Dr. Elba Garcia, District #4, the following Order was adopted:

WHEREAS, Commissioners Court, as part of its FY2012 budget balancing strategies, identified various positions (vacant and filled) for deletion throughout Dallas County with tenure as the recommended criteria for offices without sufficient historical performance evaluations, effective upon official notification to impacted employees; and

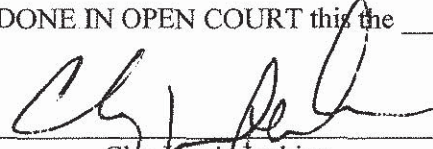
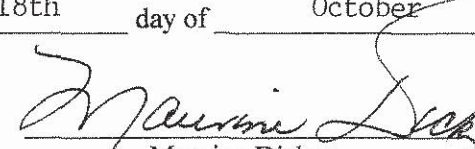
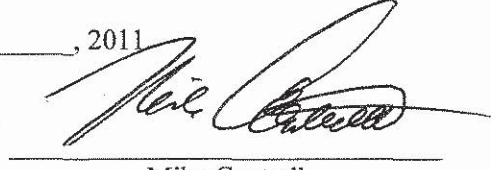
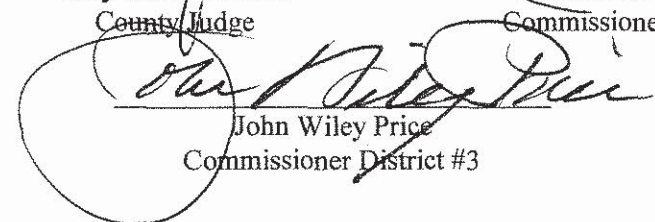
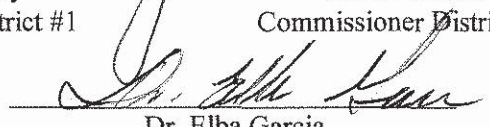
WHEREAS, Commissioners Court recommends elected officials and department heads notify all affected employees as soon as possible that their employment with Dallas County will be terminated immediately, upon official notification; and

WHEREAS, In an effort to minimize the impact of the immediate termination, Commissioners Court will authorize two weeks of additional pay from date of separation for all employees impacted under the Reduction in Force; and


WHEREAS, This recommendation supports Strategic Vision 1.3: Dallas County provides sound, financially responsible, and accountable governance.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Dallas County Commissioners Court hereby approve two weeks of additional pay from date of separation (immediate termination) for all employees affected by the deletion of selected positions throughout Dallas County due to its FY2012 budget balancing strategies.

DONE IN OPEN COURT this the 18th day of October, 2011

 _____ Clay Lewis Jenkins County Judge	 _____ Maurine Dickey Commissioner District #1	 _____ Mike Cantrell Commissioner District #2
 _____ John Wiley Price Commissioner District #3	 _____ Dr. Elba Garcia Commissioner District #4	

Recommended by:



Martye Mauldin-Taylor, Ph.D./Director
Human Resources/Civil Service Department