

**DENTON COUNTY
SHERIFF'S OFFICE
CIVIL SERVICE COMMISSION**

**CHAPTER II
ORGANIZATION**

AUTHORITY AND HISTORY.

- 2.1 Following an election that concluded on June 1, 2012 and by subsequent order of the Denton County Judge canvassing the vote on June 1, 2012, the Denton County Sheriff's Office Civil Service System was created. Pursuant to the authority of Sections 158.031 through 158.040 of Subchapter B, Chapter 158, Texas Local Government Code, the Denton County Sheriff's Office Civil Service Commission hereby adopts these rules, to be effective January 30, 2013.
- 2.2 A copy of the Texas Local Government Code, Chapter 158, Subchapter B, is included in this document as "Exhibit A" for reference.

PURPOSE

- 2.3 The Denton County Sheriff's Office Civil Service System has been established pursuant to Chapter 158 of The Local Government Code, for the purpose of developing and enforcing rules regarding the selection of Sheriff's Office employees and their advancement, rights, benefits and working conditions.
- 2.4 The Denton County Sheriff's Office Civil Service System applies to the Denton County Sheriff's Office to the exclusion of the Denton County Civil Service System.

CIVIL SERVICE COMMISSION

2.5 MEMBERS AND TERMS OF THE COMMISSION.

- A. There shall be a three member commission with one Commissioner appointed by the Sheriff of Denton County, one Commissioner appointed by the Criminal District Attorney of Denton County, and one Commissioner appointed by the Commissioners Court of Denton County. [§ 158.034(a)] A Commissioner must be at least 25 years old and must have resided in the county for the three years immediately preceding the date on which the person's term will begin. [§ 158.034(e)]
- B. The term of office is two years, except that one of the three initial members of the newly created Commission shall serve a one year term. This member shall be selected by lot of the three initial appointees. A Commissioner serves until the Commissioner's successor has been appointed and has been qualified. [§ 158.034(c)]
- C. The Sheriff of Denton County shall designate one Commissioner to be Chair of the Commission. [§ 158.034(b)]
- D. Should a Commissioner vacate his/her seat on the Commission, that vacancy shall be filled by appointment by the entity that appointed the vacating Commissioner, and the appointee shall serve until the expiration of the term of the Commissioner being replaced.

- E. A Commissioner may serve until the Commissioner's successor has been appointed. A Commissioner may be appointed to a successive term or terms.
- F. The Sheriff's Office Civil Service Commissioner Appointees will serve for the duration of the appointed term unless the appointee resigns, dies, or is removed.

2.6 MEETINGS OF THE COMMISSION.

- A. The Commission shall hold regular periodic meetings, usually monthly, by call of the Chairman and such special meetings, by call of the Secretary of the Commission, as may be necessary for the transaction of the business of the Commission. If there has been no meeting for 90 days and any Commissioner considers it necessary that the Commission meet, any Commissioner may call a meeting. Meetings are posted and conducted in compliance with the Texas Open Meetings Act. The Commission may use Robert's Rules of Order or any other parliamentary rules as a guide in conducting meetings, but is not bound thereby.
- B. The normal order of business is:
 - 1. Approval of minutes
 - 2. Communications
 - 3. Consideration of reports
 - 4. Unfinished business
 - 5. New business
- C. A Commission member may record in the minutes the member's approval of or objection to any act of the Commission, and may record the reason(s) for such approval or objection as well.
- D. **Minutes.** The Secretary of the Commission, with assistance of HR staff, shall be responsible for writing the minutes of each meeting and shall note the following:
 - 1. The time and place of each meeting of the Commission;
 - 2. The names of the Commission members present;
 - 3. All official actions of the Commission;
 - 4. The official vote by each Commission member except where the action is unanimous;
 - 5. Upon request, a Commission member's dissent with the reasons for it.

The minutes are presented for approval at the next regular meeting of the Commission. The minutes, upon approval by the Commission, are open for public inspection.

- E. **Attendance.** At each meeting of the Commission at which a Commission member is absent, the members in attendance shall note in the minutes their approval or disapproval of the absence.

- F. **Communications.** All communications with or requests submitted to the Commission are to be made in writing. A summary of the request and the action of the Commission regarding it shall be made in the official minutes of the Commission.

- G. **Documentation.** Documents to be submitted to the Commission for consideration during an open meeting shall be submitted to the Secretary of the Commission no later than five days prior to the posted meeting, other than those documents pertaining to an appeal.

- H. **Quorum of the Commission.** Two commissioners shall constitute a quorum for the transaction of any Commission business, including but not limited to the amendment of rules and the conducting of any meeting. In the event that only two commissioners are available for a scheduled meeting containing a hearing on the agenda, the hearing shall be postponed to a meeting date where all members of the commission are available.

