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MITCHELL COUNTY
EMPLOYEE HANDBOOK

ARTICLE 1.0

GENERAL PROVISIONS

1.1 EMPLOYMENT AT WILL

This employee handbook includes general rules of conduct, safety regulations and disciplinary rules. Nothing contained in this handbook or any verbal statement should be construed as creating any type of employment contract, either express or implied. The policies and other information contained in this handbook are subject to change at any time due to business needs. While the county will normally attempt to provide employees with advance notice of any change the county reserves the right to alter these policies at any time.

You are employed with the county at-will, and nothing contained in this handbook is intended to provide or guarantee you with employment for any specific period of time. Any questions which you may have concerning the terms or conditions of your employment should be referred to your immediate supervisor.

1.2 PURPOSE

It is the purpose of this handbook to define employment in Mitchell County. All employees are expected to abide by these policies. Failure to do so may result in disciplinary action, up to and including termination. The policies and procedures in this handbook supersede and replace all previous Mitchell County policies, whether written or oral. Up-to-date handbooks are available for your information in the County Clerk's Office.

1.3 SCOPE

This Personnel Policies and Procedures Handbook shall apply to all Mitchell County Employees except elected officials, independent contractors or employees with contracts unless the contract addresses or adopts part or this entire handbook in the contract. In the event of

conflict between these rules and personnel services contracts, Mitchell County resolution, Civil Service Commission rule, or state or federal law, the terms and conditions of that contract, rule or law shall prevail. In all other cases, this Policies and Procedures Handbook shall apply.

1.4 RESPONSIBILITIES

(a) Board of Commissioners. The Board of County Commissioners has the sole authority for the authorization of new positions, general policy and the level of salaries. The Board shall further be responsible for approving maximum salary appropriations for the offices of all elected officials and those departments covered by these rules.

(b) Elected Officials and Department Heads. Elected officials and department heads shall be responsible for all personnel matters of employees under their supervisions. Such matters include, but are not exclusive of: appointments to authorized positions, promotions, demotions, transfers and separations. Any and all questions concerning personnel matters that cannot be settled by the elected officials or department heads shall be referred to the Board of County Commissioners. Any hiring decisions are subject to the approval of the Board of County Commissioners.

1.5 ADMINISTRATION

The personnel program of Mitchell County consists of the sum total of all policies and guidelines related to personnel administration in Mitchell County. The Board of County Commissioners and/or their designated representatives shall administer the county personnel program. Except as may otherwise herein be provided or be provided by State or Federal law, the policies and guidelines of the personnel program shall apply to all employees in the service of the County.

1.6 DEPARTMENTAL GUIDELINES

The head of any County department may formulate in writing guidelines for the conduct of the operations of his or her department, such as those relating to safety or operational procedures, which shall be available to all departmental employees. Such department procedures shall not be less stringent than, in violation of, or in conflict with any personnel guidelines adopted by the Board of County

Commissioners. If a conflict arises, the policies contained in this handbook will govern unless the Board of County Commissioners issues a written approval to the contrary. No department head may enter into any contract without prior approval of the Board of County Commissioners.

1.7 INTERPRETATION AND AMENDMENT

(a) *Authority for Interpretation.* The Board of County Commissioners shall be the final authority for rendering official interpretation of these personnel policies and guidelines. If personnel matters not covered in these personnel policies and guidelines arise, the Board of County Commissioners shall be asked to render a written interpretation. Such interpretations shall be considered final.

(b) *Amendments.* The Board of County Commissioners may at any time amend these personnel policies and guidelines as necessary to ensure their efficient administration. These amendments will be made effective by formal resolution, added to the personnel policies and guidelines, and distributed to all employees who are at will employees.

(c) *Repeal.* Any personnel policies and guidelines adopted by resolution of the Board of County Commissioners that are in conflict with this document are repealed upon official adoption. This Employee Handbook supersedes all previous employee handbooks and memos that may have been issued on subjects covered herein.

(d) *Severance Clause.* If any article or section thereof is held to be invalid, the remainder of these personnel policies and guidelines, other than which has been held invalid, shall not be affected by that section's invalidity.

MITCHELL COUNTY SPECIFICALLY RESERVES THE RIGHT TO REPEAL, MODIFY OR AMEND THESE POLICIES AT ANY TIME, WITH OR WITHOUT NOTICE.

1.8 REPRESENTATIONS

None of these provisions shall be deemed to create a vested contractual right in any employee or to limit the power of the Mitchell County Board of Commissioners to repeal or modify these policies or procedures. This handbook and its contents are not to be interpreted as promises of employment or of specific treatment.

Only the Board of County Commissioners or its representative(s), so designated in writing, has the authority to make representations regarding employment that may differ from those contained in this handbook. Unless expressly authorized by the Board of County Commissioners, department heads and supervisors do not have the authority to make representations regarding employment that may differ from those contained in this handbook.

1.9 RESPONSIBILITY OF SUPERVISORY EMPLOYEES

The Board of County Commissioners delegates the management and supervision of employees to department heads, elected officials and other supervisors.

It is the responsibility of Mitchell County supervisory employees to read and be familiar with the contents of this Policy and Procedures Handbook. The information contained herein applies to all employees of Mitchell County, except elected officials. It is presented as a matter of information only and its contents should not be interpreted as a contract between the County and any of its employees. This handbook is not intended to, and does not, constitute any sort of contract of employment, either expressed or implied.

1.10 PERSONNEL RECORDS

Barring any exceptions authorized by the Board of County Commissioners, information and records or other documents concerning county employees shall be maintained. Certain personnel information will be considered confidential and not an open record under the Kansas Open Records Act. Such information, records or other documents concerning county employees shall be forwarded to the Board of County Commissioners at its request.

Employment records related to paragraph 5, letters a-g are kept in the County Clerk's office. An effort will be made to update the employee's file with data regarding the employee's attendance and work record. Department heads and other supervisors will maintain personnel information, as well as copies of personnel information maintained in the County Clerk's office. The employees will notify the personnel department or their supervisor within one week of any change of address, telephone number, marital status, or number of withholding exemptions.

The County Clerk and the department head will maintain records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation, sick or other leave, accrued overtime, and all other records directed to be made and maintained under these policies and guidelines or under applicable state or federal law.

Upon advance notice and prior approval, an employee's personnel file shall be available during office hours for inspection by that employee, while under the supervision of the Clerk or his/her designated representative or the employee's department head. County department heads will provide the County Clerk with employee information.

Examples of personnel information which may be maintained by the County:

- (a) Name, address, telephone number, person to notify in emergency, social security number, date of birth.
- (b) Salary record, change in status, promotion, demotion.
- (c) Attendance record: hours worked, vacation and sick leave earned, leave taken.
- (d) Retirement forms.
- (e) Medical insurance forms.
- (f) Accident reports filed.
- (g) Information provided by the employee.

The foregoing list is not exhaustive of the types of information that may be maintained by the County. In addition, other information may be kept as needed and for purposes of complying with state and federal law.

Each elected official, supervisor, and department head of Mitchell County will keep copies of records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation, and sick leave, and other leave. Barring any exceptions authorized by the Board of County Commissioners, information as listed above on all employees shall also be available in the County Clerk's office to be forwarded to the Board of County Commissioners at its request.

