



# STARKE COUNTY, INDIANA

## EMPLOYEE HANDBOOK

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# STARKE COUNTY, INDIANA

Congratulations on your employment and welcome to Starke County Government.

It is a pleasure to have you join our team. Please take pride in your personal contributions as we strive to provide an outstanding quality of service to the citizens of Starke County.

As a civil servant your new position will have unique duties and responsibilities. The Starke County Employee Handbook is designed to serve as an introduction to our personnel rules and to help you understand important rights, responsibilities, benefits, and services you have as a county employee.

Please use this employee handbook as a reference, and if you have any questions, your Department Head or Elected Official will be happy to discuss them with you.

The policies contained in this handbook are subject to change by the County Commissioners at any time. As an employee, it is your responsibility to keep current with all revisions.

Thank you for joining the people's workforce. We look forward to working with you and wish you success in your career with Starke County Government.

Sincerely,

Board of Commissioners

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# INTRODUCTION

## 040 Introductory Statements

For purposes of these work guidelines all employees will be referred to as "employee(s)." Starke County, Indiana, or Starke County Government will be referred to as "the county".

These work guidelines have been designed to acquaint employees with the county and provide them with information about working conditions, employee benefits, and some of the policies affecting their employment. Employees are responsible to read, understand, and comply with all provisions of the handbook. It describes many of their responsibilities as an employee and outlines the programs developed by the county to benefit employees. One of management's objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook may anticipate every circumstance or question about policy. As the county continues to grow, the need may arise and the county reserves the right to revise, supplement, or rescind any policies or portion of the employee handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting employees or the county to end our employment-at-will relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur and employees will be expected to acknowledge in writing that they have received those changes. Nothing in this employee handbook should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

## 060 Public Relations

Interactions with the public, e.g., taxpayers of the county, are among our county's most valuable assets. The public represents the taxpayers of Stark County, Indiana and will be referred to as either the public or the taxpayers throughout the employee handbook. Every employee represents the county to our residents and the public. The way employees do their jobs presents an image of the entire county. The public judges all of the employees by how they are treated with each employee contact. Therefore, one of the first business priorities for all employees is to assist any member of the public. Employees should not engage in arguments, debates, or lengthy discussions with members of the public regarding the county's policies, procedures, or services. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention employees give to the public. Any employee who receives a complaint from a member of the public should refer the individual to the appropriate Department Head or Elected Official. For administrative complaints the Auditor's Office should be notified who will communicate the complaint to the Board of Commissioners.

Personal contact with the public, manners on the telephone, and the communications sent to members of the public are a reflection not only of each employee, but also of the professionalism of the county. Positive public relations not only enhance the public's perception or image of the county, but also pay off in greater public loyalty.

# **EMPLOYMENT**

## **100 Nature of Employment**

Employment with the county is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the county may terminate the employment-at-will relationship at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook 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 the county and any of its employees. The provisions of the handbook have been developed at the discretion of the County Commissioners and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the county's sole discretion. The County Commissioners lack authority to overrule a decision of an Elected Official in charge of a state constitutional office with respect to employment in that office. However, the County Commissioners may elect to hear a complaint related to, and to take action within their range of authority.

Exceptions to the applicability of policies in this employee handbook include:

- When contrary to legal requirements under applicable federal or state law, the policies in this handbook do not apply to Elected Officials, Judicial branch employee, or Sheriff's department employees.
- When approved by the County Commissioners, provisions in individual employment contracts may vary from the general policies set forth in this employee handbook.
- Though this employee handbook is generally applicable to all county employees, numerous exceptions and department specific rules may exist. To the extent feasible these exceptions are specifically set forth in this handbook.

For purposes of the employee handbook and clarification of roles within Starke County Government, the following are identified as making decisions on behalf of their own department when it comes to employment-related issues:

### **County Council**

Acts as the fiscal body of Starke County Government and the legislative body as outlined in state statutes where appropriate.

### **Board of Commissioners (County Commissioners)**

Acts as the executive body of Starke County Government and the following departments and titles report to the Board of Commissioners, or who are also referred to throughout the employee handbook as the County Commissioners:

- Highway Superintendent
- Director of Maintenance
- Emergency Management Agency (EMA) Director
- Emergency Medical Services (EMS) Director
- Information Technology (IT) Director
- Veterans Service Officer

## **Elected Officials**

Acts as the Department Head for each department.

- Assessor
- Auditor
- Clerk
- Coroner
- Court
- Health Officer
- Prosecutor
- Recorder
- Sheriff (in cooperation with the Merit Board)
- Surveyor
- Treasurer

## **Parks Board**

The following title reports to the Parks Board:

- Park Superintendent

## **Planning Commission Board**

The following title reports to the Planning Commission Board:

- Planning Commission Director

## **Sheriff's Department**

Merit Track Sheriff's Deputies and Jailers who have successfully attained tenure are not purely at-will employees, but instead are subject to the jurisdictions of the Sheriff's Merit Board in accordance with Indiana Code (IC) 36-8-10. Refer to Policy #205 – Probationary Period for additional information.

## **Soil and Water Conservancy Board**

- District Coordinator

When Sheriff's and Emergency Medical Services (EMS) Departments Standard Operating Procedures (SOPs) differ from what is written in this employee handbook, those policies and procedures will prevail.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the County Commissioners.

## **101 Management Rights**

As a public employer, Starke County Government possesses the exclusive responsibility and authority to manage all operations and activities of the county to the full extent authorized by law. The management authority of the county includes, but is not limited to the following:

- The right to determine, effectuate, and implement the objective and goals of the county.
- The right to determine what services will be rendered to the public.
- The right to take actions to maintain and improve the efficiency of public operations.
- The right to determine the location, establishment, and organization of new departments or facilities, and the relocation or discontinuation of existing departments or facilities.

- The right to establish policy and procedures.
- The right to establish, allocate, schedule, assign, modify, change, and discontinue county operations, work shifts, and working hours.
- The right to establish, modify, change, and discontinue work standards.
- The right to direct the work of its employees.
- The right to design and implement safety programs for employees.
- The right to design and implement job training for employees.
- The right to determine job content and job descriptions.
- The right to hire, examine, classify, train, transfer, assign, and retain employees; suspend, discharge, or take disciplinary action against employees in accordance with applicable laws and to relieve employees from duties due to disciplinary action or other legitimate reason, and to make promotions, and demotion, as necessary.
- The right to alter the composition of the workforce.
- The right to establish and implement policies for the selection, training, and promotion of employees in accordance with applicable laws.
- The right to establish, implement, and modify procedures and policies for the safety, health, and protection of county property and employees.
- The right to select, install, modify, or discontinue equipment, materials and the layout and arrangement of equipment.
- The right to control the use of property, machinery inventories, and equipment and vehicles-owned, leased, or otherwise possessed by the county.

The above is not inclusive of all such rights and all rights granted to the county by constitution, statute, charter ordinance, or in any manner retained by the county will be in effect.

## 102 Employee Relations

The county believes that the working conditions, wages, and benefits it offers to its employees are competitive with those offered by other government employers in this area. If employees have concerns about working conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their Department Head, Elected Official, or the County Commissioners.

Experience has shown that when employees deal openly and directly with Department Heads, Elected Officials, and the County Commissioners, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the county amply demonstrates its commitment to employees by responding effectively to employee concerns.

The County Council and County Commissioners will make determinations as to changes or alterations in salary, leave or other special circumstances.

## 103 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the county will be based on merit, qualifications, and abilities. The county does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state and local laws.



The county will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits, and training.

Employees are encouraged to contact their Department Head, Elected Official, or a County Commissioner with questions or concerns regarding any type of discrimination in the workplace. Employees may raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination may be subject to disciplinary action, up to and including termination of employment.

## 104 Business Ethics and Conduct

The successful business operation and reputation of the county is built upon the principles of fair dealing and ethical conduct of all employees. The county's reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the county is dependent upon the public's trust and the county is dedicated to preserving that trust. Employees owe a duty to the county and its members of the public to act in a way that will merit the continued trust and confidence of the public.

The county will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

In general, the use of good judgment, based on high ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action the matter should be discussed openly with a Department Head or Elected Official and if necessary, with a County Commissioner for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every county employee. Disregarding or failing to comply with this standard of business ethics and conduct may lead to disciplinary action, up to and including termination of employment.

## 105 Nepotism in the Workplace

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment may be carried over into day-to-day working relationships. Accordingly, the county follows Indiana Code (IC) 36-1-20.2 with regards to nepotism.

For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or stepchild), a brother, sister, stepbrother, stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law.

“Employed” means an individual who is employed by the county on a full-time, part-time, or temporary basis. The term does not include an individual who holds an elected office. The term includes an individual who is a party to an employment contract with the county. The performance of the duties of a precinct election officer (as defined in IC 3-5-2-40.1) that are imposed by IC Title 3 is not considered employment by the county.

“Direct line of supervision” is defined as an elected officer or employee who is in a position to affect the terms and conditions of another employee’s employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of the county, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the county.

Individuals who are relatives may not be employed by the county in a position that results in one relative being in the direct line of supervision of the other relative. This applies to an individual who is employed by the county on the date that the employee’s relative begins serving a term of an elected office of the county and is not exempt from the application under exemptions of the policy. This policy does not end or affect an employment contract with the county that: an individual is party to and is in effect on the date the employee’s relative begins serving a term of an elected official.

Notwithstanding the provisions of IC 35-1-20.2-13 to the contrary, the County Sheriff’s spouse may not be employed as prison matron for the county under IC 36-8-10-5, and the spouse may not otherwise be in the County Sheriff’s direct line of supervision.

Employees who are employed by the county on 7/1/12, are not subject to this policy unless they have had a break in employment with the county. The following are not considered a break in employment: the employee is absent from the workplace while on paid or unpaid leave, including any paid time off, medical leave, or workers’ compensation and the employee’s employment with the county is terminated followed by immediate reemployment by the county, without loss of payroll time.

Employees seeking additional information about this policy may contact their Department Head, Elected Official, or a County Commissioner.

## 106 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required in certain job categories. After an offer has been made to an applicant entering a designated job category, a medical examination may be performed at the county’s expense by a health professional of the county’s choice. The offer of employment and assignment to duties is contingent upon the satisfactory completion of the exam and a negative drug test.

The county Highway Department reimburses employees with Commercial Driver’s Licenses (CDL) up to \$100 for their Department of Transportation (DOT) physical examination every two-years. If employees are required to submit for a yearly DOT physical examination, they will be reimbursed every other year. Employee’s must provide the Highway Department with an itemized receipt from a licensed physician in order to receive the reimbursement. A claim will be turned into the Auditor’s Office during the next claims period and paid out according to the posted schedule. If the employee chooses they may also use DOT Stop in Plymouth, Indiana for their physical examination. This must be arranged in advance by the Highway Department and the examination may be direct billed to the county, thus the employee will not be eligible for reimbursement. Refer to Policy #323- Licensing/Certifications/Membership Dues for additional information.

Information on an employee’s medical condition or history will be kept separate from other employee information and maintained confidentially in accordance with the Health Insurance Portability and Accountability Act (HIPAA). Refer to Policy #214 – Medical Information Privacy for additional information.

## 107 Immigration Law Compliance

The county is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed a Form I-9 with the county within the past three-years, or if their previous Form I-9 is no longer retained or valid. In addition, the county utilizes E-Verify, an Internet-based system that compares information from an employee's Employment Eligibility Verification Form I-9, to data from U.S. Department of Homeland Security and the Social Security Administration records to confirm employment eligibility.

The Form I-9 may be completed by the employee prior to their first day of work, but federal law requires that this form be completed no more than three-days after the employee starts their employment. Failure to complete this form will cause the employee not to be established as an employee with the county and they will not be able to be paid through the county's payroll system until the form is properly completed.

Employees seeking additional information about this policy may contact their Department Head, Elected Official, or the Auditor's Office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## 108 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the county wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees may seek further clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the County Commissioners. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that may be interpreted to involve unusual gain require specific approval from the County Commissioners.

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Conflicts of interest are defined by Indiana Code (IC) 36-1-20.2, which may, under some circumstances, prohibit a transaction or require written disclosure and approval before a contract or transaction is entered. Employees are also required to have a signed conflict of interest form on file in the Clerk's Office.

### **Gifts and Gratuities**

Employees may not accept gifts, gratuities, or other favors from individuals, companies or corporations that might benefit from or expect to benefit from the employee's indebtedness. Any other transactions or offers over \$99.00 must be reported to a Department Head or Elected Official. Employees who fail to report receipt of gifts, gratuities and/or other favors from individuals, companies or corporations that might benefit from employee indebtedness may result in disciplinary action, up to and including termination of employment.

## **Investment Interest**

Employees are prohibited from financial benefit through their investment in, interest with or other financial dealings with individuals or organizations that have contracts with or otherwise do business with the county. Employees will be required to divest themselves of such investment or interests or be terminated from employment with the county unless the county's Attorney determines that a proper disclosure under applicable state law filed by the employee will correct the situation. If the disclosure is deemed inappropriate, the employee will have ten working days to divest themselves of financial interest in companies or corporations that do business for profit with the county. Failure to do so may result in disciplinary action, up to and including termination of employment.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a dependent as a result of the county's business dealings. For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or stepchild), a brother, sister, stepbrother, stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law. "Elected official" refers to a member of the County Council, a County Commissioner, or any other elected county official.

Notwithstanding any provisions of this policy and IC 36-1-21, the county may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an Elected Official or a business entity that is wholly or partially owned by a relative of an Elected Official. The county may also enter into a contract or renew a contract with an individual or business entity if all of the following are satisfied: the Elected Official files with the county a full disclosure, which must be in writing, describe the contract or purchase to be made, describe the relationship that the Elected Official has to the individual or business entity that contracts or purchases, be affirmed under penalty of perjury, be submitted to the County Commissioners and be accepted by the County Commissioners in a public meeting prior to final action on the contract or purchase and be filed, not later than 15-days after final action on the contract or purchase with the State Board of Accounts and the Clerk of the Circuit Court in the county where the county takes final action on the contract or purchase. The appropriate agency of the county must make a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered or make a certified statement of the reasons why the vendor or contractor was selected. In addition, the county must satisfy all other requirements under IC 5-22 or IC 36-1-12. The Elected Official complies with the disclosure provision of IC 35-44.1-1-4, if applicable. This does not affect the initial term of a contract in existence at the time the term of office of the Elected Official of the county begins.

The county reserves the right to review the specific facts of any case where this policy is implicated and make exceptions on a case-by-case basis consistent with the provisions of Indiana code, including, without limitation, the provisions of Indiana Code (IC) 36-1-21. Furthermore, the county reserves the right to modify or amend the provisions of this policy from time to time consistent with the provisions of the provisions of Indiana Code, including, without limitation, the provisions of IC 36-1-21.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to a Department Head, Elected Official, or a County Commissioner, as soon as possible the existence of any actual or potential conflict of interest so that safeguards may be established to protect all parties.

While this policy is comprehensive it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees seeking additional information about this policy may contact the Auditor's Office.

## 110 Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their job with the county. All employees will be judged by the same performance standards and will be subject to the county's scheduling demands, regardless of any existing outside work requirements. Employees who hold outside jobs must disclose their outside employment to their Department Head or Elected Official.

If the county determines that an employee's outside work interferes with performance or the ability to meet the business requirements of the county as they are modified from time to time, the employee may be asked to terminate the outside employment if they wish to remain as an employee with the county.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the county for materials produced or services rendered while performing their jobs. Employees must also have a conflict-of-interest form signed and on file in the Clerk's Office. Refer to Policy #108 – Conflicts of Interest for additional information.

