

CLINTON COUNTY PERSONNEL MANUAL



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INTRODUCTION

1.0

INTRODUCTION - This is your Employee Personnel Manual. Each of you, newcomer or current employee, will find this Personnel Manual helpful. It describes the various benefits for which you, as an employee, are eligible and discusses those programs and policies that affect your job. This Personnel Manual supersedes any previous verbal and/or written policies, statements, understandings, or agreements concerning the terms and conditions of your employment with Clinton County. The provisions of this Personnel Manual do not establish contractual rights between Clinton County and its employees, or provide benefits to any third parties.

This Personnel Manual applies to all employees of the County. The County recognizes, however, that some employees are subject to the terms of a collective bargaining agreement. The terms of any collective bargaining agreement shall supersede the terms of this Manual wherever the terms conflict.

We hope this Personnel Manual will be helpful to you as an employee of Clinton County, and will serve as a useful reference in explaining our benefits and policies, and your job responsibilities. We want you to feel free to discuss with us any problems that occur on the job, or any suggestions you might have for improvement in any area of our operations. Our door is always open to you. We wish you the best, and trust your job with us will be satisfying and rewarding.

TERMS OF EMPLOYMENT - At Clinton County ("Employer" or "County"), your employment is at will. This means you are free to terminate your employment at any time, for any reason or no reason, and Clinton County retains the same rights.

1.1

AMENDMENT OF POLICIES, COMPENSATION AND BENEFITS - The Clinton County Board of Commissioners reserves the right at its sole discretion to amend the contents of this Personnel Manual at any time without prior notice. No amendment or exception to our at-will employment policy set forth above can be made at any time, for any reason, except by resolution passed by the Board of Commissioners, and it must be in writing, directed to you personally, and signed by the Board. Amendments to any other part of this Personnel Manual must be in writing and issued by the Board of Commissioners. No other employee, representative, or agent of the Employer had in the past or now has the authority to amend, alter, or change the policies set forth in this Personnel Manual or to enter into any agreement concerning the terms and conditions of your employment at Clinton County. Amendments will be issued directly to employees.

Some of the employee benefit plans described in this Personnel Manual are subject to legal requirements concerning reporting and disclosure. This Personnel Manual contains highlights of these plans. For complete details, you should consult the Summary Plan Description and official plan documents for the respective plans. In case of any discrepancy, the official plan documents govern. Of course, changes in the law may affect the benefits programs described in this Personnel Manual.

1.2

STATUTE OF LIMITATIONS – As a condition of employment, employees agree not to commence any action or suit relating to their employment relationship with the County more than 182 days after the date of termination of employment or in the time prescribed by the applicable statute, whichever is less. Further, employees agree to waive any statute of limitation exceeding 182 days.

1.3

STATEMENT OF POLICY - The County works toward providing good working conditions, competitive pay, excellent benefits, and the personal respect to which you are entitled. We also make every effort to promptly resolve problems and settle differences. We enthusiastically accept these areas of responsibility.

EMPLOYMENT

2.0

RECRUITMENT - Employment and promotional opportunities shall be advertised in such a manner that the public is assured open opportunity to apply and to be properly considered for public employment, and so that present County employees may be knowledgeable of possible chances for advancement.

Department Heads shall notify Administrative Services of all upcoming vacancies as soon as possible. Upon receiving such notification, Administration shall advertise the position as appropriate, including, the posting of the vacancy in conspicuous places in the Courthouse and other County buildings, unless a hiring freeze is in effect. In the case of a hiring freeze, the request to fill a vacancy shall be presented to the Human Resources and Way & Means Committee Chairpersons for authorization prior to posting. Positions shall be posted for a minimum of five (5) working days and shall include a brief description of the position, taken from the County's classification system; necessary and desirable skills and abilities; the range of pay, and the effective dates of posting.

2.1

SELECTION - Employment and promotion of personnel shall be on the basis of merit, potential and suitability for the position. The qualifications of potential employees shall be measured against the written requirements for the position.

Applicants for vacant positions shall apply using the on-line application system, and specify job-related skills and attributes. After the close of the posting period, the Department Head shall review the applicants and select for interview the best-qualified applicants for the position as set forth in the County's Classification system. Any testing or investigation deemed necessary to determine qualifications may be undertaken by Administration.

The Department Head shall review the on-line applications, interview and, after making any desired investigation, shall select the applicant who, in the Department Head's judgment, is the most suitable for the position.

In the event that the Department Head is unable to make a selection from the initial applications, they can request an extension of time for the posting to search for additional qualified applicants.