1.11 APPLICATION OF POLICIES

These policies and guidelines shall apply to all employees or other designated individuals in the service of the County except volunteers, elected officials, appointed members of Boards and Commissions, and persons employed by contract

(unless expressly placed under these policies and guidelines by the terms of the contract). The employees in the following offices covered by these policies include:

- (a) County Commission.
- (b) County Treasurer.
- (c) County Clerk.
- (d) County Attorney.
- (e) Solid Waste Department and the Highway Department.
- (f) Register of Deeds.
- (g) Sheriff Department.
- (h) Appraiser.
- (i) Custodian.
- (j) Noxious Weed.
- (k) Health Department.
- (l) Ambulance.
- (m) Reserve Officers with the Sheriff's Department.
- (n) Emergency Preparedness.
- (o) Communications.
- (p) Other offices as may be designated by the Mitchell County Board of Commissioners.

1.12 EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Mitchell County to ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to promote and afford equal treatment and services to all citizens, employees and County representatives, and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, creed, color, national origin, ancestry, age, gender, marital status, or the presence of a sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties required by the position and which are bonafide occupational qualifications and which cannot be accommodated without undue hardship pursuant to Title I of the Americans with Disabilities Act.

ARTICLE 2.0

POSITION CLASSIFICATIONS

2.1 OBJECTIVES AND PURPOSE

Position job descriptions are a system of identifying and describing different kinds of work in the organization in order to permit equal treatment in employment practices and

compensation.

2.2 JOB DESCRIPTIONS

Each position shall have a concise descriptive title, a description of the essential and marginal functions (tasks) of the position and a statement of the qualifications for filling such positions. Such descriptions shall be approved by the Board of Commissioners and shall be kept on file in the office of the County Clerk and shall be open to inspection by any interested party during regular office hours.

2.3 MAINTENANCE OF THE CLASSIFICATION PLAN

It shall be the duty of each department head to report to the Board of County Commissioners any and all organization changes that will significantly alter or affect changes in existing positions or proposed positions. The Board of Commissioners shall approve all new revised job descriptions and pay ranges for such positions.

ARTICLE 3.0

RECRUITMENT AND PROMOTION

3.1 DEFINITIONS

- (a) Full-Time Employee is one employed to work 37.5 hours during the designated workweek on a regular and continuing basis. Other than those employees and departments that qualify for special exemptions under the Fair Labor Standards Act (FLSA), the designated workweek is from Sunday at 7:01 a.m. through the following Sunday at 7:00 a.m. Full-time employees are entitled to all benefits and privileges in accordance with County policy.
- (b) Part-Time Employee is one employed to work less than 37.5 hours during the designated workweek on a regular and continuing basis.
- (c) Seasonal Employee is one employed to work on regular and/or recurring basis during a season or portion of a year, but will work less than 1000 hours annually. Seasonal employees are not eligible for benefits unless specifically designated as such in this Handbook.

- (d) Occasional Employee is designated as such if he/she is appointed for a pre-designated period of time which is six (6) months or less. Employees on occasional appointment shall accrue no benefits or service time. If an occasional employee is offered and accepts a non-occasional position leading to full- or part-time status, he/she will be required to complete the required training period. Time spent as an occasional employee will not be credited to the minimum ninety (90) days training period, and accrual of benefits will not be retroactive to include time in occasional status.
- (e) Volunteer is a non-paid individual in the position he or she holds. When acting as a volunteer an individual is not an employee regardless of other County employment.
- (f) Consultant. In special circumstances the County may contract for the services of a consultant or other professional person. A person who works for the county in this capacity is not considered a County employee, and is not entitled to any County benefits. These persons will receive compensation on a contract basis and will not be included in the County payroll.

3.2 HOURS OF WORK

- (a) Courthouse hours are 8:30 a.m. to 5:00 p.m., Monday through Friday, for a total of 37.5 hours per week with an hour lunch break.
- (b) Highway Department hours are:
Summer - May through October, 7:30 a.m. to 5:00 p.m.
Monday-Friday, 30-minute lunch break.
Winter - November through April, 7:30 a.m. to 4:00 p.m.
Monday-Friday, 30-minute lunch break.
- (c) County Health Department hours are from 8:30 a.m. to 5:00 p.m., Monday through Friday, with an hour lunch break except on Monday and Friday - open at noon hour.
- (d) Ambulance Department hours are to be determined by the Ambulance Director subject to the approval of the board of County Commissioners as may be requested.
- (e) Solid Waste Department hours are from 8:00 a.m. to 4:30

p.m., Monday through Friday with a ½ hour lunch break and 8:30 a.m. to 3:30 p.m. on Saturdays with no lunch break.

- (f) Sheriff Department work hours are to be determined by the Sheriff, but are not to exceed 171 hours in a 28-day period with the exception of emergencies.
- (g) Emergency Communications department hours are to be determined by the Communications Director subject to the approval of the board of County Commissioners.
- (h) Weed Department hours are 8:00 a.m. to 5:00 p.m. Monday through Friday with an hour lunch break.

3.3 QUALIFICATIONS OF EMPLOYMENT

All new applicants for any position with the County shall meet the minimum qualifications established and be able to perform the essential functions of the position with or without reasonable accommodation. Each applicant shall complete a job application form. A medical examination or other testing, including drug testing, may be required after a conditional offer of employment has been made provided that, such exams or testing are required of all such applicants who are offered employment in similar positions or position classifications. The offer of employment is contingent upon applicant passing required job-related tests

3.4 ORIENTATION OF NEW EMPLOYEES

- (a) All new County employees shall subscribe to a loyalty oath in accordance with K.S.A.75-4308. This oath shall be administered in the County Clerk's office.
- (b) The processing of a new employee concerning payroll matters, group insurance benefits, etc., shall be conducted by the County Payroll Clerk on the employee's first day of work.
- (c) The new employee's department head or supervisor shall provide departmental orientation to include an introduction to the department's mission, organization, and facilities, and to the employee's co-workers.
- (d) All new employees, except elected officials, shall be required to submit to a drug test administered by the

Mitchell County Health Department. Results will be provided to department heads.

- (e) Random drug testing will be a requirement of all employees, except elected officials. Refusal to submit to such testing may result in dismissal

3.5 TRAINING PERIOD

- (a) Every person (except occasional employees) initially appointed to employment with Mitchell County and every employee transferred or promoted to a different position shall complete a training period to be determined by the department head. The training period permits department heads and supervisors to observe and evaluate the ability and willingness of the employee to carry out the duties of the position. It also allows the employee to evaluate the position and to determine if he/she is genuinely interested in making a long-term commitment to the job and the County.
- (b) The training period requires department heads and supervisors to provide the employee adequate instruction, training and encouragement so that the employee has opportunity to adjust to the job.
- (c) Only those employees who meet acceptable standards of work during the training period will be retained as full-or part-time employees.
- (d) Each employee promoted to a classification with higher pay shall also undergo a training period in order to achieve minimal competency in the new position. An employee may be returned to the pay and position or to a position with equal pay and responsibility if a minimal level of competency cannot be demonstrated.
- (e) The training period in no way alters the employee's position as an employee at will.