## 112 Non-Disclosure

The protection of confidential information is vital to the interests and the success of the county. Indiana Code (IC) 5-14-3-4 states what is considered to be public record and the county will comply with all guidelines. Such confidential information includes information acquired in the course of one's work, and may include:

- Computer processes, programs, and codes
- Facilities security information
- Financial information
- Marketing strategies and related information
- Pending projects and proposals
- Taxpayer and local business preferences, lists and related information
- Security operations and related information
- Technological data
- Vendor and supplier lists and related information

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose trade secrets or confidential business information may be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

## 114 Disability Accommodations

The county is committed to complying fully with the Americans with Disabilities Act and its Amendments Act (ADAAA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis in accordance with both federal and state laws.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, benefits, and training.

### **Pregnant Workers Fairness Act (PWFA)**

The PWFA prohibits employment practices that discriminate against making reasonable accommodations for qualified employees affected by pregnancy, childbirth, or related medical conditions. A qualified employee under the Act is an employee or applicant who, with or without reasonable accommodation, is able to perform the essential functions of the job, as long as the inability to perform the essential functions is temporary due to pregnancy, childbirth, or a related medical condition. The PWFA declares that it is an unlawful employment practice to:

- Fail to make reasonable accommodations to known limitations of qualified employee unless the accommodation would impose an undue hardship on the organization's operation;
- Require a qualified employee affected by such condition to accept an accommodation other than any reasonable accommodation arrived at through an interactive process;
- Deny employment opportunities based on the need of the organization to make such reasonable accommodations to a qualified employee;
- Require such employees to take paid or unpaid leave if another reasonable accommodation may be provided;
- Take adverse action in terms, conditions, or privileges of employment against a qualified employee requesting or using such reasonable accommodations; or
- Retaliate against individuals engaging in protected activity under the Act.

The county is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The county will follow any state or local law that provides individuals with disabilities greater protection than the ADAAA.

This policy is neither exhaustive nor exclusive. The county is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADAAA and all other applicable federal, state and local laws.

Employees seeking additional information about this policy may contact their Department Head or Elected Official. Employees may raise questions or complaints about the ADAAA compliance without fear of reprisal.

### **115 Lactation Accommodations**

The county supports breastfeeding employees by accommodating the employee who wishes to express milk during their workday when separated from their newborn child. As part of the PUMP Act any employee who is breastfeeding will be provided unlimited breaks to express milk for their newborn for up to one-year from the date of the birth of the child. Employees must be completely relieved from duty or be paid for the break time (in the same manner that other nonexempt employees are paid for normal break periods). Also, a reasonable place to express milk, other than a restroom, will be provided for the employee. The employee and Department Head or Elected Official will agree on the times for these breaks. In addition, the county will provide an area for the milk to be stored.

Employees may contact Department Head or Elected Official for additional information regarding lactation accommodations

## 116 Job Posting

The county makes every effort to post a job internally when one becomes vacant and is approved by the County Commissioners to be filled. Vacant jobs will be posted on a job board in annex building #1 building and on the county's website. The posting will include the job title, department name, qualifications required, employment status, and salary range. In the event that no qualified employees apply, or the County Commissioners determines that, such positions should be filled from the outside, the County Commissioners may do so. Current employees who have an interest in the open position may complete an application in the Auditor's Office. Department Heads and Elected Officials are responsible for reviewing all applications.

All applications will be kept in the Auditor's Office for a period of three-years from the date of application.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## **EMPLOYMENT STATUS & RECORDS**

### 201 Employment Categories

It is the intent of the county to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment-at-will relationship at any time is retained by both the employee and the county.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. Exempt employees are paid on a salary basis that does not vary from week to week based upon the quality or quantity of work performed. In other words, exempt employees are paid "to get the job done." Thus, an exempt employee's pay will not be reduced in any fashion for partial day absences, except when permitted by law, such as unpaid intermittent FMLA leave. Any deductions from an exempt employee's salary will be in compliance with acceptable parameters for such deductions.

For example, the following types of deductions are permissible with regard to exempt employees' pay:

- No work is performed in a workweek;
- Absences of one or more full days for personal reasons other than sickness or disability if all earned and applicable vacation benefits and sick leave benefits have been exhausted;
- Fees received by the employee for jury or witness duty or military leave may be applied to offset the pay otherwise due to the employee for the week;
- Penalties imposed by infractions of safety rules of major significance;
- Unpaid disciplinary suspensions of one or more full days in accordance with the county's disciplinary policy;

- Deductions for the first and last week of employment, when only part of the week is worked by the employee; and
- Deductions for unpaid leave taken in accordance with an approved absence under the Family and Medical Leave Act.

### **Complaint Procedure**

Employees who believe their pay has been improperly reduced should immediately contact the Auditor's Office.

The county will investigate the employee's concern and determine whether an inadvertent improper deduction has been made. If the deduction was in fact improper, the county will reimburse the employee on the next regularly scheduled pay date. The county complies with all applicable laws concerning the payment of wages and will correct any inadvertent improper deduction should it occur and monitor the situation to ensure no further issues arise.

An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the County Commissioners and County Council.

In addition to the above categories, each employee will belong to one other employment category:

**REGULAR FULL-TIME** employees are those who are not in a temporary or introductory status and who are regularly scheduled to work a full-time schedule of 30-hours or more per week. Generally, they are eligible for the county's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**REGULAR PART-TIME** employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 30-hours per week, or 130-hours per month. Regular part-time employees may be eligible for some benefits sponsored by the county, subject to the terms, conditions, and limitations of each benefit program.

**PROBATIONARY** employees are those Sheriff's Department employees whose performance is being evaluated to determine whether further employment is appropriate. Refer to Policy #205 – Probationary Period for additional information.

**TEMPORARY or SEASONAL** employees are those who are hired as interim replacements, to temporarily supplement the workforce, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. 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. While temporary employees receive all legally mandated benefits such as workers' compensation insurance and Social Security, they are ineligible for any of the county's other benefit programs.

## **202 Access to Personnel Files**

The county maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance evaluations and salary increases, and other employment-related records.

Personnel files are the property of the county and access to the information they contain is restricted. Generally, only management employees of the county who have a legitimate reason to review information in a file are allowed to do so.



Employees who wish to review their own file may contact the Auditor's Office. With reasonable advance notice, employees may review their own personnel file in the Auditor's Office and in the presence of an individual appointed by the county to maintain the files.

### 203 Employment Reference Checks

The Auditor's Office will respond to those reference check inquiries that are submitted via telephone, facsimile, and in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written authorization and release signed by the employee who is the subject of the inquiry.

### 204 Personnel Data Changes

It is the responsibility of each employee to promptly notify the county of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, recent educational accomplishments, and other such status reports should be accurate and current at all times. If any personal data has changed, employees should notify the Auditor's Office of such changes. Any unreported changes in personal status may impact an employee's eligibility under some of the county's benefits.

### 205 Probationary Period

New employees in the Sheriff's Department will have a one-year (365-day) probationary period from the initial date of their employment. The county uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the county may end the employment-at-will relationship at any time during the probationary period, with or without cause or advance notice. Upon satisfactory completion of the probationary period, employees enter the "regular" employment classification and will be entitled to the rights and protections, if any, afforded to a Sheriff's Deputy pursuant to the Indiana Code (IC) 36-8-4-12.

During the probationary period, new employees in the Sheriff's Department are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other county provided benefits, subject to the terms and conditions of each benefit program. Employees should read each Summary Plan Description (SPD) for each specific benefit program for additional information on eligibility requirements.

### 208 Falsification of Employment Applications

The county relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. 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.

### 209 Performance Evaluations

Department Heads, Elected Officials and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations may be conducted annually to provide both Department Heads, Elected Officials, and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful

approaches for meeting goals. County Commissioners are responsible for conducting performance evaluations of Department Heads.

Performance evaluations will be kept confidential and may be available only to the employee evaluated, their Department Head, Elected Official and to a prospective Department Head or Elected Official, if a transfer of promotion is being considered. Performance evaluations will be kept in the employees' personnel file in the Auditor's Office.

## 210 Job Descriptions

The county makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description may include: a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a supervisory responsibilities section, a qualifications section (including education and/or experience and any certification required), a physical demands section, and a work environment section.

The county maintains job descriptions to aid in identifying the requirements of each position, establishing hiring criteria, orienting new employees to their jobs, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

Department Heads and Elected Officials prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up-to-date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Employees may contact their Department Head or Elected Official for additional information regarding this policy.

## 214 Medical Information Privacy

This Medical Information Privacy policy describes how health information about employees may be used and disclosed by the county and how employees may obtain access to this information. The county is committed to maintaining and protecting the confidentiality of employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Auditor is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the medical plans of the county that are covered by privacy regulations, e.g., medical, dental, and vision plans (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of employees' individually identifiable health information and other personal information and to provide employees with notice about their policies, safeguards, and practices. When the Benefit Plans use or disclose employees' protected health information, the Benefit Plans are bound by the terms of this policy, or a revised policy, if applicable.

The Benefit Plans will not use employees' protected health information or disclose it to others without the employees' authorization, except for the following purposes:

**Treatment** - The Benefit Plans may disclose an employee's protected health information, or an employee's covered dependents' protected health information, to a health care provider or administrator for its provision, coordination, or management of the employees' health care and related services. For example, prior to providing a health service to an employee, the employee's physician may ask for information concerning whether and when the service was previously provided to the employee. The Benefit Plans may use and disclose an employee's protected health information for treatment activities of a health care provider.

**Payment** - The Benefit Plans may use and disclose an employee's protected health information to facilitate payment of premiums for an employee's coverage, and to determine and fulfill their responsibility to provide an employee's medical, dental, and vision benefits. For example, an employee's protected health information may be used to make coverage determinations, administer claims, and coordinate benefits with other coverage employees may have. The Benefit Plans may also disclose an employee's protected health information to a health plan or administrator to determine an employee's eligibility for coverage, or for the health care provider to obtain payment for health care services provided to the employee.

**Health Care Operations** - The Benefit Plans may use and disclose an employee's protected health information for their health care operations, or the health care operations of a third-party administrator of the Benefit Plans. For example, the Benefit Plans may use protected health information to conduct quality assessment and improvement activities. Other health care operations may include providing appointment reminders or sending an employee's information about treatment alternatives or other health-related benefits and services. The Benefit Plans also may disclose an employee's protected health information to another health plan or provider that has a relationship with an employee, to conduct quality assessment and improvement activities (for example, to perform case management).

**Disclosure to Employer or Operating Company** - The Benefit Plans may disclose an employee's protected health information to the county, or to a company acting on the behalf of the county, to monitor, audit, and otherwise administer the employee health benefit plans in which employees participate. The county and its operating companies are not permitted to use protected health information for any purpose other than administration of an employee's medical, dental, and vision benefits. The Benefit Plans will not disclose protected health information to the county for the purposes of employment-related actions or decisions, or in connection with any other benefit or employee benefit plan. The Benefit Plans will identify employees who are authorized to receive and use protected health information.

**Disclosure to Health Care Vendors and Accreditation Organizations** - The Benefit Plans may disclose an employee's protected health information to companies with whom they contract, if they need it to perform requested services. For example, the Benefit Plans may provide protected health information to vendors who provide important information and guidance to plan members with chronic conditions such as diabetes and asthma. Protected health information may be disclosed to accreditation organizations such as the National Committee for Quality Assurance (NCQA) for quality measurement purposes. When the Benefit Plans enter into these arrangements, they will obtain a written agreement to protect an employee's protected health information.

**Public Health Activities** - The Benefit Plans may disclose an employee's protected health information for the following public health activities and purposes: 1) to report health information to public health authorities that are authorized by law to receive such information for the purpose of controlling disease, injury, or disability; 2) to report child abuse or neglect to a government authority that is authorized by law to receive such reports; 3) to report information about a product or activity that is regulated by the U.S. Food and Drug Administration (FDA) to a person responsible for the quality, safety, or effectiveness of the product or activity; and, 4) to alert a person who may have been exposed to a communicable disease, if the Benefit Plans are authorized by law to give this notice.

**Health Oversight Activities** - The Benefit Plans may disclose an employee's protected health information to a government agency that is legally responsible for oversight of the health care system or for ensuring compliance with the rules of government benefit programs, such as Medicare or Medicaid, or other regulatory programs that need health information to determine compliance.

**For Research** - The Benefit Plans may disclose an employee's protected health information for medical research purposes, subject to strict legal restrictions.

**To Comply with the Law** - The Benefit Plans may use and disclose an employee's protected health information to comply with the law.

**Judicial and Administrative Proceedings** - The Benefit Plans may disclose an employee's protected health information in a judicial or administrative proceeding, or in response to a legal order.

**Law Enforcement Officials** - The Benefit Plans may disclose an employee's protected health information to the police or other law enforcement officials, as required by law or in compliance with a court order or other process authorized by law.

**Health or Safety** - The Benefit Plans may disclose an employee's protected health information to prevent or lessen a serious and imminent threat to the employee's health or safety, or the health and safety of the general public.

**Government Functions** - The Benefit Plans may disclose an employee's protected health information to various departments of the government such as the U.S. Military, or the U.S. Department of State.

**Workers' Compensation** - The Benefit Plans may disclose an employee's protected health information when necessary to comply with workers' compensation laws.

**Other** - The Benefit Plans may disclose an employee's protected health information when necessary to file claims with re-insurers or stop-loss carriers, or to obtain coverage with re-insurers or stop-loss carriers. The Benefit Plans may also disclose an employee's protected health information to subrogation vendors to recoup payments made by the Benefit Plans that were reimbursed by other insurance arrangements.

**Uses and Disclosures with an Employee's Written Authorization** - The Benefit Plans will not use or disclose an employee's protected health information for any purpose other than the purposes described in this policy without the employee's written authorization. For example, the Benefit Plans will not supply protected health information to another company for its marketing purposes or to a potential employer with whom an employee is seeking employment without the employee's signed authorization. Employees may revoke an authorization that has previously been given by sending a written request to the Auditor's Office, but not with respect to any actions the Benefit Plans have already taken.

Employees may request restrictions on the use and disclosure of the employee's protected health information for the treatment, payment, and health care operations purposes explained in this policy. While the Benefit Plans will consider all requests for restrictions carefully, the Benefit Plans are not required to agree to a requested restriction.

Employees may ask to receive communications of their protected health information from the Benefit Plans by alternative means of communication or at alternative locations. While the Benefit Plans will consider reasonable requests carefully, they are not required to agree to all requests.

Employees may ask to inspect or to obtain a copy of their protected health information that is included in certain records the Benefit Plans maintain. Under limited circumstances, the Benefit Plans may deny employees access to a portion of their records. If employees request copies, the Benefit Plans may charge employees copying and mailing costs.

Employees have the right to ask the Benefit Plans to amend protected health information that is contained in the Benefit Plans records. If the Benefit Plans determine that the record is inaccurate, and the law permits the Benefit Plans to amend it, the Benefit Plans will correct it. If the employee's physician or another person created the information that the employee wants to change, the employees should ask that person to amend the information.

Upon written request, employees may obtain an accounting of disclosures the Benefit Plans have made of their protected health information. The accounting that the Benefit Plans provide will not include disclosures made before April 14, 2003, disclosures made for treatment, payment or health care operations, disclosures made earlier than six-years before the date of the request, and certain other disclosures that are exempted by law. If employees request an accounting more than once during any 12-month period, the Benefit Plans may charge those employees a reasonable fee for each accounting statement after the first one.

Employees may contact the Auditor's Office to obtain a paper copy of this policy, even if the employees previously agreed to receive notices electronically. Employees must also contact the Auditor's Office, if they wish to make any of the requests listed above.