Once a candidate has been selected for the position, the Department Head shall refer the individual back to Administration so that a physical examination and background check can be scheduled prior to the first day of work. The Department Head shall notify in writing, those applicants who were interviewed of their selection or non-selection.

2.2

RE-EMPLOYMENT - To promote security and stability in the County's workforce, and to promote an orderly transition between departing and new employees, an employee of the County terminating employment with the County by retirement, shall be ineligible for reemployment with the County for a period of two (2) years. Such policy does not prohibit a former employee of the County that has retired, from providing contractual services to the County during the two (2) year period immediately following the separation, provided such contract does not have a value exceeding a former employee's final regular hourly wage multiplied by 1040 hours.

In the event a retired employee is appointed or rehired under statutory authority that supersedes the policy set forth above, subject to the minimum wage requirements of Federal or State law, such reemployment shall be at an effective annual salary or other monetary compensation not exceeding the former employee's final regular

hourly wage multiplied by 1040 hours if the reemployment is for full-time employment. If the reemployment is for a work period that is less than full-time (forty hours per week or 2080 hours per year), the rehired employee's salary shall not exceed the pro-rata amount of the salary described above.

If a former County employee is separated from employment with the County by way of voluntary quit or termination and is considered to be eligible for re-hire by the County, that former employee is eligible to be re-hired any time after the separation date by the County and will receive the appropriate salary/wage per current County policies and/or specific collective bargaining agreement.

All former County employees that separate from employment with the County and are re-hired by the County shall be required to abide by the current Clinton County Personnel Manual and MERS policies and rules pertaining to fringe benefits.

2.3

NON-DISCRIMINATION - It is the County's philosophy and policy to treat employees and applicants for employment without regard to race, color, sex, religion, national origin, age, disability, height, weight, or marital status as required by law. Discrimination against any employee or applicant based on any of these conditions will not be allowed or tolerated. This policy applies to all employment practices including recruiting, hiring, pay rates, training and development, promotions, and other terms and conditions of employment and termination.

Under Michigan law, an employee may not be discriminated against in employment because of a disability that can be reasonably accommodated to enable that employee to perform the job. Disabled employees who feel accommodation is needed to perform their job must notify Administrative Services in writing of the need for accommodation within 182 days after the date the employee knew or reasonably should have known that an accommodation was needed.

2.4

UNLAWFUL HARASSMENT - We strive to maintain a pleasant working environment for all of our employees free from intimidation, humiliation, and insult. Harassment on the basis of any lawfully protected characteristic, which includes race, color, religion, gender, sex, pregnancy, national origin, age, disability, height, weight and marital status, will not be tolerated.

Definition - Harassment is defined as verbal or physical conduct or communication when:

1. Submission to the conduct or communication is made either an explicit or implicit term or condition of employment;
2. Submission to or rejection of the conduct or communication by an individual is used as a basis for an employment decision affecting that individual; or
3. The conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or creating an intimidating, hostile or offensive work environment.

Examples of prohibited sexual harassment include, but are not limited to: unwelcome sexual advances; requests for sexual favors and other verbal abuse of sexual nature; graphic verbal commentary about an individual's body, sexual prowess or sexual deficiency; sexually degrading, lewd, or vulgar words to describe an individual; leering; pinching or touching a private area of the body; displaying sexual suggestive objects, pictures, posters or cartoons.

Examples of prohibited harassment based on characteristics other than sex include, but are not limited to, insults based on a protected characteristic, verbal, written, graphic or physical conduct or communication degrading or hostile to a person based on a protected characteristic.

Harassment prohibited by this policy must be distinguished from conduct or communication that, even though unpleasant or disconcerting, is not inappropriate in the context of carrying out instructional, advisory, counseling or supervisory responsibilities.

Reporting a Violation - If an employee believes that a violation of this policy has occurred, the employee has an obligation to report the alleged violation immediately, preferably within 48 hours, to their supervisor, the Human Resources Manager or to the Chair of the Board of Commissioners. While there is no requirement that the incident be reported in writing, a written report that details the nature of the harassment, dates, times and other persons present when the harassment occurred will enable the County to take effective, timely and constructive action.

An investigation of all complaints will begin promptly.

Investigation - After notification of the complaint, an investigation will be initiated to gather relevant facts about the complaint. An investigation may include interviews of possible witnesses including the person claiming the harassment occurred, and the person or persons claimed to be involved in or witnesses to the harassment.

The County will conduct all investigations as confidentially and objectively as possible, to the extent consistent with thorough investigation and appropriate corrective action.

