



# **STONE COUNTY PERSONNEL MANUAL**

**2017 EDITION  
EFFECTIVE JANUARY 1, 2017**

# ***TABLE OF CONTENTS***

Preface	6
Right To Amend	6
Introduction (Authority)	7
Equal Employment Opportunity	8
Immigration Law Compliance	8
Section 1      Employment Policies	
At-Will Employment	9
Prohibition on Hiring Relatives of Employees or Elected Officeholders	10
Applications for Employment	
• Employment References	
• Background Checks	
• Employment Screening	11
Employment Classifications	
• Exempt Status	
• Non-Exempt Status	
• Full- Time	
• Part Time	
• Temporary	12-14
Orientations	15
Position Description	15
Position Changes	15
Employee Records	16
Personnel Data Changes	16
60-Day Probationary Period	17
Performance Evaluations	17
Conflict of Interest	18
Outside Employment	19
County Property	19
Employment Separation	
• Termination	
• Final Checks	
• Resignation or Dismissal	
• Retirement	20-21

ADA/Human Rights Law	.....	21
<b>Section 2</b>	<b>Employee Benefits</b>	
Employee Benefit Plans	.....	22-24
• Group Medical		
• Life Insurance		
• Change of Life Status		
• Flexible Benefits Plan		
• Long-Term Disability Insurance		
• Retirement and CERF		
• Deferred Compensation Savings Plan		
• COBRA / Benefits Continuation		
Holidays	.....	24-25
• Holiday Pay		
Paid Leave	.....	25-29
• Vacation Leave		
• Sick Leave		
• Physician's Statement		
• Bereavement Leave		
• Jury Duty		
Workers' Compensation Benefits	.....	29-30
<b>Section 3</b>	<b>Compensation</b>	
Compensation	.....	31-33
• Classification and Compensation Plan		
• Payday		
• Termination Pay		
• Timekeeping		
• Administrative Pay Corrections		
• Travel Compensation		
<b>Section 4</b>	<b>Work Conditions and Hours</b>	
Work Schedules	.....	34
Overtime	.....	34-36
• Compensatory Time Off		
• On Call		
Attendance and Punctuality	.....	36

Lunch Periods	.....	36
Closing of Courthouse for Widespread Illness or.	.....	37
Inclement Weather		
Phones/Cellular Phones.	.....	38
Business and Travel Expenses	.....	38-39
• Reimbursement Policy		
Smoking Policy	.....	39
• Designated Smoking Areas		
Use of Vehicles	.....	39-42
• Eligibility Requirements		
• Assignment of Vehicles		
• Personal Vehicle Usage		
• Employee Responsibility		
• Use of Alcohol and Controlled Substances		
• Vehicular Ridership		

**Section 5                      Family and Medical Leave Policy**

Family and Medical Leave Policy	.....	43-50
• Responsibility		
• Eligibility		
• Reasons for Leave		
• Unpaid Leave		
• Written Notice		
• Required Certification		
• Recertification		
• Health Benefit Coverage		
• Benefit Accrual		
• Reinstatement		
• Failure to Return to Work		
Personal Leave		
• Lactation/Breastfeeding Policy		
• Benefit Accrual		

Military Leave ..... 51-52

**Section 6 Employee Conduct and Procedures**

Professionalism ..... 53

Personal Appearance ..... 53

Code of Ethics ..... 53-55

Solicitation ..... 55

Electronic Media Policy ..... 56-57

Social Media Policy ..... 57-58

Substance Abuse ..... 58-59

Driver's License Suspension ..... 59

Vehicle Accident Reporting Procedure ..... 59-60

Workers' Compensation Procedure ..... 60-61

Transitional Duty ..... 61-62

Workplace Threats and Violence Policy ..... 62

Anti-Harassment Policy ..... 63-64

- Definition of Harassment
- Sexual Harassment
- Complaint Procedure

Appeals Process ..... 64

**Section 7 Safety and Security**

Safety Policy ..... 65-66

- Supervisors and Department Heads
- Employee Responsibility

Safety Committee ..... 66-67

- Committee Objectives

Operation of Vehicles ..... 67-68

- Safety Rules

Safe Work Practices ..... 69

Violence in the Workplace ..... 70

Blood-Borne Pathogen Policy ..... 70

Public Works Safety Policy	71-72
• Personal Protective Equipment	
• Equipment/Tool Operations	
• Confined Spaces	
• Trenching and Shoring	
• Hazardous Materials Response	
• Traffic Control	
Information Technology (IT) Password Security	73
<b>Appendix B (Forms)</b>	74
<b>Disclaimer and Acknowledgment Statement.</b>	75

# PREFACE

This manual is a reference for the County Commission, other elected officials, and the employees of Stone County. Our organization desires that all employees be fully informed of their personnel and employment status. By necessity, the manual cannot be entirely specific. It is the purpose of these standards to establish the general principles and the procedures governing the administration of the Stone County employees. This manual does not, in any way, constitute a contract between the employee and the county (i.e. employer).

As deemed appropriate, by the County Commission, rules and procedures may be modified and a compliance timetable set. No prior notice is required. Elected officers and department heads may provide specific changes to County policy as may be appropriate for their departments in order to fulfill departmental duties and mandates given by State Statutes.

It is not intended that this manual impede official function or duty. It shall not, and cannot, by inference or explicit statement, supersede local, state, and federal law. In all cases where a conflict may appear, the statutes will prevail.

## RIGHT TO AMEND

Periodically, the need for Stone County to change the policies described in this manual may arise. Therefore, the County reserves the right to revise, supplement or rescind any policies or any portion of the manual that is deemed appropriate. The Personnel Policy Task Force will consist of the Presiding Commissioner, County Clerk and one other elected official appointed by the County Commission and may be convened by the County Commission to establish any revisions to the existing policies.

Employees will be notified of any changes to the manual as they occur. However, it should be recognized that there will be occasions when a lapse in time occurs between the passage or amendment of the laws, rules, regulations and policies affecting County employees and the time when this manual is revised.

# AUTHORITY

The most important and most expensive resource that accrues to Stone County's government is its staff. Therefore, it is important that the County have clearly stated policies applicable to the wise management of its personnel.

The authority of the Stone County Commission is found, in the main, in Chapter 49 and 50 of the Missouri Revised Statutes (RSMo.) RSMo 49.278; RSMo 50.327; RSMo 49.275; RSMo 49.265; RSMo 50.525; RSMo 50.330 and RSMo 50.550, all give broad powers to the County Commission in establishing working conditions, salaries/wages, and benefits for County employees.

The Revised Missouri Statutes; the existing rules and regulations of the stone County Commission; and the United States Department of Labor Wage and Hour Division, Employment Standards Administration (U.S. Department of Labor 29 CFR Part 553) are the applicable authorities for these personnel policies. For immediate reference a researcher should review the Federal Register of Friday, January 23, 1987. In addition, these policies are written to reflect what is generally known as the "Garcia Decision" (Garcia v. San Antonio Metropolitan Transit.)

Authority, 105 S. Ct. 1005, 1007, 1021 (1985). That Supreme Court decision has the effect of bringing Stone County employees under the Fair Labor Standards Act. See also WH Publication 1459 (May 1985) "State and Local Government Employees under the Fair Labor Standards Act."

These principles are designed to avoid conflict with existing state statutes as well as with applicable federal regulations. Adherence to the United States Department of Labor Wage and Hour Division is reflected. In the case of the National League of Cities v. Usery 426 U.S. 833 (1976) the Supreme Court held that the minimum wage and overtime pay provisions of the Fair Labor Standards Act (FLSA) could not be applied to state and local government employees engaged in traditional activities. This decision, used for some time as a benchmark for excluding County employees was set aside, however, by the Garcia decision (105 S Ct. 1005, 1007, 1021) (1985) issued on February 19, 1985.

Good policies are, by nature, not static. They will continue to evolve over time. Secondly, good policies require the application of reasoned judgment. The Commission of Stone County recognizes the need for general policies of personnel employment but also recognizes the appropriate authority of individual department heads.



# EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of Stone County that employment decisions shall be based on merit, qualifications, and competence. Employment practices shall not be influenced or unlawfully affected by virtue of an applicant's or employee's race, color, religion, sex, national origin, age, or any other characteristic protected by law. This policy governs all aspects of recruitment, employment, training, promotion, transfer, demotion, compensation, assignment, discharge, and other terms and conditions of employment.

Stone County complies with applicable state and federal laws in reference to opportunity requirements. Stone County has a non-tolerance of discrimination in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, pregnancy, military including veteran status, or any other characteristic protected by law. Stone County will make reasonable accommodations for qualified individuals with perceived disabilities unless doing so would result in undue hardship to Stone County. Our County strictly prohibits unlawful discrimination and harassment by its employees, agents, and non-employees, including visitors who have contact with Stone County employees during work hours.

## IMMIGRATION LAW COMPLIANCE

Federal Law requires all employers maintain a completed Immigration and Naturalization Service (INS) eligibility verification statement (form I-9) for every employee. This form confirms that the individual being hired is legally eligible to work in the United States and is the same person whose name appears on the papers of documentation.

Stone County is committed to employing only United States citizens and aliens who are authorized to work in the United States and complies with the Immigration Reform and Control Act of 1986.

As a condition precedent of employment, each new employee must present identification as indicated by INS, properly complete, sign and date the first section of the Immigration and Naturalization service form I-9. Failure to do so within three (3) days of employment will prevent further engagement of work until completed.

## Section 1

# EMPLOYMENT

## AT-WILL EMPLOYMENT

Missouri is an at-will employment state. When the employment relationship is at-will, either the employer or the employee may terminate the relationship at any time and for any, or for no, reason. The relationship is based on no binding terms on either side and is intended to be for an indefinite period of time-until the employer or employee decides to end it.

Policies set forth in this manual are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Stone County and any of its employees. The terms and conditions set forth in the Personnel Policy are not the only reasons for which an employee may be terminated.

# PROHIBITION ON HIRING RELATIVES OF EMPLOYEES OR ELECTED OFFICEHOLDERS

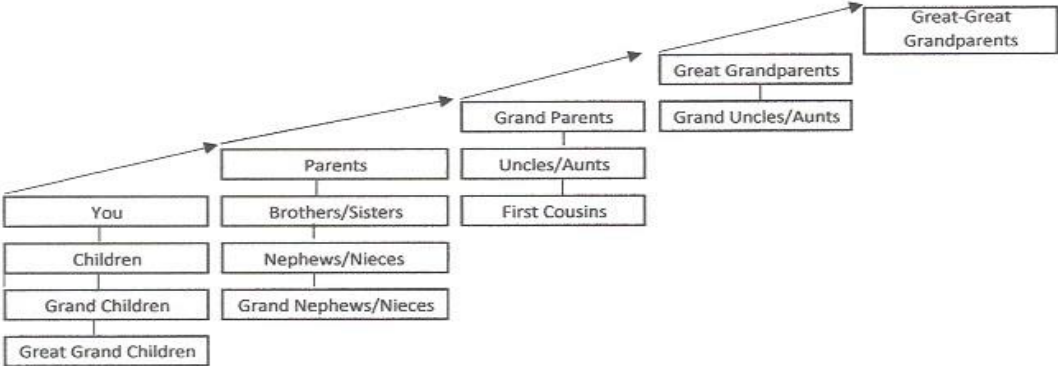
**Adopted by the County Commission on December 6, 2016, effective immediately**

Except for temporary or seasonal part-time employees, no officer or department of the County shall hire an employee: (1) who is related within the fourth degree by consanguinity or affinity to any other person employed by the County in the same department in which the new employee will work; or (2) who is related within the second degree by consanguinity or affinity to any other person employed by the County.

For purposes of this prohibition, the County’s elected officials shall be considered as employees of the County.

Consanguinity means “by blood” and affinity means “by marriage.” Spouses count as a unit, so that relatives of either are considered the relatives of both.

The degree of kinship is computed by counting upward from the employee to the nearest common ancestor and then downward to the relative, the degree of kinship being the sum of these two counts. Degrees of relationship are calculated by counting from one relative back to the common ancestor, then forward to the other relative. As examples, siblings are related in the second degree; parent’s siblings (aunts and uncles) are related in the third degree; first cousins, the children of aunts and uncles, are related in the fourth degree.



# APPLICATIONS FOR EMPLOYMENT

All applications for employment will be made on forms approved by the Stone County Commission and distributed to all elected officials and department heads. Applications may require details concerning education, experience, references and other pertinent information. All applications shall be signed by the applicant attesting to the accuracy and truthfulness of the information provided. Elected officials and department heads are encouraged to request resumes when appropriate for the position.

Any misrepresentations, falsifications or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Individuals seeking employment with the County may fill out an application and attach their resume if desired and present to the County Clerk's Office. The applications are kept on file for one year and are available to any elected official or department head requesting them. Applications may also be filed in any of the County offices where the individual is seeking employment.

## **EMPLOYEE REFERENCES**

To ensure that individuals who accept employment with the County are well qualified and have a strong potential to be productive and successful, it is the County's policy to check the employment references of all applicants.

The elected official, department head and/or the County Commission shall retain the right to request documentation and verification of pertinent information such as education, experience, and other claims by the applicant.

Elected officials, department heads or a department's designated representative are authorized to respond to all employment inquiries.

## **BACKGROUND CHECKS**

Background checks such as criminal and driving records checks shall be conducted prior to the conditional offer of employment for applicants in security sensitive positions. Employees and applicants may have their applications rejected or be subject to dismissal if a background check reveals a criminal conviction or other adverse information that has a bearing on the work to be performed for the County or if they pose a risk of harm or loss to the public. Individual departments will be responsible for the payment of any background investigation reports.