If employees want additional information about privacy rights, do not understand their privacy rights, are concerned that the Benefit Plans have violated their privacy rights, or disagree with a decision that the Benefit Plans made about access to protected health information, they may contact the Auditor's Office. Employees may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. The county will not take any action against employees if they file a complaint.

The county may change the terms of this policy at any time. If the county changes this policy, the county may make the new policy terms effective for all protected health information that the Benefit Plans maintain, including any information the Benefit Plans created or received before the county issued the new policy. If the county makes any changes to the Medical Information Privacy policy, notice of the changes will be provided to employees.

## 216 Social Security Number Policy

To protect employees' personal information, the county prohibits the use of employees' Social Security numbers for identification purposes, except as allowed by law. The county will not:

- Publicly post or publicly display in any manner an employee's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- Print an employee's Social Security number on any card required for the employee to access products or services provided by the county.
- Require an employee to transmit their Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- Require an employee to use their Social Security number to access an Internet website, unless a password or unique personal identification number or another authentication device is also required to access the Internet website.

- Print an employee's Social Security number on any materials that are mailed to the employee, unless law requires the Social Security number to be on the document to be mailed.

However, Social Security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the Social Security number.

In instances where the county previously used an employee's Social Security number in a manner inconsistent with this policy, it will continue using that employee's Social Security number in that manner, if all of the following conditions are met:

- The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.
- The employee is provided an annual disclosure that informs the employee that they have the right to stop the use of their Social Security number in a manner prohibited by those conditions listed above.

A written request by an employee to stop the use of their Social Security number in a prohibited manner will be implemented within 30-days of the receipt of the request. There will be no fee or charge for implementing the request.

The county will not deny services to an employee because the employee makes a written request to stop the use of their Social Security number. The county will continue to collect, use, or release Social Security numbers as required by federal or state law, and may use Social Security numbers for internal verification or administrative purposes.

Employees seeking additional information about this policy or who feel that their Social Security number has been used inappropriately may contact their Department Head, Elected Official, or the Auditor's Office.

## **EMPLOYEE BENEFIT PROGRAMS**

### **300 Employee Benefits**

Benefits eligibility is dependent upon a variety of factors, including employee classification. Details of many of these programs are available from the Auditor's Office.

The following benefit programs may be available to eligible employees:

- Benefits Continuation (COBRA)
- Bereavement Leave
- Clothing Allowances
- County Sheriff's Pension Trust
- Employee Assistance Plan (EAP)
- Family and Medical Leave Act (FMLA)
- Holidays
- Health Insurance
- Indiana Military Family Leave
- Indiana Public Retirement System (INPRS)
- Jury Duty
- Licensing/Certification/Membership Dues

- Life and AD&D Insurance
- Military Leave
- Personal Leave
- Sick Leave Benefits
- Short-Term Disability
- Time Off to Vote
- Tool Allowances
- Vacation Benefits
- Voluntary Benefits
- Witness Duty
- Workers' Compensation Insurance

Most benefit programs require contributions from employees and some are fully paid by the county.

### 302 Vacation Benefits

Vacation benefits with pay are available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation benefits as described in this policy:

- Regular full-time employees after one-year of continuous employment

Vacation benefits are earned according to the number of hours worked. The purpose of the hourly vacation accrual system is to ensure that employees with a longer workday accrue vacation benefits at a correspondingly faster rate. General county employees are assumed to work seven-hours per day, five-days per week for a total of 35-hours per week (1820 hours per year). By contrast, Highway Department employees are assumed to work eight-hours per day, five-days per week, for a total of forty-hours per week (2080 hours per year). While taking paid vacation, an employee continues to earn future vacation, as part of their pay. However, no vacation time is earned during hours for which the employee receives overtime pay.

The rate of accrual time is as follows:

- After one-year of employment, employees earn 0.01925 hours of vacation per hour worked.
- During their second, third, and fourth years of employment, employees earn 0.0385 hours of vacation per hour worked.
- In their fifth, sixth, seventh, eighth, and ninth year of employment, employees earn 0.0577 hours of vacation per hour worked.
- In their tenth, and in all subsequent years of employment, employees earn 0.0769 hours of vacation per hour worked.

Vacation benefits must be taken in the year after it is earned. An employee's years of service is determined by their anniversary date. During their first year of employment, employees earn vacation benefits on a provisional basis, meaning the vacation benefits do not become vested until the employee has been employed for one full year.

To take vacation, employees should request approval from their Department Head or Elected Official. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. A department's practices and policies will prevail in the determination of vacation requests. Seniority will be used in determining vacation requests in the event that more than one employee submits a request for the same time and the office is unable to carry out its functions by allowing more than one

leave at a time. Department Heads and Elected Officials have the authority to approve or deny all vacation requests. Department Heads must request the use of vacation benefits from a County Commissioner. Vacation benefits may not be taken in advance of having earned the time. Vacation benefits are earned for all continuous service in an active pay status. Vacation benefits are not earned while an employee is in an unpaid status. The Indiana Attorney General has determined that no employee of a governmental unit may be paid twice for the same time period; therefore pay in lieu of vacation is illegal and will not be allowed.

Earned but unused vacation benefits may not be carried over to the next anniversary year. An employee's termination date may not be extended by the use of unused vacation benefits or to earn additional vacation benefits. Earned but unused vacation benefits will be paid out upon termination of employment.

Vacation benefits are paid at the employee's current pay rate at the time of the vacation and will be used in the calculation of overtime.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

### 303 Sick Leave Benefits

The county provides sick leave benefits to eligible employees for periods of temporary absence due to personal illnesses or injuries, medical appointments, and to avoid jeopardizing the health of fellow employees.

Employees in the following employment classification(s) are eligible to earn and use sick leave benefits as described in this policy:

- Regular full-time employees after six-months of continuous employment

Employees will receive six-days of sick leave benefits on January 1<sup>st</sup> of each calendar year. New hires will receive a prorated number of hours of benefits in their first year of employment, depending upon their month of hire.

Employees who are unable to report to work due to illness or injury should notify their Department Head or Elected Official before the scheduled start of their workday, if possible. The Department Head or Elected Official must also be contacted on each additional day of an absence. Department Heads must contact a County Commissioner. Notification must include the nature of the illness or injury and the expected date of return to work. A physician's certification of illness or injury may be required for illnesses or injuries extending beyond three consecutive days. Such verification may also be required as a condition to receiving sick leave benefits.

The County Commissioners must approve any exception to this policy. In considering a request for an exception to this policy, the County Commissioners will consider the nature of the illness, physician's statement, length of employment and other relevant information.

Sick leave benefits may not be used in advance of being earned. Department Heads and Elected Officials are responsible for recording the use of sick leave benefits used by employees in their department.

In the event that available sick leave benefits are not used by the end of the calendar year, employees will be allowed to roll over up to 30-days of sick leave benefits to the next calendar year. Upon termination of employment, unused sick leave benefits will not be paid out to the employee, nor will an employee be allowed to use their earned sick leave benefits to extend their date of termination.



Sick leave benefits will be calculated based on the employee's current pay rate at the time of absence and will be used in the calculation of overtime

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 305 Holidays

The county may grant the following observed paid holidays to all eligible employees:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (third Monday in January)
- Presidents Day (third Monday in February)
- Good Friday (Friday preceding Easter Sunday)
- Primary Election Day (first Tuesday in May)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Columbus Day (second Monday in October)
- General Election Day (first Tuesday in November)
- Veterans Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- Day After Thanksgiving (fourth Friday in November)
- Christmas Eve Day (December 24)
- Christmas Day (December 25)

The Courthouse and Annex Building Offices will be closed from 12:00 noon to 1:00 p.m. on the following days:

- Administrative Professionals Day (April 26<sup>th</sup>)
- Bosses Day (October 16<sup>th</sup>)

Employee classification(s) who are eligible for paid holidays include:

- Regular full-time employees

An observed holiday that falls on a Saturday may be observed on the preceding Friday. An observed holiday that falls on a Sunday may be observed on the following Monday. If an observed holiday falls during an eligible employee's paid time off, e.g., vacation benefits, sick leave benefits, and bereavement leave, holiday pay will be provided instead of the paid time off that would otherwise have applied. Employees must work the day immediately preceding and immediately following an observed holiday to be paid for the holiday unless on an approved leave. An employee scheduled to return from an unpaid leave of absence on the day after an observed holiday will not be paid for the holiday.

Holiday pay will be calculated based on the employee's current rate of pay on the date of the holiday and will include overtime. When a Sheriff's Department or Emergency Medical Services (EMS) employee works on the actual holiday they will receive holiday pay on the actual holiday, but not the observed holiday. Highway department, or any other employees who work on an observed holiday will be paid at two times and one-half for working on the holiday.

Holiday benefits are paid at the employee's current pay rate at the time of the holiday and will be used in the calculation of overtime.

The holiday schedule will be determined and amended on an annual basis by the County Commissioners.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

### 306 Workers' Compensation Insurance

The county provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable federal and state legal requirements, workers' compensation insurance may provide benefits after a short waiting period or, if the employee is hospitalized, immediately.

An employee who sustains work-related injuries or illnesses must inform their Department Head or Elected Official immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. At the time the injury occurs, the need to see a physician will be determined. Within 72-hours of the incident the first report of injury form must be completed by the involved employee, or if necessary, by their Department Head or Elected Official. A person assigned by the Department Head or Elected Official may help the employee in the completion of the appropriate forms. The county may select the physician and/or facility seeing all workplace injuries and in accordance with state laws. Reports of injury are necessary to comply with federal and state laws and initiate workers' compensation benefits. Failure to notify a Department Head or Elected Official about a work-related injury or illness immediately may result in an employee losing workers' compensation benefits with regards to that particular injury or illness. In addition, disciplinary action, up to and including termination of employment may be initiated when failing to report an injury.

Any employee injured on the job, who must leave the worksite, may be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination of employment. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

The county maintains a return-to-work program. Following an appointment with a physician, the physician will communicate with the Department Head or Elected Official any restrictions the employee may have as a result of the injury or illness. The Department Head or Elected Official will determine what accommodations may be made to assign the employee to restricted work duty. If no work is available at the county, to satisfy the restrictions, the Department Head or Elected Official will maintain close communications between the employee and physician to ensure proper and timely treatment for the injury or illness. The county may return the employee to work as soon as they are either released with restrictions that may be accommodated by the county, or fully released, whichever comes first.

The employee must be accompanied by a physician's release upon return to work. An employee who is on workers' compensation leave and does not return to work immediately following release from the health care provider will be considered to have voluntarily terminated employment as of the date of the release.

Health insurance coverage and other insurance benefits will continue on the same basis as coverage would have been provided had the employee been continuously employed during the period of a workers' compensation leave as long as the employee pays their regular portion of all payroll-related deductions on

a timely basis. Employees must arrange with the Auditor's Office to pay their portion of all payroll-related deductions.

An employee who is self-employed or accepts other employment or works for any other employer during a workers' compensation leave must report such work immediately to their Department Head or Elected Official. An employee who works in one of the above capacities at any time during their workers' compensation leave, performing work of a like or similar character or exertion as that which the employee performed for the county may be considered to have voluntarily terminated their employment as the date such work began.

The county will follow all other federal and state employment-related policies that run concurrent with workers' compensation guidelines, such as FMLA, ADAAA, etc.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

### 307 Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their Department Head or Elected Official. Bereavement leave may be provided to an eligible employee in the following classifications:

- Regular full-time employees

Up to three consecutive days of paid bereavement leave may be provided to an eligible employee in the event of a death of their spouse, child, stepchild, parent, stepparent, brother, sister, grandparent, and grandchild. One day of pay may be allowed to attend the funeral of in-laws, aunts, uncles, nephews, nieces, or cousins. One additional day of paid bereavement leave may be granted to attend funeral services for a member of the family, which is conducted outside of a 250-miles of travel (one-way) of the county. Employees who need additional time off may use any earned but unused vacation benefits to cover the bereavement leave time.

The employee's Department Head or Elected Official must approve all bereavement leave requests. County Commissioners must approve all bereavement leave requests for Department Heads. The county may request verification of the facts surrounding the bereavement leave and grant or deny the bereavement leave, as deemed appropriate.

Bereavement pay is calculated based on the current pay rate at the time of absence and will be used in the calculation of overtime.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

### 308 Time Off to Vote

The county encourages employees to fulfill their civic responsibilities by participating in elections. The county offices are closed on primary or general election days. Thus, employees should be able to vote during regular voting hours. However, if an employee is scheduled to work on either a primary or general election day, they should be able to find time to vote either before or after their regular work schedule. If nonexempt employees are unable to vote in an election during their nonworking hours, the county may grant unpaid time off to vote.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

### 311 Jury Duty

The county encourages employees to fulfill their civic responsibilities by serving jury duty when required. Eligible employee classifications that qualify for paid jury duty are:

- Regular full-time employees
- Regular part-time employees

Employees who are required to serve jury duty will be paid the difference between what the court pays and their normal wage rate for the time on jury duty leave. Compensation from a court for serving jury duty will be deducted from an employee's regular compensation (i.e., the sum of the two may not be greater than the employee's regular compensation.) Employees are required to provide proof of payment for jury duty not including any amount they are reimbursed for travel expenses or meals.

Employees must show the jury duty summons to their Department Head or Elected Official as soon as possible so that they may make arrangements to accommodate the absence. Employees are expected to report for work whenever the court schedule permits. The employee will be expected to report for work following jury duty, if one-hour or more remains during their scheduled workday.

Either the county or the employee may request an excuse from jury duty if, in the county's judgment, the employee's absence would create serious operational difficulties. The county will continue to provide health insurance benefits for the full term of the jury duty absence.

### 312 Witness Duty

The county encourages employees to appear in court for witness duty when subpoenaed to do so. If employees have been subpoenaed or otherwise requested to testify as witnesses by the county, they will receive paid time for the entire period of witness duty. Any employee who is called to testify in court by the county will be paid their current rate of pay for the time expended.

Employees will be granted time off to appear as a witness when requested by a party in a court of law when subpoenaed to do so other than by the county. Employees may use any available vacation benefits to receive compensation for the period of the absence, however, in accordance with state laws, are not required to do so.

The subpoena should be shown to the employee's Department Head or Elected Official immediately after it is received, so that operating requirements may be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

### 313 Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue their medical insurance coverage under the county's health insurance plans when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

The county provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the county's health insurance plans. The notice contains important information about the employee's rights and obligations, as well as the cost of benefits under COBRA.

Employees seeking additional information about this policy may contact the Auditor's Office.

### 314 Genetic Information Nondiscrimination Act (GINA)

The county follows all federal and state laws with regards to the Genetic Information Nondiscrimination Act (GINA). The county may not use genetic information or genetic testing in furtherance of a workplace wellness program unless certain requirements are met. The county is not prohibited from requesting or requiring genetic information for genetic monitoring of the biological effects of toxic substances in the workplace if certain requirements are met. The county will treat genetic testing information consistent with the requirements of all other federal and state laws.

Employees seeking additional information about this policy may contact the Auditor's Office.

### 315 Health Insurance

The county's health insurance plan provides employees access to medical, dental, and vision insurance benefits. Employees in the following employment classifications may be eligible to participate in the health insurance plan on the first day of the month immediately following 30-days of employment:

- Regular full-time employees

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the county and the insurance carrier. Details of the health insurance plan are described in the Summary of Benefits and Coverage (SBC). An SBC and information on the cost of coverage will be provided in advance of enrollment to eligible employees.

Employees seeking additional information about this policy may contact the Auditor's Office.

### 317 Life and AD&D Insurance

Life and AD&D insurance offers an employee and their family important financial protection. The county provides a life and AD&D insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the life and AD&D insurance plan:

- Regular full-time employees

Eligible employees may participate in the life and AD&D insurance plan subject to all terms and conditions of the agreement between the county and the insurance carrier. Details of the life and AD&D insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees.