Resolution - After the investigation has been completed, a determination will be made regarding the appropriate resolution of the matter. The determination will be reported to the employee who was allegedly subjected to harassment. If the investigation establishes that harassment or other inappropriate behavior has occurred, immediate and appropriate corrective action, up to and including termination of employment, will be taken to stop the harassment and prevent its recurrence.

Misconduct, including unprofessional or harassing conduct or behavior, will be dealt with appropriately. Responsive action would be at the County's discretion and could include but would not be limited to the following: counseling, warning, demotion, suspension, reprimand, decrease in pay, reassignment, transfer, or termination of employment.

Good Faith Rule and False Claims - The County takes all reports of harassment seriously, and will investigate all alleged violations of this policy. Therefore, employees are expected to bring violations to the County's attention in good faith. Good faith means that the employee has a sincerely held belief, even if erroneous, that the policy has been violated.

No Retaliation - The County will not tolerate retaliation against any employee or other person who in good faith reports a violation or perceived violation of this policy, or retaliation against any employee or other person who participates in any investigation as a witness or otherwise. Retaliation is a serious violation of this policy and is subject to the investigation and corrective measures described in this policy. Any acts of retaliation must be promptly reported to your Department Head or the County Administrator.

2.5

EMPLOYMENT OF RELATIVES - It is the policy of the County to permit the employment of qualified individuals who are related to an existing employee provided a supervisory-subordinate relationship would not exist as a result of that employment. Relatives are defined as spouse, brothers, sisters, parents, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law and natural or adopted children.

2.6

FRATERNIZATION – To avoid any appearance or charges of impropriety or favoritism, you must refrain from pursuing dating or romantic relationships with employees under your supervision.

If you already have a relationship with a person who becomes an employee under your supervision, you should immediately inform your supervisor or the Human Resources Manager of the relationship, and you may be removed from any responsibilities related to that employee. Removing you from these responsibilities may necessitate a transfer, depending upon your position and the responsibilities involved. We will attempt to transfer you to a lateral position but, if a later transfer is not possible, you may be demoted or your employment may be terminated.

The County reserves the discretion to react to fraternization as circumstances dictate that it may be necessary.

2.7

OUTSIDE EMPLOYMENT - While outside or supplemental employment is discouraged, employees may engage in outside or supplemental employment in accordance with the following limitations. In no case shall outside or supplemental employment, conflict with, or impair your responsibilities to the County.

Any employee desiring to participate in outside or supplemental employment must notify his/her department head in writing prior to engaging in outside or supplemental employment.

If the department head feels there may be a potential violation of this policy, he/she shall notify the employee. The County Administrator shall settle any dispute. In the case of outside or supplemental employment by a department head, the department head must receive written permission to engage in outside or supplemental employment in advance from the County Administrator. The following guidelines shall be applicable to all employees engaged in outside or supplemental employment.

1. Employees engaged in outside or supplemental employment shall:
 - a. Not use County facilities as a source of referral for private customers or clients.
 - b. Not be engaged in during the employee's regularly scheduled working hours.
 - c. Not use the name of the County or any County agency as a reference or credential in advertising or soliciting customers or clients.
 - d. Not use County supplies, facilities, staff or equipment in conjunction with any outside or supplemental employment or private practice.
 - e. Maintain a clear separation of outside or supplemental employment from activities performed for the County.

- f. Not cause any incompatibility, conflict of interest, or any possible appearance of conflict of interest, or any impairment of the independent and impartial performance of employee's duties.
2. The County shall not be liable, either directly or indirectly, for any activities performed during outside or supplemental employment.

COMPENSATION

3.0

CLASSIFICATION AND COMPENSATION - All County employees are to be classified and paid in accordance with the compensation and classification schedule adopted by the Board of Commissioners. The compensation and classification schedule establishes the various classes of positions within the County; defines the responsibilities and qualifications of the position; and sets the wage schedule which will be paid to individuals in the positions.

Original appointment to any position shall be made at the entrance rate of the compensation and classification schedule adopted by the Board of Commissioners. Upon recommendation of the department head, the County Administrator may approve initial compensation through 1 Year Step in the Salary schedule when the needs for the service make such action necessary; provided that any such exception is based on the outstanding and unusual character of the individual employee's experience and ability over and above the desirable qualifications specified for the class. Authorization for initial compensation above 1 Year Step must be obtained from the Board of Commissioners, based on the recommendation of the Human Resources Committee.