## **Employment Screening**

Pre-employment drug testing shall be conducted upon an offer of employment. Employment continuation will be conditional upon a successful screening result. In addition, random drug screens will occur thereafter.

# EMPLOYMENT CLASSIFICATIONS

Amended December 6, 2016, effective immediately

Employment classifications help clarify employees' status and benefit eligibility. These classifications do not guarantee employment for any specified period of time nor do they affect the at-will employment relationship between the employee and Stone County. Elected officials have a unique status set out in the Missouri State Statutes.

## **EXEMPT STATUS**

Under the provisions of the Fair Labor Standards Act, exempt employees are those employees who are not required to receive overtime compensation. Department heads, administrators, managers, and specified administrative and professional positions shall be considered exempt employees, as defined by the Fair Labor Standards Act, and will not be paid overtime for hours worked in excess of 40 hours in a work week or, in the case of certain sheriff's department personnel, 171 hours in a 28-day period. However, employees in these positions may be allowed to adjust their regular schedules (flex - schedule) to compensate for the demands of their varying regular work schedules. The positions designated as exempt status in Stone County are as follows:

1. Planning and Zoning Director
2. Maintenance Operations Supervisor
3. County Counselor
4. Chief Jailer
5. Chief Deputy Sheriff
6. Information Technology/GIS Coordinator
7. Assistant prosecuting Attorneys

Because exempt employees are paid a predetermined, established salary each pay period and are not paid based upon hours worked, they shall not record or report their work time or adhere to strict attendance record-keeping requirements for purposes of receiving their salary.

An exempt employee shall report only his or her exception time.

Exempt employees shall record and report to the county clerk his or her "exception time" (all full-day absences) and shall designate whether absences were taken as

- Vacation leave
- Sick Leave
- Bereavement leave, or

- Jury Duty

Such absences shall be reported in one-day increments only. Absences of less than a full day shall not be reported.

When an exempt employee has exhausted all available accrued leave, his or her salary shall not be reduced for absences of less than a full day or that portion of a day during which a part-time employee is normally scheduled to work.

### **NON-EXEMPT**

All other positions in County government will be considered non-exempt and shall be eligible for overtime compensation according to the provisions of FLSA. Overtime and compensatory time off policies are explained more fully in *Work Conditions and Hours*, Section 4 pages 2-3 of this manual.

If you are a non-exempt employee, you must personally record the number of regular and overtime hours you work each pay period on timesheets available in your department or the payroll department, and certify with your signature that you have accounted for all hours you worked during that time period. Your department head will sign all time sheets, verifying hours worked.

Overtime will be approved at the discretion of your elected official or department head and misrepresenting information on your time sheet and or working overtime without prior supervisory approval are strictly prohibited and may result in corrective action which may include recovery of losses suffered by the County.

## **FULL TIME**

Full-time employees are not in a temporary status and are regularly scheduled to work 40 hours per week or approximately 2080 hours per year. They are eligible for the County's benefit package, and subject to the terms, conditions and limitations of each benefit program.

## **PART TIME**

Part-time employees with benefits are those not assigned to a temporary status and who are regularly scheduled to work less than the full-time work schedule. Part-time employees, who average 29 or more hours per week in a continuous 12-month period, are eligible for health benefits offered by the County, subject to the limitations, conditions and terms, of the individual's employment and each benefit program. Employees in this category are eligible for paid leave benefits on a pro-rated basis (see *Employee Benefits*, Section 2, pages 8-11).

Part-time employees, who average less than 29 hours per week, are entitled to receive all legally-mandated benefits, such as workers' compensation insurance and Social Security, but they are ineligible for the County's health and paid leave benefits programs.

Some part-time employees may be eligible for retirement benefits depending upon the number of hours worked in a continuous 12-month period. (See *Employee Benefits*, Section 2, page 4 for additional information or contact the County Clerk's Office if you have questions.)

## **TEMPORARY**

Temporary employees are those who are hired as interim replacements, to temporarily supplement the work force or to assist in the completion of a specific project. Temporary employment normally does not exceed six (6) consecutive months. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless, and until, notified of a change by their elected official or department head.

Temporary employees receive legally mandated benefits, such as workers' compensation insurance and Social Security, but they are ineligible for the County's health and paid leave benefits. If a temporary employee is transferred to an eligible regular position, vacation and sick leave accrual will be calculated from the first day of employment in that eligible position.

# ORIENTATION

The County payroll section will conduct a policy/benefits orientation session for all newly hired full-time and eligible part-time employees. The purpose of the orientation session is to familiarize new employees with the policy manual and the benefits programs offered by the County, including medical, dental, life insurance, disability, and retirement. Necessary employment and tax forms will also be completed at this time.

# POSITION DESCRIPTIONS

To comply with effective personnel practices, job descriptions are required for all positions in County government. Position descriptions must be available for employees on their date of hire. They will include the following information:

- Description of work, including the essential functions of the position.
- Qualifications necessary for the position, such as experience and education requirements.
- Skills and abilities needed for the position. Physical requirements of the position.
- Miscellaneous requirements of the position, such as licensing or certifications.

# POSITION CHANGES

Employees of the County who change employment from one County department or office to another County department or office will retain their accrued leave time benefits (i.e., vacation, sick leave). Employees will not be compensated for any unused accumulated compensatory time from previous departments. Accumulated benefits will be transferred to their new department.

Employees of the County elected to office and serve the County in their official capacity will be awarded compensation for paid leave and compensatory time not taken when they were employees. Effective date for compensation will be the first workday of the newly elected official's term of office.



# EMPLOYEE RECORDS

The County Clerk's Office and the employee's elected official or department head retain personnel records for Stone County government employees. Job classification, hours of work, rate of pay, benefits, accumulated sick and vacation leave, medical information and other payroll information are on file with the County Clerk's Office. All other records are on file with the employee's elected official or department head, including the employee's job description, resume, records of attendance, and documentation regarding the employee's status, e.g., training certificates, performance evaluations, disciplinary action, commendations, etc. All such records are to be retained in a secure location with controlled access to ensure the employee's privacy.

Personnel files are maintained as confidential and information will be revealed only to those persons who have a reasonable and documented "need to know".

However, since Stone County government is a public agency subject to the Sunshine law, names, positions, salaries and lengths of service of employees shall be made available to the public upon written request and at reasonable times.

Employees may inspect their own personnel records, but may not remove documents from their files. Such an inspection must be requested in writing and submitted to the office holding the records. A mutually convenient time will be scheduled for the inspection. Employees must review their own personnel files in the presence of an authorized County representative.

# PERSONNEL DATA CHANGES

Personal data such as mailing addresses, telephone numbers, emergency contact information, and other such status reports should be accurate and current at all times. Each employee must promptly notify his/her elected official or department head, and the County Clerk's Office of any changes in personal data by filling out a Change of Status form, which is available in the employee's department and the County Clerk's Office.

# 60 - DAY PROBATIONARY PERIOD

**Amended December 6, 2016, effective immediately**

The first 60 days of employment of an individual as an employee new to Stone County government is deemed the "Probationary period". During this time, employees will not receive certain employment benefits. The purpose of the probationary period is to allow the elected official or department head and employee an opportunity to discuss job responsibilities, standards and performance requirements of the new position and to observe the new employee's behavior, performance, and skills.

The probationary period may be extended at the discretion of the elected official or department head. At the end of the probationary period, the employee shall be designated a regular employee entitled to full benefits.

Stone County reserves the right to terminate your employment at any time, with or without notice, and with or without cause. Similarly, employees are free to resign at any time.

## PERFORMANCE EVALUATIONS

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. A formal performance evaluation will be conducted at the end of an employee's first 60 days. Additionally, a formal performance evaluation will be conducted every 12 months by the employee's elected official or department head. The annual rating period for Stone County employees will be October 1 through September 30. The purpose of annual performance reviews is to provide both elected officials or department heads and their employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths as well as discuss positive, purposeful approaches for meeting goals.

Performance evaluations become a part of employees' permanent personnel files. These evaluations are used in awarding promotions or pay increases, in determining if disciplinary action is necessary or in making other employment decisions. A sample evaluation form may be obtained in the County Clerk's Office.

# CONFLICT OF INTEREST

Employees of Stone County government have an obligation and responsibility to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision regarding the County's business dealings that may result in a personal gain for that employee or for a relative or a close associate.

Under the following guidelines, an employee of the County cannot:

- Realize personal gain as a result of a purchase of goods or services by the County. No "presumption of guilt" is created by the mere existence of a relationship with outside firms. It is imperative, however, that an employee who has any influence on transactions involving purchases, contracts or leases must disclose the existence of any actual or potential conflict of interest to the County Commission.
- Accept any fee or gratuity for services performed on behalf of the County.
- Use the knowledge gained or performance of official County business for inappropriate personal gain or profit.
- Have a direct or indirect financial interest in any contract or in the sale to the County of land, materials, supplies or services, except on behalf of the County as an officer or employee.

Any employee, who suspects that a conflict of interest may exist, needs to discuss the issue with his/her elected official, department head or the County Commission.

County elected officials and selected employees should read and be familiar with the statutory required," A Code of Ethics to Establish a Procedure to Disclose Conflicts of Interest and Substantial Interests for Certain County Officers and Employees; dated August 14, 2003. This document is required to be updated and submitted every two years.

## OUTSIDE EMPLOYMENT

Employees may not engage in outside work activities while on Stone County time. Outside employment that constitutes a conflict of interest is also prohibited. Employees may not receive any income or material gain from individuals outside County government for materials produced or services rendered while performing their jobs for the County (see previous page.)

If the elected official or department head determines that an employee's outside work interferes with performance or the ability to meet the requirements of the position, the employee must terminate the outside employment in order to remain an employee of County government.

## COUNTY PROPERTY

Equipment owned by Stone County is not to be used for non-business related reasons without prior approval from the County Commission. In addition, no equipment or furniture shall be removed from County property unless permission has been given by the County Commission. Exception: law enforcement personnel may use departmental County property in a manner as authorized by the Sheriff.

Employees separating from the employment of County government for any reason shall, prior to separation, return all County property, keys, access cards, uniforms and equipment issued them. Failure to return County-owned property and equipment by the date of separation, or failure to return property and equipment in acceptable condition may result in the withholding of any compensation or benefits due the employee.

# EMPLOYMENT SEPARATION

The examples listed are some of the most common circumstances under which employment is terminated:

## **RESIGNATION**

Resignation - voluntary employment termination initiated by an employee. If an employee chooses to resign, the employee shall give his/her department written notice stating the reason for leaving as far in advance as possible. Two week minimum notice is preferred. *Employees who fail to adhere to the two week written notice may forfeit their accrued time off (with the exception of comp time). Terminations "dismissal" based on "cause / misconduct" shall forfeit accrued time off and certain benefits.*

## **DISMISSAL**

Dismissal - involuntary termination of employment initiated by the County.

## **RETIREMENT**

Retirement - voluntary employment termination initiated by an employee who has reached retirement age and has served the County for the number of years necessary to guarantee vesting with the County's retirement plan, CERF. (See Employee Benefits Section 2, Page 4.)

Since employment with Stone County is based on mutual consent, both the employee and the County have the right to terminate employment at will, with or without cause, at any time. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions and limitations of such continuance.

## **FINAL CHECK**

Final checks are due and payable on the payday following the end of the pay period in which an employee resigns or retires, providing adequate notice is provided. If an employee is dismissed, the employee will receive his/her final paycheck upon request in the County Clerk's Office. Final checks will be released from the paymaster in the County Clerk's Office when all County property, such as keys, access cards, uniforms and equipment are returned. In departments such as Facilities Management, where uniforms may be provided as a condition of employment, the cost of the uniforms will be pro-rated and deducted from the employee's final check if the employee has worked for the County less than 6 months.

When an employee resigns or is dismissed, the employee's final check will include payment for compensatory time.

## **RETIREMENT**

When an employee of the County reaches retirement age sixty-two (62), (fifty-five (55) for law enforcement,) has served the County no less than eight (8) years and is fully vested in CERF elects to retire, his/her final pay check will include payment for accrued vacation, up to the maximum allowable. Retirees may also elect to continue their County health and dental insurance policies; the retiree would pay the entire monthly premium for said policies with no contribution from the County.

## **ADA (Americans with Disabilities Act) & HUMAN RIGHTS LAW**

It is the policy of Stone County to consider qualified applicants with disabilities in its hiring process. If an applicant with a disability is qualified for a position that is available and can perform the essential functions of the employment position, either with or without reasonable accommodation, it is the County's policy to consider that person on an equal basis with any other applicants who apply for the job. The County will not make disability a factor in its hiring process; its employment decisions are based on job-related criteria alone.

The County will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship. Qualified individuals with disabilities may make requests for reasonable accommodation to their elected official, department head or the County Clerk's Office.

The County is dedicated to protecting the rights provided to individuals with disabilities by American Disabilities Act (ADA.) Accordingly, it will fully support anyone who asserts the rights provided by ADA or any State human rights law.

## Section 2

# Employee Benefits

## EMPLOYEE BENEFIT PLANS

Stone County makes available to its employees a comprehensive benefit package that includes a medical plan, dental plan, life insurance, supplemental insurance and a retirement plan.

Details of these programs can be found in this section of the manual. Additional information may be obtained in the County Clerk's Office.

## GROUP MEDICAL

The County Commission will make available to all full-time employees and eligible part-time employees, averaging 30 or more hours per week in a continuous 12-month period, health benefits to include medical, dental, disability and life insurance. The County will pay the cost for health and life insurance premiums for eligible employees. Family coverage health insurance is available at the expense of the employee. Dental insurance is also available to employees and family members at the expense of the employee. Disability insurance is available for employees at their expense. Semimonthly premiums will be deducted in equal installments from the employee's paychecks. The effective date of insurance coverage will be explained to each employee upon his/her enrollment in the benefits program. Benefits under group medical and dental plans terminate on the last day of the month in which an individual's employment ends.

