

PEACE OFFICERS' AND TELECOMMUNICATORS' MENTAL HEALTH LEAVE

PEACE OFFICERS' AND TELECOMMUNICATORS' MENTAL HEALTH LEAVE. Chapter 614, Texas Local Government Code, Subchapter A-1 provides financial protections to peace officers and full-time telecommunicators accessing mental health leave who experience a traumatic event in the scope of employment. The statute, effective September 1, 2021, entitles peace officers of law enforcement agencies to mental health leave, without a deduction in salary or other compensation. On September 1, 2023, the statute was revised to provide full-time telecommunicators of law enforcement agencies the same entitlement.

The Tarrant County Commissioners Court, being the County's policy development and budgetary control body, is the final authority in defining the Mental Health Leave Policy as prescribed by Chapter 614, Government Code, Subchapter A-1, relating to mental health leave for peace officers and telecommunicators. The Commissioners Court may authorize exceptions to this policy or amend this policy at any time.

DEFINITIONS

- A. Law Enforcement Agency is an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers.
- B. Peace Officer is an individual described by Article 2.12, Code of Criminal Procedure, who is elected or employed by or appointed by a political subdivision.
- C. Telecommunicator is an individual described by Section 1701.405, Occupations Code, who is acknowledged by the Texas Commission on Law Enforcement and employed by or serving a law enforcement agency that performs law enforcement services on a 24-hour basis who receives, processes, and transmits public safety information and criminal justice data for the agency by using a base radio station on a public safety frequency regulated by the Federal Communications Commission or by another method of communication.

POLICY GUIDELINES

Peace Officers and Telecommunicators who experience a traumatic event in the scope of employment will be eligible for mental health leave. The following events will qualify for Mental Health Leave. This list is not all inclusive. Management may deem other unique situations as qualifying events with approval from Human Resources.

- A fatal auto accident or event
- Catastrophic injuries or events
- On-the-job shootings

Officers and Telecommunicators will receive all employment benefits and compensation including leave accruals, pension benefits, and health plan benefits for the duration of the mental health leave. While on mental health leave, the Officer's or Telecommunicator's sick/personal leave balance, vacation leave balance, holiday leave balance, or other paid leave balances will not be reduced. The paid leave under this policy will be the employee's base rate of pay.

Mental Health Leave will not exceed twenty-four (24) hours of leave for an approved traumatic event. Mental Health Leave will run concurrent with Administrative Leave, if any, as described in the Civil Service Rules, Chapter 4 or the Sheriff's Civil Service Rules, Chapter 7.

Mental Health Leave should remain confidential and treated as protected health information (PHI).

Officers and Telecommunicators using Mental Health Leave are encouraged to access mental health services available through the County's health plans and Employee Assistance Program as well as mental health services provided in the community.

Employees on Mental Health Leave may be eligible for workers' compensation benefits and/or protection pursuant to the Family Medical Leave Act. For more information about the Family Medical Leave Act or workers' compensation benefits, employees should contact Human Resources or the Budget and Risk Management Department, respectively. Payments to employees under this Policy are subject to recoupment to the County by the employee in the event a determination is made that an employee received compensation from more than one source.

ADMINISTRATIVE GUIDELINES

- A. This policy will be implemented and administered collaboratively by the impacted departments: Human Resources, Auditor's Office, Budget and Risk Management, and the County departments employing Peace Officers and Telecommunicators.
- B. All departments that have an employee eligible for this leave must comply with all policies, procedures, and guidelines.