- I. **Powers of the Commission.** The Commission shall adopt, publish, and enforce rules relating to:
 - 1. Selection and classification of employees;
 - 2. Competitive examinations;
 - 3. Promotions, seniority, and tenure;
 - 4. Layoffs and dismissals;
 - 5. Disciplinary action;
 - 6. Appeal procedure;
 - 7. The rights of an employee during an internal investigation; and
 - 8. Other matters relating to the selection of employees and the procedural and substantive rights, advancement, benefits and working conditions of employees. [§158.035(a)]

DIRECTOR OF HUMAN RESOURCES

- 2.7 **Secretary to the Commission.** The Director of Human Resources is responsible for recommending the implementation of pertinent rules and regulations to the Sheriff's Civil Service Commission and for administering those approved rules through Human Resources Service staff on a day-to-day basis.

- 2.8 **Duties.** The Director of Human Resources shall act as Secretary of the Commission and Director of Civil Service for all Civil Service actions and appeals.

APPLICABILITY

- 2.9 The Denton County Sheriff's Office Civil Service System and the Civil Service Rules herein apply to the exclusion of the Civil Service System that Denton County created under Subchapter A. Employees who are exempt, as identified below, are not, by virtue of that exemption, covered by the Denton County Civil Service System.
- 2.10 The Sheriff may designate as exempt from the civil service system:
1. The position of chief deputy,
 2. Four positions of major deputy,
 3. One or more positions in the office of departmental legal counsel; and
 4. Additional positions in the department; provided, however, that the sheriff may not designate as exempt a total of more than 10 positions.
- 2.11 The Sheriff shall provide the Commission with written notice indicating which position(s), if any, shall be designated exempt based on 2.09 above. Employees holding the listed positions are exempt from coverage under the Denton County Sheriff's Office Civil Service System and accordingly, the rules adopted herein. Those designated as exempt by the sheriff have seven (7) days to notify the sheriff and the commission of their acceptance or refusal of the exempt position.
- 2.12 The Sheriff Civil Service Commission rules apply to all regular full time employees of the Sheriff's Office that are not specifically excluded, as identified below, as designated by the Sheriff. Employees in part time or temporary status are not Classified Employees for the purpose of these rules.
- 2.13 At the time a new Sheriff takes office or re-elected Sheriff begins a new term, he/she may designate exempt positions consistent with paragraph 2.09 above. Each employee in an exempt position designated by the previous administration must accept in writing to the Commission and the new or re-elected Sheriff any offer to remain in an exempt position under the new Sheriff's administration. If the new or re-elected Sheriff desires to have an occupied exempt position vacated, or an employee chooses not to remain in an exempt position under the new or re-elected Sheriff, then:
1. At the time a new sheriff takes office or re-elected sheriff begins a new term, an employee holding an exempt position may be transferred to the nonexempt position held by the employee immediately before being promoted to an exempt position. [§158.038(d)]
 2. A person who was not an officer in the department when appointed to an exempt position may be transferred only to an entry level position in accordance with the system's civil service rules. [§158.038(d)]

An employment action made under this policy is final. The employee has no right to appeal such action to the Civil Service Commission.

HUMAN RESOURCES RECORDS

- 2.14 **Official Roster.** The Director of Human Resources shall maintain an official database containing the names, job title, or code, salary, ethnicity, hire date, and department of all employees holding positions in the Civil Service of the Denton County Sheriff's Office.
- 2.15 **Employment Record.** The Director of Human Resources shall also maintain in the Department of Human Resources a complete employment record of all employees holding positions in the service of the Denton County Sheriff's Office. This record will include all personnel actions, personal employment data.

CERTIFICATION

- 2.16 The Director of Human Resources shall certify the name of each person appointed as eligible for employment in accordance with the provisions of the Civil Service Rules.

RULES AND REGULATIONS

- 2.17 **Establishment.** The Rules of the commission shall not infringe on the ability of the Commissioner's Court to decide the budget. The Rules of the Commission that are currently in effect are contained in subsequent sections of this manual. These rules have been approved by the Denton County Sheriff's Civil Service Commission and are in effect until amended, revised, or eliminated by the Commission.
- 2.18 **Amendment of the Rules.** Amendments to the rules may be made at any meeting of the Civil Service Commission. All rules and amendments shall become effective on the date of their approval by the Commission. Re-numeration does not change the validity of the rules. All rules and amendments shall be distributed to all Sheriff's Office employees.
- 2.19 **Policies.** All Sheriff's Office employees must comply with the Sheriff's Office's policies as well as the policies of Denton County excepting the policy pertaining to exempt comp time.