If employees choose not to be covered by the County provided health insurance, as an option the County will pay for other optional coverage for the employee, not to exceed the amount paid by the County for health insurance.

The County may offer limited health insurance coverage to retirees if they meet the providers' requirements. The retiree will pay the entire premium and his/her rates are subject to change at each plan year renewal. The retiree must notify the County Clerk's Office to file applications for retirement at least 30 days and no more than 90 days before the expected date of retirement. Contact the County Clerk's Office for more information regarding the County's retiree health insurance coverage.

## LIFE INSURANCE

The County, at no cost to eligible employees, provides decreasing term life insurance. Each employee will receive coverage equal to \$50,000 per employee. Decreasing benefit begins at age 65. For additional information contact the Payroll/Benefits Clerk.

## CHANGE OF LIFE STATUS

With the exception of the open enrollment period, changes to the above insurance plans cannot be made unless there is a change of life status. A change of life status may include but is not limited to marriage/divorce, birth, adoption, or spouse's involuntary loss of other coverage or death. The County Clerk's Office must be informed of any change of life status within thirty (30) days of the change.

## RETIREMENT AND CERF

Upon employment, County employees who work at least 1000 hours a year are required to participate in the State of Missouri County Employees' Retirement Fund (CERF). After an employee has completed eight (8) years of credited service, he/she will be vested in CERF

The normal retirement age for all CERF participants is 62. There are early retirement provisions that allow an employee to receive a reduced retirement amount beginning at age 55. Upon hire, all eligible employees are covered by a \$10,000 death benefit. For further information regarding CERF, contact the County Clerk's Office.

Employees who are members of the CERF Pension Plan may participate in the deferred compensation plan sponsored by CERF. The CERF Savings Plan provides employees the opportunity to defer a portion of their income before taxes into a savings plan for retirement. In addition, each year the CERF Board of Directors may provide a matching contribution (up to the plan limits) to participant's contributions. After an employee has completed five years of service (from date of hire), they will be vested on the matching contribution provided by CERF.

## DEFERRED COMPENSATION SAVINGS PLANS

Employees may also elect to participate in the Nationwide Retirement Deferred Compensation Plan. The County does not participate monetarily in the program; in other words, the County makes no monetary contributions to this plan on behalf of the employees. Interested employees should contact the County Clerk's Office to schedule a meeting with a representative from CERF Savings or Nationwide Retirement Solutions.



# COBRA/BENEFITS CONTINUATION

Should an employee lose his/her health care coverage under the County's health care plan as the result of a qualifying event, the employee and the employee's dependents will be given the opportunity to continue to purchase coverage as a group member for a period of time following the loss of coverage. A qualifying event for purposes of continuation of health care coverage would include any of the following:

- Employee's voluntary or involuntary termination
- Employee's reduction of hours
- Employee's death
- Employee's Medicare entitlement
- Divorce or legal separation
- A dependent child ceasing to be a dependent
- The bankruptcy' of the employer (Title XI, U.S. Code)

Upon electing to participate in one of the County's health plans, each employee will be notified by mail about his/her COBRA rights. If an employee experiences a COBRA qualifying event, he/she will be sent a more detailed notice and application for continuation of coverage. In the event of an employee's divorce or a dependent ceasing to be eligible for dependent coverage, the County Clerk's Office must be notified with in sixty (60) days.

The charge for continuation coverage will be the same as what the employee is being charged at the time coverage is terminated, plus the portion of the premium paid by the County. Under COBRA, the employee or beneficiary pays the full cost of coverage at the County's group rates plus. If additional information regarding COBRA is required, contact the County Clerk's Office.

## HOLIDAYS

The County Commission will grant a minimum of twelve (12) paid holidays to all full-time employees and part-time employees working an average of 30 or more hours per week in a continuous 12-month period. Eligible part-time employees will receive holiday pay on a pro-rated basis. The holidays are subject to change annually as approved by the Governor of Missouri and modified by the County Commission. Truman's Birthday, which falls on May 8, will serve as a floating holiday and will be assigned each year. When possible, County holidays will coordinate with state holidays. A list of approved County holidays will be distributed each December.

# HOLIDAY PAY

There is no longer a requirement that employees are in a pay status the last scheduled workday immediately preceding and the first scheduled work day immediately following the holiday. However, holiday pay will not be paid if:

- The employee is part-time and works less than 30 hours per week.
- The employee is a temporary or seasonal employee.
- The employee is on unpaid leave of absence or unpaid family/ medical leave when the holiday occurs.
- The employee is requested to work during a paid holiday and the employee refuses to do so.
- The employee's absence the workday preceding and following is unexcused.
- If an employee is off on Workman's Comp.

If a recognized holiday falls during an eligible employee's paid vacation or sick leave, the employee will receive credit for the holiday and will not be charged for vacation or sick leave. If any scheduled paid holiday falls on a Saturday, the holiday will usually be observed on the preceding Friday. If the holiday falls on a Sunday, the following Monday will usually be observed as the holiday.

Holidays are not considered a day worked for purposes of calculating overtime unless work is actually performed. Due to the staffing demands of law enforcement, the Sheriff will use his discretion to schedule holidays. (See Work Conditions and Hours, Section 4, page 2-3 for more detail.)

The County recognizes that there may be religious holidays (other than those already designated as holidays) that employees would like to observe. The County will make every reasonable effort to arrange these holidays as scheduled days off, authorized absences without pay or personal time off. Requests for time off to observe religious holidays must be approved by the employee's elected official or department head.

If an employee is required to work on an official holiday, the County will grant the employee a day off on a straight compensatory time basis.

# PAID LEAVE

Offered in the Stone County benefit package are several paid leave options. In addition to vacation, the County also provides paid leave for bereavement and jury duty. An individual returning to employment with the County will be treated as a new employee, and will neither carry over nor retain these benefits from his/her earlier employment with the County.

# VACATION LEAVE

Full-time employees (employees who work 40 or more hours per week or approximately 2080 hours per year) will be granted 5 days of vacation following the completion of their first full year of employment and will be granted 5 days on the completion of their 2nd year.

Employees completing their 3rd year of employment will be granted 10 days of vacation per year through the completion of their 8th year.

Employees completing their 9th year of employment will be granted 15 days of vacation per year through the completion of their 12th year. Employees completing 13 years of employment will be granted 20 days of vacation per year through the completion of their 19th year. Employees completing 20 years of employment will be granted 25 days of vacation per year which will be granted for each succeeding year until retirement or discharge.

Part-time employees, averaging less than 30 hours per week are not eligible for paid vacation. Part-time employees averaging 30 or more hours per week in a continuous 12-month period will accrue vacation benefits on a pro-rated basis.

<b>Vacation Earning Schedule</b>		
<u>Years of Service</u>	<u>Annual Days</u>	<u>Annual Hours</u>
1 year through 2 years	5	40
3 years through 8 years	10	80
9 years through 12 years	15	120
13 years through 19 years	20	160
20 years and over	25	200

Vacation time shall be calculated and documented on the employees' anniversary date of the current year.

Vacation pay is the employee's regular rate of pay, excluding overtime or holiday premiums. If the employee's regular rate of pay varies from week to week, the employee's vacation pay will equal the employee's average weekly hours or scheduled hours in the previous calendar quarter not to exceed 40 hours. Pay will not be granted in lieu of vacation time not taken except at the time of termination. Unused vacation leave will not be carried over to the next year. Any vacation leave remaining at the employee's employment anniversary is lost unless approved in advance by the County Commission.

The County will attempt to grant all employees vacation at the time they desire to take it. However, the County must maintain adequate staffing of all departments at all times.

Vacation Time must be used in one (1) hour increments.

Therefore, vacations must be at the prior approval of the employee's manager or immediate supervisor. When conflicts develop, they will be resolved by the elected official or department head as fairly and quickly as possible.

If a recognized (County authorized) holiday falls during an eligible employee's paid vacation leave, the employee will receive credit for the holiday and will not be charged for vacation leave.

## SICK LEAVE

Full-time employees shall earn one day of sick leave for each calendar month, or any part thereof, of employment. Sick leave will be accrued at a rate of 4 hours per pay period or 96 hours per year. No sick leave may be taken in advance of being earned. Sick leave is charged in 15-minute increments. Eligible part-time employees (employees who work an average of 30 or more hours per week in a continuous 12-month period) will earn sick leave on a pro-rated basis. Part time employees who work less than 30 hours per week are not eligible for paid sick leave. Eligible employees can request use of paid sick leave after completing 90 calendar days of employment. Probationary employees even though they are not eligible to receive sick leave pay, can be granted an excused absence for reason of illness or injury with pay reduction for time away from work.

Eligible employees may use paid sick leave for appointments with physicians, dentists, and for other medical treatment. They may also use paid sick leave benefits for an injury and/or an illness of an immediate family member. An immediate family member is defined as a spouse, child, parent or other relative who resides in the employee's household. Sick leave may also be used for Parent, Child, Mother-in-Law, Father-in-Law, Grandparent or Grandchild who does not reside in the home with the permission of the Elected Official or Department Head. If the reason for the leave qualifies as Family Medical Leave Act of 1993 (FMLA) leave, the employee will be required to use paid sick leave as part of their 12-week FMLA leave.

Unused paid sick leave will be allowed to accumulate until the employee has accrued a total of 320 hours of paid sick leave benefits. If the employee's benefits reach this maximum, further accrual of paid sick leave will be suspended. Employees who, at the time this policy becomes effective, have accumulated more sick leave than 320 hours will be allowed to maintain it but will not accumulate any more. Employees who are unable to report to work due to illness or injury must notify their direct supervisor or authorized representative before the scheduled start of their workday or as soon as possible. Failure by the employees to contact their supervisor or authorized representative may result in that day being charged against compensatory time, vacation leave or as leave without pay. For each subsequent day of absence, employees must also contact their supervisor or authorized representative, unless approved in advance by their supervisor.

## PHYSICIAN'S STATEMENT

If an employee is absent for more than three (3) consecutive working days due to illness or injury, a physician's statement will be required to be provided certifying the disability with estimated dates as to when the employee may return to work, unless a waiver is approved by the elected official or department head. However, elected officials or department heads also have the authority to require a medical certificate at any time from employees who use their sick leave frequently.

Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving paid sick leave benefits. Before returning to work from a sick leave absence exceeding three (3) working days, employees will be required to provide a physician's certification that they may safely return to work unless a waiver is approved by their elected official or department head. .

Paid sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absences. Unused paid sick leave benefits, or any portion thereof, will not be paid to employees while they are employed or upon termination of employment. **If an employee Retires, Resigns, or is Terminated no accumulated sick time will be paid.**

An employee accepting County-paid sick leave while performing work duties for another employer will be subject to disciplinary action up to and including termination.

If an employee takes unpaid leave in any month, sick leave benefits will be pro-rated. If a holiday falls during an eligible employee's paid sick leave, the employee will receive credit for the holiday and will not be charged for sick leave. Illness or injury occurring while an employee is on vacation shall not be charged to sick leave.

## BEREAVEMENT LEAVE

Up to three (3) days of paid bereavement leave per death, will be provided upon request to full- time employees and eligible part-time employees (employees who work an average of 30 or more hours per week in a continuous 12month period) in the event of death in the immediate family. Eligible part time employees will receive bereavement leave on a pro-rated basis.

**Immediate family** is defined as the employee's spouse, parent, child, sibling, grandparents or grandchildren, brother-in-law, sister-in-law, mother-in-law, father-in-law. Employees requested to be pallbearers or to serve in some official capacity, will be granted one (1) day of paid leave for the funeral.

Leave granted, as bereavement leave will be paid in eight (8) hour increments, and will not be charged as sick or vacation leave. Any employee may, with the elected official's or

department head's approval, use available accrued vacation leave, compensatory time or approved unpaid leave for additional time off as necessary.

## JURY DUTY

Stone County elected officials encourage employees to fulfill their civic responsibilities by" serving jury duty when required. Time off taken for jury duty is treated as paid administrative leave. Since it is a paid leave, fees collected as a juror, must be returned to the County.

Employees must give their elected official or department head advance notice of the need for time off for jury duty. The notice must be given at the time they are called. A copy of the summons should accompany the request.

If employees are dismissed from jury duty before the end of the workday, they must report to their elected official or department head for instructions on whether to return to work for the rest of the day.

## WORKER'S COMPENSATION BENEFITS

If an employee sustains a work-related injury, the County's workers' compensation insurance will provide medical coverage and income replacement for the period of the employee's disability.

Following a work-related injury, workers' compensation benefits will not be paid until three (3) days have passed from the date of injury when an authorized medical provider treats the employee. Medical expenses will, however, be paid from the time of injury. Compensation benefits will begin the day after the waiting period ends. If the employee is disabled for 14 days or more, benefits will be paid retroactively to cover the waiting period. If it appears that the employee will be off work and the County is unable to accommodate the employee for 14 days or more, the waiting period may be waived.

If an employee is injured on the job, the employee, the employee's supervisor and any witness must complete the appropriate forms (on the same day of the accident occurring) and forward them to the County Clerk within the same day following the incident, in order to preserve the employee's right to workers' compensation benefits. Forms for reporting injuries may be obtained in the County Clerk's Office.

Should the employee be injured on the job and need to be treated by a doctor, the employee should be referred to a County authorized clinic or hospital. The County Clerk will supply the names of authorized providers.

