

**EL PASO COUNTY SHERIFF'S OFFICE**



**CIVIL SERVICE COMMISSION**

**SPECIAL MEETING AGENDA  
1:30 P.M. TUESDAY, FEBRUARY 27, 2018  
SHERIFF'S HEADQUARTERS  
3850 JUSTICE ROAD  
SHERIFF'S CONFERENCE ROOM  
EL PASO, TEXAS 79938**

**Chair  
Fermin Acosta Jr.**

**Commissioners  
Maria Elvira Williams  
Bertha A. Gallardo**

**OPEN MEETING**

**NOTICE TO THE PUBLIC**

All matters listed under the Consent Agenda will be considered by the Civil Service Commissioners to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless members of the Court or persons in the audience request that specific items be removed from the Consent Agenda to the Regular Agenda for discussion prior to the time the Court votes on the motion to adopt the Consent Agenda.

All matters listed on the Consent or Regular Agenda may be discussed in executive session at the option of the El Paso County Civil Service Commission and following oral announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**PUBLIC COMMENT**

Speaker's choice: Five (5) minutes per person during this segment regarding any items of three (3) minutes per person on each item as it appears on the agenda. The same will apply to any interest group consisting of three or more representatives.

*Daniel Brumie*  
COUNTY CLERK  
EL PASO COUNTY, TEXAS  
FEB -9 PM 3:21  
FILED FOR RECORD  
SHERIFF'S OFFICE

**CONSENT AGENDA**

1. Approve the minutes of the Special Meeting for the Sheriff's Civil Service Commission on February 12, 2018.  
--Ludy Velo, Human Resources

**REGULAR AGENDA**

2. Discuss and take appropriate action to approve recommended changes to Chapter 2, Section 9 *Employment - Demotion*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
3. Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 1 *Leave Policies - Notification of Absence*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
4. Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 2 *Leave Policies - Sick Leave*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
5. Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 3 *Leave Policies - Vacation Leave*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
6. Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 4 *Leave Policies - Approved Time Off*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
7. Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 5 *Leave Policies - Military Reserve Training*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
8. Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 8 *Leave Policies - Holidays*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources

EL PASO COUNTY CLERK  
EL PASO COUNTY, TEXAS

*Ludy Velo*

2018 FEB -9 PM 3:21

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9. Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 9 *Leave Policies - Leave Without Pay*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
  
10. Discuss and take appropriate action to approve recommended changes to Chapter 11, Section 3 *Promotional Procedures - Selection to Deputy Sheriff*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
  
11. Discuss and take appropriate action to approve recommended changes to Chapter 11, Section 4 *Promotional Procedures - Promotion of Non-Uniformed Personnel*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.  
-- Ludy Velo, Human Resources
  
12. ADJOURN

FILED FOR RECORD  
JIMMY OFFICE  
2018 FEB -9 PM 3:21  
*Dalee Brunette*  
COUNTY CLERK  
EL PASO COUNTY, TEXAS



**EL PASO COUNTY SHERIFF'S OFFICE CIVIL SERVICE COMMISSION:  
NOTICE: CHANGE OF RULES**

**POSTED: Friday, February 9, 2018 – by 5:00 pm**

In accordance with Sec. 1.4.01 of the Civil Service Commission, this notice contains the proposed changes regarding sections in the Civil Service Commission Rules & Regulations. They will be discussed and appropriate action will be taken at the following special meeting:

**Tuesday, February 27, 2018  
El Paso County Sheriff's Headquarters  
(Sheriff's Conference Room)  
3850 Justice Road  
1:30 pm**

**Proposed Change #1:** Discuss and take appropriate action to approve recommended changes to Chapter 2, Section 9 *Employment – Demotion*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

- 2.9.01            A demotion is a reduction of an employee from a higher pay grade to a lower pay grade or lower step within grade, ~~as a result of: 1) the inability of the employee to fulfill the functions of the job; 2) the employee's request for such change; or 3) disciplinary action.~~
- 2.9.02            A disciplinary demotion is a demotion which is the result of: 1) the inability of the employee to fulfill the functions of the job; or 2) misconduct. The Sheriff has the authority to demote employees for just cause and to determine the new pay grade and step. Under no circumstances, however, will an employee subject to a disciplinary demotion be placed in a pay grade or step that results in either: 1) a higher salary for the employee; or 2) a higher step than authorized based on the employee's total years of service with the County in the reduced pay grade and the higher pay grade combined.
- 2.9.03            A voluntary demotion is a reduction in pay grade requested by the employee. If the employee is placed in a new position at a lower pay grade at the employee's request, the employee will be placed in the step authorized based on the employee's total years of service with the County in the reduced pay grade and the higher pay grade combined, as verified by the Human Resources Department.