3.6 PROMOTION

All employees seeking promotion shall be considered on their own merits for the position. A medical examination or other testing, including drug testing, may be required after a conditional offer of promotion has been made, provided that such exams or testing are required of all such employees who are offered promotions in similar positions or position classifications. The offer of promotion is contingent upon

applicant passing required tests.

3.7 NEPOTISM

- (a) In order to avoid favoritism or the appearance of favoritism based on family relationships, no one shall be employed in a department where the supervisor or department head is a member of their immediate family. "Immediate family" is defined to include only an employee's parents, stepparents, spouse, children, sister or brother, grandparents, grandchildren, mother or father-in-law and brothers or sisters-in-law.

- (b) In addition to the above, no person shall be employed in a position in any department if that person is a member of the immediate family of another employee within that department, and a supervisory relationship exists. Members of immediate families may be employed within the same department as a part-time or occasional employee for not to exceed six months in any 12 consecutive month period. Having a relative in the employ of the County shall not be cause to deny employment

3.8 CITIZENSHIP VERIFICATION

All employees initially hired after November 7, 1986, for any position with the County, shall complete an employment eligibility verification statement in compliance with the Federal Immigration Reform and Control Act of 1986.

ARTICLE 4.0

COMPENSATION

4.1 EMPLOYEE COMPENSATION POLICY

Compensation consists of the total cash and non-cash payments an employee receives in exchange for the labor or service he/she performs for the County. Employees frequently think of base salary for hourly wage when considering their compensation. However, total remuneration for employees includes other types of compensation including overtime pay, County contributions to health and life insurance programs, sick leave, vacation leave, and other fringe benefits as described in these Personnel Policies and Guidelines.

4.2 PAY INCREASES

- (a) Pay increases shall not be routine or automatic and are subject to approval by the Board of Commissioners.
- (b) Subject to the approval of the Governing Body, a department head may award a pay increase, in the framework of the approved pay plan, to an employee based on an annual performance evaluation submitted by the employee's immediate supervisor.

4.3 PERFORMANCE EVALUATIONS

- (a) Employee performance evaluations will be considered in determining salary increases and decreases, as a factor in promotions, as a factor in determining the order of layoffs, and as a means of identifying employees who should be promoted or transferred, or who, because of their low performance, should be demoted or dismissed.
- (b) An evaluation of the performance of each full-time and part-time employee based on his or her duties and responsibilities shall be prepared by the employee's immediate supervisor at least annually. The evaluation shall be in writing on forms approved by the Board of Commissioners. The supervisor shall evaluate at least quarterly any employee who has received a poor performance rating. An employee-in-training shall be evaluated at the completion of his or her training period. The supervisor shall present the evaluation to the employee and allow the employee the opportunity to respond.
- (c) Mitchell County reserves the right to evaluate the performance of any employee at any point during employment.

4.4 PAY ON TERMINATION

An employee, whose termination with the County is voluntary, shall receive his or her final paycheck on the first regularly scheduled payday following his or her termination. Employees whose termination is involuntary will receive their final paycheck not later than the close of their final day of employment or as soon thereafter as is practical. Any unreimbursed but paid amount of an employee's cafeteria plan will be collected from said employee's final paycheck.

4.5 OVERTIME WORK

- (a) No person employed in an administrative, executive or professional position, as defined by the Federal Fair Labor Standards' Act, shall be eligible for overtime compensation.
- (b) Employees shall be eligible to receive overtime compensation for all hours worked in excess of forty (40) hours per normal work week, except for full-time law enforcement officers.

Full-time law enforcement officers shall be eligible to receive overtime compensation only for work hours in a work period which exceeds 171 hours per 28 day work period for any proportionate number of hours worked in a few number of days.

- (c) All overtime work must have prior authorization by the employee's department head.
- (d) The board of County Commissioners shall have ultimate discretion on all overtime and may require prior approval.

4.6 PAY PERIODS; PAYDAYS

The County shall pay all employees the last working day of each month by direct deposit or by check mailed to the house address or personal post office box of each employee. The mailed check will be received on the regular payday.

ARTICLE 5.0

ATTENDANCE AND LEAVE

5.1 REST BREAKS

- (a) All employees shall be at their workstations so they are prepared to conduct their official duties at the opening of normal work hours except when attending meetings pertaining to their job.
- (b) Time of the lunch break is flexible, but should be taken around noon. Lunch breaks will be scheduled by the department head according to a staggered system which allows offices to be staffed throughout the workday. The Health Department may be closed during

lunch hour on some days.

- (c) Employees are entitled to a rest break of 15 minutes for each four hours of work. The employee's immediate supervisor shall determine the time of the rest break, usually mid-morning and mid-afternoon.

5.2 HOLIDAYS

- (a) The following days shall be paid holidays for full-time County employees:

- New Year's Day, January 1
- Washington's Birthday
- Good Friday (half-day)
- Memorial Day
- Independence Day, July 4
- Labor Day
- Veteran's Day, November 11
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day, December 25

From time-to-time and for certain special occasions, the Governing Body may by motion designate other days as special holidays on a one-time basis.

- (b) When New Year's Day, Independence Day, Veteran's Day or Christmas falls on a Saturday or Sunday, the preceding Friday or following Monday may be declared a holiday by the Board of Commissioners.
- (c) Sheriff, Communications and Ambulance Departments will be paid for one (1) eight hour day regular pay whether scheduled or not; if worked they will also get paid for the day.
- (d) Part-time employees **shall not** receive holiday pay.

5.3 VACATION LEAVE

Vacation leave shall be earned beginning with the date of employment under the conditions hereinafter stated. No employee shall be permitted to use vacation time for any period spent on unauthorized leave. Leave time shall be paid based on a standard workweek of each individual employee in each individual department.

- (a) **Full-Time Employees.** Full-time employees are eligible for paid vacation leave time according to the following schedule. No paid vacation leave time may be taken during the first six months of employment.

Years of Continuous Hours Earned Per Month Employment

0 through 7	* 1 regular workday = 8 hours (12 days annually)
8 through 14	* 1.25 regular workday = 10 hours (15 days annually)
Over 15	* 1.5 regular workday = 12 hours (18 days annually)

Maximum Hours Accumulation is unlimited, however, at least one week of vacation (5 consecutive work days - ex. Monday through Friday employees may take W,Th,F,M,T to incur 5 consecutive days) **must** be taken per year if possible. **No** employee will be paid for any unused vacation until termination of employment or retirement.

Upon termination of employment or retirement unused vacation days will be paid for up to a maximum of 30 days. An employee may carry over unused vacation days from one year to the next. If an employee dies and has unused vacation days, that person's estate will be paid for vacation time up to 30 days. To qualify for payment of unused vacation days employees must give at least two-weeks notice of plans to terminate employment.

Vacation leave is subject to the approval of the department head and must be requested in advance of taking the leave time.

- (b) **First Year of Employment.** Employees terminated prior to the completion of their first year of service shall not be paid for any accrued vacation leave.
- (c) **Scheduling.** The dates of the taking of vacation leave shall be scheduled in consultation with the employee's supervisor and department head. Typically, an employee must obtain approval to take vacation leave at least two (2) weeks before the scheduled vacation. This requirement may be waived in part or in whole by the

department head. In cases where the requested vacation schedules of two or more employees would adversely affect the efficient operation of the County, vacation leave may be granted on the basis of seniority of County employment.