Employees seeking additional information about this policy may contact the Auditor's Office.

## 318 Short-Term Disability Insurance

Short-term disability insurance offers an employee and their family important financial protection. The county provides a short-term disability insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the short-term disability insurance plan:

- Regular full-time employees

Eligible employees may participate in the short-term disability insurance plan subject to the terms and conditions of the agreement between the county and the insurance carrier. Details of the short-term disability insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees. The county reserves the right to require employees to pay the full cost of benefit premiums during a short-term disability leave.

Employees seeking additional information about this policy may contact the Auditor's Office.

## 320 Voluntary Benefits

The county provides employees the opportunity to purchase voluntary benefits from a third-party vendor through payroll deduction. Employees in the following employment classifications are eligible to participate in the voluntary benefit plans, when they are offered during the open enrollment period for the following year:

- Regular full-time employees

Voluntary benefit plans include:

- Critical Illness
- Hospital Indemnity
- Cancer Insurance
- Accident Insurance
- Long-Term Disability Insurance

Complete details of each voluntary benefit plan may be obtained from the Auditor's Office.

## 321 Employee Assistance Program (EAP)

The county offers an Employee Assistance Program (EAP) to all employees and their family members, free of charge to assist employees with personal problems and/or work-related problems that may impact their job performance, physical health, or mental and emotional well-being.

Employees seeking additional information about this benefit may contact the Auditor's Office.

## 322 Indiana Public Retirement System (INPRS)

All full-time employees will be covered by the Indiana Public Retirement System (INPRS). The benefits, costs, and administration are determined by current INPRS directives.

Employees seeking additional information about INPRS may contact the Auditor's Office.

## 323 County Sheriff's Pension Trust

Eligible employees of the Sheriff's Department who work in covered jobs will be covered by the county's Police Pension Trust in accordance with Indiana Code (IC) 36-8-10-12. The benefits, costs, and administration are determined by the Fidelity non-prototype retirement account.

Employees may contact the Sheriff's Department Administration or the Auditor's Office for additional information regarding the pension trust.

## 324 Licensing/Certification/Membership Dues

The county may reimburse employees or directly pay for a specific job-related license, certification requirements, or membership dues applicable to each job classification. The County Council is responsible for approving such expenditures in advance and the type of licensure and/or certification and/or membership dues required is left to their sole discretion and requirements as included in the job description. Invoices for licenses, certifications, or membership dues may be submitted to the Auditor's Office for payment. For a list of approved licenses, certifications, membership dues and allowable expenses refer to the county's salary ordinance each year.

### **Commercial Driver's License (CDL)**

The county Highway Department requires full and part-time employees whose job requires a Commercial Driver's License (CDL) to obtain and hold a CDL. Indiana's requirements include: the passing of a written test, the passing of a skills test, and the passing of a Department of Transportation (DOT) physical examination. Employees whose job requires a CDL, and who pass all three portions of the DOT requirements will be eligible for reimbursement of the fees by the county. Invoices should be submitted to the Highway Department for reimbursement in accordance with the claims processing schedule. Employees who remain active on the county's payroll for two-years will not be responsible for reimbursing the county for the CDL fees. However, if the employee terminates employment before the two-years following the passing of the DOT requirements, they will be responsible for paying the CDL skills test fees back to the county. Employees will be required to sign a written authorization allowing the county to deduct the fees from their final paycheck.

The county Highway Department reimburses employees with Commercial Driver's Licenses (CDL) up to \$100 for their Department of Transportation (DOT) physical examination every two-years. If employees are required to submit for a yearly DOT physical examination, they will be reimbursed every other year. Employee's must provide the Highway Department with an itemized receipt from a licensed doctor in order to receive the reimbursement. A claim will be turned into the Auditor's Office during the next claims period and paid out according to the posted schedule. If the employee chooses they may also use DOT Stop in Plymouth, Indiana for their physical examination. This must be arranged in advance by the Highway Department and the examination may be direct billed to the county, thus the employee will not be eligible for reimbursement. Refer to Policy #106 – Employee Medical Exams for additional information.

It is the responsibility of the employee to maintain a valid Commercial Driver's License (CDL). Driver's licenses and Department of Transportation (DOT) medical exam expiration dates are posted in the Highway Department Office. Failure to maintain a valid CDL may result in disciplinary action, up to and including termination of employment.

Employees seeking additional information about this policy may contact their Department Head, Elected Official, or the Auditor's Office.

## 325 Clothing Allowances

Qualifying Sheriff Department and Highway Department employees may receive a clothing allowance each year. The authorization for the allowance and the rate of the allowance will be based on the current salary ordinance and departmental budgets.

Employees seeking additional information about this policy may contact the Sheriff's Administration, the Sheriff, the Highway Department Superintendent, a County Commissioner, or the Auditor's Office.

## 325 Tool Allowances

The county Highway Department recognizes the need for mechanics to own quality every day and specialty tools in order to maintain and repair the department's trucks and equipment. This policy is in accordance with the departments written policy and agreement with employees.

- **Tool Allowance** - Each mechanic is expected to provide their own tools, but the department will offer financial assistance in the form of a tool allowance to help each mechanic acquire the necessary tools. Qualifying purchases must be made directly through a vendor with which the county already has an established account. Employees will not be reimbursed for any purchases made outside of using the approved vendor. All tool allowance purchases will be recorded and invoices will put in an employee's personnel file. Tools allowances will be disbursed as follows:
  - Date of hire = \$250.00
  - Six-months from date of hire = \$250.00
  - One-year from date of hire = \$250.00
- **Tool Box** – Provided to the new hire at the beginning of their employment in the garage. This box will be used in the garage to store tools belonging to or issued to that mechanic.

All tools and the tool box become the property of the mechanic after one-year from the date of purchase, with the expectation that the tools and tool box will remain in the garage for use by the mechanic in the performance of their duties. If the mechanic terminates employment before their one-year anniversary, all tools and tool boxes purchased by the county remain the property of the Highway Department. If the mechanic terminates employment with the county after one-year from either the date of hire or date of purchase, the tools and tool box are the mechanics to keep.

Employees seeking additional information about this policy may contact the Highway Department Superintendent, or a County Commissioner.

## TIMEKEEPING/PAYROLL

### 401 Timekeeping

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the county 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.

All employees must clock-in and out at the time they begin and end their work, as well as the beginning and ending time of each meal period utilizing their departments appropriate process and system. The Highway Department utilizes a time clock and service records at the end of the calendar year. The



Sheriff's Department utilizes a mobile application and service records at the end of the calendar year. Office administrative and Emergency Medical Services (EMS) utilize service records. Employees should also record the beginning and ending time of any split shift, departure from work for personal reasons, or the use of vacation benefits, sick leave benefits, holidays, bereavement leave, or any other type of approved leave on their service records. Overtime work must always be approved before it is performed. Refer to Policy #502 – Work Schedules and Policy #506 – Meal Periods for additional information.

It is the employees' responsibility to approve their service records to certify the accuracy of all time recorded. The employee's Department Head or Elected Official are responsible for reviewing and then approving the service records before submitting them to the Auditor's Office for payroll processing. In addition, if corrections or modifications are made to the service records, both the employee and the Department Head or Elected Official must verify the accuracy of the changes.

Nonexempt employee's working in multiple jobs within the county must count all hours combined in determining overtime in accordance with the Fair Labor Standards Act (FLSA), even if the jobs are in different departments.

Altering, falsifying, tampering with service records, or recording time on another employee's service record may result in disciplinary action, up to and including termination of employment.

## 403 Paydays

The county pays employees on a biweekly basis (26-pays per year). The payroll week is from Sunday through Saturday. Each paycheck will include earnings for all work performed through the end of the payroll period. Employees are strongly encouraged to have their pay directly deposited into their bank accounts and should provide advance written authorization to the Auditor's Office for direct deposit. Employees will receive an itemized statement of wages when the county makes direct deposits.

Employees seeking additional information about this policy may contact the Auditor's Office.

## 405 Employment Terminations

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the organization.
- Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

The county may schedule exit interviews at the time of the employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, and repayment of outstanding debts to the county. Suggestions, complaints, and questions may also be voiced. Employee benefits will be affected by employment termination in the following manner. All earned, vested benefits that are due and payable at termination will be paid according to each policy.

Since employment with the county is based on mutual consent, both the employee and the county have the right to terminate the employment-at-will relationship, with or without cause. 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.

#### 409 Administrative Pay Corrections

The county 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 payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Department Head or Elected Official who will contact the Auditor's Office so that corrections may be made as quickly as possible, or on the next regularly scheduled pay date.

#### 410 Pay Deductions and Setoffs

The law requires that the county make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The county may deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The county matches the amount of Social Security taxes paid by each employee.

The county offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. The county may not make any deductions from an employee's paycheck outside of those that are either required by law or authorized in writing by the employee.

Pay setoffs are pay deductions taken by the county, usually to help pay off a debt or obligation to the county, or others.

Employees seeking additional information about this policy or who have questions concerning why deductions were made from their paycheck or how they were calculated may contact their Department Head, Elected Official, or the Auditor's Office.

#### 411 Garnishments

Employees are encouraged to take care of their financial obligations directly. However, the county must honor garnishments and other legal assignments upon employee wages, as they represent a court order to withhold and pay to the court a specified amount of an employee's earnings. If an employee's wage is assigned or garnished, payroll deductions will be made unless the employee obtains a written release from the court.

### **WORK CONDITIONS & HOURS**

#### 501 Safety

To assist in providing a safe and healthful work environment for employees, and taxpayers, the county has established a workplace safety program. This program is a top priority for the county. Department Heads and Elected Officials have responsibility for implementing, administering, monitoring, and evaluating their safety programs. Its success depends on the alertness and personal commitment of all.

All employees must wear the appropriate personal protective equipment (PPE) required to perform their job safely or while in certain designated areas of the work environment. Employees who are unsure what

PPE they are required to wear at any given time should refer to their Department Head or Elected Official.

If an accident results in an injury, no matter how minor the injury may be, employees are required to report the incident to their Department Head or Elected Official. At the time the injury occurs, the need to see a physician will be determined. All workplace injuries will be seen by a physician selected by the county. Reports of injury are necessary to comply with the laws and initiate workers' compensation benefits. Failure to notify a Department Head or Elected Official about a work-related injury or illness immediately may result in an employee losing workers' compensation benefits with regards to that particular injury or illness. Refer to Policy #306 – Workers' Compensation Insurance for additional information.

Any employee injured on the job, may be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination of employment. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with a Department Head or Elected Official. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work-related activities. Employees must immediately report any unsafe condition to their Department Head or Elected Official. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

## 502 Work Schedules

The county will establish the standard workday, workweek, and starting and ending times for each department, taking into account current and anticipated workloads, public service needs and other factors. Each department is responsible for communicating these work parameters to their employees. No established schedule will be construed as a guarantee of work hours or as a restriction on the county's right to restructure the workday or workweek. Normal hours of work are Monday through Friday, 8:00 a.m. to 4:00 p.m., however, the number of hours per week an employee regularly works depends on the specific department in which they work (refer to the schedule below). Department Heads and Elected Officials have the authority to adjust the hours within each department and in accordance with business needs of the county. Employee are responsible for making sure that they are aware of their assigned work hours and/or shifts within each department and that they arrive and are prepared to work as scheduled. Nonexempt employee's working in multiple jobs within the county must count all hours combined in determining overtime in accordance with the Fair Labor Standards Act (FLSA), even if the jobs are in different departments.

Each county department's hours per week are as follows:

- Assessor's Office = 35-hours
- Auditor's Office = 35-hours
- Board of Zoning and Appeals (BZA) = 35-hours
- Clerk's Office = 35-hours
- Circuit Court = 35-hours
- Community Corrections Department = 35-hours

- Courthouse Security = 35-hours
- Emergency Management Agency = 35-hours
- Emergency Medical Services (EMS) Administration = 35-hours
- Emergency Medical Services (EMS): 48-hours
  - 12-hour shifts
  - 24-hour shifts
- Health Department = 35-hours
- Highway Department = 40-hours (6:00 a.m. – 2:30 p.m.)
- Information Technology Department = 40-hours (7:00 a.m. to 4:00 p.m.)
- Maintenance Department = 40-hours (7:00 a.m. to 4:00 p.m.)
- Parks Department = 35-hours
- Planning Commission Department = 35-hours
- Purdue Extension Office = 35-hours
- Probation Department = 35-hours
- Prosecutor’s Office = 35-hours
- Recorder’s Office = 35-hours
- Sheriff’s Department Administration = 35-hours
- Sheriff’s Department Deputies = 42-hours (5:30 a.m. – 5:30 p.m.)
- Sheriff’s Department Dispatchers = 40-hours (6:00 a.m. – 6:00 p.m.)
- Sheriff’s Department Jailers = 42-hours (6:00 a.m. – 6:00 p.m.)
- Soil & Water Conservation Department = 35-hours
- Surveyor’s Office = 35-hours
- Treasurer’s Office = 35-hours
- Veterans Affairs Office = 21-hours
- WIC Office = 35-hours

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

### 503 Working from Home

Nonexempt employees are prohibited from performing county-related work at home or other outside location instead of the office or space provided the employee by the county. Any exceptions to this policy will require a written request by the affected office holder to the County Commissioners for prior approval of any “offsite” work. Time worked at home or at any “offsite” location is considered hours worked for payroll purposes.

### 504 Use of Phone and Mail Systems

Personal use of the telephone for long-distance and toll calls is not permitted. Employees are requested to discourage all but emergency incoming personal calls. Outgoing personal calls should be made through a mobile device during an employee’s non-working time.

The use of the county-paid postage for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Employees should confirm information received from the caller and hang up only after the caller has done so. All employees are responsible for answering the county’s telephones, as needed.

A telephone directory of all extensions is provided to each department. Employees need not access an outside line to call most county departments and must utilize the intercom line instead.

## 505 Non-Smoking

In keeping with Indiana state law and the county's intent to provide a safe and healthful work environment, smoking, e-cigarettes, chewing tobacco, and other tobacco product use are not permitted in county-owned vehicles, or in the workplace except in those locations that have been specifically designated as smoking areas. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

This policy applies equally to all employees and the public.

## 506 Meal Periods

All full-time employees may be provided with one meal period each workday. Department Heads or Elected Officials may schedule meal periods to accommodate operating requirements. Nonexempt employees are required to take a meal break of not less than one-half hour for each eight-hour shift. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Employees must check-out at the beginning of their meal period and check-in at the ending time of each meal period utilizing their designated departmental timekeeping process. Employees who fail to check-out at the beginning of their meal period or check-in at the end of their meal period may be subject to disciplinary action, up to and including termination of employment. Employees are expected to promptly return to their workstations following the allotted time for their meal period. Any employee who fails to return, in a timely manner, to their workstation will be subject to appropriate disciplinary action, up to and including termination of employment.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 507 Overtime/Compensatory Time/Flex-Time

When operating requirements or other needs cannot be met during regular working hours, employees may be given the opportunity for overtime work assignments. All overtime work must receive prior authorization from a Department Head or Elected Official. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Nonexempt employee's working in multiple jobs within the county must count all hours combined in determining overtime in accordance with the Fair Labor Standards Act (FLSA), even if the jobs are in different departments.

Overtime compensation for all nonexempt employees will be paid in accordance with federal and state wage and hour restrictions for any time worked over 40-hours in a standard workweek. Overtime pay is based on actual hours worked. An employee's time off while using vacation benefits, sick leave benefits, holidays, bereavement leave, or any other type of paid leave will be considered hours worked for purposes of performing overtime calculations.