**Proposed Change #2:** Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 1 *Leave Policies – Notification of Absence*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

- 5.1.01            Regular attendance is important to the overall operation of the Office. If for any reason an employee is unable to report for work, notification shall be made by the employee to the employee's immediate supervisor at the earliest time possible; and in compliance with the notice requirements below. Based on prior timely notification, the Sheriff or his designee shall determine an employee's eligibility to receive paid leave. An employee who is not on authorized leave and who fails to report to work for three (3) days shall be deemed to have resigned and shall be removed from the payroll. If the employee is physically unable to report the absence to his supervisor, the employee shall make the best possible effort to have some other person report the absence to the supervisor at the earliest time. If a person other than the employee reports the absence to the supervisor, when the employee returns to work, the employee will provide the supervisor with documentary evidence showing good cause for the employee's inability to personally notify the supervisor.



**Proposed Change #3:** Discuss and take appropriate action to approve recommended changes to Chapter 5 Section 2 *Leave Policies – Sick Leave*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

- 5.2.01 All non-exempt employees are granted time off with pay in the event of personal illness or illness in the immediate family. This covers all physical disabilities, including maternity.
- 5.2.02 Sick leave is accumulated from the date of employment for all full time regular non-elected employees ~~defined as working thirty (30) hours per week or more~~ at the rate of 3.077 hours per pay period. Maximum accumulation is ninety (90) days.
- 5.2.03 The use of paid sick leave is authorized only for an employee who has completed 90 calendar days of full-time service.
- 5.2.04 To be eligible for paid sick leave, the employee is required to notify his/her supervisor at the beginning of the workday, at least one hour prior to the scheduled reporting time, unless exigent circumstances exist. ~~Employees who are a~~ Absences of three (3) or more consecutive ~~working days for sick leave or dependent illness will~~ must be required to ~~provide written verification~~ by a licensed physician licensed in the United States stating the necessity for the sick leave. Written verification, in the form of a certificate or statement, shall ~~must~~ be presented to the supervisor upon returning to work. Written verification may also be required for any illness or injury if sick leave abuse is suspected.
- 5.2.05 Use of accumulated paid sick leave shall be authorized should a member of the immediate family be ill.
- 5.2.06 Payment for accumulated sick leave is not authorized after separation except for employee's covered as outlined in the Agreement between El Paso County and the El Paso County Sheriff's Officers Association.

**Proposed Change #4:** Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 3 *Leave Policies – Vacation Leave*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

- 5.3.01 Regular full-time and part-time employees shall be eligible to use vacation leave with pay after six (6) months of continuous service with the County.
- 5.3.02 Based on years of service to the County, full-time employees, other than employees covered by the agreement between El Paso County and the El Paso County Sheriff's Officers Association shall accrue vacation leave at the following rates:

**FULL-TIME EMPLOYEE:**

**YEARS**

5 years or less

**ACCRUAL RATE**

10 working days per year  
earned at the rate of 3.0778  
hours per pay period.

6 thru 15 years

15 working days per year  
earned at the rate of 4.6162  
hours per pay period;

16 years or more

20 working days per year,  
earned at the rate of 6.154  
hours per pay period.

**PART-TIME EMPLOYEE:**

**YEARS**

**ACCRUAL RATE**

5 years or less

5 working days per year,  
earned at the rate of 1.5~~30~~<sup>94</sup>  
hours per pay period;

5~~6~~ thru 15 years

7.5 working days per year,  
earned at the rate of 2.3~~08~~<sup>4</sup>  
hours per pay period;

15~~6~~ years or more

10 working days per year,  
earned at the rate of 3.0~~77~~<sup>8</sup>  
hours per pay period.

- 5.3.03 Vacation ~~allowance~~ leave may be accumulated up to a maximum of two (2) times the annual vacation benefit (20, 30 or 40) days depending on the length of service. Days earned in excess of the accrued limit will be forfeited.
- 5.3.04 ~~The Scheduling of vacation is at the discretion of the immediate supervisor. ...~~ An employee must request vacation leave in advance from the Sheriff or his designee. The Sheriff may establish a policy regarding the procedure employees must follow to submit requests for vacation time. Requests for annual leave shall will not be unreasonably denied; however, Office operations must be considered in granting requests.
- 5.3.05 After six (6) months of continuous service, ~~should an non-elected employee terminate who separates from~~ employment with the County, he will be paid for accrued vacation leave.
- 5.3.06 Generally, if an employee is transferred from one County department to another, all unused vacation leave shall remain to the employee's credit as though no change had been made.
- 5.3.07 Official County holidays occurring during the employee's vacation leave shall not be counted against vacation leave used.