- (d) **Holiday During Vacation.** County holidays that occur during the taking of an employee's authorized vacation leave will not be counted as a day of vacation.
- (e) **Minimum Hours.** Increments of vacation time may be taken in thirty (30) minute intervals with the exception of EMS.
- (f) **Termination.** Upon termination and if the employee has at least one year of service with the County, the employee shall be compensated for all earned but unused vacation leave at their final rate of pay, subject to the maximum hours of accumulation authorized in the schedule in Section 5-3(a).
- (g) **Reporting.** Each department head shall keep records of earned and used vacation and shall provide this information monthly to the County Payroll Clerk.

5.4 SICK LEAVE

Full-time employees shall be entitled to sick leave with pay for absences resulting from personal illness, injuries, accidents or other medically-related incapacity, occurring either on or off the job. No employee shall be permitted to use sick leave for any period spent on unauthorized leave.

5-days of employee's earned personal sick leave may be used for illness of immediate family members (spouse, children, father, mother, grandchild, brother, sister, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, or dependent member of employees household).

The provisions of the Family and Medical Leave Act may apply in some circumstances, please see Section 5-10 below.

- (a) **Amount of Sick Leave.** Full-time employees shall earn one day of sick leave per month of employment. One day equals eight(8) hours.

- (b) **Accumulation of Sick Leave.** Unlimited. However, an employee shall not be paid for any unused sick leave upon termination of his or her employment with the County.
- (c) **Computing of Sick Leave.** Any absence for a fraction or part of a day which is chargeable to sick leave shall be charged in increments of not less than one half-hour. For pay purposes, any partial hour of sick leave shall be rounded off to the next highest half-hour. Sick leave pay for a full-time employee shall be equivalent to the number of sick leave hours taken multiplied by the regular hourly rate of pay for the employee.
- (d) **Doctor's Certificate.** For sick leave in excess of five (5) workdays, a department head may require a signed statement from a health care provider verifying the employee's inability to perform his or her assigned duties because of illness. Failure to provide the requested certification of sickness or injury may result in loss of pay for the absence and may be grounds for disciplinary action.
- (e) **Notification.** To be eligible for paid sick leave an employee, or his or her representative, shall notify his or her immediate supervisor and give the reason for the absence by the time of the start of the regular workday. If no notification is received an employee will automatically be docked a day of vacation.
- (f) **Exhaustion of Sick Leave.** After an employee's accumulated sick leave has been exhausted, the employee may request the use of earned vacation leave as sick leave. When sick leave is exhausted earned vacation may be saved by accepting leave without pay for sick days.
- (g) **Records.** Each department head shall keep records of earned and used sick leave and shall provide this information monthly to the County Payroll Clerk.

5.5 FUNERAL LEAVE

- (a) **Leave Provided.** Employees will be granted funeral leave

with pay according to the following schedule:

- (1) **Five Regular Working Day Leave:** Death of father, mother, spouse, children, grandchildren, brother, sister, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, or dependent member of employee's household.
 - (2) **One Regular Working Day Leave:** Death of brother-in-law, sister-in-law, uncle, aunt, nephew, niece, first-cousin or co-worker.
- (b) Requests for funeral leave shall be made to the department head for approval as far in advance as possible. Use of reasonable time is determined by the department head. **Abuse of this policy may result in the cancellation of this benefit** unless vacation time is used.
- (c) In the event of the death of an employee, employee's spouse or child, county offices may be closed at the discretion of the County Commissioners.

5.6 INJURY LEAVE

- (a) All injuries occurring on the job shall be reported before the end of that work day to the employee's immediate supervisor.
- (b) Any employee injured on the job shall be eligible to receive injury leave with pay during the seven-day waiting period for worker's compensation claims.
- (c) When an employee receives compensation under the Workers' Compensation Act, the pay he or she receives from the County, while an employee of the County, shall be the difference between his or her regular rate of pay and the amount he or she receives from workers' compensation.
- (d) When an occasional total disability results from a job-related injury, it shall be the option of the employee to utilize accumulated sick leave. Sick leave compensation shall be reduced by an amount equal to the compensation received from the Workers' Compensation carrier statutes of the State of Kansas. For example, the eligible employee will receive 2/3^d's of his/her

weekly wage while on workers' compensation leave. The employee may utilize any accumulated paid sick leave, which may pay the employee for the remaining 1/3 of his/her regular pay for the employee's weekly wage.

- (e) It is the intent of this policy that the gross amount received and compensation of the two compensations shall be equal to the gross amount which would have been due the employee had he/she received only his/her earned sick leave.
- (f) Any employee who is absent from his/her position for six (6) consecutive months or more for any reason and who cannot perform the essential functions of his/her position at the end of the six months may be terminated after all sick and/or vacation leave is exhausted.

5.7 MILITARY LEAVE

Military duty means training and service performed by an inductee or enlistee in the Armed Forces of the United States, including time spent in reporting for and returning from such training and service. It also includes active duty training as a reservist in the Armed Forces of the United States or as a member of the National Guard.

- (a) Eligibility. Any employee who terminated County service for military duty shall be placed on military leave without pay. Such leave shall extend through 30 days after his or her release from County service. If not accepted for military duty, the employee shall be reinstated to his or her present position without loss of status or reduction in pay. (See K.S.A. 73-213 et seq.)
- (b) Restoration. An employee returning from military leave shall be entitled to restoration of his or her former position or a position of like pay and responsibility, provided he or she make application for reinstatement within 30 days after his or her release from military duty. In addition, the former employee must be physically and mentally capable of performing the duties of the position involved.
- (c) Vacation and Sick Leave. Upon restoration to County service, all unused vacation and sick leave credits accumulated prior to the military leave shall be restored unless the employee had been paid for unused

vacation leave at the time of his or her induction or enlistment.

- (d) Military Training. Any employee who is a member of any reserve component of the United State Armed Forces or the National Guard shall be granted military leave for a short tour of active duty or field training encampment. Vacation leave with pay may be taken jointly with such military training leave. (See K.S.A. 48-222).
- (e) Pay for Reserve Duty. If the employee does not elect to use vacation leave during military training or duty, the employee will receive no County pay during the military leave if the amount paid by the reserve component exceeds his/her normal regular net earnings from the County. If the employee's military earnings are less than his/her expected net County pay for the period, he/she will be paid by the County an amount equal to the difference so that the employee will not be penalized financially for participation in military reserve duty. Payment by the County in this case shall be limited to a maximum of two weeks per year.
- (f) If a County-observed holiday occurs during the military leave period, the employee will not be entitled to compensatory time off or additional pay even though he/she may be required by the military organization to work on that holiday.
- (g) An employee who takes military leave of two (2) weeks or less during a year will continue to accrue vacation and sick leave credit during the absence. If an employee is on military leave or more than two (2) weeks' duration, he/she will not earn vacation leave and sick leave credit for the absent period.
- (h) If an employee desires to keep his/her life insurance and health insurance in effect during the military leave, the employee must make arrangements with the County Payroll Clerk to pay the amount that is regularly deducted from his/her paycheck while on paid status. The County will continue to pay its share of payment of life and health insurance for an employee on military leave of two weeks or less.
- (i) An employee who has completed his/her training period and who leaves the County for compulsory military duty

will be placed on extended military leave. Reinstatement rights and other benefits under these circumstances are governed by federal and Kansas laws (K.S.A. 73-213)

5.8 CIVIL LEAVE

- (a) Civil Leave With Pay. An employee shall be given necessary time off with pay (1) when performing jury duty, (2) when appearing in court as a witness in answer to a subpoena or as an expert witness when acting in an official capacity in connection with the County, (3) when appearing in court as a party in a civil lawsuit related to the performance of the employee's official duties with the County; (4) when serving as a witness before equal opportunity or civil rights commissions or bodies; or (5) when performing emergency civilian duty in connection with national defense.
- (b) Civil Leave Without Pay. If an employee is involved in a personal lawsuit either as plaintiff or as defendant in an action not related to his or her duties with the County, the employee may take leave without pay unless he or she elected to utilize any accumulated vacation leave.