Nonexempt employees with the exception of certain Sheriff's Department employees as stated below, are not eligible for compensatory time in lieu of the payment of overtime. All nonexempt employees who work over 40-hours in a workweek will be eligible for overtime in accordance with this policy and the Fair Labor Standards Act (FLSA).

### **Emergency Medical Services (EMS)**

Emergency Medical Services (EMS) employees are required to provide service to the public 24-hours a day, seven-days per week. In light of these special responsibilities the department has in providing continuous, uninterrupted service, special policies apply to the methods in which overtime is provided.

All full-time nonexempt Emergency Medical Services (EMS) employees who are engaged in law enforcement activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the county further adopts the use of a seven-day “work period” for the purposes of determining compensation for overtime hours worked. Based upon the forgoing, the annual salary for full-time nonexempt employees of the Emergency Medical Services (EMS) Department as set forth in the county’s annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each “work period.” All full-time nonexempt Emergency Medical Services (EMS) employees will be paid straight time compensation for up to 53-hours of regular employment during each “work period.” Overtime pay or compensatory time will be accrued for all time worked in excess of 53-hours during a “work period.” Overtime earned during a “work period” will be paid in the first regularly scheduled paycheck issued subsequent to the “work period” in which the extra compensation was earned.

### **Sheriff’s Department Employees**

Merit Track Sheriff’s Deputies and Jailers are required to provide protection 24-hours a day, seven-days per week. In light of the special responsibilities that the department has in providing continuous, uninterrupted service, special policies apply to the methods in which overtime and compensatory time are provided.

All full-time nonexempt Merit Track Sheriff’s Deputies and Jailers who are engaged in law enforcement activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the county further adopts the use of a 14-day “work period” for the purposes of determining compensation for overtime hours worked. Based upon the forgoing, the annual salary for full-time nonexempt employees of the Sheriff’s Department as set forth in the county’s annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each “work period.” All full-time nonexempt Merit Track Sheriff’s Deputies and Jailers will be paid straight time compensation for up to 84-hours of regular employment during each “work period.” Overtime pay or compensatory time will be accrued for all time worked in excess of 84-hours during a “work period.” Overtime earned during a “work period” will be paid in the first regularly scheduled paycheck issued subsequent to the “work period” in which the extra compensation was earned.

All full-time nonexempt Merit Track Sheriff’s Deputies and Jailers are eligible for the payment of compensatory time in lieu of the payment of overtime and that time may not exceed 420-hours per calendar year. Employees who reach the 420-hours per calendar year will stop accruing compensatory time and will be paid overtime in accordance with the Fair Labor Standards Act (FLSA) until their time goes below the 420-hours allowed. Compensatory time will be paid out upon termination of employment in accordance with guidelines as set forth in the FLSA.

### **Flex-Time**

Each department may utilize employees’ time differently within the framework of the 40-hour or 35-hour workweek. Refer to Policy #502 – Work Schedules for additional information. For this reason, the Department Head or Elected Official will have the discretion to permit individual employees to arrive or depart earlier or later, or to work through part of a lunch period and otherwise adjust their employees’ schedules to meet demands of the department while adhering to the 40- hour or 35-hour workweek. Flex-time must be granted and used within the same workweek and may not carry over into the following workweek.

## 508 Use of Equipment, Machines, Tools and Vehicles

Equipment, machines, tools, and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using county-owned property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees, who are assigned or have access to county-owned vehicles, must have an appropriate, valid operator's license. Employees must also refrain from using a mobile device while driving a county-owned or leased vehicle. Employees must also follow all speed limits and safety rules, to include the wearing of a seatbelt while driving. No employee may use a county-owned vehicle for personal business or permit any unauthorized person to use or operate a county-owned or leased vehicle.

Each driver must have a current, valid Indiana's driver's license that covers the type of vehicles to be operated. A copy of the employee's license and Motor Vehicle Report (MVR) Form must be on file with each department's office. Loss or suspension of driving privileges must be reported to the employee's Department Head or Elected Official immediately. Any employee driving a county-owned or leased vehicle or any other vehicle for county-related business may be subject to having their driving record checked for accidents, violations, suspensions, revocation, assignment points, and any other job-related information deemed necessary by the county.

Employees should immediately notify a Department Head or Elected Official if any equipment, machines, tools, or vehicles appear to be damaged, defective, or need repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Department Heads or Elected Officials may answer any questions about an employee's responsibility for maintenance and care of equipment, machines, tools, and vehicles used on the job.

Employees must notify their Department Head or Elected Official in the event of an accident. This includes accidents that do not result in personal injury or damage to equipment. By knowing about accidents, the county may investigate the case and determine if corrective action is required to prevent recurrence. Refer to Policy #306 – Workers' Compensation Insurance and Policy #501 – Safety for additional information. Employees who are involved in an accident that results in (a) death, (b) injury that requires medical treatment, or (c) damage to public/private property or to equipment will be required to submit to a blood draw immediately. A drug and alcohol test by urinalysis will be required for incidents that result in damage to public/private property or to equipment. A Department Head or Elected Official will accompany the driver to the hospital or occupational health clinic for the blood draw/urinalysis within three-hours of the accident. Failure to report such incidents may result in disciplinary action, up to and including termination of employment.

The improper, careless, negligent, destructive, or unsafe use or operation of any county-owned equipment, machines, tools, or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

### **Personal Use of County-Owned Vehicles**

Employees who are assigned county-owned or county-leased vehicles will be subject to the following regulations.

Vehicle assignments will be reviewed on an annual basis by the County Commissioners and the appropriate Department Head or Elected Official as part of the budget process. Vehicles titled to, or insured by or through, or leased by the county, and privately owned vehicles operated on the county's behalf, will be subject to the regulations as set by the County Commissioners.

Sheriff's Deputies may use county-owned or county-leased vehicles for official county business, emergency runs, and off duty personal use. Personal use may include traffic control for schools and county functions (e.g., 4-H Fair), and funerals within the county. Personal use includes transportation of their immediate family during off duty hours. County vehicles will not be used in any capacity of second employment unless authorized by the County Commissioners. County-owned vehicles for personal use are only allowed to be used within Starke county and adjacent counties. Employees who are assigned a county-owned vehicle to utilize on a permanent basis during the course of their employment will be subject to Internal Revenue Service (IRS) rulings regarding such usage. The use of such a vehicle for commuting is considered by the IRS to be a taxable benefit. A value must be established and the total annual amount reported to the IRS on each employee's W-2.

Employees who have questions related to the personal use of county vehicles may contact their Department Head or Elected Official.

## 510 Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, may disrupt the county's operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, employees will be notified via telephone of the closing.

When the decision to close is made AFTER the workday has begun, employees will receive official notification from their Department Head or Elected Official. In these situations, time off from scheduled work will be paid. When the decision to close is made BEFORE the workday has begun, time off from scheduled work may be paid. In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request to use available vacation benefits to be paid for the missed time. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 512 Business Travel Expenses

The county may reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by a County Commissioner, or their assigned designee, for Department Heads and Elected Officials. If the travel is for someone other than a Department Head or Elected Official the travel must be approved by the employee's Department Head or Elected Official. Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives may be reimbursed by the county. Employees are expected to minimize travel expenses and avoid impropriety or the appearance of impropriety. Whenever practical, employees should use a county-owned vehicle or common carrier, shared lodging is recommended, but not mandatory.

### **Eligibility**

Expenses that have been paid by another person or entity are ineligible for payment or reimbursement. Unless specified by federal or state grants or specified by a contract, payment or reimbursement of



eligible travel expenses will be made to the employee. The employee is responsible for non-business expenses. All travel expenses should occur within a reasonable time prior to and after the business event.

### **Preauthorization**

When the employee anticipates incurring extraordinary travel expenses, the expenses must be approved in advance by the County Commissioners. The following circumstances are extraordinary circumstances necessitating preauthorization.

- Travel outside of Indiana.
- Costs exceeding a total of \$500.00.
- Guest or family accompanying the employee during travel outside of Indiana.
- Group travel exceeding six participants.
- Mode of transportation is not the most economical.
- Lodging rates exceeding \$150.00 per person per night.
- Travel duration extending past five business days.
- Travel funded by federal or state grants subject to guidelines in conflict with this policy.
- Alternative travel arrangements that would save the county travel expenses.
- Overnight expenses for travel of less than 50-miles.

A signed document evidencing approval from the County Commissioners must accompany the reimbursement claim. Employees must contact the County Commissioners well in advance of the travel event to request preauthorization.

### **Registration Fees**

Generally, a registration fee for a conference, meeting, educational event, or otherwise directly related to the business travel is an allowable expense. If the registration fee includes a meal not itemized separately, then the entire registration fee will be considered payment.

### **Transportation**

An employee may travel by airline, train, bus, taxi, or rental car, and/or personal vehicle mileage for travel necessary in the discharge of official duties, but must select the most economical mode of transportation available. The cost to upgrade to first-class or other preferred status is not reimbursable. When two or more employees are traveling the same general route for the same general purpose, one vehicle should be driven if administratively feasible.

### **Automobile Mileage Rates**

Employees may claim mileage at the current Internal Revenue Service (IRS) federal mileage rate. Mileage will be paid from the employee's place of work or home, whichever is the lesser amount. Travel from home to work and from work to home is not eligible for reimbursement. Generally, the employee should record the start and ending odometer readings; alternately online mapping tools, such as Map Quest, may be used to verify distances for the purpose of mileage reimbursement. In no case will the allowable mileage rate exceed the actual map mileage according to the official State of Indiana highway map.

Other transportation-related costs, with proper receipts may be reimbursable, such as parking, tolls, shuttle fees, etc. Should a more cost-effective travel arrangement be available, the county will consider reimbursement based on evidence, provided by the employee, to support the claim.

### **Lodging**

Overnight accommodations, not to exceed the single occupancy room rate charge, including taxes, is an allowable expense for overnight stays, but only when the travel distance exceeds 50-miles from the Starke

County Courthouse. Wherever possible, employees and officials are encouraged to stay in hotels offering government rates. The county prefers to pay conference package room rates, whenever available or standard room rates when conference packages are not available. The county reserves the right to limit reimbursement if the room rate appears unreasonable or excessive. The cost to upgrade room status or for fees due to late check-out are not reimbursable.

At the discretion of the Department Head or Elected Official and the County Commissioners, overnight travel is not necessarily required solely because the mileage exceeds 50-miles. However, in order to accommodate early morning or late evening meetings, it may sometimes be permissible for an employee to incur overnight travel. To be reimbursable all such expenses must be preapproved by the supervising authorities.

Lodging fees related to the use of the Internet, telephone, or facsimile may be reimbursed with evidence supporting their use for business purposes.

All claims for reimbursement for lodging expenses must be supported by a receipt issued by the lodging facility. Applicable taxes are reimbursable.

### **Meals**

A meal is defined as breakfast, lunch, or dinner. Beverages, aside from those served at a meal, and snacks are not considered a meal and are ineligible for reimbursement. Gratuities and alcoholic beverages are also ineligible for reimbursement. Payment may be claimed for county employees only. A county employee is not entitled to a meal allowance if travel is 50-miles or less from the work station or the employee's home. Beverages, aside from those served at a meal, and snacks may be eligible for reimbursement if needed and due to a medical condition of the employee. The county may request documentation of a medical condition before paying for beverages and snacks.

Expenses for meals incurred when traveling are initially the responsibility of the employee. When travel extends past one calendar day, the county may reimburse actual meal receipts not to exceed \$35.00 for each full day of travel duration. For same day travel, the meal allowance is as follows: breakfast = \$6.50, lunch = \$8.50, and dinner = \$20.00. Provided however, that meals included in a registration fee will be considered for payment pursuant to the above, and no reimbursement is allowable.

### **Travel Expense Reports and Receipts**

All claims for travel, except mileage, will be filed on forms as provided by the Auditor's Office. Standard receipts properly itemized and signed, or receipted invoices must be attached in support of the claim. Receipts must identify the date of purchase, the vendor's name and address, and the total cost. Copies of cancelled checks and credit card statements may constitute proof of payment, but do not qualify as proper receipts. Claims must be supported by documentation stating the purpose for travel, such as registration form. Claims submitted without proper documentation will be returned to the submitting department without processing. Employee should submit all travel expense reports and claims to the Auditor's Office within 30-days following business travel.

### **Ineligible Expenses**

The following are considered ineligible for reimbursement related to travel by the county:

- Dry cleaning fees
- Childcare
- Pet care
- Personal telephone calls
- Television or video game fees

- Gym or spa services
- Room service charges
- Valet services (an exception may be made if the hotel requires the use of valet services and proof of this requirement must be provided by the employee)
- Room and meal gratuities

A county employee may not receive, accept, or retain any form of expense, lodging, transportation, meal, or any other thing of value, good, or service with respect to travel or conference attendance, or related activities that is provided by another person, firm, company, or other entity who is not legally obligated to do so unless such receipt, acceptance, or retention is legal, ethical, and does not create an appearance of impropriety. Refer to Policy #104 – Business Ethics and Conduct and Policy #108 – Conflicts of Interest for additional information.

Employees who are involved in an accident while traveling on county-related business must promptly report the incident to their Department Head or Elected Official. Vehicles owned, leased, or rented by the county may not be used for personal use without prior approval.

Exceptions to this policy may be specific in Indiana Code (IC), in which the IC provisions are controlling. However, it is the responsibility of the employee, Department Head or Elected Official making the reimbursement claim to cite the relevant code section with their claim so that the Auditor’s Office may handle the claim quickly and efficiently.

The County Commissioners and County Council have inherent authority to manage public funds of the county and therefore reserves the right to approve or deny travel expense claims for any reason not inconsistent with federal or Indiana laws, including reasons not specifically addressed by this policy. Employees are advised to consult with their Department Head, Elected Official, or the Auditor’s Office to determine whether to request preauthorization as outlined in this policy.

Employees should contact their Department Head or Elected Official for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may be grounds for disciplinary action, up to and including termination of employment.

## 513 Credit Card Usage

### **Oversight of Credit Card Use or any Similar Line of Credit Product**

The County Council is responsible for issuing, accounting for, monitoring, and generally overseeing compliance with this policy. They will also designate a bank or credit card company as the sole issuer of credit cards for all county departments, boards, and offices.

### **Purchasing Agents as Applicant**

The purchasing agent may apply to the County Council for issuance of a credit card in the name of their department or office, and will pay the annual fee for its issuance, if any. The purchasing agent will maintain an accounting system which will include the name of the purchasing agent, their position, estimated amounts to be charged, reason for the charge, fund and account numbers to be charged, and the date the card was issued and returned.

### **Use, Custody, Submission of Claims, Interest and Late Fees**

The Auditor's Office will maintain physical possession of county credit cards, unless a written order, or directive from the County Council provides otherwise. Credit cards will be signed out only as needed, and will be promptly signed back after the purpose for which it was signed out has been accomplished, accompanied by documentation required by this policy as interpreted and implemented by the Auditor's Office.

Submission of claims to the Auditor's Office will include the invoice and all supporting documents such as conference information, mileage report, validation of conference registration, the credit card transaction receipt, purchase receipt, or other documentation consistent with the policies of the Auditor's Office.

Any interest, penalty, or fee incurred due to late filing of the claim, or furnishing of documentation as required by the Auditor's Office, or failure to ensure tax exempt status on any purchase will be the responsibility of the purchasing agent.

The County Council may set a monthly charge limit for each credit card as issued.

### **Permitted Uses**

The Circuit Court including Probation, the Prosecutor's Office, Community Corrections, and Sheriff's Department may use credit cards in accordance with their department's written policies. However, such policies may not allow any use prohibited as stated below. Otherwise, the credit card will be used exclusively for travel and training purchases for which there is an existing and sufficient appropriation at the time of the use, and for which the use is not prohibited hereunder. For good cause shown, the County Council may allow exceptions or expansions of credit card use on a case-by-case basis.