The employee must obtain an Employee Authorization Sheet from County Clerk prior to going for treatment. In the event of an emergency, the employee should be sent to the closest hospital emergency room. Employees will be required to submit to a post-accident

drug and alcohol screening during initial medical treatment. An employee who tests positive for drugs and/or alcohol will be subject to disciplinary action up to and including termination.

Workers' compensation benefits may be reduced or denied if you test positive for drugs or alcohol. Under Missouri law, the refusal to submit to a drug and alcohol test will result in forfeiture of ALL workers' compensation benefits.

The employee must get approval from the County Clerk or from the workers' compensation adjuster before changing physicians. Failure to obtain the necessary approval will result in the treatment not being covered by workers' compensation insurance.

The County does not allow consumption of alcohol or use of recreational drugs on the job because they impair the employee's ability to perform the employee's work safely. Should the employee's consumption of alcohol or use of recreational drugs be found to be the cause of the employee's on-the-job injury, the employee will not be eligible for workers' compensation benefits. Provisions of this paragraph may not apply to certain law enforcement personnel in the performance of their duties as approved by the Sheriff. For further information, see Workers' Compensation Procedures in *Employee Conduct and Procedures*, Section 6 page 8.

## Section 3

# Compensation

## COMPENSATION

In order to establish fair and objective compensation practices with respect to County employees, the Stone County Commission will adopt a classification and compensation plan for all full-time positions effective January 1, 2004.

## CLASSIFICATION AND COMPENSATION PLAN

A County-wide plan was developed using job analysis and evaluation techniques. Each position was placed in a pay band based on assigned work duties and responsibilities as established by the elected official or department head. The plan includes the title, position and pay band for each position and also created a base salary structure containing a salary range with a minimum and maximum rate of pay for each position.

Classification and compensation information on the upgrade of an established position or a new position proposed by an elected official or department head will be reviewed and the position approved by the County Commission prior to the effective date of the upgrade or new- hire. Pay bands may be reviewed annually for a cost of living adjustment. **This program is still a work-in-progress.**

## PAYDAY

All employees are paid twice a month except monthly salaried employees and elected officials. Pay periods start at 12:01am Monday and end at 11:59pm on Sunday. Paychecks will be issued bi-weekly (every other Thursday) and will include any adjustments for holiday, vacation or sick pay.

## TERMINATION PAY

If an employee resigns or retires, the employee will receive his/her final paycheck on the following customary payday. The final paycheck will include accrued compensatory time. (Refer to *Employment*, Section 1 Page 15)



# TIMEKEEPING

It is the responsibility of all non-exempt employees to accurately record and report their time worked. Federal and state laws require the County Commission to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Appropriate timesheets are available in the County Clerk's Office.

Employees must sign their timesheets to certify the accuracy of all time recorded. Elected officials or department heads will review and then sign the time sheets before submitting them for payroll processing. Additionally, if corrections or modifications are made to the timesheets, both the employee and the elected official or department head must verify the accuracy of the changes by signing the timesheet.

The deadline for submission of time sheets, established by the County Commission, is 9:00am on Monday prior to Thursday payday. Elected officials, department heads and specified administrative personnel are exempt from submitting time sheets.

# ADMINISTRATIVE PAY CORRECTIONS

The County Commission takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled paydays. In the unlikely event that there is an error in the amount of pay, employees should promptly bring the discrepancy to the attention of their supervisor and the supervisor should bring the discrepancy to the attention of the County Clerk's Office so that corrections can be made as quickly as possible.

# TRAVEL EXPENSE REIMBURSEMENT

Effective as of January 1, 1993, the following allowances and limitations will apply to all elected officials and County employees traveling on Stone County business at the expense of Stone County.

- Mileage Allowance: Mileage will be reimbursed at the current rate per mile as determined by the Stone County Commission when a County or personal vehicle is used. When more than one person is traveling to the same destination, carpooling is strongly encouraged where practical.
- Repair and Fuel: Only County vehicles may compensate the traveler for repairs. Privately owned vehicles are not entitled to compensation for repair.
- Retain any and all bills associated with your trip. They will be required should you desire compensation.

- Record starting and ending mileage on the vehicles odometer. It may be used to calculate the mileage allowance. However, the County reserves the right to use other reasonable means to determine the accuracy of the mileage reported if it so chooses.
- Meal Reimbursement: “Out of pocket” meal expenses will be reimbursed not to exceed \$35.00 per day and at the rates of:

Breakfast .....\$10.00  
 Lunch..... \$10.00  
 Dinner.....\$15.00

It is not necessary that a restaurant receipt be obtained but the procedure shown below is necessary when applying for reimbursement

- Hotel Room Allowance: In the event of “out of pocket” room charges, full reimbursement will be made for normal and reasonable expenses. *Note: hotels still charge a tax despite being presented with a “Tax Exempt” statement from the County.* A receipt must be presented to the County for reimbursement. *Note: Meals, lodging and miscellaneous expenses that are provided for by the payment of registration fees cannot be claimed for reimbursement.*

Information required for reimbursement:

- Date or dates of the trip.
  - Name of the elected official or employee making the trip.
  - Destination and purpose of the trip.
  - Number of miles for reimbursement.
  - List specific meals for reimbursement by date, meal, and reimbursement claimed.
- In the event that one person pays for more than one traveler, indicate so on the list.

In the instance of transporting a prisoner, the Sheriff’s representative will be reimbursed as above for himself/herself, the prisoner and the guard (if any.) Such transport will be done at a time to avoid unnecessary “on the road” meals for prisoners where practical.

All submissions for reimbursement are to be signed by the person seeking reimbursement and the department head and forwarded immediately to the County Clerk’s Office.

## Section 4

# Work Conditions and Hours

## WORK SCHEDULES

The normal work schedule for regular full-time employees is eight hours a day, five days a week as determined by the County Commission. Hours for all County offices will be 8:00- 4:00, Monday through Friday, except on holidays. The normal work schedule for employees in the law enforcement area of County government is based on a 28-day work period and as scheduled by the sheriff. Hours for Janitorial staff will be 7:00-3:00

Elected officials and department heads are authorized to determine work schedules for their employees, based on the 40 hour work week schedule. Staffing needs and demands may necessitate different starting and ending times. Elected officials, department heads and/or supervisors shall advise employees of the times their schedules will normally begin and end.

Elected officials and department heads are responsible for the accurate reporting of time. The methods employed may be a conventional recording time clock, on site/remote muster, computer log in, or employee write in, etc. There are problems associated with each method so it will be up to the elected official or department head which method to employ, and how to impose safeguards to ensure system integrity.

## OVERTIME

It is the responsibility of each elected official and department head to develop methods and procedures to maximize productivity and reduce or avoid the need for overtime. It is the responsibility of each employee to work as efficiently as possible to accomplish his or her assigned duties during regularly scheduled work hours. The elected official or department head must approve all overtime in advance. A determining factor in the approval of overtime work is whether the work could be accomplished through rescheduling of employee work hours and allowance of time off in the same work period. These factors reduce the burden of overtime on employees and avoid accrual of excessive compensatory time.

Overtime may be called for when there is no other reasonable way to discharge the duties of the office. The elected official or department head must give due consideration to employee welfare such as breaks, food, and sleep and still get the job done. The employee must understand, the willingness to comply with a call for overtime is a condition for employment

The Fair Labor Standards Act (FLSA) establishes overtime pay requirements for employees who are covered by the act. The County is required by FLSA to base overtime on work hours in excess of forty (40) hours in a 168hour period during 7 consecutive 24-

hour periods (standard workweek). For calculation of overtime the work week for the County will begin on Monday at 12:01 a.m. and end the following Sunday at midnight. Because of the difference in the work hours and responsibilities of the law enforcement department, the regular work period for officers is 28 days. Under the provisions of the FLSA, time worked from 80 hours to 86 hours will usually be compensated at the regular hourly rate. Time worked in excess of 86 hours will be compensated at one and one-half times the regular hourly rate.

## COMPENSATORY TIME OFF

Employees may be required to work overtime when the requirements of their positions cannot be performed during a regular 40-hour workweek or duty tour. Eligible non-exempt employees, when requested by their elected official or department head to work in excess of their regular workweek; will earn compensatory time off in lieu of cash payment. Exempt employees shall not accrue compensatory time nor be paid for overtime worked except for those who have approved compensatory hours recorded.

The County Commission can approve cash payment for overtime when situations may dictate and when available in the budget. Department heads/elected officials will get approval from the County Commission before authorizing overtime for cash payment.

Employees will receive prior approval from their elected official or department head before working overtime. If granted approval, they will be compensated with time off at one and one-half times for hours worked over and above the regular 40 hour work week or, for law enforcement, anything over 86 hours bi-weekly. Paid leave, such as vacation leave, compensatory time, sick leave, or holiday time is not considered as hours worked when calculating overtime.

Elected officials and department heads shall maintain records in a form and manner approved by the County Commission on compensatory time earned by employees of the County.

The maximum accumulation of compensatory time, which may be accrued, is 240 hours or for law enforcement, 480 hours. Any hours over and above the maximum allowable accrual of compensatory time will be paid at 1 and 1/2 rate. It is the responsibility of the elected official or department head to ensure the appropriate and timely use of compensatory time accrued by their eligible employees. It is imperative that compensatory time be utilized at the earliest convenient time.

When conditions exist to the extent that a disaster has been declared in Stone County by either the state or federal government and when funds have been made available to assist in the relief of disastrous conditions, the County, with the approval of the County Commission can approve payment of overtime versus accrual of compensatory time.

(2/27/07)

## ON CALL

When employees are required to be "On Call", the County will not count the time the employee spends on call if the employee is generally able to use his or her time for personal pursuits. However, if the employee is called in to work, the employee will be given compensatory time off according to the arrangements appropriate for that department.

Any person hired after the distribution of this policy manual shall be told prior to being hired that agreement to the requirements of this section shall be a condition of employment. That person shall have this section explained so that the person understands that agreement to the requirements of this section is a condition of employment.

## ATTENDANCE AND PUNCTUALITY

. Regular attendance and punctuality is expected of all County employees. Absenteeism and tardiness place a burden on other employees and may delay citizens in the transaction of business within the County. When employees must arrive late to work or cannot work as expected or scheduled, they will notify their department head as soon as possible in advance.

Employees who are habitually tardy or fail to notify their department head of their inability to report to work will be subject to loss of pay and other more serious disciplinary actions, up to and including termination of employment.

## LUNCH PERIODS

Lunch Periods are considered working Lunches on the jobsite, if an employee leaves the jobsite for lunch he or she must use Comp or Vacation Time or be docked. To keep operations running continuously throughout the workday, elected officials and department heads may stagger breaks for their employees.

# CLOSING OF COURTHOUSE FOR WIDESPREAD ILLNESS OR INCLEMENT WEATHER

Amended November 17 2009, effective immediately

The County Commission will from time to time decide whether the Courthouse will be closed due to widespread illness or inclement weather.

On days that the Courthouse is closed due to widespread illness or inclement weather, no employee shall report to work or perform work, with the exception of certain employees described in paragraph 4.

On days that the Courthouse is closed due to widespread illness or inclement weather, all employees will receive their usual compensation.

County employees who are required to work on days the Courthouse is closed due to widespread illness or inclement weather may include:

- Sheriff's department personnel, who may work at the direction of the Sheriff;
- Personnel essential for maintenance of the heating, water, and sewer systems in the Courthouse and the Judicial Center, who may work at the direction of the County Commission;
- County Highway Commission employees, who may perform necessary work at the direction of their supervisors.

Any employee described in paragraph 4 who performs work authorized by the County Commission or the County Highway Commission on a day the Courthouse is closed, will receive eight hours of personal holiday time.

Personal holiday time will be forfeited if not used within six months of accrual.

Each elected official, department head, or supervisor of employees, shall be responsible for informing the County's employees under his or her supervision, of a closing of the Courthouse due to widespread illness or inclement weather

## PHONES/CELLULAR PHONES

County telephones and County-owned mobile telephones are primarily for Stone County business. Personal calls on County phones are not prohibited; however, employees should make personal calls infrequent and brief. Employees are required to reimburse the County for any charges resulting from their personal use of the telephone. Reimbursement shall be made to the County Clerk's Office within 30 days of notification of amount due.

Cellular phone calls during working hours distract employees from their job responsibilities and may be disruptive to customers and co-workers. Employees are therefore asked not to bring their personal cellular phone into the workplace during work hours.

Any employee who uses the phone for personal business, makes unauthorized toll calls, excessively calls directory assistance or exceeds the limit of minutes during a billing period shall be subject to paying the unauthorized charges.

Upon termination, for whatever reason, employees must immediately turn in their county issued phone. Failure to turn in and/or cease use of the cellular phone they will be subject to all charges incurred for airtime and for the cost of the phone.

## BUSINESS AND TRAVEL EXPENSES

Stone County reimburses employees for reasonable business travel expenses incurred while on assignments away from the normal work location. The elected official or department head must approve all official travel in advance.

The actual costs of travel (including mileage at current mileage rate or airfare), meals (not to exceed the maximum allowable per diem), lodging (more than 50 miles from the employees' residence) and other expenses directly related to accomplishing business travel objectives may be reimbursed by the County. Use of rental cars is acceptable, if it is determined that the cost of renting a vehicle does not exceed the cost of a practical, alternate means of transportation and has the written approval of the elected official or department head. Mileage and per diem rates will be determined at the beginning of each calendar year and are available from your elected official or department head.

Generally, the County will not issue travel advances. However, advances may be available in certain situations. If an elected official or a department head determines that circumstances warrant a travel advance, he or she shall contact the County Clerk two weeks in advance of travel.

