COMMISSIONERS COURT COMMUNICATION

COURT ORDER NUMBER 144759

PAGE 1 OF 1

DATE: 2/19/2025

SUBJECT: **CONSIDERATION OF A WAIVER OF TERMINAL BENEFITS – 360TH DISTRICT COURT**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider the approval of a waiver of terminal benefits for the 360th District Court for position number 20002671 – Associate Judge effective February 24, 2025.

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 Associate Judge position will leave County service on February 7, 2025 with two hundred and forty (240) hours of vacation. This General Fund position hears Temporary Orders hearings, Contempt of Court, and Protective Orders hearings. Leaving this position unfilled will hamper the productivity and efficiency of the 360th District Court. Due to the critical duties performed by this position, the 360th District Court requests a waiver of terminal benefits for the remaining one hundred and sixty (160) hours.

FISCAL IMPACT

The available budget for position 20002671 for the period Feb 24, 2025 through September 30, 2025 is $106.613.
The budget needed to cover the new employee's salary is $106,613.
The terminal benefit payout will increase the budget by $14,215.

SUBMITTED BY	Human Resources	PREPARED BY:	Amber Duckworth
		APPROVED BY:	Roxie Held