Upon appointment if requested by department head, lump sum vacation up to 80 hours may be authorized by the County Administrator. Thereafter, the employee will earn normal accruals based upon the Vacation Schedule outlined in Section 5.7.

3.1

MANAGERS - The Board of Commissioners have further defined County Managers as employees under the direction of the Board of Commissioners, Elected Official or County Administrator, responsible for the management and supervisory activities of a significant county function or program. A manager is accountable to the Board of Commissioners, Elected Official or County Administrator for the effectiveness of services provided, with the Board of Commissioners having the final decision regarding who is a manager.

3.2

CLASSIFICATION SYSTEM ADJUSTMENT - The compensation and classification schedule is adopted by the Board of Commissioners annually and may be adjusted to reflect cost of living conditions. Such an adjustment affects all employees under the classification system and is separate from changes in steps or classification.

3.3

CLASSIFICATION – Positions are classified as full-time, part-time, temporary, contract, grant, or unclassified positions. Classified positions are defined as follows:

Full-time employees are those who work on a regular basis at least 40 hours per week in a position authorized by the Board of Commissioners.

Part-time employees are those working for the County on a continuous, regular basis at least 20 hours but less than 40 hours per week in a position authorized by the Board of Commissioners.

Temporary employees are those working as short-term replacements for full-time or part-time employees and/or who are hired on an irregular basis for special employment periods.

Grant employees are those persons hired pursuant to a State, Federal, or local grant program, and whose continued employment is subject to continued funding of that grant.

Contract employees are those who are hired pursuant to a specific contract for their employment and whose continued employment is subject to the terms of that contract.

Unclassified positions shall be subject to the terms and conditions of employment defined by the Board of Commissioners for that position. The Board reserves the right to designate any position as classified or unclassified and/or to change their terms and conditions of employment of any position at any time for any reason or for no reason.

3.4

COMPENSATION - All new employees shall be placed at the beginning step of the appropriate compensation schedule corresponding with the established position, unless the credentials of the new employees are clearly in excess of the minimum requirements of the position classification, and it is appropriate to hire the person at a higher rate pursuant to Section 3.0 Classification and Compensation.

3.5

ORIENTATION PERIOD - All new employees shall have an orientation period of six (6) months from date of hire. Upon satisfactory completion of this orientation period:

- a. employees hired at the beginning step of this salary grade are then eligible for a salary increase to the 6-month level,
- b. employees started at the six (6) month level shall be eligible for a step increase at the end of six (6) months,
- c. employees started at other than the beginning step or six- (6) month level shall not be eligible for a step increase for one (1) year.

3.6

SALARY INCREASES - Employees are eligible for advancement through the steps of the compensation schedule on the basis of performance only as solely determined by the Board of Commissioners.

Employees who reach the top step of their salary grade are no longer eligible for step increases, but are eligible for across-the-board salary schedule adjustments as granted by the Board of Commissioners, pursuant to Section 3.1.

An employee whose performance is exceptional may be considered for more than a one-step increase, if recommended by the Department Head. Such an increase shall be approved in advance by the Board of Commissioners with the favorable recommendation of the Human Resources Committee.

3.7

EVALUATIONS - Formal evaluations provide a means by which the Department Head and employee may assess the degree to which expectations of job performances are being achieved, and by which the employee can be informed of the need for improving on his/her performance on the job.

Department Heads may evaluate employee's job performance within the month prior to the date of the employee's scheduled step increase. Department Heads may also evaluate any or all employees at any time during

the year. All employee evaluations must be in writing in a form provided or approved by Administration. Completed evaluations shall be submitted to Administration for placement in the employee's personnel file. Employees may view the contents of their personnel file at any time.

A poor evaluation may be the basis for a Department Head not recommending a step increase for an employee or for taking other disciplinary action, up to, and including discharge. The Department Head may notify the employee in writing that he/she has a specified length of time during which his/her performance is expected to improve. Failure to show improvement at the end of this period may result in the employee's dismissal. However, employees are employees at will and there is no requirement for any evaluation prior to termination of employment or other disciplinary action.

3.8

LATERAL TRANSFERS - An employee who has been transferred interdepartmentally or intra-departmentally into a classification at the same salary range may receive his/her next step increase on the date which he/she would have received this step increase prior to the transfer.

3.9

PROMOTIONS - An employee who is promoted interdepartmentally or intra-departmentally to a classification at a higher salary range. If an employee is promoted to a higher classification they shall be placed on the wage schedule at their new grade, at the step which would be equivalent to or higher than a step increase in their prior classification. Further step increases within the new range will then be on an annual basis from the date of the promotion.