**Proposed Change #5:** Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 4 *Leave Policies – Approved Time Off*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

- 5.4.01 ~~Approved time off, in reasonable amounts,~~ At the discretion of the Sheriff, an employee may be granted for ~~Administrative Leave with pay~~ for any of the following reasons:
- a) Jury Duty;
  - b) Voting in National, State, County and City elections;
  - c) During the pendency of an internal affairs or criminal investigation;
  - d) To attend mandatory EAP appointments, if the appointment are during working hours;
  - e) When subpoenaed to attend any court proceeding; or
  - f) Up to five (5) workdays per year for other reasons as authorized by the Sheriff.



**Proposed Change #6:** Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 5 *Leave Policies – Military Reserve Training*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

5.5.01 ~~For periods of active military service, a county employee shall be granted up to 15 working days of leave within a fiscal year. Every employee of El Paso County who is a member of a reserve unit of the armed forces, and is called for temporary active duty, shall be granted up to 15 days military leave without loss of salary or a reduction of any accrued vacation or sick leave. Compensation of employees classified as Regular Part-time will be based on the established work schedule for the employee.~~

**Proposed Change #7:** Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 8 *Leave Policies – Holidays*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

5.8.01 Non-bargaining unit employees will observe the holidays designated by official action of the El Paso County Commissioners Court.

5.8.02 ~~If an employee's regular day off falls on a holiday, he may be given another day off within 30 days to compensate for the missed holiday. In the event a holiday falls on Sunday, the following Monday shall be deemed to be the holiday. In the event the holiday falls on Saturday, the preceding Friday shall be deemed to be the holiday. In the event the scheduled holiday shall be moved to either a Friday or Monday and that day is already observed as another County holiday, the scheduled holiday shall be given on the next available business day.~~

5.8.03 ~~When it is not feasible to grant holidays leave at the appropriate time to employees assigned to shifts on an around-the-clock operations, holidays may leave shall be extended at subsequent changed to a different dates convenient to the Office, department but must be taken within thirty (30) days before or after the holiday.~~

5.8.04 ~~An employee who is required to work on a regular scheduled holiday, with prior approval by the immediate supervisor/division commander and where subsequent time off is not practical, shall be compensated for such work at the standard overtime rate. In special cases, an employee not assigned to an around-the-clock operation who is required to work on a regularly scheduled holiday, with prior approval by the Sheriff and where subsequent time off is not practical, may be compensated for such work at the standard overtime rate in lieu of equivalent time off.~~

5.8.05 ~~Employees on Workers' Compensation or unpaid leave without pay for any reason will not be paid for a eligible to receive holiday pay.~~

~~5.8.06 An employee must work, or be on paid leave, the day before and after a holiday to be paid for the holiday. However, if the holiday is the employee's final day of County employment, and the employee is leaving on voluntary terms, the employee shall be paid for that final day.~~

**Proposed Change #8:** Discuss and take appropriate action to approve recommended changes to Chapter 5, Section 9 *Leave Policies – Leave Without Pay*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

5.9.01 ~~In special circumstances, a position may be held open for an employee during an absence by applying to the Sheriff for leave without pay. Authorized leave without pay is a matter of administrative discretion. At the discretion of the Sheriff, an employee may be granted leave without pay. Leave without pay is generally discouraged because it deprives the Office of needed services. The granting of leave without pay is a matter for the discretion of the Sheriff and the denial of such request is not subject to review or grievance.~~



5.9.02

An employee may be granted leave of absence without pay for the following reasons:

- a) For the recovery from an illness or disability after the exhaustion of accrued sick leave and vacation leave; not believed to be of a regular or disqualifying nature, after the exhaustion of sick leave and vacation leave.
- b) When return to work would threaten the health of others;
- c) When the service leave is requested to be performed while on leave without pay will ~~a service that~~ contribute to the public welfare;
- d) To provide necessary care for an immediate family or household member who is ill or incapacitated after the exhaustion of sick and vacation leave;
- e) To participate in a training program or obtain educational achievement; that will increase job ability or qualify an employee for advancement within the Office; County.
- f) ~~Any other reason deemed acceptable by the Sheriff.~~

5.9.03

Prior to granting an employee leave without pay, a request must be submitted to the Sheriff for approval. The date leave without pay begins and terminates along with a brief explanation as to the need for ~~such~~the leave, ~~shall accompany such~~ must be included in the request.

5.9.04

An employee who is granted leave without pay will continue to receive paid health and life insurance benefits from the County for a period not to exceed ninety (90) days in any 12-month period as long as the employee continues to pay his portion of the premiums; thereafter, the paid health and life insurance benefits will cease. An employee who is granted leave without pay will not accrue vacation and sick leave benefits while on leave without pay status.

5.9.05

An employee may remain on leave without pay status for a maximum of ninety (90) days within any 12-month period. Any employee who remains on leave without pay status more than ninety (90) days shall be separated for excessive absenteeism.

5.9.06

An Employee placed on leave without pay is entitled to reinstatement to the same or similar position upon the termination of the leave period; as such, the Sheriff may fill the vacant position only with a temporary employee. Temporary employees shall be separated from employment upon employee's return.