Employees will receive a per diem rate for meals (including tips), when an overnight stay is required. Employees are not required to submit meal receipts to receive per diem.

Each department is responsible for making arrangements for an employee's lodging when County business requires an overnight stay. Employees should make reservations in advance and obtain information regarding the price of the lodging. The cost of lodging can be billed directly to the County or the employee may take a check for the appropriate amount to his or her destination.

## REIMBURSEMENT POLICY

Employees may be reimbursed for one personal telephone call per 24-hour period, not to exceed \$5.00. A receipt must be submitted for the reimbursement of the call. The County will not reimburse the following expenses:

- Room upgrades
- Costs incurred by spouses or other relatives are not reimbursed by the county
- Personal expenditures such as personal telephone calls beyond the \$5.00 maximum, movie rentals, valet services, laundry, cleaning, intoxicating beverages, entertainment, or side trips

When travel is completed, employees must submit a completed disbursement voucher for reimbursement to their elected official or department head for review and approval. Receipts for all individual expenses, with the exception of meals, must accompany expense reports.

## SMOKING POLICY

In order to provide a safe and healthy environment for all employees and visitors to County facilities, the County Commission has approved a smoking policy that prohibits smoking in County buildings. Smoking may take place outside County buildings. Smoking in front of the public access doors to County buildings is not permitted.

## USE OF VEHICLES

The County Commission may provide vehicles to County employees for the purpose of conducting official County business. All employees who drive County vehicles or personal vehicles on County business, are expected to exercise due diligence in driving safely and following the rules of conduct in this policy. Also, the security of all vehicles and the contents of vehicles should be maintained to the greatest extent possible, including the removal of keys from parked vehicles. Employees are also responsible for any driving infractions or fines as a result of their driving. The following policy outlines guidelines for the usage of Stone County vehicles and personal vehicles while on County business.

Certain Road and Bridge Employees are authorized to drive County vehicles to and from their place of residence. These employees are on call at all times and it best serves the County to authorize this use of County vehicles to ensure prompt and efficient response



to emergencies, inclement weather conditions and /or equipment breakdowns. These vehicles are to be used solely for County business. Each employee that uses a vehicle in this manner will keep a mileage log. This log will be monitored by the County commission.

Individuals, who must drive a vehicle as a condition of employment, must be able to meet the driver approval standards of this policy at all times. For all other jobs, driving is considered an incidental function of the position.

## ELIGIBILITY REQUIREMENTS

Employees driving vehicles for County business must have the prior approval of their department head. Before approving a driver, each department head must verify the existence of a valid driver's license. Employees approved to drive on County business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability. Elected officials and department heads shall notify the County Clerk's office when new drivers authorized to operate County-owned vehicles are hired, so their names may be added to the list of authorized drivers. In addition, the County Clerk's office shall periodically request elected officials and department heads to provide an updated list of individuals authorized to operate County-owned vehicles. All elected officials and department heads with authorized County drivers, including the Assessor, the Sheriff, the Public Administrator, the Janitorial department, the Planning and Zoning department, and the Facilities Management department, are responsible for ensuring that all drivers in their respective departments maintain a valid motor vehicle operator's license or any other license required for work in that specific department.

## ASSIGNMENT OF VEHICLES

The County Commission shall determine and authorize the distribution and basic utilization of all County-owned vehicles. County vehicles will be permanently assigned to those departments, which have demonstrated a continuing need for them. A list of employees, positions and vehicles assigned must be provided to the County Clerk's office with the implementation of this policy and, subsequently on January 1 of each fiscal year. Each elected official or department head should keep copies of the valid driver's licenses of their employees authorized to drive County-owned vehicles. Any additions or deletions to the list throughout the year must also be provided to the County Clerk's office. County employees shall not drive County-owned vehicles to or from their place of residence before or after normal working hours except as authorized by their elected official or department head. Employees shall be authorized when it has been determined that the vehicle is being used for a purpose that serves the County and that the vehicle is not being used solely to provide transportation to or from the employee's place of residence.

Employees must immediately report any accident, theft or malicious damage involving a County vehicle to their elected official or department head, and to the County Clerk's Office, regardless of the extent of damage or lack of injuries. The elected official or department head will also be responsible for reporting the incident to the County Clerk's Office. If the employee sustains injuries as a result of any accident, he or she must also immediately report the incident to his/her elected official or department head. The elected official or department head will be responsible for reporting the incident to County Clerk's office in accordance with the County's Workers' Compensation procedures. (Refer to *Employee Conduct and Procedures*, Section 6, Page 8.)

## PERSONAL VEHICLE USAGE

With the prior approval of their elected official or department head, County employees may use their own vehicles for business purposes. All applicable provisions of this policy, including employee responsibility for safety and conduct, apply to employees using their personal vehicles on County business. Employees who use their personal vehicles for approved business purposes will receive a mileage allowance for such usage to help compensate for the cost of gasoline, oil, depreciation and insurance. In addition, employees driving on County business may claim reimbursement for parking fees and tolls actually incurred. Receipts for tolls and fees will be provided with claims for reimbursement. Employees who drive a personal vehicle on County business must, in addition to meeting eligibility requirements previously mentioned in this policy, carry liability insurance and ensure that their personal vehicles meet all state and legal standards for maintenance and drivability. The County does not provide primary automobile insurance for personal vehicles. Employees are also responsible for any driving infractions or fines as a result of their driving.

## EMPLOYEE RESPONSIBILITY

The improper, careless, negligent, destructive or unsafe use or operation of County-owned vehicles, as well as failure to adhere to this policy, can result in disciplinary action up to and including termination of employment. The County Commission expects employees who drive County-owned vehicles or personal vehicles on official County business to observe the following safety standards and rules of conduct.

## USE OF ALCOHOL AND CONTROLLED SUBSTANCES

Employees are not permitted, under any circumstances, to operate a County vehicle or a personal vehicle for County business when under the influence of intoxicating beverages, illegal drugs, or prescription and over-the-counter medications that may impair driving ability. Prescription medication shall only be taken according to physician requirements; employees shall notify their elected official or department head when using any

medication that may impair their ability to safely operate a vehicle. Provisions of this paragraph may not apply to certain law enforcement personnel in the performance of their duty as approved by the Sheriff.

## VEHICULAR REDERSHIP

County employees and other individuals directly involved in the conduct of Stone County business shall be permitted to ride in a County-owned vehicle. In certain situations, with the approval of the Sheriff, exceptions to this policy may be made for law enforcement.

Under no circumstances may anyone other than an authorized County employee be allowed to operate a County-owned vehicle. Family members, friends or other personal acquaintances not directly involved in County business shall not be allowed to ride in a County vehicle with the exception of out-of-town travel that involves an overnight stay. In this case, any individual riding in a County vehicle must carry supplemental insurance to cover any personal injury including medical bills and lost wages in case of an accident. Seat belts are required to be worn in ALL Stone County motor vehicles and personal vehicles when used for County business. In certain law enforcement situations, exceptions may be made.

## Section 5

# Family and Medical Leave Policy

Amended November 17 2009, effective January 1 2010

## FAMILY AND MEDICAL LEAVE POLICY

The Family and Medical Leave Act (FMLA) became effective August 5, 1993 and were revised January 16, 2009 and again January 1, 2010. The purpose of the Act is to help employees balance the demands of the workplace with the needs of their families, by allowing eligible employees to take up to 12 weeks of job-protected leave per year which may or may not be a combination of paid and unpaid leave for specific family and/or medical needs. In addition the act requires that an employee's group health benefits be maintained during the leave as long as they are enrolled.

### RESPONSIBILITY

In adherence to the Family and Medical Leave Act (FMLA) 1993 and as revised effective January 16, 2009 and again January 1, 2010, Stone County will comply by granting up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member or veteran with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy. It is the responsibility of the employee to make requests for family and medical leave from his/her employer, Stone County, through their elected official or department head. All requests for FMLA leave will be coordinated with the County Clerk's Office.

### ELIGIBILITY

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles. The County uses a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave within the calendar year.

# REASONS FOR LEAVE

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- (1) For incapacity due to pregnancy, prenatal medical care or child birth; to care for the employee's child after birth, or placement for adoption or foster care;
- (2) To care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- (3) For a serious health condition that makes the employee unable to perform the employee's job.

If a husband and wife both work for the company and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave.

## Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

- A. Either an overnight stay in a medical care facility, or
- B. Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job. Note: Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment; or
- C. Prevents the qualified family member from participating in school or other daily activities.

## Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include:

- A. Attending certain military events,
- B. Arranging for alternative childcare,
- C. Addressing certain financial and legal arrangements,
- D. Attending certain counseling sessions; and
- E. Attending post-deployment reintegration briefings.

Note: FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-

month period. A covered service member is:

- (1) A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or
- (2) A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

\*Note: The FMLA definitions of a serious “injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition”. For further clarification go to <http://www.dol.gov/whd/fmla/2013rule/fs-military.htm>

If a husband and wife both work for the company and each wishes to take leave to care for a covered injured or ill service member or veteran, the husband and wife may only take a combined total of 26 weeks of leave.

### **Benefits and Protections**

During FMLA leave, the employer will maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave. \* However, employees that have normal deductions (i.e. benefits, garnishments, etc.) must make prior arrangements with the payroll/accounting department to ensure the all normal payments continue during their leave. If the County maintains coverage, the County may recover the costs incurred for paying the employee’s share of any premiums, whether or not the employee returns to work.

### **Use of Leave (Intermittent Leave)**

An employee does not need to use this leave entitlement in one block (i.e. full 12 weeks at one time). Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

For example: Beginning November 1, 2001, an employee takes eight (8) weeks of FMLA leave for the birth of a child. This employee would have an additional four weeks available until November 1, 2002 for another FMLA qualifying event. Conversely, if the employee exhausted all 12 weeks of FMLA leave initially, he/she would not have additional FMLA leave available until after November 1, 2002. Each subsequent 12-month period will begin the first time FMLA leave is taken after the completion of the previous 12-month period.

### **Vacation, Sick & Holiday Usage during Leave**

During an employee's Leave of Absence, they may use up any accrued sick and vacation time. Sick time must be exhausted prior to using vacation time. Should an approved leave of absence occur over a holiday, holiday pay will be paid only if the employee has remaining sick and/or vacation time accrued. Subject to any limitations imposed by the FMLA, the County may require that accrued paid leave be used simultaneous with the employee's FMLA leave.

### **Health Benefit Continuation**

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the County will require the employee to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

While on paid leave, the County will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

If the employee contributes to a life insurance or disability plan, the county will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the County maintains coverage, the county may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

If you obtain a leave of absence by false pretense, accept other employment while on a leave of absence or fail to return to work at the end of the leave of absence, you are considered to have resigned your employment.

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is virtually identical in terms of pay, benefits and

working conditions. The County may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

## UNPAID LEAVE

Family and medical leave is unpaid leave at the County. Therefore, any period of unpaid leave which exceeds or is anticipated to exceed three working days must be approved by the employee's elected official or department head, who will determine, with the assistance of the County Clerk's Coordinator, if the reason for the leave is considered a serious health condition under FMLA. If it is determined the reason for any paid or unpaid leave time qualifies under FMLA, the employee will be required to use available accrued compensatory time, sick leave, and vacation leave as part of their 12 week FMLA leave. In addition, workers' compensation benefits may be paid to an employee whose serious health condition is a result of a work related illness or injury.

## WRITTEN NOTICE

In order to prepare for the employee's absence during family and medical leave, the County requires 30 days' written notice of the employee's intention to take leave signed by his/her elected official or department head whenever possible.

The employee must request and submit the "Request for Family and Medical Leave" and, when applicable, the "Certification of Physician or Practitioner" with the following necessary information:

- BIRTH of a Son or Daughter: Certification of a physician or practitioner is required.
- ADOPTION of a Son or Daughter: Completed adoption forms necessary to finalize this action.
- FOSTER CARE of a Child: State forms necessary to complete this action.
- SERIOUS HEALTH CONDITION of a spouse, child, parent or employee: Certification of Physician or Practitioner is required.

Elected officials and department heads should forward a copy of each form to the County Clerk's Office where the forms will become a permanent part of the employee's benefits file.

If, due to an emergency or unforeseen circumstances, the employee is unable to provide 30 days' notice before taking leave, notice as soon as possible and practicable is acceptable ("as soon as practicable" generally means at least verbal notice to the County within one or two business days of learning of the need to take FMLA leave). An employee who does not provide appropriate notice may have the leave approval delayed.



## REQUIRED CERTIFICATION

Both the "Request for Family and Medical Leave" and the "Certification of Physician or Practitioner" forms are available in the County Clerk's Office. The employee must return the completed "Certification of Physician or Practitioner" form within fifteen (15) days of receiving it. If the employee is requesting leave for planned medical treatment, either for the employee or a family member, after consulting with the treating physician, the employee is asked to make a reasonable effort to schedule the treatment so as not to unduly disrupt the County's operations. This is best achieved by advance consultation with the employees' supervisor.

If submitted medical certification is not sufficient, the elected official or department head may require a second opinion at the County's expense. If the first and second opinions do not agree, the County and the employee will coordinate the selection of a physician for a third opinion at the County's expense. The third opinion will be binding.

## RECERTIFICATION

The County may require recertification of the continued need for leave every 30 days while the employee is on leave. If family and medical leave is taken because of the employee's serious health condition, the employee is required to provide certification that he/she is able to resume work prior to returning from leave.

While on family and medical leave, the employee's employee benefits, including health care coverage for the employee and the employee's family, will be continued as if the employee were not on leave.