### **Prohibited Uses**

A county credit card may not be used for any of the following purchases or transactions:

- Any purchase or transaction for which there is not an existing and sufficient appropriation at the time of use.
- Any cash advance.
- Any personal or non-business purchases, including meals which may be reimbursable.
- Any alcoholic beverage.
- Fuel, maintenance, or repairs for a non-county-owned vehicle, with the exception of rental cars.

### **Discontinued Use, Loss, Theft, or Data Breach**

When the purpose for which the credit card has been issued has been accomplished, or if use of the credit card has been discontinued, the credit card will be promptly returned to the custody of the Auditor's Office.

Any person in possession of a county-issued credit card that concludes that the credit card has been lost, or subject to a data breach, or hack, will promptly report the incident to the Auditor's Office and the credit card will be immediately frozen or terminated.

### **Misuse of the Credit Card**

The Auditor's Office will report any misuse of a county-issued credit card promptly to the County Council. The County Council may revoke the credit card privileges of any purchasing agent or other employee of the agent of the county for violation of the terms of this policy. In addition, a serious violation may be subject to disciplinary action, up to and including termination of employment.

Employees who have questions related to the use of county credit cards may contact their Department Head, Elected Official, or the Auditor's Office.

## 514 Visitors in the Workplace

To provide for the safety and security of employees and the facilities at the county, only authorized visitors are allowed in the workplace. The county recognizes that under certain circumstances a child may be in the working area. These instances should be kept to a minimum to prevent any disruption. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

If an unauthorized individual is observed on the county's premises, employees should immediately notify their Department Head or Elected Official, or, if necessary, direct the individual off of the property.

## 515 Social Media

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Generally, these guidelines set forth in this social media policy should be applied to any online medium where information may reflect back on the image of the county, employees, agents, or the public. Examples include but are not limited to: blogs, LinkedIn, Twitter, Facebook, Instagram, Snapchat, YouTube, Wikipedia or other wikis, etc. Any comments that the county employees may leave on others' blogs, or Facebook pages, edits to wikis, responses to tweets, postings on message boards/forums, opinions on online polls or any product/services the county employees may author are included in this policy.

All social media accounts, blogs, Web pages and related content carrying the county brand identity are and will be owned and licensed by the county, as appropriate. Personal accounts, blogs, Web pages and related content that do not carry the county's brand identity may be owned, licensed and operated by any employee. If the county is referenced in any media as approved by the County Commissioners, or their assigned designee, all social media guidelines must apply or employees may be subject to disciplinary action, up to and including termination of employment.

All employees should consider and follow these guidelines when posting on social media sites:

- Do not post or link any materials that are threatening, intimidating, coercing, or otherwise interfering with the performance of coworkers, or the public.
- Do not disclose information acquired in the course of one's work.
- When reposting or referencing a post on one of the county's online sites, provide a link to the original post or story.
- When relevant, employees should identify their affiliation with the county and their area of concentration. This adds credibility to the employee and the county.
- Do respect the laws regarding copyrights, trademarks, rights of publicity and other third-party rights. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information that they use and accurately cite copyrighted works that they identify in the county's online communications. Do not infringe on county logos, brand names, taglines, slogans, or other trademarks.
- If a negative post or comment is found online about the county or an employee, try not to counter with another negative post. Remedy the situation through a positive action.
- Employees who publish content to any website outside of the county's official online presence (this may include county websites as well as the county's presence on third-party sites) and it has

something to do with subjects associated with the county, employees should consider a disclaimer such as this: “The postings are my own and do not necessarily represent the county’s positions, strategies, or opinions.”

As stated in Policy #517 – Internet Usage, all equipment, services, and technology provided to access the Internet remain at all times the property of the county. As such, the county reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through their online connections and stored in their computer systems. In addition, employees should understand that all information transmitted via the Internet is not considered to be confidential in nature and employees should not expect privacy of any information transmitted. Employees are also required to provide the county with all passwords used to access the Internet via county-owned equipment, services and technology, as requested by a Department Head, Elected Official, or the Information Technology (IT) Department.

No social network sites such as Facebook, YouTube, Twitter, etc. are to be accessed by any employee on county-owned computers, including an employee’s personal mobile device during working hours, except Sheriff’s Department and Dispatch employees, Emergency Management Agency (EMA), Circuit Court, Probation Department, Prosecutor’s Department, or offices that are required to do so in the performance of county-related business.

While this policy is comprehensive, it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees seeking additional information about this policy may contact their Department Head, Elected Official, or a County Commissioner.

## 516 Computer and Email Usage

Computers, computer files, the email system, and software furnished to employees are the county’s property and intended for business use, not for personal use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer, Internet activity, and email usage may be monitored.

The county strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the county prohibits the use of computers and the email system in ways that are discriminatory, disruptive, obscene, threatening, harassing, intimidating, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to:

- Ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for employees, or the public.
- Copying, pirating, or downloading software and electronic files without permission.
- Participating in the viewing or exchange of pornography or obscene materials.
- Attempting to break into the computer system of another organization or employee.
- Refusing to cooperate with a security investigation.
- Disclosing information acquired in the course of one’s work.
- Sending or posting messages that disparage another organization’s products or services while engaged in performing their work tasks from a county-owned computer or mobile device.

The county purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither the county nor any employee has the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. Additionally, only software from or approved by the county's Information Technology (IT) Department may be used. Each new piece of software will be tested for virus contamination at installation and periodically thereafter. The county's IT Department will assist all departments with virus detection procedures. The county prohibits the illegal duplication of software and its related documentation or the installation of such software on county-owned equipment. All signs or suspicions of virus contamination must be immediately reported to the county's IT Department to isolate and control any contamination.

Employees should notify their Department Head or Elected Official upon learning of violations of this policy. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

## 517 Internet Usage

Internet access to global electronic information resources on the World Wide Web is provided by the county to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via the county's computer communications systems is considered to be part of the official records of the county and, as such, is subject to disclosure to law enforcement or other third-parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the county. As such, the county reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state, and local laws.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not obtained authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the county in violation of law or the county policies may result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

- Stealing, using, or disclosing someone else's code or password without authorization.
- Disclosing information acquired in the course of one's work.
- Violating copyright laws.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the county or initiate unwanted Internet services and transmissions.
- Jeopardizing the security of the county's electronic communications systems.

While this policy is comprehensive, it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

## 518 Workplace Monitoring

Workplace monitoring may be conducted by the county to ensure quality control, employee safety, security, and public satisfaction. Employees who regularly communicate with the public may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances the public's image of the county as well as their satisfaction with our service.

Computers furnished to employees are the property of the county. As such, computer usage and files may be monitored or accessed. Employees tampering with a computer to bypass monitoring systems may be subject to disciplinary action, up to and including termination of employment. Refer to Policy #516 – Computer and Email Usage for additional information.

The county may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because the county is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 522 Workplace Violence Prevention

The county is committed to preventing workplace violence and to maintaining a safe work environment. The county has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during working hours or on its premises.

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and



other dangerous or hazardous devices or substances are prohibited from being brought into the facilities operated by the county without proper authorization.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to a Department Head, Elected Official, or a County Commissioner. This includes threats by employees, as well as threats by vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a Department Head, Elected Official, or a County Commissioner. Employees should not place themselves in harm's way. Employees who see or hear a commotion or disturbance near their workstation should not try to intercede or see what is happening.

The county will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the county may suspend employees, either with or without pay, pending an investigation.

The county encourages employees to bring their disputes or differences with other employees to the attention of their Department Head, Elected Official, or a County Commissioner before the situation escalates into potential violence. The county is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 526 Mobile Device Usage

The county may provide a mobile device or allowance for employees where the urgency of communication requires the use of such device as a business tool. The allowances are provided to assist employees in communicating with management and other employees, the public, vendors, and others with whom they may conduct business. Mobile device invoices will be monitored on a regular basis.

Employees are prohibited from holding mobile devices such as smart phones and tablets in their hands while operating a county-owned vehicle. Employees are also prohibited from utilizing any telecommunication device to type, transmit or read a text message while operating a county-owned vehicle. Drivers are permitted to use a hands-free device if they are over the age of 18.

As a representative of the county, mobile device users are reminded that the regular business etiquette employed when speaking from county-owned phones or in meetings applies to conversations conducted over a mobile device.

Replacement of any mobile devices resulting from damage, loss, or theft is the responsibility of the department to which the equipment was assigned. Employees are required to report any theft or loss of county-owned mobile devices to their Department Head or Elected Official immediately so that the county is able to deactivate the mobile device, if necessary. Employees must also refrain from utilizing a mobile device while operating a town-owned or leased vehicle.

Employees are to refrain from talking on their personal mobile devices, texting, emailing, or accessing data during working hours and should conduct their personal business before their shift, during their lunch period, or after hours. Conduct that is in violation of these guidelines may be subject to prompt disciplinary action, up to and including termination of employment.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## **LEAVES OF ABSENCE**

### **601 Family and Medical Leave Act (FMLA)**

Under the Federal Family and Medical Leave Act of 1993, as amended (FMLA), an employee may be eligible for a period of job-protected unpaid leave if they meet the criteria set forth in the FMLA.

#### **General Eligibility**

To qualify for FMLA leave an employee:

- must be an employee of the county,
- must have worked at the county for at least 12-months,
- must have worked at least 1,250 hours (paid time off does not count towards the 1,250 hours) during the past 12-month period before the leave is to begin, and
- must work at a worksite at which the county employs at least 50 employees within a 75-mile radius.

#### **Types and Duration of FMLA Leave**

- **Basic FMLA Leave and Active-Duty Leave**  
An employee may be eligible for up to 12-weeks of unpaid leave in a rolling 12-month period for the following reasons:
  - the birth of a child and to care for such child or placement for adoption or foster care of a child;
  - to care for an immediate family member (spouse, child under 18-years old or 18 and over that is incapable of self-care, or parent) with a serious health condition;
  - because of a serious health condition which renders an employee unable to work; or
  - “Active-Duty Leave,” defined as leave due to any qualifying exigency arising out of the fact that an employee’s spouse, son (of any age), daughter (of any age) or parent is a “covered military member”. “Covered military member” means a member of the Armed Forces or a member of the Reserves (including the National Guard or Reserves) who is on “covered active-duty,” or has been notified of an impending call or order to covered active-duty. For members of the Armed Forces, “covered active-duty” means duty during deployment of the member with the Armed Forces to a foreign country. For members of the Reserves, “covered active-duty” means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active-duty in a contingency operation.
- **Military Caregiver Leave**  
An employee also may take military caregiver leave to care for a spouse, son (of any age), daughter (of any age), and parent or next of kin (i.e., closest living relative) who is a “covered service member.” A “covered service member” is (i) a current service member of the Armed Forces or Reserves, including 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 (ii) a veteran of the Armed Forces (including the National Guard and Reserves) who is discharged (other than dishonorably

discharged) within the five-year period before the eligible employee takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. For a current service member, “serious injury or illness” means an injury or illness incurred or aggravated by the covered service member in the line of duty on active-duty that may cause the service member to be medically unfit to perform the duties of their office, grade, rank, or rating. For a veteran, “serious injury or illness” means an injury or illness that rendered the veteran medically unfit to perform their military duties, or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work, regardless of whether the injury or illness manifested before or after the individual became a veteran.

Eligible employees are entitled to a total of 26-weeks of unpaid military caregiver leave during a single 12-month period. This single 12-month period begins on the first day an eligible employee takes military caregiver leave and ends 12-months after that date.

The leave entitlement described in this paragraph applies on a per-covered service member, per-injury basis. However, no more than 26-weeks of leave may be taken within a single 12-month period by any covered employee. Even in circumstances where an employee takes other leave covered by the federal FMLA under the bullets in the basic FMLA Leave and Active-duty Leave section above, the combined leave may not exceed 26-weeks during that 12-month period.

#### **Definitions**

- A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
  - (a) in-patient care (i.e., an overnight stay) in a hospital or other medical care facility (including any period of incapacitation or any subsequent treatment in connection with such in-patient care);
  - (b) a period of incapacitation of more than three consecutive full calendar days, and any subsequent treatment or period of incapacitation relating to the same condition that also involves (i) treatment two or more times by a health care provider or under the supervision of a health care provider within 30-days of the start of the incapacitation, or (ii) treatment by a health care provider on at least one occasion within seven-days of the start of the incapacitation which results in a regimen of continuing treatment under the supervision of a health care provider;
  - (c) any period of incapacitation due to pregnancy, or for prenatal care;
  - (d) any period of incapacitation due to a chronic serious health condition requiring periodic visits of at least twice a year for treatment by a health care provider;
  - (e) a period of incapacitation which is permanent or long-term due to a condition for which treatment may not be effective, during which the employee (or family member) must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
  - (f) any period of absence to receive multiple treatments by a health care provider or under the supervision of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that will likely result in a period of incapacitation of more than three consecutive calendar days in the absence of medical intervention or treatment.
- A “qualifying exigency” refers to the following circumstances:
  - (a) Short-notice deployment: to address issues arising when the notification of a call or order to active-duty is seven-days or less;
  - (b) Military events and related activities: to attend official military events or family assistance programs or briefings;

- (c) Childcare and school activities: for qualifying childcare and school-related reasons for a child, legal ward or stepchild of a covered military member;
- (d) Care of the military member's parent: for certain activities related to the care of a covered military member's parent who is incapable of self-care, such as arranging for alternative care, providing care on a non-routine, urgent, immediate need basis, admitting or transferring a parent to a new care facility, and attending certain meetings with staff at a care facility, such as meetings with hospice, or social service providers;
- (e) Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member;
- (f) Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
- (g) Rest and recuperation: to spend up to 15-days for each period in which a covered military member is on a short-term rest leave during a period of deployment;
- (h) Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90-days after a covered military member's active-duty terminates or to address issues arising from the death of a covered military member while on active-duty;
- (i) Additional activities for other events where the county and the employee agree on the time and duration of the leave.

### **When Spouses Work Together**

A husband and wife, when both are eligible for FMLA and both work at the county, are eligible for either a combined 12-weeks of unpaid leave for the birth or placement of a child, or to care for a parent who has a serious health condition. A husband and wife will be eligible for a combined 26-weeks of unpaid military caregiver leave as discussed above. If the husband or wife taking military caregiver leave also takes leave for the birth or placement of a child, or to care for a parent who has a serious health condition, that leave also may count toward the 26-weeks of combined military caregiver leave during a single 12-month period.

### **Notice of Need for FMLA Leave**

If the leave is foreseeable (birth or placement, planned medical care, leave due to active-duty of an immediate family member), the employee must provide at least 30-day's advance notice. If circumstances prevent providing the 30-day's advance notice, then the employee should provide as much notice as possible. If an employee fails to give the required notice for foreseeable leave with no reasonable excuse, the employee may be denied the taking of the leave until the employee provides adequate notice of need for the leave. Employees should make every reasonable effort to schedule medical treatments so as not to disrupt the ongoing operations of the department.

### **Intermittent FMLA Leave**

Intermittent leave also may be available depending upon an employees' serious health condition, or an employee's immediate family member's serious health condition. Intermittent or reduced schedule leave for the birth or placement of a child for adoption or foster care may be taken only with approval from the Department Head or Elected Official in writing. Military caregiver leave may be taken intermittently or on a reduced leave schedule when medically necessary. Intermittent or reduced leave may not exceed the total hours an employee would have worked during their regular 12-week schedule. If intermittent or reduced leave is approved, the county may require the employee to schedule the leave so as not to unduly disrupt its operations, or the employee may be placed in an alternate position which better accommodates the intermittent leave schedule.