5.9 FAMILY AND MEDICAL LEAVE

- (a) Upon request, any eligible employee will be granted up to 12 weeks of family and medical leave during any 12-month period. Such leave will be available as the result of the birth, adoption or placement of a child for foster care, as primary caregiver or to care for a spouse, child or parent with a serious health condition or due to the disabling illness of the employee.

Where possible, employees are required to provide at least 30 days notice before beginning to take leave. An employee may choose or the employer require that any accrued paid vacation, sick or personal leave of the employee be substituted for the 12 weeks of leave provided under this law.

- (b) Eligibility. An employee must have worked for the County at least 12 months and for a minimum of 1,250 hours during the previous year. Where a husband and wife work for the County, the total number of weeks

leave to which both are entitled will be limited to 12 weeks during any 12-month period.

Where leave is requested as a result of a serious health condition, the employee will provide the County a certification statement issued by a health care provider. Should there be question of validity of the certification provided by the employee, the County may, at its own expense, require an opinion from a second health care provider. Where there is a conflict between the two opinions, the County may pay for the opinion of a third provider. The opinion of the third provider is binding on both the employee and employer.

- (c) Restoration. An employee returning from family leave will be entitled to return to their position or to a position with equivalent benefits, pay and other terms and conditions of employment.
- (d) Vacation and Sick Leave. Employees on family leave will not accrue any seniority, vacation or sick leave benefits.
- (e) Health Insurance Coverage. The County will continue to provide health care coverage under the same provisions as prior to the leave. Where the employee fails to return from leave, the County can recover the premium(s) that have been paid on behalf of the employee to maintain health care coverage. If failure to return to work is due to the continuation, recurrence or onset of a serious health condition beyond the employee's control the employee will not be liable for health care premiums paid while on family leave. In such cases, a certification by a health care provider will be required.

5.10 OTHER LEAVE

- (a) Meetings, Seminars. Any employee may be granted leave with pay to attend meetings, seminars and conventions related to the employee's work for the County when such attendance is authorized by the employee's department head.
- (b) Educational Leave. An employee, upon written request, may be granted leave without pay for a period up to one year to further his or her education or seek specialized training upon recommendation of the

employee's department head and approval by the Board of Commissioners.

5.11 REQUEST FOR LEAVE

Except as provided in Section 5-5(e) as to sick leave, and Section E-11 as to family leave, all leave must be authorized in writing by the employee's department head prior to leave time being taken. A copy of each leave record, including records of sick leave taken, signed by the employee and department head, shall be maintained in the employee's personnel file.

5.12 CREDITS FOR PAID LEAVE

An employee while on paid leave, vacation leave or other leave with pay shall continue to earn credit for sick leave and vacation leave. An employee shall earn no leave credit while on leave without pay.

ARTICLE 6.0

OTHER EMPLOYEE BENEFITS

6.1 RETIREMENT - OASDI BENEFITS

All eligible employees of the County are under the federal OASDI social security system, and receive the benefits hereof in accordance with federal laws and guidelines. The cost of this benefit is paid equally by the County and the employee, with the employee contribution subject to payroll deductions.

6.2 RETIREMENT - KPERS BENEFITS

All eligible employees of the County are members of the Kansas Public Employees Retirement System (KPERS) and receive the benefits thereof in accordance with the state laws and guidelines. Under current law, KPERS members contribute a percent of salary determined by the State of Kansas by payroll deduction. The employer's share is determined by KPERS and varies annually.

6.3 RETIREMENT DATE

The federal Age Discrimination in Employment Act shall be the policy for County retirement.

6.4 WORKERS' COMPENSATION BENEFITS

All employees of the County receive the benefits of the Kansas Workers' Compensation Act, in accordance with such law and guidelines. The cost of this benefit is paid entirely by the employer.

6.5 KPERS DEATH AND DISABILITY BENEFITS

All employees who are contributing members of KPERS are eligible for the insured death and disability benefits provided by KPERS, which is supplemental to the regular KPERS benefits. The cost of this benefit is paid entirely by the employer.

6.6 UNEMPLOYMENT COMPENSATION

All employees receive the benefits of the Kansas Employment Security (unemployment compensation) Act, in accordance with such law and guidelines. The cost of this benefit is paid entirely by the County.

6.7 HEALTH CARE PROGRAM

- (a) All full-time employees shall be eligible for the County's group health care insurance program on the first day of employment. A part-time employee who becomes a full-time employee shall be eligible for group health care insurance as of the date of change in employment status.
- (b) The County's paid participation in the health plan shall be established by the County Commissioners.
- (c) When an individual employee is required to contribute because of participation in the County's group health care program the amount of such contribution shall be a payroll deduction.
- (d) All costs for health care insurance shall be paid by the employee during any period the employee: is on leave without pay (excluding the Family Leave Law provisions); is on suspension without pay; is on unauthorized leave; or is participating in any unlawful work stoppage.
- (e) Health care insurance coverage shall be extended to an individual who is temporarily disabled and drawing

workers' compensation while serving as a County employee.

- (f) No employee shall be entitled to a cash payment in lieu of health care insurance coverage unless approved by the commission.
- (g) Retirees of the County, under age 65, shall be eligible for continued participation in the County's health Care plan, upon payment of all the costs thereof, in accordance with K.S.A. Supp. 12-5040. In addition, the County complies with those provisions of the federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA) relating to the extension of group health care plan coverage upon termination of County employment.
- (h) Supplemental Medical Insurance. Mitchell County makes available to employees optional supplemental medical insurance policies. Cancer Care Policies incurred for the treatment of cancer and the Intensive Care Policy which provides benefits for expenses incurred while confined to a hospital intensive care unit. Policies are available for single or family coverage, and premiums are paid by the county and through payroll deduction. The County Payroll Clerk maintains additional information about premium rates, benefits, and enrollment for both plans.

ARTICLE 7.0

DISCIPLINE

7.1 AUTHORITY TO DISCIPLINE

Department heads are responsible for the conduct and effective performance of all employees under their jurisdiction and shall have the authority and the responsibility to discipline employees for violations of the County's personnel policies and any departmental guidelines.