3.10

RECLASSIFICATION - Requests for the reclassification of employees for the reallocation of a position to a different salary range shall be made during the annual budget process by the Department Head to the Deputy County Administrator, who shall evaluate the request by reference to the procedures established in the classification and compensation system and who shall make a recommendation to the Human Resources Committee. If the Human Resources Committee concurs in the recommendation, the matter shall be submitted to the Board of Commissioners for a final determination.

If an employee is reclassified to a lower classification as the result of a system-wide re-evaluation of positions, such persons affected shall be paid the same salary they were receiving prior to the reclassification until their salary falls within the salary range of the new classification.

If an employee is reclassified to a higher classification they shall be placed on the wage schedule at their new grade, at the step which would be equivalent to or higher than a step increase in their prior classification. Further step increases within the new range will then be on an annual basis from the date of the reclassification.

3.11

PERSONNEL FILES – You have a right to examine your personnel file or to obtain a copy of your file upon a written request to the Human Resources Manager. If you wish to examine your file, you may do so during normal office hours provided it does not interfere with your assigned duties or we will make arrangements with you for an examination before or after work.

Generally we will not disclose your file to persons outside the office. We will also attempt to restrict disclosure of your file to authorized personnel. If we are asked to disclose a disciplinary report to a third party not employed by us, we will give you notice of that disclosure.

3.12

REFERENCES – Any request for a reference from the County must be made to the Human Resources Manager. No other person may provide you with a reference. It is our policy to provide only your dates of service and the title of your last position in response to requests for references. If you want other information disclosed, you must give a written request to the Human Resources Manager that specifically identifies the information to be disclosed and specifically authorizes its release.

3.13

HOURS OF OPERATION - Clinton County's normal office hours of operation are Monday through Friday, 8:00 a.m. to 5:00 p.m., with the exception of recognized holidays and certain departments whose operations make other hours necessary. The Board of Commissioners retains the right to change or modify office hours in its sole discretion. It is the responsibility of Department Heads to keep their offices open during this time and to schedule employee's hours so that the normal 40-hour work week is achieved for full-time employees. The Central Dispatch operation shall be a 24 hours a day, seven day per week operation.

3.14

WORK WEEK AND PAY DAY - The official work week for full-time County employees shall normally be forty (40) hours per week normally consisting of five (5) eight (8) hour days. The Board of Commissioners retains the right to change or modify the work week in its sole discretion. Employees shall be paid every other Friday, with each pay check covering the two-week period ending on Saturday midnight before each pay day.

Employees classified as Lead Telecommunicators and working for Central Dispatch may work an eight (8), ten (10), or twelve- (12) hour work day in a rotating schedule, depending on the needs of the Department.

MANDATORY DIRECT DEPOSIT. If the Employer provides for the electronic transfer and direct deposit of wages paid to the employees covered by this Policy, subject to the requirements of applicable law, each employee shall participate in the Employer's program and shall designate the financial institution(s) to which he or she directs the deposit of all wages and other compensation paid to the employee.

3.15

ATTENDANCE RECORDS - Each Department Head shall be responsible for keeping records on all employees of the Department. The attendance records shall designate the actual hours worked, vacation, medical leave, compensatory time accumulated and used, and other pertinent facts. Time off shall be allowed with prior approval of the Department Head. These records shall be forwarded to Administration on the last day of each pay period. Pay checks will not be distributed without these records.

Administrative Services shall maintain such employee attendance and payroll records as necessary for implementing this personnel policy.

3.16

OVERTIME - Overtime is paid at the rate of 1.5 times the regular wage to all FLSA non-exempt employees who, with prior approval of the Department Head, work in excess of eight hours per day or 40 hours per week. In some cases, hours worked may vary from normal shift hours; in which case, overtime is paid in excess of their “daily scheduled shift” providing that shift is at least 8 hours. BELOW ARE SOME EXCEPTIONS:

Elected officials and employees whose positions are listed as unclassified on the annual Wage Classification Schedule, shall not be eligible for overtime.

Employees scheduled for and working overtime may, with Department Head approval, utilize compensatory time off in lieu of payment of overtime. Compensatory time shall be accumulated at the rate of 1-1/2 hours off for every hour of overtime worked. No employee shall be allowed to accumulate more than twenty-four (24) hours at any one time with the exception of Lead Telecommunicators who shall be allowed to accumulate no more than forty-eight (48) hours at any one time.