## HEALTH BENEFIT COVERAGE

**Contributions ordinarily made by the employee through payroll deductions must be continued during the leave period. The employee's total contribution amount due for that period must be paid by mail or in person on or before each regularly scheduled payday.** It is the employee's responsibility to coordinate premium payments with the County Clerk's Office prior to the beginning of the leave. The employee may pay in advance, if preferred.

## BENEFIT ACCRUAL

At the end of family and medical leave, the employee will be returned to the position the employee held when leave began or will be given an equivalent position with like employment benefits, unused vacation and sick leave, pay and other terms and conditions of employment. No benefits will be lost because family and medical leave is taken; however, accrued compensatory time, sick leave and vacation leave will be used. **Depending on the amount of unpaid leave that is taken, benefit accrual such as vacation, sick leave or holiday benefits, will be pro-rated.** Full benefits will resume upon return to active employment.

*Employees must report on their status and their intention to return to work as requested while on family and medical leave. In addition, recertification of the medical need for leave may be required.*

## REINSTATEMENT

An employee on an extended FMLA leave is required to provide his/her elected official or department head with advance notice of the date he/she intends to return. If the employee has taken leave because of his /her own serious health condition, the employee will be required to submit a physician's certification on the employee's fitness and ability to return. This certification will be submitted to the elected official or department head and forwarded to the County Clerk's Office, prior to the return to work date. If the employee is ready to return from family and medical leave before the scheduled date for return, the employee must notify the County as soon as practical to request reinstatement. The County will attempt to accommodate all requests for early reinstatement.

## FAILURE TO RETURN TO WORK

**If the employee does not return to work at the expiration of family and medical leave, the County may require the repayment of health insurance premiums the County paid on the employee's behalf during the leave period. The failure of an employee to return to work from his/her leave may be considered a voluntary resignation and will be reviewed on a case-by-case basis.**

The County will require medical certification that the employee cannot return to work because of the employee's own illness or the illness of a family member that the employee is needed to care for.

Should the employee need more information regarding the employee's rights under these acts, stop by or call the County Clerk's Office.

## PERSONAL LEAVE

Elected officials and department heads may authorize leaves of absence without pay to regular employees who wish to take time off from work duties to fulfill personal obligations. The employee will be required to fill out a Request for Leave form available from the County Clerk's Office. The employee will also be required to take any available compensatory time, sick leave, and/or vacation leave, if applicable, as part of the approved period of leave.

Prior to scheduling, elected officials or department heads must approve all personal leaves of absence. Requests for personal leave will be evaluated based on a number of factors, including reason for leave and anticipated workload requirements and staffing considerations during the proposed period of absence.

## LACTATION/BREASTFEEDING POLICY

As part of our family-friendly policies and benefits, the County supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child. The provisions of this Lactation Policy meet the requirements of the Fair Labor Standards Act as it relates to breaks for nursing mothers.

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her newborn. The County has a designated location at each job site for this purpose. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any non-conforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting their Elected Official/department head or the County Clerk. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

## BENEFIT ACCRUAL

Health insurance benefits may be provided under the Comprehensive Omnibus Budget Reconciliation Act (COBRA). Under COBRA, the employee pays the full cost of coverage at the County's current group rate. Depending on the amount of unpaid leave that is taken, benefit accrual such as vacation and sick leave will be pro-rated.

At the end of personal leave, every reasonable effort will be made to return the employee to the position the employee held when leave began, or to a similar available position for which the employee is qualified. The County cannot guarantee reinstatement in all cases. If an employee fails to report to work promptly at the expiration of the approved leave period, the County will assume the employee has resigned and their employment with the County may be terminated.

## MILITARY LEAVE

Stone County complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable. Military leave of absence will be granted to employees who are absent from work due to service in the United States uniformed services.

It is the policy of the County to permit employees to take paid military leaves of absence without loss of time or pay, as stated in state statute 105.270 RSMo. 1996. Also, complying with the previously referenced statute, the County will grant the employee's request for paid military leave of absence for a period not to exceed a total of fifteen (15) calendar days per federal fiscal year (January 1 through December 31) to be used for military training, reserve duty, drills, maneuvers, etc. Military leave will not be considered as hours worked when calculating overtime. For military leaves in excess of fifteen (15) calendar days, employees may use their accumulated personal or vacation time for their military leaves of absence. If accumulated time is unavailable, the leave will be unpaid. Subject to certain restrictions permitted by USERRA and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible, continuation of health insurance benefits is available to employees on military leave of absences. Vacation and holiday benefits will be suspended during a military leave of absence.

Before any payment of salary is made covering the period of the leave, the employee must file an official order from the appropriate military authority as evidence of such duty for which military leave pay is granted. The employee must give the official order to his/her supervisor and a copy to the County Clerk.

If an employee's military leave of absence is longer than 30 days, it is imperative that the employee contact County Clerk's Office to make arrangements to continue insurance coverage. Note: an employee's health insurance benefits will continue for 30 days "upon the initiation of leave" as if the employee were not on leave.

At the end of 30 days, the employee is eligible for COBRA benefits. Employees will receive information in the mail, which explains COBRA rights and responsibilities.

Benefits that would have accrued had the employee not been on military leave of absence will be given to the employee upon returning to the County after the military leave is over.

Employees on “active” military leave will have job protection for five (5) years. When the employee returns to the County after military leave the employee will either be reinstated to the position the employee held before taking military leave or be given a similar position with the same seniority, status and pay, if in either case the following conditions are met:

- Proof of honorable discharge from duty.
- Proof of ability to resume the position.
- Notice of intention to return is given.

Note: The employee's job will not be in jeopardy if a military leave of absence is requested or taken.

## **Section 6**

# **Employee Conduct and Procedures**

## **PROFESSIONALISM**

Stone County employees represent the County and are especially susceptible to public criticism. Therefore, it is necessary for all employees to conduct themselves in the best possible manner. Honesty from every employee is expected and required while conducting County business and transactions.

Employees shall always display professionalism and act in a courteous manner when dealing with the public. The employees can often prevent negative situations with citizens, if the employees remain calm and courteous.

Because County employees are working for the citizens of Stone County, the time spent on the job should be used to the fullest extent in order to maximize efficiency. Unnecessary waste of time is costly and may be very damaging to the public's perception of County government.

County employees often have access to information that should be kept in strict confidence. Therefore, employees are required to use good judgment and discretion in keeping certain matters confidential. Employees having questions concerning the matter of confidentiality should contact their elected official, department head or the County Commission.

## **PERSONAL APPEARANCE**

Dress, grooming and personal cleanliness standards contribute to the morale of all employees. The actions of the employees and their attire are a reflection of County government and, as such; employees are expected to dress in an appropriate and professional manner consistent with their position.

Because of the diverse duties that County personnel perform, it is not possible to establish a specific dress code. Employees should consult their elected official or department head if they have questions as to what constitutes appropriate attire.

## **CODE OF ETHICS**

Employees and representatives of Stone County shall endeavor to uphold all applicable statutes and shall conduct themselves in a manner consistent with their role as holders of the public trust.

### 1. Civility:

- All personnel shall be civil, orderly, diligent, discreet, courteous, and patient as a reasonable person is expected to be in any situation public or private.
- All personnel shall answer questions in a courteous manner. I don't know is also an answer. Don't give false information. If you don't have an answer, find a resource that does.
- Do not argue with a customer. Instead refer them to your supervisor.
- If asked, give your name to the customer. This is the only personal information you are required to give.

### 2. Truthfulness:

- All personnel shall speak the truth at all times under all circumstances. If asked to divulge confidential information, decline to speak of the subject

### 3. Criticism and Malicious Gossip:

- No person shall indulge in malicious gossip and the spreading of rumor.
- Personnel shall not criticize any other person or employee except as required by duty as a superior to a subordinate.
- Subordinates shall not criticize or spread gossip about any superior, fellow employees, order, policy, procedure, case or event that is considered to be official information.
- No employee shall cause discredit, lower or injure the morale of any other person.

### 4. Possession /Use of Intoxicants/Drugs:

- Personnel shall not bring, permit to be brought, placed, or kept in any building, location, or vehicle within the County any intoxicants or illegal drugs anytime, anywhere and anyplace. Use of intoxicants within 4 hours of going on duty is prohibited.
- Any employee of the County knowing or suspecting another of being under the influence of intoxicants and/or drugs will report it immediately to their supervisor.

### 5. False Information On Records:

- Personnel shall not make false official reports, knowingly, or willingly, enter, or cause to be entered into County books, records, or report any inaccurate, false or improper information or material.

#### 6. Misappropriation of Property:

- Personnel shall not appropriate for his/her own use any lost, found, or stolen property nor convert to his/her own use any County property.

#### 7. Defacing Department Notices:

- Personnel shall not mark, alter, or otherwise deface any printed or written notice, memorandum, general order or directive relating to County business, nor any notice posted at any location maintained by the County. All notices of a personal nature and/or of a derogatory character regarding any person are prohibited.

#### 8. Statements Concerning Liability:

- Personnel shall not make any written or oral statements to anyone concerning liability in connection with the operations or administration of County business.

#### 9. Seeking / Accepting Gifts:

- No person shall seek nor accept, directly or indirectly, any gift, present, gratuity, from any person, firm, group, relative, friend... anyone, for any service rendered or expense incurred on the basis of his/her employment or association with the County if the purpose of that gift is to in any manner influence the action/function of the employee, or if the gift has any significant monetary value.

Any employee who becomes aware of a violation of the Code of Ethics Policy must report the violation to his/her manager, member of management, designated County Compliance Officer, or County Clerk. Any employee who has a question regarding whether conduct violates a standard in the Ethics Policy should contact the designated official.

## SOLICITATION

In an effort to assure a productive and harmonious work environment, persons not employed by the County or under contract with the County may neither solicit purchases for products, services, donations, etc., nor distribute literature in the workplace, unless approved by the County Commission.

The County Commission recognizes that employees may have interests in events and organizations outside the workplace. Employee bulletin boards are located in break rooms. The bulletin boards display information concerning:

- Employment announcements
- Internal memoranda
- Postings concerning ADA and other compliance issues.
- Other items of interest to County Employees.

If employees have a message of interest to the workplace, they may submit it to the County Commission for approval and posting.



# ELECTRONIC MEDIA POLICY

The County maintains, as parts of its technological platform, electronic media systems that include but are not limited to telephones, fax machines, computers, networks, network devices, systems supporting e-mail, Internet access, and voice communication. All electronic media systems and the data stored on them are, and remain at all times, the property of the County and are to be used by authorized personnel only.

Electronic media work should be limited to the conduct of County business using only **licensed** programs. Incidental personal use of the County's computer resources must be reasonable and not cost the County in either employee productivity or actual expense as determined by the employee's elected official or department head. Electronic media may not be used for the conduct of personal business or to solicit for outside business ventures.

County employees do not have a personal privacy right in any matter created, received, stored in or sent from the County's electronic media systems. **Note:** even when work is erased or a hard drive crashes, it is often possible to recover previously deleted data. Additionally, because the County is a public entity subject to the Missouri Sunshine Law, any communications could also be subject to release to the public and the media. Views expressed on electronic media do not necessarily reflect the views of the County.

Elected officials and department heads are responsible for and are custodians of all electronic media generated in their offices and, as such, reserve the right to retrieve and read any work composed, sent, or received. The use of these systems grants consent to such a review. Elected officials and department heads may request that electronic media systems, housed in their offices be monitored to ensure appropriate usage. Usage will only be monitored at the request of an elected official or department head.

Passwords are not to be shared with any unauthorized person, nor are employees permitted to obtain another employee's password by unauthorized means. The reliability of passwords for maintaining confidentiality cannot be guaranteed. Passwords are used to prevent unauthorized access by other employees, **but should not be construed as creating an expectation of privacy... there is none.** Each employee must expect that his or her elected official or department head may read any and all work at any time and any place.

The County and the County's Internet Service Provider (ISP) have no control and, therefore, cannot be responsible for the content of the information available on the Internet. Employees must evaluate and bear responsibility of validating the subject matter, accuracy, completeness or usefulness of any content available on or through the County's Internet connection. Employees should be aware the Internet **is not** secure and should take appropriate measures when transmitting information.

Inappropriate uses of the electronic media systems include, but are not limited to:

- Accessing, mailing, forwarding or downloading any material not directly related to
- the employee's position with the County or in violation of federal, state and/or local laws;
- Operating an outside business;
- "Surfing" sexually explicit material;
- Conveying offensive or disruptive statements;
- Creating a conflict of interest or ethics violation.
- Offensive statements which include, but not be limited to:
  - Sexual comments or images,
  - Racial slurs,
  - Gender-specific comments
  - Comments that would reasonably offend someone on the basis of age, religious or political beliefs, national origin, pregnancy or disability.
- Chain letter e-mails are considered disruptive and are also prohibited.

Employees may be discharged for abuse of electronic media systems.

The Information Technology (IT) Administrator must be contacted prior to loading any software or making any internal or external connections to a County computer, with the exception of the Sheriff's department where the departmental systems administrator should be contacted. Prior to any network changes or updates, the IT Administrator shall contact each elected official or department head. (The elected officials or department heads must control the integrity of their machines. They may certainly request and get support from the IT Administrator.)

Employees are prohibited from attempts to disable, defeat, circumvent, or otherwise override any County security mechanism, safeguards and integrity of systems.

Employees learning of any misuse of the electronic media systems or violations of this policy shall notify their elected official or department head, who, in turn, will notify the County Commission. Violation of this policy may result in disciplinary action up to, and including termination.

## **SOCIAL MEDIA (i.e. Blogging, Texting, Twitter)**

The County takes no position on an employee's decision to start or maintain a personal blog, text, or twitter outside of the workplace. However, it is the right and duty of the County to protect itself from unauthorized disclosure of confidential proprietary information or trade secrets. The County's policy on such material includes rules and guidelines for County-authorized blogging, texting, twittering and personal communication and applies to all employees including, but not limited to; County Commissioners, Elected Officials, Management and Non-Management employees.