7.2 GENERAL POLICY

The purpose of discipline is to ensure high standards of performance and efficiency, to maintain good working relationships among employees, and to provide the citizens of the County with the highest possible level of courteous and professional public service. Discipline in the County organization is for the most part "self" discipline. It is

the duty of the employees to make conscientious effort to work and behave in accordance with the values, service standards, policies and guidelines of the County and the departments in which they work. Each employee is expected to be self-disciplined and to work hard at being the best at what he or she does and in helping the County provides a high level of public service.

When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of their job, it may be necessary for his or her department head or supervisor to consider disciplinary actions to correct the problem.

An employee is subject to disciplinary action if:

- (a) The employee violates these personnel policies and guidelines, or any other written guidelines or procedures applicable to the department in which the employee works;
- (b) The employee's conduct reflects discredit to the County or hinders the effectiveness or efficiency of the County operations;
- (c) The employee has performed an act of misconduct, or has failed to perform an act, which results in misconduct.

The foregoing is not an exclusive list.

7.3 DISCIPLINARY ACTIONS

The Board of Commissioners officially recognizes the following types of disciplinary actions:

- (a) Verbal Warning. A verbal warning is an oral reprimand given to an employee by his or her supervisor or department head. A record of the warning shall be recorded in the employee's file.
- (b) Reprimand. A reprimand is a written censure to an employee by his or her supervisor or department head, a copy of which shall be recorded in the employee's file.
- (c) Training. Training is a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, or to improve work performance, or to improve on the job behavior. Failure

to meet the training requirements may result in additional disciplinary actions. The training period does not alter the employee's status as an at will employee.

- (d) Salary Reduction. A salary reduction is the lowering of an employee's rate of pay.
- (e) Demotion. A demotion is the placement of an employee into a position of a lower pay range.
- (f) Suspension. A suspension is the removal of an employee from service, with or without pay, for a specific period of time.
- (g) Termination. Termination is the removal of an employee from County employment.

The foregoing is not an exclusive list.

7.4 PROCEDURE OF DISCIPLINARY ACTION

Whenever the misconduct of an employee occurs that, in the judgment of the employee's supervisor or department head, justifies the application of disciplinary actions, other than a verbal warning, the supervisor or department head shall:

- (a) Document the misconduct in writing.
- (b) Determine the appropriate disciplinary action to correct the problem.
- (c) Meet with the employee to review the problem and the proposed disciplinary action. The meeting should be private and include only the employee, supervisor, department head or other persons requested to be present by the department head.
- (d) Give the employee an opportunity to refute the facts or argue against the proposed disciplinary action. The employee may submit comments in writing to be attached to the record of the disciplinary action.
- (e) Make a final decision as the disciplinary action.
- (f) Notify the employee of the action in writing. A copy of the documentation of misconduct and a note as to the

form of disciplinary action taken shall be maintained by the department head for insertion in the employee's personnel file.

7.5 MISCONDUCT SUBJECT TO DISCIPLINARY ACTION

The following is a list of misconduct, which may subject an employee to disciplinary action. The list is not exclusive; it is only representative of the types of misconduct which subjects an employee to disciplinary action.

- (1) Conviction of a violation of any state or federal criminal law.
- (2) Conviction of a violation of any other law.
- (3) Failure to follow prescribed safety procedures including failure to notify his or her supervisor of unsafe working conditions.
- (4) Violation of personnel policies and guidelines or departmental policies and guidelines.
- (5) Inattention to duty, carelessness, breakage or loss of public property or funds.
- (6) Incompetence or inefficiency in the performance of the duties of his or her position.
- (7) Insubordination or other breach of discipline.
- (8) Discourteous or disruptive conduct or other offensive behavior in public, to the public or to employees and officers of the County.
- (9) Abuse of leave, excessive absenteeism or tardiness.
- (10) Temporarily leaving the workplace without the approval of his or her supervisor.
- (11) Failure to give proper notice of absence.
- (12) Sleeping on the job.
- (13) Use of alcohol or drugs off the job, to the extent that the employee's job performance or effectiveness as a County employee is impaired.

- (14) Inducing or attempting to induce any officer or employee of the County to commit an unlawful act or to act in violation of any lawful or official order or regulation.
- (15) Unauthorized possession of firearms or other weapons on the job.
- (16) Conviction of a felony or conviction of driving under the influence while operating a County vehicle.
- (17) Willful or continued violation of County or departmental safety policies and procedures or willful or negligent creation of unsafe conditions in the workplace.
- (18) Willful or continued violation of personnel policies and guidelines or departmental guideline.
- (19) Negligent or willful damage to public property or waste of public supplies or equipment.
- (20) Taking or using any funds or property of the County for personal use or for sale or gift to others or the making of any false claim against the County.
- (21) Gross incompetence, negligence of duty or willful or continued failure to render satisfactory service.
- (22) Refusal to abide by any lawful official regulation or order, failure to obey any proper direction made by a supervisor or department head or knowingly making a false statement to any employee or officer of the County.
- (23) Claiming leave time under false pretense or falsifying attendance records for oneself or another employee.
- (24) Absences without leave.
- (25) Possession or use of alcohol or drugs, except where prescribed by a physician, after being afforded the opportunity to seek professional attention, or use of alcohol or drugs, except where prescribed by a physician, while on duty. Sale of or offering for sale or giving away alcohol or drugs while on duty or at the workplace.

- (26) Sexual harassment (see 9.0).
- (27) Disclosing confidential records or information unless directed to do so by his or her department head or supervisor.
- (28) Revocation or suspension of a certification or license, including a driver's license, when such is a required as a condition of County employment.
- (29) Material falsification of application for County employment or making a false statement or report in regard to any test, certification or appointment or any attempt to commit any fraud that violates the merit principles of personnel administration.
- (30) Giving or attempting to give any monetary consideration or the delivery of undeserved service to or from any person or organization for, or in connection with, any test or appointment.
- (31) Taking or offering to take from any person for the employee's personal use, any fee, gift or other thing or service of value, in the course of his or her work or in connection with it, when such gift or other valuable thing or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person; accepting a bribe, gift, money or other thing of service or value intended to perform or refrain from performing an official means of obtaining money or other things or service of value through his or her position in the service of the County.
- (32) Discharge of duties in a manner which results in discrimination to any person on the "basis of race, creed, color, sex, age, physical or mental disability or national origin".

ARTICLE 8.0

VOLUNTARY SEPARATION

8.1 RESIGNATION

- (a) An employee who terminates his or her employment voluntarily shall be terminated in good standing. A written resignation will be filed in the employee's

personnel records and will be annotated that "employment was terminated in good standing".

- (b) An employee who resigns from County service shall be paid for all unused vacation leave days, but shall not receive any payment for the balance of sick days accrued.

8.2 REINSTATEMENT

With the approval of the department head, an employee may withdraw his/her resignation. Such withdrawal must be within the fourteen (14) calendar day notice period. A resignation withdrawal shall not be approved if another person has been hired or transferred to the vacated position.

ARTICLE 9.0

SEXUAL HARASSMENT POLICY

9.1 PURPOSE

The county is committed to maintaining a work environment free of intimidation, insult, and harassment based upon membership in any class protected under applicable federal, state, and local equal employment laws. The County will not tolerate harassment of any kind and such conduct may result in disciplinary action up to and including termination.