**Proposed Change #9:** Discuss and take appropriate action to approve recommended changes to Chapter 11, Section 3 *Promotional Procedures – Selection to Deputy Sheriff*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

11.3.01

The Human Resources Department will post the announcement of a Basic Peace Officer Course and the list of eligibility requirements.

11.3.02

Eligibility requirements are:

- (1) Be employed as a permanent detention officer with the El Paso County Sheriff's Office with at least 12 months of continuous service in that capacity.



- (2) Pass the physical fitness assessment administered by the Region VIII Training Academy.
- (3) Pass a written exam.
- (4) Pass an updated background investigation, which may include a polygraph exam.
- (5) Pass an oral interview.
- (6) Pass the medical evaluation.
- (7) Pass the psychological evaluation.
- (8) Meet TCOLE requirements.

11.3.03 The Human Resources Department will create an eligibility list with the names of the detention officers who have met all the eligibility requirements in 11.3.02. The order of the eligibility list will be determined by the written exam score (from highest to lowest passing score). The Sheriff will determine the size of the class for the Basic Peace Officer Course. The participants will be selected by the Sheriff from the eligibility list. The Sheriff may deviate from the order of the list to take into account the following factors:

- (1) Past performance history of the eligible detention officers, to include the detention officers' internal affairs disciplinary history. The Sheriff may skip detention officers on the list who have had performance or disciplinary problems.
- (2) The diversity needs of the agency. The Sheriff may select detention officers lower on the list to fill up to 30% of the slots for the Course with qualified detention officers who help meet the diversity needs of the agency.

11.3.04 Detention Officers selected to become probationary deputies must successfully complete the Basic Peace Officer Course, State Licensing Exam and the patrol division's Field Training Officer Program. Any probationary deputy who does not successfully complete all of these prerequisites may be reassigned to his/her former employment status.

11.3.05 Detention Officers who met all the requirements listed in 11.3.02, but were not selected to attend the Basic Peace Officer Course must reapply for any subsequent Basic Peace Officer Course. There will not be a standing list.

11.3.06 Detention Officers who have previously attended a Basic Peace Officer Course but failed to successfully complete the Course, State Licensing Exam or the patrol division's Field Training Officer Program, must wait 6 months from the last day of attendance at the academy or the last date as a probationary deputy (whichever is later) to reapply.

11.3.07 The Sheriff may hire as a deputy a peace officer licensed by TCOLE, and employed for at least five consecutive years with a law enforcement agency employing at least 50 peace officers. The number of peace officers from other agencies appointed as a deputy may not exceed 1 of 6 first time deputy appointments per calendar year. Deputies appointed under this subsection must:

- (1) Pass the physical fitness assessment administered by the Region VIII Training Academy.

- (2) Pass a background investigation, to include a polygraph exam.
- (3) Pass the medical evaluation.
- (4) Pass the psychological evaluation.
- (5) Have a TCOLE peace officer license and meet TCOLE requirements.
- (6) Attend and pass those portions of the Basic Peace Officer Course designated by the Sheriff.

**Proposed Change #10:** Discuss and take appropriate action to approve recommended changes to Chapter 11, Section 4 *Promotional Procedures – Promotion of Non-Uniformed Personnel*, of the El Paso County Sheriff's Office Civil Service Commission Rules and Regulations.

11.4.01 It is the policy of the El Paso County Sheriff's Office to fill vacant positions by promoting qualified applicants.

11.4.02 Vacant, full-time permanent positions are posted for a minimum of fourteen (14) days in the Detention Facility, Sheriff's Administration, County Human Resources Office, or at [www.epcounty.com/jobs](http://www.epcounty.com/jobs). The applicant is required to update personal information and submit a complete job application by the deadline of the posting.

11.4.03 The Human Resources Office will determine if applicants meet the minimum requirements and shall schedule them for appropriate testing. Qualified applicants will then be scheduled for a formal interview.

11.4.04 Employees promoted to a higher pay grade shall be placed on a six (6) months probationary period from the Effective Date of promotion during which time employees must satisfactorily demonstrate their ability to perform the duties required. Immediate supervisors will periodically meet with probationary employees concerning their progress to ensure the employees receive any guidance and training necessary for the employees to successfully perform their job duties. Probationary employees who do not demonstrate their ability to perform the duties required of their new position during the probationary period may be: 1) returned to their former position; 2) transferred to another suitable position; or 3) terminated from employment if their former position or another suitable position is not available. Employees returned to their former position, transferred to another suitable position or whose employment is terminated for failure to successfully complete their probationary period may not appeal to the Civil Service Commission.

Copies of the proposed changes may be picked up in the Human Resources Office of the El Paso County Sheriff's Office at:

Sheriff's Headquarters  
3850 Justice Road

Thank you!