## *General Provisions*

Unless specifically authorized by the County to do so as part of an employee's position, employees are not permitted to blog, post, or use other forms of social media by naming an employer that could be reasonably attributed to employer communication during scheduled working hours. Blogging, texting, twittering or other forms of social media or technology include but are not limited to video or wiki postings, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with the County.

The personal use of social networking web sites such as Twitter, Facebook, MySpace, etc. must not interfere with work time. Written approval by a member of the County's management is required for authors who use electronic resources of the County to send "tweets", "blogs", "posts" or other public messages on behalf of the County. This includes; any identification of the author, including usernames, pictures/logos, or "profile" web pages, County logos, trademarks, or other intellectual property. If he or she is not providing an official message from the County, an employee who comments on any aspect of the County's business must include a disclaimer in his or her "profile" or "bio" that the views are his or her own and not those of the County.

Messages and postings should not be defamatory (i.e. including libel and slander) in nature or disclose any confidential, proprietary, attorney privileged information of the County. In addition, must not contain discriminatory remarks that may be regarded as "malicious, obscene, threatening, intimidating, harassing, or bullying".

Finally, any remarks that are meant to intentionally harm someone's reputation and could contribute to a hostile work environment and be subject to inappropriate or unlawful conduct will be subject the employee(s) "author" to disciplinary action including termination of employment.

Please keep in mind all employees who may have a workplace issue or complaint are encouraged to communicate with his/her department head/Elected Official or the County Clerk.

Employees are expected to protect the privacy and reputation of the County and its employees. Violation of the policy will be subject to disciplinary action up to and including termination of employment.

## **SUBSTANCE ABUSE**

It is Stone County government's goal to provide a drug-free, healthful and safe workplace. To promote this objective, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner. The County reserves the right to request all county employees and department heads, and Elected Officials randomly, or based upon suspicion, or who is involved in a job related accident, to consent

to an alcohol and drug test. The post-accident drug test may be required whether or not there was property damage, or whether the accident requires an employee to obtain professional medical treatment. Employees who test positive will be subject to disciplinary action up to and including termination. Employees who refuse a drug screen may be terminated. Employees and their property are subject to search while on County property. Submission to this request is condition of employment.

No employee may use, possess, distribute, sell or be under the influence of alcohol or illegal drugs while on Stone County premises and while conducting business-related activities off County premises. Certain exceptions may be made in the case of law enforcement personnel. The legal use of prescribed drugs is permitted and “used only by the individual for whom they are prescribed” on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Employees must inform their supervisor within five (5) calendar days if they are charged with or convicted of a drug or alcohol related offense.

Violations of this policy will lead to disciplinary action, up to and including immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program at the employee's expense. Such violations may also have legal consequences.

Employees who use County equipment or drive County vehicles requiring a commercial driver's license (CDL) are subject to drug and alcohol testing regulations implemented by the Department of Transportation. Employees who fit this description should talk with their elected official or department head or with County Clerk's Office about the details of this federal policy and its compliance issues.

## **DRIVER'S LICENSE SUSPENSION**

Employees are not permitted, under any circumstances, to operate a Stone County vehicle or a personal vehicle for County business without possessing a valid motor vehicle operator's license. Employees must inform their department heads any time their license is suspended or revoked.

## **VEHICLE ACCIDENT REPORTING PROCEDURE**

When an accident occurs involving the use of County vehicles or employees driving their own vehicles while on authorized County business, employees must adhere to the following procedure. The Sheriff's Department must be contacted when a vehicle accident occurs involving a County vehicle or a County employee's vehicle while on County

business in unincorporated Stone County. Accidents occurring in other localities must be reported to the local law enforcement agency.

Employees at the scene of the accident should obtain as much information as possible from other persons involved in the accident and witnesses, including names, addresses, phone numbers, insurance carrier, driver's license number and vehicle plate number. **Employees should never assume financial liability for the County or responsibility for the accident. In addition, employees must not sign any statements or talk with representatives of insurance companies or attorneys without first talking to the County Commission and then to the County attorney, if deemed necessary by the Commission.**

The employee involved in such an accident is required to notify his or her supervisor immediately. The employee's supervisor is responsible for notifying the County Clerk's Office. At that time, an official accident report, available in the County Clerk's Office, must be completed, returned to the County Clerk, and a copy given to the employee's elected official or department head. The County Clerk will maintain records of all reported accidents.

All bid estimates for repair of damaged County vehicles must be given to the County Clerk who, in turn, will submit them to the insurance County. If the damages incurred are in excess of \$500, three (3) bid estimates are required.

## WORKERS' COMPENSATION PROCEDURE

All work-related injuries must be reported to the employee's elected official or department head on the same day of it occurring.

- Supervisor's Incident Report - the elected official or department head of the injured employee must complete this report and notify the County Clerk's Office immediately.
- Employee's Incident Report - the injured employee must complete this form unless the injury is so severe he/she is unable to.
- Incident Description by Witness - any witness to the accident must complete this form.

Stone County, under the terms of the Missouri Workers' Compensation Law, has the right to designate the health care provider for work-related injuries or illness. All employees sustaining a work-related injury should contact their elected official or department head or the County Clerk's Office for a list of these authorized health care providers. If an employee requires emergency medical attention due to the severity of an injury, the nearest hospital may be used. A post-accident drug test may be required whether or not there was property damage, or whether the accident requires an employee to obtain professional medical treatment. Employees who test positive will be subject to disciplinary action up to and including termination of employment.

"In addition to all other compensation, the employee shall receive and the county shall provide such medical, surgical and hospital treatment, including nursing, ambulance and medicine, as may reasonably be required;" and in the same section, "if the employee desires, he shall have the right to select his own physician, surgeon or other such requirement at his own expense."

Employees who do not wish to be treated by a County authorized physician shall be required to seek treatment at their own expense. According to Missouri Workers' Compensation Law,

Any employee who sustains a lost-time accident or injury compensable under Missouri's Workers' Compensation Law will be paid compensation by the insurance carrier according to the provisions set forth by State Law.

Accumulated compensatory time, sick leave or vacation leave time may be used during the first three (3) days of a lost time accident, which does not exceed 14 days, and/or to pay existing payroll deductions for insurance premiums. The County will pay no further wages or salary until the employee returns to work. Vacation and sick leave accrual shall be allowed in accordance with vacation leave and sick leave benefits set forth in *Employee Benefits*, Section 2 pages 7-10. According to this section, **depending on the amount of unpaid leave that is taken, benefit accruals such as vacation, and sick leave will be pro-rated.** For purposes of calculating vacation and sick leave accrual credit, paid leave time does not include compensation for lost-time received from the

Workers' Compensation provider. Employees who are released back to work with restrictions; will be required to return to work in a transitional duty position as directed by our County physician (for further information, see Transitional Duty Policy). Should an employee refuse transitional work, they will not be paid for lost wages. Employees on transitional duty are still required to follow all County procedures and are subject to County disciplinary procedures for "post-injury misconduct" in accordance with Section 287.170.4 of the Missouri Workers' Compensation Statutes.

Failure to report such an infraction may result in employee disciplinary action, including termination in addition to loss of certain benefits such as Workers' Compensation.

## TRANSITIONAL DUTY

Any employee, who sustains a work related injury, may be required to return to work in a transitional duty position under the direction of our County physician. Our County physician will determine the employee's physical restrictions that result from a work related injury and notify our County of those physical restrictions. Our County will meet the needs of those physical restrictions and place the employee in a temporary position that is within the physical restrictions set by the physician. This temporary position may be outside the employee's regular duties and may also include work donated to charitable organizations. The temporary position may also be at a lower wage than the employee's

regular wage. If the transitional duty wage is lower than the employee's regular wage, the employee will then be eligible for Temporary Partial Disability (TPD) benefits from workers' compensation insurance. An employee who refuses to return to a transitional duty position will not be entitled to any lost wages. All positions and job duties in the County's transitional duty program are temporary in nature and may be changed or terminated at the County's discretion. These positions are not permanent accommodations as defined by the Americans with Disabilities Act.

If you have any questions or need further explanation of this policy you should consult your supervisor or call the Missouri Division of Workers' Compensation at 1-800-775-2667. This toll-free number will connect you with an Information Specialist provided by the Missouri Division of Workers' compensation.

## WORKPLACE THREATS AND VIOLENCE POLICY

Threats, threatening behavior or acts of violence against employees or citizens visiting County government, by anyone, will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on County property may be removed from the premises as quickly as safety permits, and may be required to remain off County property pending the outcome of an investigation.

All County employees are responsible for notifying their elected official, department head or the County Clerk's Office of any threats which they have witnessed, received, or have been told of that another person has witnessed or received.

Even without an actual threat, employees should also report any behavior they have witnessed which they regard as threatening or violent.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. Employees who apply for or obtain a protective or restraining order which lists County property as being protected areas, must inform their elected official, department head and the County Clerk's Office. The County understands the sensitivity of the information requested and recognizes and respects the privacy of the reporting employees. Employee reports made pursuant to this policy will be held in confidence to the maximum extent possible.

No existing County policy, practice or procedure shall be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life threatening situation from developing.

# ANTI –HARASSMENT POLICY

Stone County government insists that employees be afforded the opportunity to work in an environment free of harassment. Each elected official, department head and employee is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, we all are responsible for respecting the rights, and to reasonable extent, the sensitivities of our co-workers.

## DEFINITION OF HARASSMENT

Harassment is not defined by the occasional derogatory comments of a socially acceptable nature. Harassment is a form of inappropriate conduct that undermines the employment relationship. Additionally, offensive, derogatory or suggestive pictures, magazines or other materials that undermine the employment environment are prohibited. Behavior that amounts to harassment will result in appropriate action, up to and including dismissal. Additionally, the victim may levy criminal charges against the perpetrator.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward the employee because of the employee's race, skin color, religion, gender, sex, national origin, surname, age, disability, veteran status, and pregnancy, or that of the employee's relatives, friends or associates, and that; (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with the employee's work performance; or (3) otherwise adversely affects the employee's employment opportunities. Harassment in the workplace is illegal and will not be tolerated by the County.

Harassment is specifically prohibited as unlawful. County management at all levels is responsible for preventing harassment in the workplace, for taking immediate corrective action to stop harassment in the workplace and for promptly investigating any allegation of work-related harassment.

## SEXUAL HARASSMENT

Sexual harassment refers to behavior of a sexual nature, which is unwelcome by its recipient. Sexual harassment is a form of inappropriate conduct, which undermines the integrity of the employment relationship. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made explicitly or implicitly a condition of an individual's employment.



- Submission to or rejection of such conduct is used as a basis for an employment decision affecting the employee.
- The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment, which is intimidating, offensive, disturbing or hostile to the employee.
- The person practicing this behavior continues despite being warned.

For example, unwelcome physical contact, foul language, sexually oriented propositions, jokes, or remarks, obscene gestures or the display of sexually explicit pictures, cartoons, or other materials employed as cited above constitute sexual harassment and subjects the employee to immediate dismissal.

## COMPLAINT PROCEDURE

An employee who experiences or witnesses harassment in the workplace shall report the incident immediately to his/her elected official or department head. If the elected official or department head is the person who is allegedly harassing the employee, the employee will approach the County Commission instead. Elected officials and department heads who receive complaints or who observe harassing conduct shall inform the County Commission immediately. The County emphasizes that you are not required to complain first to your elected official or department head if your elected official or department head is the individual whom you believe is harassing you. However, if you are being harassed, you must inform appropriate senior personnel that the County may resolve the issue.

All allegations of harassment will be quickly investigated. To the extent possible, the employee's confidentiality, that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, the employee will be informed of the outcome of that investigation. False and malicious accusations of harassment or accusations not made in good faith will not be tolerated. These also constitute harassment. Such accusations can be grounds for severe disciplinary action, up to and including termination. The County will not permit any employment-based retaliation against anyone who brings a complaint of harassment or who speaks as a witness in the investigation of a complaint of harassment or of any other indiscretion.

## APPEALS PROCESS

Elected officials may, at their option, develop procedures to hear their employee's complaints and concerns pertaining to work related issues.

## Section 7

# STONE COUNTY SAFETY / SECURITY POLICY

## SAFETY

This manual is your safety guide while working for Stone County. With your cooperation and safety awareness, you can help in contributing to our County's efficiency and successful operation. It is beyond the scope of this manual to address every safety concern. For those situations not addressed, common sense is usually the key.

This manual will be used in conjunction with that which is provided by our Workers Compensation carrier. Any disputes or conflicts between the two may be brought to the County commission to be resolved.

## SUPERVISORS AND DEPARTMENT HEADS

Supervisors and department heads are responsible for the enforcement of all safety rules as outlined in this policy, as well as promotion of safe work practices for employees at all times.

- Set a safe example for your employees.
- Instill safety awareness in each employee through personal contacts and by conducting regular safety meetings.
- Ensure that work areas are hazard free or as close to hazard free as possible.
- See that all injuries are promptly and properly treated and reported.
- See that all essential safety devices and protective equipment are provided and used appropriately. Annual training should also be conducted for appropriate employees.
- Ensure that all tools and equipment are properly maintained. Any dangerous equipment must be removed until repaired or replaced. Any equipment deemed unsafe and unsuitable for repair must be destroyed prior to disposal (this may prevent someone else from getting hurt).
- Investigate all incidents to determine what can be done to prevent a similar occurrence. In the case of employee work related injury or illness, fill out the appropriate incident report forms and give to the County Clerk. *Forms are in the County Clerk's Office and should be filled out within three (3) days of an incident.*

- Enforce all written safety policies and help implement and revise policies as needed.
- Support the Safety Committee by participating in safety programs.
- Inspect all facilities frequently and equipment regularly. When applicable, work sites should be inspected on a regular basis.