Department Heads and Elected Officials may only authorize overtime when funds are specifically budgeted for that purpose in the departmental budget. Requests to transfer funds from verified salary attrition to the overtime account may be authorized on an emergency basis by the Chairperson of the Human Resources Committee. The request shall then be placed on the next Human Resources Committee agenda for formal approval. The Administrator shall not pay any overtime which has not been properly approved and budgeted and shall place the issue of any unpaid overtime on the next Human Resources Agenda.

The Department Head must approve all overtime in advance and the hours must be properly documented on the time card. Vacation credit hours, medical, and compensatory leave time do not constitute hours worked for purposes of calculating overtime pay. However, if an employee is ordered in by their Department Head to work while on vacation or medical appointment, they shall be compensated at the overtime rate for those hours worked.

All compensatory time earned and used must be clearly documented on the employee’s timecard. Department Heads and Elected Officials shall not authorize compensatory time accumulations in excess of 24 hours, or 48 hours for Lead Telecommunicators unless the Human Resources Committee has specifically authorized a different compensatory time accumulation limit for a position.

3.17

PER DIEM - No officer or employee of the County shall be eligible to draw a per diem for meetings which begin between 8 a.m. to 5 p.m. Monday through Friday, (during the same hours they are normally scheduled to work by the Board of Commissioners) except as may be provided by law or express resolution by the Board of Commissioners.

3.18

TRAINING INCENTIVE - Lead Telecommunicators shall receive 2.0 hours of pay for training Telecommunicators for a full shift.

EMPLOYEE RESPONSIBILITIES

4.0

COMMUNICATIONS SYSTEMS – The telephone, fax and computer, including the e-mail system, are tools to ensure efficient communication. It is a privilege that is provided by the County. It is not a right, so employees should have no expectation of privacy in their communications including those via the telephone, fax, or e-mail system.

The County provides access to these communications systems to assist you in the performance of your job. So the County reserves the right to access and disclose at the County's discretion all communications over any County communications system, without regard to content.

Employees must remember that all activities from a County communications system will be regarded as activities authorized by the County. Employees shall not send, make or post communications that contain abusive or objectionable language, that defame or libel others, or that infringe on the privacy rights of others.

Employees may not delete, alter, re-configure computer hardware or software in any way. Employees are prohibited from the unauthorized use of the passwords and encryption keys of other employees to gain access to other employee's communications systems. ¹

Employees shall not engage in illegal copying of copyright protected works, or making available copies of such works. Employees are responsible for observing copyright and licensing agreements that may apply to files, documents and other software they wish to download. ¹

¹ Please refer to the Clinton County Electronic Acceptable Use Policy.

4.1

ATTENDANCE – Regularity of attendance and punctuality is essential to the orderly performance of our work. As an employee, you are expected to be punctual and regular in your attendance. When you are absent or late for work, your work must be performed by others just as you must perform their work when they are absent.

You are expected to report to work on time and be prepared to start work at your regularly scheduled starting time. You are also expected to remain at work through the end of your schedule except for regularly scheduled breaks or authorized leaves.

It is important that when you may be absent or late in your arrival you notify your supervisor as soon as possible before you are expected to arrive to work but no later than one hour before your normal scheduled starting time. In all cases where you may be absent or tardy, you must provide your supervisor with an explanation. Whenever possible, you must also inform your supervisor of when you will arrive or return to work. Absent extenuating circumstances, you must call in on any day you are scheduled to report and will not be able to report.

Excessive absenteeism, whether excused or not, is not acceptable. Each situation of excessive absenteeism or tardiness will be evaluated on a case by case basis.

If you fail to report to work without any notification to your supervisor for a period of three days or more, we will consider that you have voluntarily terminated your employment.

4.2

CONFIDENTIALITY – In the course of your employment, you may have access to confidential information about the County, its citizens, and other employees including, but not limited to social security number, drivers license and medical records. This information must be kept confidential. If you are uncertain about whether information is confidential, check with your supervisor before discussing it with anyone. Any violation of this policy may result in discipline, up to and including termination. This information is protected by the Personal Identification Privacy Policy.

4.3

SUBSTANCE ABUSE POLICY – The County has an obligation to provide a safe and efficient workplace for our employees. Likewise, all employees have an obligation to the County and their co-workers to help keep the workplace safe and efficient. Therefore, the County will strictly enforce the following rules:

1. The possession, use, or sale of alcohol or prohibited drugs or substances on County property, in County vehicles, or off County property while on County business is prohibited.
2. Being under the influence of alcohol or prohibited drugs or substances on County property, in County vehicles, or off County property while on County business is prohibited.

