



COMMISSIONERS COURT
COMMUNICATION

REFERENCE NUMBER _____

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DATE: 09/05/2023

SUBJECT: **APPROVAL OF A WAIVER OF TERMINAL BENEFITS –
SHERIFF’S OFFICE**

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court approve a waiver of terminal benefits for the Sheriff’s Office for position number 20000810 – Sergeant effective September 9, 2023.

BACKGROUND

In order to fill a vacancy created by an employee terminating, the previous employee's terminal benefits (vacation) must be exhausted. This prevents the County from paying both the terminated employee and the replacement from the budgeted funds for a single position at the same time. Detention Officer positions do not require the exhaustion of terminal benefits, and Deputy Sheriff positions in the Judicial Division require the exhaustion of a maximum of 120 hours of terminal benefits.

With the exception of the aforementioned position, departments must request a waiver of terminal benefits in order to fill a vacant position before the vacation time being paid out has been exhausted. These requests must be justified in writing and receive Commissioners Court approval. Departments may choose to seek waivers of terminal benefits for a variety of reasons. Hard-to-fill positions, for example, may require more immediate hiring actions to avoid losing an identified candidate. Single-incumbent or high-level managerial positions may also cause a department to seek a waiver to promote continuity of services or continual department management. Small departments also struggle with keeping positions vacant for extended periods of time, as there may not be sufficient staff to assume the resulting workload. Waivers of terminal benefits may result in a net cost or net savings depending on whether or not the new hire will earn less than the previous incumbent.

The incumbent of the Sergeant position left County service on August 25, 2023, with four hundred (400) hours of vacation. This General Fund position serves as the supervisor for Crime Scene personnel. The incumbent schedules employees, conducts briefings, and performs investigative duties including collecting evidence and recording proper chain of custody. Due to the critical duties performed by this position, the Sheriff’s Office requests a waiver of terminal benefits for the remaining three hundred and twenty (320) hours.

SUBMITTED BY:	Human Resources	PREPARED BY: APPROVED BY:	Anjanie Ramnarine
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FISCAL IMPACT

The net cost to the General Fund will be approximately \$17,680.97 including fringe benefits. The cost of the waiver will be \$19,017.57 including fringe benefits. The salary savings for the remainder of FY 2023 will be approximately \$1,336.60 including fringe benefits.