

LEA COUNTY PERSONNEL ORDINANCE 89  
As Amended December 10, 2020

1. **Short Title.** This Ordinance shall be cited as the “Lea County Personnel Ordinance.”
2. **Purpose.** The purpose of this Ordinance is to establish a merit system for hiring, promotion, discharge and general regulation of County employees, volunteers, and other County agents.
3. **Binding Effect.** It is the express intent of the Board of County Commissioners that the provisions outlined herein and in the Human Resource Policies to be adopted pursuant to the authority granted herein will be binding on the operations of the Human Resources Department and other County departments relating to hiring, promotion, discharge, and general human resources management.
4. **Equal opportunity employer; discrimination and harassment prohibited.**
  - A. The County is an equal opportunity employer. Discrimination by any employee is expressly prohibited. If such discriminatory acts occur, the person committing those acts is subject to appropriate discipline, including dismissal, from County employment.
  - B. It is declared unlawful:
    - (1) For any employee to give preference to, or to discriminate against, any person, because of political affiliation, race, religion, age, national origin, color, sex, disability, or any other legally protected status, unless based upon a bona fide occupational qualification.
    - (2) For any employee or applicant to be appointed, promoted, removed, or in any way favored or discriminated against because of race, sex, color, national origin, disability, age, political or religious affiliations, or any other legally protected status.
    - (3) For any employee to harass any employee, especially when such conduct has the effect of interfering with an individual’s work performance or has the effect of creating a hostile or offensive work environment. No employee shall make such conduct a condition of employment or use refusal to participate in such conduct a basis for employment decisions.
5. **Administration of human resources system.**
  - A. Under the supervision of the County Manager, the Human Resources Director will administer the Lea County Personnel System set forth in this Ordinance, consistent with the Human Resources Policies and Procedures to be adopted in accordance

herewith, and in accordance with all future approved directives and administrative instructions.

B. The Human Resources Director will ensure that employment decisions, including but not limited to, recruitment, selection, promotion, reassignment, corrective action, compensation and other conditions or privileges of employment, are based on the individual's ability to perform the essential functions of the job.

C. The Human Resources Director, under the supervision of the County Manager, will continue to establish programs to develop, implement, and maintain procedures for the conditions of employment, evaluation of work performance, employee conduct, leave usage, and other aspects of human resources management for County employees, in compliance with applicable laws and policies.

D. The Human Resources Director, under the supervision of the County Manager, will continue to establish programs to develop, implement, and maintain the County's compensation plan, including a salary schedule reflecting the pay ranges for each job classification and other pay policies.

6. **Classification of employees**

A. All paid positions in the County service are divided into classified and unclassified categories, except those held by elected officials, volunteers, including members of boards, commissions, committees, etc., appointed by County Commissioners or County staff, which are not included in either category.

B. Classified positions.

(1) A classified position is a regular, approved position. Employees in classified positions are covered by the Human Resources Policies and Procedures and can be separated from the County only through the processes outlined in the Human Resources Policies and Procedures after the employee has completed their initial probationary period.

(2) The classified service is comprised of all County employees, except those who are specifically placed in the unclassified category by the terms of this Ordinance.

C. Unclassified positions.

(1) Unclassified positions are comprised of the following:

(a) The County Manager.

(b) Chief deputies of elected officials.

- (c) The Undersheriff and Executive Secretary to the Sheriff.
- (d) The Chief Appraiser and Bureau of Elections Administrator.
- (e) Probationary and temporary employees.

(2) Employees in unclassified positions are in an “at-will” status and serve at the pleasure of the County. These employees are not covered by the employment, discipline, and grievance provisions of the Human Resources Policies. Such employees are, however, governed by the other provisions of the Human Resources Policies.

**7. Human Resources Policies**

A. The Human Resources Director, with the approval of the County Manager and the Board of County Commissioners by resolution, shall establish, maintain, and publish Human Resources Policies and Procedures to facilitate the implementation and maintenance of, and compliance with, the policies expressed within this Ordinance. These Human Resources Policies and Procedures will be reviewed periodically and may be modified by resolution of the Board of County Commissioners. Neither this Ordinance nor the policies resulting from this Ordinance shall constitute a contract of employment.

B. The Human Resources Policies and Procedures will include, but are not limited to, classification of all County positions based on duties, authority and responsibilities; reclassification assignment, transfer, and layoff; disciplinary procedures; hours of work and attendance; and benefits.

**8. County Manager authority.**

A. The County Manager is the Chief Executive Officer of County government and is authorized to run County operations pursuant to policy established by the Board of County Commissioners.

B. The County Manager is charged with:

(1) The exclusive authority to employ and discharge all County employees pursuant to this Ordinance and the Human Resources Policies and Procedures adopted by the Board of County Commissioners pursuant to this Ordinance.

(2) The hiring and firing of Directors to run the County’s departments.

(3) Recommending the organizational structure and salary plan for the work force.

(4) Appointing a designee or designees to act on the County Manager’s behalf in carrying out these responsibilities.

(5) Formulating and implementing personnel rules to carry out the intent of this Ordinance, as long as such rules do not conflict with this Ordinance or the Human Resources Policies and Procedures adopted pursuant to this Ordinance.

(6) Exercising discretion to transfer or reassign any employee within the organization to permit the best use of skills, experience, and education for the benefit of the organization.

**9. Violations.**

Any employee who violates or attempts to violate this Ordinance or the Human Resources Policies and Procedures shall be subject to disciplinary action, up to and including dismissal.

**10. Conflict of interest.**

No employee shall engage in any business or transaction or accept private employment or other public employment that is functionally or physically incompatible with the proper discharge of the employee's County job responsibilities. All employees, volunteers, and other County agents shall comply with applicable state law governing conflicts and disclosures.

**11. Preservation of confidentiality.**

Lea County employees, elected officials, volunteers, and other County agents may have access to confidential information in the course of their duties. This information may include personnel matters, internal investigations, restricted computerized data, attorney work papers or other legally privileged information, and/or contract or financial information. Unauthorized disclosure of confidential information could be very detrimental to the individuals involved and/or Lea County. Unless required by County work, at no time should an employee, elected official, volunteer, or other County agent disclose confidential information or remove it from the County's premises. The negligent or intentional disclosure of confidential information is grounds for discipline, up to and including dismissal.

**12. Headings.**

The paragraph headings of this Ordinance are inserted only for reference and in no way define, limit, or describe the scope or intent of the section.

**LEA COUNTY BOARD OF COUNTY COMMISSIONERS**

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Rebecca Long (District 2), Chair  
Voted: Yes No Abstain

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Dean Jackson (District 1), Vice Chair  
Voted: Yes No Abstain

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Gary G. Eidson (District 3), Member  
Voted: Yes No Abstain

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Jonathan Sena (District 4), Member  
Voted: Yes No Abstain

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Richard Don Jones (District 5), Member  
Voted: Yes No Abstain

**ATTEST:** Keith Manes  
Lea County Clerk

**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:**

By: \_\_\_\_\_  
Hollye Shearer, Deputy Clerk

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John W. Caldwell, County Attorney