Employees taking intermittent leave must follow the county's standard call-in procedures absent unusual circumstances. Refer to Policy #502 – Work Schedules and Policy #704 – Attendance and Punctuality for additional information.

### **Documentation Supporting FMLA Leave**

An employee's reason for the leave must be covered under FMLA and they must provide a completed FMLA Certification of Health Care Provider Form supporting the need for the leave. A request for reasonable documentation of family relationship verifying the legitimacy of a FMLA leave may also be required.

The employee will have 15-days in which to return a completed certification form following receipt of the form from the county. If the employee fails to provide timely certification after being required to do so, they may be denied the taking of the leave under the FMLA. If the certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven-days after receiving such written notice to provide the necessary information.

If there is reason to doubt the validity of the medical certification, a second opinion, at the expense of the county, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of the county, may be required. The opinion of the third health care provider, which the county and the employee jointly select, will be the final and binding decision.

A request for Active-Duty Leave must be supported by the Certification of Qualifying Exigency for Military Family Leave form as well as appropriate documentation, including the covered military member's active-duty orders. A request for military caregiver leave must be supported by the Certification for Serious Injury or Illness of Covered Service member form as well as any necessary supporting documentation.

### **Recertification**

Under certain circumstances as provided by law, including, but not limited to situations in which the need or nature of the approved leave changes, the county may, in its sole discretion, require recertification of an employee's serious health condition.

### **Return to Work**

If an employee's position is eliminated during their FMLA leave time, e.g., layoff, departmental restructuring, etc. the employee will not be entitled to return to their former or an equivalent position. Employee's whose FMLA leave was for their own personal medical condition must, prior to reinstatement, submit a medical certification to a Department Head or Elected Official as to their ability to return to work, subject to a second medical opinion as deemed necessary by the county, or a third medical opinion as provided in the FMLA. Employees who do not return to work immediately following release from the health care provider as fully restored to perform all the essential functions of their position, will be considered to have voluntarily terminated employment as of the date of the release. Employment will be terminated if an employee is not able to return to work at the end of the FMLA.

### **Substitution of Paid Leave**

Employees must substitute all earned vacation benefits and sick leave benefits for unpaid FMLA leave. FMLA and any paid time off, run concurrently. The entire 12-week FMLA is not in addition to the paid leave, however, is any remaining portion after the paid leave time is subtracted. If an employee requires leave in excess of the weeks for which they are eligible, they will not be assured a position with the county upon their return.

### **Benefits during FMLA Leave**

During the approved FMLA leave, the employee's coverage under the county's benefits will continue, but if the employee goes without pay, they must pay their share of any payroll-related deductions, if applicable. It is the employees' responsibility to make arrangements with the Auditor's Office to pay their portion of the payroll-related deductions during the unpaid period of absence. All other benefits will be suspended during the leave.

Employees may contact the Auditor's Office for additional information regarding the Family and Medical Leave Act.

Employees seeking additional information about this policy may contact their Department Head, Elected Official, or the Auditor's Office.

## 602 Indiana Military Family Leave

Under the Indiana Military Family Leave Act, eligible employees may be able to spend time with family members who have been called up for active-duty in the military.

### **Eligibility**

To be eligible for Indiana Military Family Leave, an employee must have been employed with the county for at least 12-months and must have worked at least 1,500-hours during the 12-month period immediately preceding the leave.

The deployed family member must be either:

- A legal spouse as defined under Indiana Code (IC) 31-11-1;
- A child as defined as (1) a biological child, (2) adopted child, (3) foster child or (4) stepchild;
- A parent as defined as (1) a biological father or mother, (2) an adoptive father or mother, (3) a court appointed guardian or custodian, (4) a foster parent, or (5) a stepparent;
- A sibling defined as (1) a biological brother or sister, (2) an adoptive brother or sister, (3) a foster brother or sister, or (4) a stepbrother or stepsister;
- A grandparent as defined as (1) a biological grandparent, (2) an adoptive grandparent, (3) a foster grandparent, or (4) a step-grandparent.

Eligible employees are provided an unpaid leave of absence of up to ten working days (consecutive or non-consecutive) per year when the employee's family member, as defined above, who is a member of the U.S. Armed Forces, the U.S. Armed Forces Reserve Unit, or the Indiana Air or Army National Guard, is deployed for full-time military service on active-duty orders for 89-days or longer. For purposes of this policy, a year will consist of a rolling calendar year looking back from the date the leave is scheduled to begin.

The county will require employees to use or exhaust any earned vacation benefits and sick leave benefits prior to taking any unpaid time off for Indiana Military Family Leave. All vacation benefits and sick leave benefits taken under this policy will count toward, and not be in addition to, the ten working days of Indiana Military Family Leave. Requests by employees for an exception to this requirement must be made in writing to a Department Head or Elected Official and must state the reason for requesting the exception. Health care benefits in which the eligible employee participated before taking leave under this policy will be continued during the leave period under the same conditions. An eligible employee taking leave under this policy will be required to pay the employee's portion of the health care or other-related payroll deductions normally withheld from the employee's paycheck and should make arrangements to do so with the Auditor's Office prior to the leave.

### **Timing of Leave**

An eligible employee may take up to a total of ten unpaid working days (consecutive or non-consecutive) of Indiana Military Family Leave during a year. The days may be taken during one or more of the following periods, but may not exceed ten-days total:

- During the 30-days before active-duty orders are in effect;

- During a period in which the family member ordered to active-duty is on leave while active-duty orders are in effect; and/or
- During the 30-days after the active-duty orders are terminated.

### **Notice of Intent to Take Leave**

An eligible employee who wants to take an unpaid military family leave under this policy must request leave under the policy by providing written notice of the date the leave will begin, including a copy of the active-duty orders if available, to a Department Head or Elected Official. The notice must be given at least 30-days before the date on which the employee intends to take the leave, unless the active-duty orders are issued less than 30-days before the date the requested leave is to begin. In that situation, notice should be provided as soon as possible after the active-duty orders are issued.

### **Concurrent Leaves**

To the extent an employee's Indiana Military Family Leave also qualifies for some other type of leave (such as FMLA); such leaves will run concurrently to the full extent allowed by law.

Employees may contact the Auditor's Office for additional information regarding the Indiana Military Family Leave Act.

## **603 Personal Leave**

The county may provide a leave of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations or medical needs. Employees in the following employment classification(s) may be eligible to request personal leave as described in this policy:

- Regular full-time employees

Eligible employees may request personal leave only after having completed six-months of service. Employees may not utilize personal leave in lieu of Family and Medical Leave in accordance with Policy #601 – Family and Medical Leave Act (FMLA). As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their Department Head or Elected Official, who will contact the Auditor's Office. Requests for personal leave will be evaluated based on a number of factors including anticipated workload requirements, staffing considerations during the proposed period of absence, seniority, and the purpose for which the leave of absence is being requested. Final decisions on who receives a personal leave and the amount of time granted will be made at the sole discretion of the County Commissioners. For the purposes of this policy, two types of personal leaves of absence exist:

- Short-Term Personal Leave of Absence – A leave of absence less than 30-days
- Long-Term Personal Leave of Absence – A leave of absence more than 30-days

Employees will not be granted a personal leave of absence for any duration exceeding 180-days. The following reasons are adequate grounds to request a personal leave of absence:

- Non-job-related disability.
- Illness after sick leave benefits have been fully utilized.
- Training and educational purposes.
- Personal business beyond the scope of personal leaves.
- An employee not qualifying for the Family and Medical Leave Act (FMLA).

Employees who elect to take an unpaid personal leave of absence will not receive compensation. However, those employees who take a short-term personal leave of absence of 30-days or less will receive all fringe benefits at no additional charge or cost to the employee. This includes the earning of all paid time off benefits.

Employees who receive a long-term personal leave of absence will only receive those benefits described and approved by the County Commissioners and County Council at the time the personal leave of absence is requested. Although, the employee may continue any benefit which will not be offered during the personal leave of absence at their own expense. Refer to Policy #313 – Benefits Continuation (COBRA) for additional information. While on unpaid leave, the employee must continue to make payments for all payroll-related deductions, either in person or by mail. The payment must be received in the Auditor’s Office by the 20<sup>th</sup> day of each month. If the employee is unable to pay their portion of benefit costs, the employee will be required to reimburse the county for all payments made on the employee’s behalf either through payroll deduction or direct payment upon a written authorization provide by the employee to the county. Employees will not receive holiday pay during the time of the unpaid personal leave. Vacation benefits, sick leave benefits, holidays, and bereavement leave are not earned while an employee is in an unpaid status.

When a personal leave of absence ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, 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 voluntarily terminated employment with the county.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 605 Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. Uniformed Services in accordance 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.

Employees will continue to receive full pay while on leave for up to 15-days. The portion of any military leaves of absence in excess of 15-days will be unpaid. However, employees may use any available vacation benefits or sick leave benefits for the absence and to cover the unpaid time off.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Vacation benefits, sick leave benefits, holidays, and bereavement leave, will be suspended during the leave, after the first 30-days and will resume upon the employee's return to active employment.

Employees on military leave for up to 30-days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in



accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## **EMPLOYEE CONDUCT & DISCIPLINARY ACTION**

### **701 Employee Conduct and Work Rules**

To ensure orderly operations and provide the best possible work environment, the county expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of county-owned or tax payer-owned property.
- Falsification of timekeeping records or any other county-related document.
- Soliciting or accepting gratuities from the public.
- Working under the influence of alcohol or illegal drugs.
- Manufacturing, distributing, dispensing, possessing, purchasing, selling, using, transferring, or being under the influence of alcohol or illegal drugs in the workplace, while on duty, or while operating county-owned vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Being insubordinate, threatening, intimidating, disrespectful, or assaulting a coworker, member of the public, or vendor.
- Unauthorized use of county-owned equipment, machines, tools, or vehicles, etc. or the unauthorized transportation of passengers in a county-owned vehicle.
- Negligence or improper conduct leading to damage of county-owned or tax payer-owned property.
- Excessive documented tardiness or absenteeism.
- Violation of safety or health rules.
- Smoking, e-cigarettes, chewing tobacco, and other tobacco use are not permitted in county-owned vehicles.
- Gambling on any county-owned or tax payer-owned premises.
- Sexual or other unlawful or unwelcome harassment or discrimination.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
- Unauthorized use of telephones, mail system, or other county-owned equipment.
- Unauthorized disclosure of business "secrets" or confidential information acquired in the course of one's work.
- Entering or leaving the county's facilities without permission.
- Violation of any personnel policy.
- Unsatisfactory performance or conduct.
- Fraudulently obtaining workers' compensation benefits.
- Creating or contributing to unsanitary or unsafe conditions or poor housekeeping.

Employment with the county is at the mutual consent of the county and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

## 702 Drugs and Alcohol Use/Testing

It is the county's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs.

For employees who must comply with the Federal Motor Carrier Safety Administration (FMCSA) and the Department of Transportation (DOT) guidelines, refer to the Employee Education Information Document regarding the FMCSA/DOT Drug and Alcohol Testing Program.

While conducting business on behalf of the county, no employee may manufacture, distribute, dispense, possess, purchase, sell, use, or be under the influence of alcohol or illegal drugs or in possession of drug paraphernalia. In addition, the unauthorized use or possession of prescription drugs or over-the-counter drugs, or CBD oils is prohibited. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks.

To help insure a safe and healthful working environment the county may conduct drug and alcohol testing under any one of the following circumstances:

- Post-offer testing of all applicants
- Reasonable suspicion of current employees
- Post-accident of current employees
- Medical examinations for applicants or current employees, if appropriate
- Random testing in accordance with DOT regulations
- Return-to-duty for current employees

Employees may be asked to provide body substance samples, such as urine, blood, hair and/or saliva, to determine the illicit use of drugs and/or alcohol. The legal use of prescribed drugs, over-the-counter drugs, and CBD oils are permitted on the job only if they do not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that do not endanger other individuals in the workplace.

Employees who are taking prescription drugs, over-the-counter drugs, or who are using CBD oils at the time of the testing will be required to inform the testing facility of those legally prescribed drugs, over-the-counter drugs, or CBD oils that they are currently utilizing. This information will be considered confidential under the guidelines of the Health Insurance Portability and Accountability Act (HIPAA). Refer to Policy #214 – Medical Information Privacy for additional information.

Employees who are not able to provide sufficient body substance samples will be evaluated by a physician selected by the county. If the physician cannot find a legitimate medical explanation for the inability to provide a body substance sample, it will be considered a refusal to test. In that circumstance the employee has violated one of the prohibitions of the policy.

Both drug and alcohol testing may be performed on an employee following any accident involving a fatality or any accident in which the driver receives a citation under any state or local law for a moving traffic violation arising from an accident. An accident is defined as an incident involving a vehicle in

which there is a fatality, an injury treated away from the scene, or where the vehicle is towed from the scene. When a post-accident drug or alcohol test is required, it should be performed as soon as possible following the accident. If no alcohol testing may be made within eight-hours, attempts to collect a breath or blood sample will cease and if no urine specimen may be obtained within 32-hours, attempts to make such a collection will cease. As with any accident or injury, employees are required to contact their Department Head or Elected Official, immediately. Refer to Policy #306 – Workers’ Compensation Insurance, Policy #501 – Safety, and Policy #508 – Use of Equipment, Machines, Tools and Vehicles for additional information.

Return-to-duty testing may be required for employees who want to return to work after being off of work due to a leave of absence, suspension, or other long-term reason. Testing in this circumstance will be determined at the discretion of the Department Head or Elected Official. However, refusal to participate will be considered as the employee violating one of the prohibitions of the policy.

Violations of this policy and/or substitution, adulteration or refusal to submit to drug and/or alcohol testing may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program for current employees. Such violations may also have legal consequences and the county may cooperate with all law enforcement officials.

When a positive test is received by the county the following guidelines may apply:

- First offense means that the employee may be subject to disciplinary action, up to and including termination of employment.
  - If the employee receives either a verbal or written documented form of progressive discipline or is suspended after a positive test result, they must submit to another test and have a negative result within six-weeks from the date they tested positive for drugs and/or alcohol. The county will decide when the test will be administered. Before the employee returns to work, after the testing, they will be required to sign a reinstatement agreement that states under what conditions the employee will be reinstated and that random drug testing may be conducted on that employee up to one-year. Any subsequent positive results will result in an immediate involuntary termination of employment.
  - If the employee believes that the drug and/or alcohol test has produced a false positive, the employee may at their own expense submit for another drug test. If the retest produces a negative result, the employee may be reinstated if the county is satisfied that the retest conforms to the scientifically accepted methods and procedures for collection.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify their Department Head or Elected Official of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five-days of the conviction.

While this policy is comprehensive, it is not all inclusive and employees will be required to follow those regulations surrounding substance abuse, as appropriate. Employees with questions on this policy or issues related to drugs or alcohol use/testing may raise their concerns with their Department Head or Elected Official without fear of reprisal.

## 703 Sexual and Other Unlawful Harassment

The county is committed to developing a work environment free of unlawful harassment and discrimination. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the

county expects that all relationships among persons in the organization will be business-like and free of bias, prejudice, and harassment.

### **Equal Employment Opportunity**

It is the policy of the county to ensure equal employment opportunity without harassment or discrimination on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state and local laws.

### **Definitions of Harassment**

I. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purpose of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; improper use of email or voice mail; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the work place of sexually suggestive objects or pictures including screen savers or improper emails or attachments; and other physical, verbal or visual conduct of a sexual nature.

II. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that derogates or shows hostility or aversion toward an individual on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by law or that of their 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 an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; derogatory jokes; and written or graphic material that derogates or shows hostility or aversion toward an individual or group or that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

Individuals found to be performing such harassing conduct may be subject to disciplinary action, up to and including termination of employment.

### **Individuals and Conduct Covered**

These policies apply to all employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the county (e.g., an outside vendor, consultant, or the public).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

### **Retaliation Is Prohibited**

The county encourages reporting of all perceived incidents of harassment or discrimination. It is the policy of the county to investigate such reports. The county prohibits retaliation against any individual who reports harassment or discrimination or participates in an investigation of such reports.

### **Reporting an Incident of Harassment, Discrimination, or Retaliation**

The county encourages reporting of all perceived incidents of harassment, discrimination, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of harassing conduct should discuss their concerns with their Department Head or Elected Official, or a County Commissioner.

In addition, the county encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that their behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The county recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures.

### **Complaint Procedures**

If for any reason an individual does not wish to address the offender directly, or if addressing the offender does not successfully end the offensive conduct, the individual should notify their Department Head, Elected Official, or a County Commissioner. In addition, there may be instances in which an individual seeks only to discuss matters with one of the county designated representatives, and such discussion is encouraged.

An individual reporting harassment, discrimination, or retaliation should be aware however, that the county may find it necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual.

As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with their Department Head, Elected Official, or a County Commissioner.

The county encourages the prompt reporting of complaints or concerns so that rapid and corrective action may be taken before relationships become irreparably damaged. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct, or may have other relevant knowledge.

Retaliation against an individual for reporting harassment or discrimination, or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination of employment. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include, retraining, referral to counseling and/or disciplinary action up to and including termination of employment, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay as deemed appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the County Commissioners.

### **Confidentiality**

The county will make all reasonable efforts to maintain the confidentiality of all parties involved in a harassment investigation. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the harassment complaint.

### **False Claims of Sexual Harassment, Discrimination, and/or Retaliation**

In order to cover all possibilities of misconduct, the county reserves the right to discipline employees who have falsely accused another of sexual harassment, discrimination, and/or retaliation. This does not mean that a complaint will be considered "false" solely because it cannot be corroborated.

### **Conclusion**

The county has developed this policy to ensure that all its employees may work in an environment free from harassment, discrimination, and retaliation. The county will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of the county prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further those policies, not to form the basis of an exception to them. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees seeking additional information about this policy may contact their Department Head, Elected Official, or a County Commissioner.

## **704 Attendance and Punctuality**

To maintain a safe and productive work environment, the county expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on the business operations of the county.

Employees are expected to report to work as scheduled, on time and prepared to start work. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head or Elected Official as soon as possible prior to the start of their shift, or as soon as possible in advance of the anticipated tardiness or absence.

Department Heads and Elected Officials are responsible for maintaining accurate records of absenteeism and tardiness for their respective employees. Copies of timekeeping records must be provided to Auditor's Office each time a payroll claim is submitted.

Poor attendance and excessive tardiness are disruptive. Employees must use their earned vacation benefits or sick leave benefits to cover the time off. Employee's may not take the time as unpaid time off. Employees who are absent or tardy without notification and without a reasonable explanation more than three times within a six-month timeframe may be subject to disciplinary action, up to and including termination of employment.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 705 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the county presents to the public and visitors. During working hours or when representing the county, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards. This is particularly true if their job involves dealing with the public in person.

Employees who receive uniforms or a uniform allowance are required to wear their uniform while on duty. If safety equipment is issued, employees are required to utilize this equipment when necessary.

Department Heads and Elected Officials are responsible for establishing a reasonable dress code appropriate to the jobs performed. If a Department Head or Elected Official feels that an employee's personal appearance is inappropriate, the employee may be asked to leave the workplace until they are properly dressed or groomed. Under such circumstance, nonexempt employees may not be compensated for the time away from work. Employees should consult their Department Head or Elected Official if they have questions as to what constitutes appropriate appearance. When necessary, reasonable accommodation may be made for a person with a disability or for a sincerely held religious belief, as required by law. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

## 706 Return of Property

Employees are responsible for all county property to include:

- Written information
- Credit cards
- Guns/ammunition
- Laptop and other computer-related equipment
- Mobile devices
- Personal Protective Equipment (PPE)
- Printer
- Tools and equipment
- Keys or ley fobs
- Uniforms and related items

Employees must return all county-owned property immediately upon request, or upon termination of employment. Where permitted by applicable laws, the county may withhold from the employee's check or final paycheck the cost of any items that are not returned when required, if the employee has signed a written agreement with the county allowing them to do so. The county may also take all action deemed appropriate to recover or protect its property.

## 708 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the county. Although advance notice is not required, the county requests at least two weeks' written notice from all employees. Employees who plan to retire are urged to provide the county with a minimum of two-months' notice. This will allow ample time for the processing of the appropriate pension forms and to

ensure that any retirement benefits to which an employee may be entitled commence in a timely manner. Prior to an employee's departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire. Refer to Policy #405 – Employment Terminations for additional information.

## 710 Security Inspections

The county wishes to discourage theft or unauthorized possession of the property of employees, the county, and the public. To facilitate enforcement of this policy, the county or its representative may inspect not only desks and lockers, but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the county's premises.

The county wishes to maintain a work environment that is free of illegal drugs, alcohol, unauthorized firearms, explosives, or other improper materials. To this end, the county prohibits the manufacturing, distribution, dispensing, possession, transfer, sale, or use of such materials in its facilities. The county requires the cooperation of all employees in administering this policy. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

Computers, desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of the county. Accordingly, they, as well as any articles found within them, may be inspected by any agent or representative of the county at any time, either with or without prior notice. This includes purses, briefcases, personal devices and motor vehicles located on the county's property, based on reasonable cause, as well as all county-owned property used by employees, whether secured or unsecured by a lock or locking device provided by the employee, based on reasonable suspicion. An employee's personal items may be held so that law enforcement officials may conduct the search.

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 711 Facilities Security

It is the responsibility of all employees to make sure the facilities and work areas are secure. Any employee entrusted with facility keys will make certain the facility is secure when that employee is the last to leave. This includes, but is not limited to, turning off appropriate lights, and closing and locking all doors and windows.

Employees should contact their Department Head or Elected Official to report any potential security risks or concerns.

## 712 Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by the county may not solicit or distribute literature in the workplace at any time for any purpose.

The county recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not engaged in performing their work-related tasks.



In addition, the posting of written solicitations on county bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee announcements
- Internal memoranda
- Job openings
- County-related announcements
- Payday notice
- Workers' compensation insurance information

If an employee has a message of interest to the workplace, they may submit it to their Department Head or Elected Official for approval. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

## 716 Progressive Discipline

The purpose of this policy is to state the county's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

Sheriff Deputies are under the jurisdiction of the Merit Board, and therefore may not be subject to the terms of this section. Merit Track Sheriff's Deputies and Jailers and progressive discipline are governed by the Merit Board.

The county's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the county is based on mutual consent and both the employee and the county have the right to terminate the employment-at-will relationship, with or without cause or advance notice, the county may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay when further investigation is warranted, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Copies of all progressive disciplinary action reports and/or coaching/counseling notes must be placed in the employee's personnel file in the Auditor's Office.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed:

- A first offense may call for a written verbal warning;
- A next offense may be followed by a written warning;
- A third offense may lead to a suspension when further investigation is warranted; and
- A fourth offense may then lead to termination of employment.

The county recognizes that there are certain types of employee problems that are serious enough to justify either a suspension when further investigation is warranted, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, Policy #701 - Employee Conduct and Work Rules includes examples of problems that may result in immediate termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline. By using progressive discipline, the county hopes that most employee problems may be corrected at an early stage, benefiting both the employee and the county.

## 718 Problem Resolution

It is the policy of the county to ensure that employees' who have questions, issues, and complaints arising from misunderstandings and the application of policies, procedures, and work rules be promptly heard, answered and action taken to resolve or clarify each situation.

Any employee who has a question, issue, or complaint with the county should follow these steps:

- Employees should talk with the individual with whom they have an issue to try and come to resolution of the problem or situation.
- If talking with the employee does not satisfy the problem or situation, or if the employee alternately chooses to initially submit a problem for resolution, then the employee should contact their Department Head or Elected Official to discuss the problem or situation, as soon as possible.
- If the problem or situation is not satisfactorily resolved or the problem or situation is with the employee's Department Head or Elected Official, the employee may discuss the situation with a County Commissioner. The County Commissioners' resolution will be final

Employees seeking additional information about this policy may contact their Department Head or Elected Official.

## 722 Workplace Etiquette

The county strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues may be addressed by politely talking with a coworker to bring the perceived problem to their attention. In most cases, common sense will dictate an appropriate resolution. The county encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help employees be more conscientious and considerate of their coworkers and the work environment. Employees should contact their Department Head or Elected Official if they have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- Return copy machine and printer settings to their default settings after changing them.
- Replace paper in the copy machine and printer paper trays when they are empty.
- Retrieve print jobs in a timely manner and be sure to collect all papers.
- Be prompt when using the manual feed on the printer.
- Keep the area around the copy machine and printers orderly and picked-up.
- Be careful not to take or discard others' print jobs or faxes when collecting papers.
- Avoid public accusations or criticisms of others in the workplace. Address such issues privately with those involved, or a Department Head or Elected Official.

- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Be conscious of how voices travel. Employees should try to lower the volume of their voices when talking on the phone or to others in open areas.
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Avoid discussions of personal life/issues in public conversations that may be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone when in the proximity of others.
- Clean-up and do not leave behind waste or discarded papers.
- Keep all desks and work areas neat and orderly.
- Thoroughly clean-up after utilizing break and kitchen areas.

### **Office Décor**

As the county serves the public, it is important for employees to exercise good judgment in the selection of items that will be seen by visitors. Office and work spaces will be kept in neat and orderly condition. Items or symbols of a controversial nature or widely perceived as communicating a controversial message are inappropriate. The installation of any time which requires brackets, braces, or hole(s) in walls, floors, or furniture must be approved by the office of the County Commissioners and performed by the Maintenance Department to ensure that county property is not damaged.

Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities that are protected by law.

## **MISCELLANEOUS**

### **800 Political Activity**

Employees of the county are encouraged to support governments in the political system. However, there are limits on employee political activity. County employees may join civic, partisan, or political organizations, may attend political meetings and advocate the principles or policies of civic or political organizations in accordance with the Constitution and federal and state laws.

Although any solicitation, refer to Policy #712 – Solicitation, by employees of the county during working hours is strictly prohibited, employees must make every effort to avoid the appearance of impropriety when engaging in political activities on their own time. Employees must note that they are engaging in political activity on their own time and not on behalf of the county. Employees must also refrain from discussing municipal business during political discussions. No county employee should be required to contribute money or anything of value to any candidate for nomination, or election to any office, campaign or political committee, or be required to take part in any political campaign. In addition, receiving gifts, remuneration of any type or monetary reward in exchange for political activities while conducting or that conflict with municipal business is prohibited. Nothing in this policy should be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees seeking additional information about this policy may contact their Department Head, Elected Official, or the County Commissioners.

## 801 Whistleblower Policy

In its continuing effort to build upon its strong corporate governance standards, the county has established procedures for its employees to convey complaints or to identify concerns (a “Complaint”) regarding violations of legal and regulatory requirements to which Starke County Government is bound. Such Complaints may be related to financial reporting and disclosure requirements, preparation of financial statements, accounting practices, internal accounting controls, financial audit matters, matters concerning fraud against the county, or inappropriate use of the county’s resources (collectively, “Disclosure Matters”).

The county also respects its employees’ legal right to report actual or suspected unlawful activity directly to government agencies, to the County Commissioners, or to the County Council. It is the county’s responsibility to ensure that employees feel comfortable reporting actual or suspected unlawful activity to government agencies, to the County Commissioners, or to the County Council.

### **Filing a Complaint**

Any employee should submit a good faith Complaint regarding questionable treatment or alleged violations with respect to the Disclosure Matters that an employee cannot foresee resolving through the county’s problem resolution process. Employees should follow the procedures described below to submit a Complaint:

- A Complaint may be submitted in writing, confidentially and anonymously, through internal or regular mail or may be delivered in person to a County Commissioner, or County Council member. If an employee desires to discuss the matter in person with the County Commissioner, or County Council member, they may call the County Commissioner, or County Council member instead of submitting the Complaint in writing.
- If the Complaint involves a County Commissioner, or County Council member the employee should contact a separate County Commissioner, or the President of the County Council by phone or U.S. Mail. Submissions may be made anonymously.
- Complaints should be factual and contain as much specific information as possible setting forth all of the information that the employee knows, in order to allow the representative to make a proper assessment. Any envelope containing a Complaint should be marked “*confidential and private.*”

### **Handling Complaints**

Upon receipt of a Complaint, the County Commissioners, or their designee, or the President of the County Council, or their designee, will conduct an initial screening of the Complaint to assess its nature, legitimacy, and significance. To the extent possible, all Complaints will be handled in a confidential manner. All submissions, inquiries, and discussions will be documented by the County Commissioners, or their designee, or the President of the County Council, or their designee. The County Commissioners or the President of the County Council will report at least annually to the other County Commissioners, and the County Council on any Complaints raised under this policy and the investigation and/or resolution of the same.

Upon conclusion of the initial screening, the County Commissioners, or the President of the County Council will decide whether to proceed with further investigation, or close the file. Any Complaint involving (a) the existence of material inaccuracies in the county’s financial reports, or (b) a defalcation, fraud, or other intentional misconduct with respect to its cash and/or other financial assets, accounting, auditing, reporting, or internal controls, will be reported promptly to the County Commissioners, and the President of the County Council following the initial screening and any corrective action will be taken, as appropriate.

All submissions, inquiries, discussions and documentation will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Documentation related to the investigation will be maintained in confidential files. Access to the confidential files will be restricted to the County Commissioners and the President of the County Council, and their designated representatives. This is important in order to avoid damaging the reputations of persons suspected, but subsequently found innocent of wrongful misconduct and to protect the county from potential civil liability. All such confidential files will be maintained for at least seven-years following the final disposition of the matter.

All other Complaints not relating to the accounting, auditing, or reporting of, or the internal controls practices and procedures relating to the county's funds will be handled pursuant to the current policies and procedures applicable to such matters.

Any employee found to have violated any item within this policy may be subject to disciplinary action, up to and including termination of employment, and legal action even if the individual does not directly benefit from the intended action.

Any employee who makes a Complaint under this policy by means of allegations that prove not to be substantiated and which also prove to have been made maliciously, recklessly, or with foreknowledge that the allegations were false will be subject to disciplinary action, up to and including termination of employment.

#### **No Retaliation**

The county will not retaliate or discriminate against any employee who lawfully provides information to federal or state authorities, or to the county regarding any conduct that the employee reasonably believes constitutes unlawful activity or who participates in, or otherwise assists with an administrative proceeding, judicial proceeding, or investigation by government agencies, the County Commissioners, or the County Council (collectively, the "Proceedings").

Specifically, the county will not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against any employee in the terms and conditions of their employment because the employee participated in the proceedings. The county also respects its employees' legal rights to refuse to engage in unlawful activities and will not take any type of disciplinary action against employees who refuse to engage in unlawful activities.

Employees may contact the County Commissioners or the President of the County Council for additional information regarding the guidelines of the whistleblower policy.

**EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM**

**ISSUE DATE: 05/15/2023**

**REVISED DATE: 07/01/2023**

The employee handbook describes important information about the county and I understand that I should consult a Department Head, Elected Official, or the Auditor’s Office regarding any questions not answered in the handbook. I have entered into my employment relationship with the county voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the county may terminate the employment-at-will relationship, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the county's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the County Commissioners of the county has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_