"Prohibited drugs or substances" are: (a) drugs or substances whose possession or sale is illegal under state or federal law; and (b) any prescription drugs or substances used in a manner, combination, or quantity contrary to the prescription, without a prescription, or contrary to directions.

Any employee violating these rules may be subject to discipline up to and including discharge. If the County has a reasonable suspicion that an employee has violated these rules, it may require that employee to undergo alcohol and drug testing and may search that employee's vehicle or work area. Any employee who refuses to consent to alcohol and drug testing or to a search of his or her vehicle or work area pursuant to these guidelines may be disciplined to the fullest extent.

4.4

CRISIS INTERVENTION – The County recognizes that the level of violence in society as a whole, and thus in the workplace, is a concern. The County is concerned about the safety, health and welfare of our employees and thus has adopted this policy to minimize the risk of violence in the County.

Employees who notice that a co-worker is seriously or chronically angry, upset, moody or depressed are to inform their supervisor or the County Administrator of the situation immediately. Indications of a problem could be concentration problems, confusion, decreased productivity, poor hygiene, inappropriate emotional reactions, a fascination with firearms, withdrawal from social interaction, and unusual or changed behavior.

The County will closely observe the troubled employee. Problems that are noted may be documented and the supervisor or County Administrator meet with the troubled employee to attempt to elicit the problem, listen, inform the employee of the County's concern and perhaps direct the employee to a counselor, crisis center, or health facility or assist the employee in arranging for time off, if appropriate.

Employees who are threatened or disturbed by the actions or communications of a co-worker or member of the public should report the incident to their supervisor or to the County Administrator immediately. The County will take all reports seriously and will immediately take appropriate steps to stop the incidents and prevent a recurrence. If the situation is potentially explosive, law enforcement officers may be notified.

The confidentiality of all of those involved in the above-described situations will be maintained to the extent possible. Reports of potential problems will be dealt with effectively, calmly, and professionally, and the paramount concern will be protecting the health and well-being of all of our employees.

Should a crisis occur, employees should immediately contact the County Administrator or their supervisor. If appropriate, the building should be evacuated and law enforcement or emergency personnel should be contacted.

FRINGE BENEFITS

5.0

Benefits outlined in this Manual may be unilaterally added to, expanded upon, reduced, deleted or otherwise modified by the County. With regard to benefits, the actual plan documents control, rather than the summary descriptions contained here. Written Personal Service Contracts between the Board of Commissioners and individuals may supersede any of the benefits described herein.

5.1

FRINGE BENEFITS ELIGIBILITY - Positions are defined by the approved position list established by the Board of Commissioners. All regular full-time employees of the County shall be eligible for fringe benefits as detailed in this policy. Regular part-time employees shall be eligible, on a pro-rated basis, for vacation, medical leave and retirement. Holiday pay for part-time employees shall be based on the number of hours worked on that holiday and only if it is a regularly scheduled work day for that part-time employee. Temporary employees shall not be eligible for any fringe benefits.

Full-time grant employees on the County payroll shall be eligible for the same benefits as full-time employees, provided that the grant funding their position provides for reimbursement of these fringe benefits, unless approved otherwise in advance by the Human Resources Committee.

5.2

HEALTH INSURANCE - Effective 30 days after the beginning of employment, the County shall provide a health insurance program for regular full-time employees and family (Regular full-time as defined by Health Care Reform are employees who are employed on average at least 30 hours per week.).

- A. Health Insurance for Retirees: Refer to the Clinton County Post-Retirement Health Care Plan Document.

5.3

LIFE AND DISABILITY INSURANCE - The County shall provide life and disability insurance in the following amounts for regular full-time employees, effective 30 days following the beginning of employment:

<u>Life</u>	<u>A.D. & D</u>	<u>Disability</u>
\$20,000	\$20,000	\$250/wk (52 wks after 30 days)

5.4

HOLIDAYS - The Courthouse shall be closed on the following holidays, which shall be considered paid holidays for eligible employees:

NEW YEARS DAY	January 1	VETERAN'S DAY	November 11
MARTIN LUTHER KING DAY	3rd Monday in January	THANKSGIVING DAY	4th Thursday in November
PRESIDENTS' DAY	3rd Monday in February	FRIDAY AFTER THANKSGIVING	
GOOD FRIDAY	Noon until 5 p.m.	DECEMBER 24	See below
MEMORIAL DAY	Last Monday in May	CHRISTMAS DAY	December 25
INDEPENDENCE DAY	July 4	DECEMBER 31	See below
LABOR DAY	First Monday in September		

Whenever New Year's Day, Independence Day, Veteran's Day or Christmas Day falls on Saturday, the preceding Friday shall be a holiday. Whenever New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a holiday. When Christmas Eve or New Year's Eve falls on Friday, the holiday shall be observed on the preceding Thursday. When Christmas Eve or New Year's Eve falls on Saturday or Sunday, the holiday shall be observed on the preceding Friday.

