401 - CATEGORIES OF EMPLOYMENT

Section 401.01
Categories

For purposes of salary administration, employment, and other personnel matters, it is necessary to classify employees into certain categories. Elected Officials and Department Heads, with guidance from Human Resources, are responsible to ensure that employees in their office or department meet the criteria of the category of employment to which the employees are assigned.

The definition of the categories of employment are as follows:

1. **FULL-TIME EMPLOYEE**: An employee, exempt or non-exempt, assigned to a full-time budgeted position. Such employees are typically expected to work a minimum of 40 hours per week in fulfillment of their job duties, and are eligible for all County benefits.

2. **PART-TIME EMPLOYEE**: An employee who works a regular schedule of less than 30 hours per week for an indefinite period. Such employees participate in the County retirement program as defined in Section 510 of this manual, but are not eligible for any County benefits except those required by law. Note: In accordance with the Patient Protection and Affordable Care Act (PPACA), any employee who works, on average, 30 or more hours per week is benefit eligible and must be offered medical benefits, Therefore, it is the policy of Fort Bend County that part-time employees shall not be permitted to work 30 or more hours per week without the approval of Commissioners Court through the budgeting process.

3. **TEMPORARY EMPLOYEE**: An employee who is hired to work for a short period of time not to exceed 90 calendar days. Temporary employees are not eligible for any County benefits, except those required by law. Temporary employees may work any number of hours as needed during the 90 day assignment. At the conclusion of 90 days, the employee should either be terminated or transferred to a part time or full time position. Note that persons hired as “floaters” to work sporadic assignments as needed in various County departments shall be classified as part time employees.

   Persons who are employed in connection with a work program for individuals with intellectual, developmental, or physical disabilities may also be classified as temporary employees and may be employed for more than 90 days. The employee cannot work 30 or more hours per week, on average.

4. **ELECTION WORKER**: For the purpose of this policy an Election worker is defined as an individual who only performs services for Fort Bend County at polling locations in connection with national, state or local elections. These individuals are not employees of the County, and are not eligible for any County benefits, except those required by law. Individuals hired by the Elections

Department to perform duties other than solely working at the polling locations shall be properly classified as full-time, part-time, or temporary employees of the County.

Section 401.02 Departmental Responsibility

It is the responsibility of the elected official or department head to identify the category of employment for each position at the time of hire. Any change in status of an employee that impacts the budget is subject to the normal approval process of the Budget Office and Commissioners Court. Part time and temporary employees who are permitted to work 30 or more hours per week, on average, during a 12 month period must be offered benefits in the following 12 month period, or the County may be subject to federal penalties. Therefore, any costs incurred due to an elected official's or department head's failure to manage the hours worked must be covered by transfer of funds from within the same department or office, and the transfer shall be subject to Commissioners Court approval.

Section 401.03 At-Will Status of Employees

Texas is an "employment at-will" state, and as an employee of Fort Bend County, you have the right to terminate your employment at any time, with or without notice, for any legal reason or no reason. The County also retains the right to change any terms, conditions, benefits, or privileges of employment at any time without notice. No employment contract, either expressed or implied, shall exist between the County and any employee for any duration either specified or non-specified.

Policy Approved and Adopted By:
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