## EMPLOYEE RESPONSIBILITY

It is extremely important that you immediately report to your supervisor any hazardous conditions, unsafe practices or improperly functioning equipment that could present a threat to you, your fellow workers or the public. **If in doubt, report it!**

All employees share this obligation. You are expected to look out for your own safety as well as that of your fellow workers. You should know and follow safe work procedures and be aware of any hazard pertaining to your job. Use the proper safety equipment provided at all times.

- Report all incidents, no matter how minor, to your supervisor as soon as possible. Even near-miss occurrences shall be reported.
- Know and follow all safety rules and procedures. This includes procedures for emergencies and fires. Avoid unsafe acts and apply common sense when in doubt or consult your supervisor. Copies of tornado/fire/evacuation drill procedures are available through your supervisor, a member of the Safety Committee or the County Commission office.
- Report all hazards or potential hazards.
- Always use the proper personal protective equipment and other safety equipment necessary for the job at hand.
- Actively participate in and support the County's safety program Committee.
- Participate in good housekeeping practices and good safety habits.

## SAFETY COMMITTEE

The Safety Committee works to help maintain safety at all levels of the County. The committee is responsible for monitoring safety concerns and making recommendations to personnel. Additionally, an accident review panel consisting of three Safety Committee members will convene to review accidents that result in injury that results in any loss of time and/or damage to County property or equipment in excess of \$500.00.

Membership on the committee shall consist of a representative from each department.

Meetings are held monthly.

# COMMITTEE OBJECTIVES

The objectives of the committee include, but are not limited to:

- Accident prevention.
- Making recommendations for corrections in the area in which an incident has taken place, in order to prevent future incidents.
- Public buildings are inspected each month, non-public buildings are inspected quarterly.
- Addressing recommendations from employees regarding the safety program.
- Making recommendations on accident-prevention methods, safe work procedures, safety promotions and personal protective equipment.
- Participating in training necessary for committee membership.

# OPERATION OF VEHICLES

When it comes to on-the-job fatalities, the operation of a motor vehicle is one of the most dangerous activities performed. Also, the liability potential when operating a vehicle is very significant. All employees and volunteers operating a County or personal vehicle on County business must exercise extreme caution and alertness to protect themselves, their fellow workers and the public.

# SAFETY RULES

All employees who are driving on official business for the County must comply with all applicable laws including the following (which may not be relevant for law enforcement personnel who are regulated by their own department regarding vehicular use):

- Seat belts and shoulder harnesses must be worn at all times by drivers and passengers in vehicles or equipment so equipped.
- No one shall operate a vehicle while on County business without possessing a valid driver's license as required by law in addition to proof of insurability. Any employee who officially drives on County business and has his/her license(s) suspended or in any way restricted, must notify his/her supervisor immediately.
- Employees who operate a County vehicle must have proper authorization from their elected officials or department heads.
- Any time a vehicle is operated for the purpose of hauling materials, the driver shall secure those materials to prevent them from dislodging or falling from the vehicle.
- In the event of an incident, law enforcement officers will be contacted to

investigate and prepare a report on any damages or injuries.

- Employees are to inspect their assigned vehicles daily or immediately prior to operation, to ensure they are in a safe condition for operation. These inspections should include fluid levels, lights, mechanical equipment and tires. Any defects shall be reported immediately.
- Riding on the sides, tailgate, or any other part of the vehicle not designed for sitting or standing is strictly prohibited. Exceptions to this policy may be made for law enforcement personnel who may engage in these practices in the line of duty.
- All vehicles shall be kept clean and object-free to avoid any kind of interference with the safe operation of County vehicles or equipment including use of cell phone, loud radio volume, and non-official/authorized passengers.
- No vehicles should be left with the engine running and unattended; there may be extenuating circumstances for road and bridge employees and law enforcement officers.
- Safe driving and backing procedures shall be used at all times.

# SAFE WORK PRACTICES

Use of intoxicating beverages or controlled substances during working hours is strictly prohibited. Your supervisor should be notified if you are taking prescribed medication that may affect your judgment or reaction time. Some non-prescription drugs can cause drowsiness. Anyone under the influence of alcohol will be sent home without pay for work missed. Exceptions may be made for law enforcement personnel working under cover.

- ALWAYS use safe lifting techniques. Bend your knees and not your back. Move heavy objects mechanically when possible.
- Before starting any task, make sure you know exactly what is to be done, the associated hazards, and how to safely do it.
- Do not relocate, conceal or alter any emergency equipment, signs, guards, or other items pertaining to health, safety or fire prevention.
- At no time shall employees engage in practical jokes, horseplay or the misuse of County equipment.
- Employees shall strictly observe designated "NO SMOKING" areas.
- Employees must wear appropriate clothing for the job. Loose clothing, jewelry or hanging objects shall not be worn around any moving equipment.
- When any machine is to be serviced, the equipment must be disconnected at the source and/or proper lockout procedures must be followed.
- Loose materials or waste shall not be allowed to accumulate in the work areas. This is especially important in aisles, on ramps, stairs, machinery and equipment.
- All floors shall be kept clean of liquids and other substances that might produce slips and falls.
- Tools and materials shall not be allowed to accumulate unnecessarily in the work area or left on overhead areas where they could be kicked off on persons below.
- Combustible waste and flammable materials subject to spontaneous combustion shall be disposed of in non-combustible metal containers with self-closing lids.
- All chemicals and fuels shall be placed in appropriately marked safety cans. Flammable and highly combustible materials shall be stored in a location recommended by the local fire department.
- All employees must refer to the provided Material Safety Data Sheets (MSDS) before using chemicals and other such materials.

# VIOLENCE IN THE WORKPLACE

Threats, threatening behavior or acts of violence against employees or citizens visiting County government, by anyone on County property, will not be tolerated. (See *Workplace Threats and Violence Policy*, Section 6, Pages 59.)

## BLOOD-BORNE PATHOGEN POLICY

Universal Precautions will be observed at this facility in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees at this facility. The use of antiseptic hand cleansers, followed by hand washing when feasible is a primary control measure, which should be used whenever possible. Eating, drinking, smoking, applying cosmetics, or handling contact lenses in work areas where an occupational exposure to blood or other potentially infectious materials may be present should be limited on an as-needed basis. **Storing food and/or drinks with contaminated or infectious materials is strictly prohibited.**

Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. The type of equipment chosen for any particular task is to be based on the type of exposure, quantity, etc., of material that is anticipated to be encountered. Gloves shall be worn when there is a potential for hand contact with the infectious materials. Masks, eye protection, and face shields shall be worn if there is a possibility of splashes, sprays, etc., of infectious materials. Gowns, aprons, and other body clothing shall be worn if there is the possibility of skin contact or contact with street clothing.

All employees who have an occupational exposure to blood or potentially infectious materials must be offered the hepatitis B vaccine at no cost. These same employees should receive training no less than annually. **Note: Anything that penetrates the skin is assumed to be potentially infectious.**

Any employee who, through the course of performing any work-related task, has been exposed to any blood or other potentially infectious material shall clean, if possible, the affected area as soon as possible following exposure, and should immediately report the exposure to the direct supervisor. If the employee is unable to clean the affected area, or if exposure is to other than unbroken skin, the supervisor should ensure the employee is offered appropriate and immediate medical care in accordance with existing procedures. If exposure to any blood or other potentially infectious material occurs along with any accident or injury, the appropriate forms to report the accident or injury should also be completed within 24 hours and forwarded to the County Clerk's Office.

# PERSONAL PROTECTIVE EQUIPMENT

All employees will have the County-issued Safety Equipment (safety vest, safety boots, protective clothing, hard hats and safety glasses) readily available to them at all times. Proper use of this equipment is required. Employees shall use personal protective equipment as described below:

**EYE PROTECTION** - Employees under the following conditions shall wear the appropriate eye protection:

- When handling hazardous chemicals or materials.
- When using welding equipment or torches.
- When performing work with tools such as a grinder, hammer, chisel, ax, power tools or chain saws, etc., that could expose employees to flying particles.

**HEAD PROTECTION** - Authorized head protection shall be used during the following situations:

- When working below grade, such as when under a bridge, in a trench, etc.
- When working around overhead hazards, such as when overhead equipment is being used, while working on trees or when handling materials overhead, etc.

**HEARING PROTECTION** - Employees shall wear approved earplugs or earmuffs when working near or with loud machinery or equipment.

**FOOT PROTECTION** - Employees shall wear County-issued boots to work, equipped with safety toes.

**HAND PROTECTION** - Employees shall wear gloves appropriate for the job.

**FALL PROTECTION** - Anytime an employee is working at a height greater than four feet, a fall hazard exists. Where a fall hazard exists, there are two options: (1) eliminate the hazard or (2) provide protection against it. Ideally, it is best to totally eliminate the hazard. Where that is not possible, the use of personal protection equipment is required. The personal protection equipment system consists of three components:

- **Body Wear:** All employees will wear a full body harness meeting all OSHA and ANSI requirements. .
- **Connecting Device:** All employees will use shock absorbing web lanyards.



- Tie-Off Points: Lanyard will be connected to a tie-off point capable of supporting 5,000 lbs. per employee.

All employees will receive annual training to identify fall hazards and the proper care and use of personal protection equipment.

**At no time will an employee work alone where a fall hazard exists. At no time will an employee work on any electrical equipment or system alone. All electrical workers are to be CPR qualified and current prior to engaging in electrical work.**

RESPIRATORS - Respiratory protection shall be used when indicated by a Material Safety Data Sheet, or if working in conditions that would expose the employee to harmful dusts, fumes or powders, etc.

## EQUIPMENT/TOOL OPERATIONS

No employee shall operate any type of equipment or use certain tools without proper training and authorization. Supervisors are responsible for ensuring that any employee using equipment or tools is capable and qualified to operate such equipment or tools in a safe and efficient manner. Tools and equipment must be used as instructed by the manufacturer and removal of guards or other safety devices is strictly prohibited.

## TRENCHING AND SHORING

Any time an employee is working in a trench at a depth of 5 feet or more, the banks will be laid back at an appropriate slope for the soil type. If this is not possible, a shoring box or approved hydraulic shoring will be used. At no time will an employee work alone in this situation.

## TRAFFIC CONTROL

One of the greatest exposures that employees face is, working near traffic. Employees who are exposed to traffic must wear their issued safety vest when working within 15 feet of any roadway. Warning the public and keeping them informed is extremely important. Therefore, acceptable traffic control measures must be taken. Traffic control activities shall meet or exceed the guidelines established by the Manual on Uniform Traffic Control Devices for Streets and Highways and take all appropriate factors at the site into consideration. At a minimum, an annual review for applicable employees covering traffic control shall be conducted.

# SECURITY

## INFORMATION TECHNOLOGY (IT) PASSWORD SECURITY

**Adopted by the County Commission on August 23, 2016, effective immediately**

County Employees are required to have a complex password for access to their computer. The password complexity will be set for a minimum of 8 characters, at least one upper case and one lower case letter, one number and one special character. Passwords are required to be changed every 90 days. The server computers will be setup to manage this password policy and will also enforce the automatic change of passwords every 90 days.

Department heads will notify the IT Director of any employee terminations immediately so that the IT Director can promptly deactivate the terminated employee from the computer systems.

Unsuccessful password attempts will lock out anyone who has made 10 unsuccessful attempts to access their computer. The password history will be set at 5. This means that when the computer user changes their password, they would not be allowed to use the previous 5 passwords.

Poor Example of Complex Password: Password123\$

Good Example of Complex Password: Pswrd8017\$\*

# **Appendix B**

## **Forms**

Disclaimer and Acknowledgement Statement

Employer Response to Employee Request for Family or Medical Leave

(WH-381, Expires 07/31/03)

Certification of Health Care Provider

(WH-380, Expires 07/31/03)

Employee's Withholding Allowance Certificate

(W-4)

Employee's Withholding Allowance Certificate

(MO W-4)

Employment Eligibility Verification

(I-9)

Drug and Alcohol Use Policy

CERF Participant Enrollment 401(a) Plan

(Form 1 BCC\_FENRAP 01/03/03)

CERF Beneficiary Designation 401(a) Plan

(Form 3 BCC FBENED 12/27/02)

County Employees' Retirement Fund: Enrollment

(Form 1 Enrollment rev0202.doc)

County Employees' Retirement Fund: Beneficiary

(Form 1A Beneficiary rev0202.doc)

Stone County Employee Pay and Advancement Certificate

# Disclaimer and Acknowledgement Statement.

Employment at Stone County is at-will for an indefinite period of time. Either Stone County or the employee may terminate employment at any time with or without cause. This handbook is not intended to create an employment contract. It is intended only as an explanation of Stone County's employment present policies, practices, and benefits, and provides general information about working for the County. It does not represent contractual terms of employment. In addition, no changes in Stone County's employment at-will policy will be effective unless executed in writing by an authorized representative of the County.

\* \* \* \* \*

I have read Stone County's at-will employment policy. I understand that employment with the County is terminable by either party with or without cause at any time and that employment is for an indefinite period, unless terminated by either party.

I further understand that the contents of this manual do not create any contractual rights nor alter the employment at-will relationship. My signature below acknowledges that I have read and that I understand Stone County's at will employment policy and that I have received a copy of the County Policy Manual and agree to adhere to such policies and procedures.

---

Print name Date

---

Employee's Signature Witness' Signature

Signed form remains on file in the County Clerk's office.