9.2 DEFINITION

Harassment is verbal, written or physical conduct which degrades or displays hostility or hatred toward others based on their race, color, religion, gender, national origin, age, disability, or other protected characteristic and which creates an intimidating, hostile, or offensive working environment, unreasonably interferes with an individual's work performance or otherwise adversely affects an individual's employment opportunities.

9.3 HARASSING CONDUCT PROHIBITED

Generally speaking, harassing conduct includes, but is not limited to, the following acts or conduct when such acts or conduct relates to race, color, religion, gender, sexual orientation, national origin, age, disability, or other

protected characteristics:

- Epithets;
- Slurs;
- Negative stereotyping;
- Threats;
- Written or graphic material that degrades or displays hostility or hatred toward an individual or group based on race, color, religion, gender, national origin, age, disability, or other protected characteristic when such material is distributed or circulated in the workplace or placed on walls, bulletin boards, or elsewhere on the premises of County property.

9.4 GENDER HARASSMENT DEFINED

Gender harassment, like all other forms of harassment, is expressly prohibited. The County defines gender harassment as unwelcome sexual advances, requests for sexual favors, and all other verbal, visual, physical, or written conduct of a sexual nature.

Gender harassment also includes, but is not limited to, the following acts, whether committed by County Management, Employees, agents, vendors or visitors:

- Unwelcome flirtations;
- Unwelcome sexual advances or propositions;
- Verbal harassment or abuse of a sexual nature;
- Subtle pressure or requests for sexual activities;
- Unnecessary and/or undesired touching of an individual;
- Graphic or vulgar commentary about a person's physical appearance, body, or clothing;
- Sexually degrading language used to describe a person;
- Displays in the workplace or on the premises of the County of sexually suggestive materials, including objects or pictures;
- Sexually explicit or offensive jokes, whether written or spoken;
- Sexual assault and/or battery;
- Rape;
- Accusations of sexual preference;

- Sexual slurs or innuendo;
- Suggestive or insulting sounds;
- Leering, whistling and obscene gestures;
- Demands for sexual favors, including demands accompanied by express or implied promises or threats concerning an individual's employment status;
- Conditioning any term or benefit of employment upon sexual favors; or
- Any other conduct that unreasonably interferes with an Employee's performance of his or her job, that creates an intimidating, hostile, or offensive working environment, or otherwise adversely affects an individual's employment opportunities.

Gender harassment occurs when the conduct described above may:

- Be construed as being a term or condition of an individual's employment. For example, when a Supervisor or other employee threatens or insinuates, either explicitly or implicitly, that another employee's or applicant's refusal to submit to sexual advances or demands will adversely affect that person's employment in any way or when the employee's or applicant's agreement to submit to sexual advances or demands will positively affect that person's employment in any way;
- Be used as a basis for making employment decisions affecting an employee or applicant, depending upon the employee's or applicant's submission to, or rejection of, improper conduct of a sexual nature; or
- In purpose or effect, substantially interfere with an employee's work performance or create an intimidating, hostile or offensive working environment.

Employees are reminded to report all instances of gender harassment by non-employees. These reports are to be made in the same way as other reports of harassment.

9.5 HARASSMENT PROHIBITED

Harassment of any kind is expressly prohibited and shall not be tolerated. Any employee who engages in harassing conduct shall be subject to discipline, up to and including termination. Any employee who has reason to know of an incident of harassment shall immediately report the

incident of harassment as outlined in the Harassment Complain Procedure below. The County does not retaliate against, and does not tolerate retaliation against, those who report harassment in good faith or those who cooperate with harassment investigations.

9.6 HARASSMENT COMPLAINT PROCEDURES

If you experience or witness any incident of harassment or discrimination, you shall immediately report the incident to one of the following:

- (1) The County Attorney
- (2) Your immediate Supervisor
- (3) One or all three County Commissioners

Reports of harassment or discrimination shall never be reported to the alleged harasser. However, the incident should be immediately discussed with **whomever** on the list you feel most comfortable with speaking. Remember, the most important aspect of the Harassment Complaint Procedure is that the incident is immediately reported, investigated, and addressed.

When making a harassment or discrimination complaint, you shall provide the following information:

- Your name, department and position title;
- The name of the person/persons who you believe committed the harassment;
- Date(s) and approximate time(s) of the harassment;
- The specific nature of the harassment; its duration; and any employment action (for example: demotion, failure to promote, promotion, dismissal, refusal to hire, transfer, etc.) taken against you, or which benefited you, as a result of the harassment, or any other threats made against you as a part of, or as a result of, the harassment; and
- The names of any and all witnesses to the harassment.

The person receiving the complaint shall document the incident in writing.

9.7 HARASSMENT INVESTIGATIONS

The County Attorney shall promptly and confidentially investigate all harassment complaints. The County may, at its discretion, secure a neutral third-party to investigate any complaint of harassment. If third-party investigators are used, disclosure of any investigation report and its contents will be restricted to the County; any federal or state officer, agency, or department or any officer, agency, or department of a unit of general local government; any self-regulatory organization with regulatory authority over the activities of the County or County employees; or as otherwise required by law.

When asked, employees shall fully and completely cooperate with such investigations. Failure to cooperate, or interfering with an investigation, shall subject employee(s) to immediate disciplinary action, up to and including termination.

The County does not retaliate against, and does not tolerate retaliation against, those who report harassment in good faith or those who cooperate with harassment investigation. However, if the County determines that the complaint was not made in good faith or that an employee provided false information to the investigator, said employee(s) may be subject to discipline, up to and including termination.

9.8 RECORDS OF HARASSMENT COMPLAINTS

All records concerning harassment complaints shall be kept confidential to the extent possible and maintained in a separate locked file. Access to these records shall be given only to the Human Resource Director. Approval for individuals to view the record of a harassment complaint and investigation shall be given only when required by law or when the Board of Commissions deem that the disclosure of the requested record is necessary.

ARTICLE 10.0

WORKER SAFETY

10.1 GENERAL SAFETY

(a) All employees are required to wear appropriate safety

equipment and follow appropriate safety precautions according to County and/or departmental policy at all time. Failure to comply with safety policies may result in disciplinary action. Recklessness, laxity or carelessness will not be condoned.

- (b) Department heads and supervisors shall see that employees are properly trained in safety procedures related to their job and equipment. They shall also ensure that adequate protective equipment is available for use by employees under their supervision. Prompt action shall be taken by all employees to repair faulty equipment or corrective hazardous conditions in their work.
- (c) Failure to comply with prescribed safety rules (hard hats, safety glasses, etc.) will result in one day of unpaid leave for the first offense, 3 day unpaid leave for the second offense and termination for the third offense.

10.2 REPRODUCTIVE HEALTH

Whenever there is substantial and unreasonable risk to the reproductive health of an employee or to the health of a pregnant employee due to working conditions or environment, and that risk is determined by medical evidence presented to the County, the department head shall attempt to reduce or eliminate the risk to the employee through an employment action that is least disruptive to the employee and employer, such as a change in job responsibilities, transfer, or authorized leave of absence.

ARTICLE 11.0

ZERO TOLERANCE WORKPLACE VIOLENCE POLICY

Threats of violence, threatening behavior, or acts of violence against employees or other individuals on county premises are prohibited. Mitchell County has a zero tolerance policy for such conduct. It will not be tolerated and it is the duty of an employee to report such conduct to the Sheriff's Department and County Attorney immediately.

Any person who makes threats of violence, displays threatening behavior, or engages in violent acts on county property, will be removed from the area as soon as safety allows, and shall remain prohibited from entering on county

premises until an investigation of the conduct in question has been completed.

Should the investigation establish a violation of this policy, the county will take action, up to and including termination of any business relationship, suspension or termination of employment. Action may also involve criminal prosecution.

County employees should bring any threats of violence, displays of threatening behavior or other violent act to the attention of the county through their supervisors and/or department head. All County employees and representatives are expected to comply with this policy. Failure to do so can result in disciplinary action.

ARTICLE 12.0

SUBSTANCE ABUSE POLICY

The use, possession, sale, transfer, purchase, or being under the influence of illegal drugs or illegal intoxicants or controlled substances by employees at any time on County premises, in County vehicles, or while on County business is prohibited. Employees must not be on County business or on County property or operating County vehicles or equipment while under the influence of any alcoholic beverage, marijuana, or illegally obtained drugs, narcotics or other controlled substances.

The foregoing policy does not apply to deputies and other members of the Sheriff's Department who are performing job-related duties which may require the possession or processing of drugs, narcotics or other controlled substances.

The Mitchell County Drug and Alcohol Policy cover employees who are required to hold CDL's and who occupy safety-sensitive positions. A copy of such policy can be obtained from your supervisor or department head.

ARTICLE 13.0

CONFIDENTIAL INFORMATION POLICY

Some of the material and information handled throughout a normal workday is considered confidential. Information that is not available to the public should be held in confidence.

Anyone responsible for distribution of this type of information to unauthorized sources may be terminated immediately.

ARTICLE 14.0

PERSONAL MAIL AND ELECTRONIC MESSAGES

- A. Personal mail shall not be run through the postage meter at the County's expense. Your personal mail should be addressed to your home and any personal mail received at work will be opened along with other mail received. The County reserves the right to monitor any and all electronic and telephonic messages transmitted in, to and from the workplace.
- B. Personal use of County owned computers and fax system is prohibited unless authorized by the department head and at the employee's expense. Such use without prior approval will result in disciplinary action. Department heads may close out certain Internet information sites at their discretion.
- C. Any County computerized e-mail system is to be used for county business purposes only. It should not be used to send messages of a personal nature. Individuals should refrain from using vulgarities, obscenities, sarcasm, or exaggeration in e-mail messages. The use of foul or abusive language is grounds for disciplinary action or dismissal. E-mail messages should be transmitted only to those individuals who have a business need to receive them.
- D. Distribution lists should be constructed and used carefully. E-mail distribution lists should be kept current and updated regularly to reflect changes in responsibility or employment status. All employees waive any right to privacy in e-mail messages and consent to the access and disclosure of e-mail messages by authorized employees. Mitchell County reserves the right to access and disclose the contents of e-mail messages for any purpose.
- E. Personal business shall be conducted on personal time, outside of the office. Employees are prohibited from "locking" or "password protecting" any document on the County's computer network or computers without prior authorization by the Board of County Commissioners

except due to HIPAA regulations. The County reserves the right to access and disclose and/or delete any documents it deems necessary and employees waive any right to privacy in documents contained on the County's computer network or computers and consent to the access and disclosure of such documents by authorized employees.

ARTICLE 15.0

MISCELLANEOUS PROVISIONS

15.1 INCLEMENT WEATHER

Employees who are unable to report for work on a day of inclement weather will have the option of using vacation leave or an unpaid day. The employee shall attempt to notify his/her supervisor or department head during the first half-hour of the work period of the absence and will indicate which option will be used for pay purposes. When a vacation day is used to cover absences due to inclement weather, the normal requirements for advance notice shall be waived. If the Commission for any reason closes County offices, then the employees affected will not have to use a vacation or an unpaid day.

15.2 TRAVEL REIMBURSEMENT

- (a) Mitchell County will pay up to \$26.00 per day to the eligible employee for his/her meals. The limits are as follows: \$6.00 breakfast limit - if meal is less than \$6.00 exact amount will be reimbursed; \$8.00 lunch limit - if meal is less than \$8.00 exact amount will be reimbursed; \$12.00 dinner limit - if meal is less than \$12.00 exact amount will be reimbursed. Tips and gratuities are the responsibility of the employee unless approved by the Commission. Meals for organized functions such as banquets or meals served during meetings concerning county business will be paid for. The individual employees do not usually pay for these types of meals directly; the cost is normally included in registration fees for the meeting. Meals eaten within the County **will not** be reimbursed unless approved by department head in long-term emergency situations. Reasonable lodging expenses for County-related business will also be reimbursed.
- (b) Reimbursement claims must be submitted on a County

voucher form. The voucher must contain an itemized list of expenses and receipts for travel expenditures other than mileage must be attached to the voucher.

- (c) No employee of Mitchell County shall be compensated for mileage from their residence to their regular location of employment with the County.

15.3 PUBLIC RELATIONS

- (a) Every employee shall continually strive to promote good public relations for his/her department and the entire organization. Virtually every County employee is in a position either to enhance or to hinder the image of County government by the general public.
- (b) Visitors at any County building or work area shall be treated in a friendly and courteous manner. All inquiries, complaints or requests for assistance shall be given prompt and polite attention by employees.
- (c) Public statements or the release of information on any matter related to County policy, administration or department operations shall be limited to the County Commissioners, department heads or other personnel specifically authorized by department heads.

15.4 OUTSIDE EMPLOYMENT

Outside employment constitutes a County employee holding a second job with another employer. Outside employment by a full-time employee is permitted only when such outside employment:

- is considered secondary to service with the County;
- does not interfere with the performance of duties for the County;
- does not conflict with the employee's working hours; and
- No legal, financial or ethical conflict of interest results from such dual employment.

An employee must obtain approval in writing from his or her

department head prior to accepting outside employment or any change in the nature of such outside employment. A request to perform continuous outside employment must be renewed annually by the outside employee and re-authorized by the department head that can rescind the approval for outside employment at any time. The decision to approve or rescind is subject to review by the Board of County Commissioners.

15.5 CELLULAR PHONES/COUNTY OWNED VEHICLES & EQUIPMENT

If employee's personal use of County owned equipment creates an additional cost, usage must be substantiated.

15.6 RESIDENCY REQUIREMENT

A residency requirement shall be determined on an individual department basis with the approval of the Board of County Commissioners and the Department Head.

All elected officials are statutorily required to reside in the county in which they hold office. Deputy County Clerk, Treasurer, Register of Deeds, and Sheriff, will be required to reside within county boundaries if appointed to vacant elected official's position.

The City of Beloit is the center for county operations. For the safety and well-being of the citizen's of Mitchell County all department heads will live in the county. Fulfilling responsibilities as a department head should determine the distance from your place of employment.

Employees are **encouraged** to live in Mitchell County but are required to live no further than a county adjacent to Mitchell County (Jewell, Cloud, Osborne, Ottawa or Lincoln). The County Commission reserves the authority to allow exceptions to this provision.

Current employees are grandfathered on this requirement.

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