Eligible employees shall only receive holiday pay if they work the day before and the day after a holiday, unless excused by their supervisor.

If a non-union essential employee, defined as staff employed in a 24/7 operation, works a recognized holiday, they shall receive pay for the hours worked as well as holiday pay matching the hours actually worked. This shall be paid when earned during the regular payroll process. If they are not scheduled to work a holiday, they do not receive holiday pay.

Lead Telecommunicators shall receive double-time if they volunteer to work a holiday created by a short-notice call in.

5.5

RETIREMENT – Clinton County employees hired prior to January 1, 2007, are members of the Michigan Municipal Employees Retirement System (Defined Benefit Plan B-3) with all contributions paid by the County. Effective October 1, 1993, the Regulations pertaining to the system are made by the Michigan Municipal Employees Retirement Board in conformance with state law.

Please contact Administration for information regarding prior governmental service and the Reciprocal Retirement Act (Act 88) which provides for the preservation and continuity of retirement system service credits for public employees who transfer their employment between units of government.

Additional information can be found in the MERS Member Handbook which was received during orientation or can be found on the County Intranet. Information regarding the MERS Plan Document can be found on the MERS Website at <http://www.mersofmich.com>.

Clinton County employees hired after January 1, 2007, who are considered full-time or part-time (as defined in section 3.3), shall be enrolled in the MERS Benefit Program Defined Contribution. The county will contribute on behalf of each participant, 6% of earnings for each plan year. Each participant is not required to contribute but can make a one-time election to contribute 2% of their earnings, of which Clinton County will match for a total employer and employee contribution of 10%. Employer contributions are 100% vested from date of hire.

5.6

VACATION - Vacation is accumulated on a biweekly basis for 80 hours regular straight time hours worked and pro-rated for eligible part-time employees according to the following schedule:

<u>Years of Service</u>	<u>Hours per Biweekly Period</u>
0-4 months service	0
5 months through 5 years	3.08
6 years through 10 years	4.62
11 years through 14 years	5.39
15 years through 19 years	6.16
20 years and upward	6.93

Employees may utilize accumulated vacation time as approved in advance by the Department Head. An employee shall not accumulate vacation credits at any one time during the year in excess of the following schedule based on his/her accrual rate:

<u>Accrual Rate</u>	<u>Maximum Vacation Credit Hours</u>
3.08 Hours	120 Hours
4.62 Hours	160 Hours
5.39 Hours	180 Hours
6.16 Hours	200 Hours
6.93 Hours	220 Hours

Employees shall not be eligible for any other type of compensation in lieu of credits in excess of the maximum. Upon termination of employment, the employee shall be entitled to compensation for any earned but

unused vacation time; however, employees terminating within the first six (6) months of employment shall not be eligible for payment of any vacation credits.

5.7

EDUCATIONAL REIMBURSEMENT POLICY - The Board of Commissioners believes it is appropriate to use County funds to reimburse an employee for educational expenses in certain instances. The County, however, reserves the right to reject an educational reimbursement request at any time for any reason.

If and when funds are available within a departmental budget, an employee of that department may request reimbursement for tuition costs and other charges, subject to the following criteria:

- a. The course must be related to the employee's present position in the County or is a required course leading to a degree related to the employee's present position. The course must be taken at an approved school or college. Correspondence courses will not be reimbursed.
- b. Employees must be employed by the County over six (6) months to be eligible to apply for educational reimbursement. If the employee terminates employment within two years of the date of reimbursement, the employee agrees to refund the entire amount reimbursed to the County.
- c. The reimbursement shall normally be limited to registration fees, tuition, and laboratory fees. Book costs, supplies costs, etc., can only be approved in those instances when a department head, with the consent of the Human Resources Committee, requires an employee to take a course.
- d. The employee must complete the Tuition Reimbursement Request Form and secure approval from the department head and the County Administrator **PRIOR** to taking a course. It is recommended that the employee confer with the department head regarding his/her overall educational plan.
- e. Under no circumstances will the County reimburse an employee for tuition paid by Veteran's benefits, scholarships, student or other grant programs. The county's maximum reimbursement in those cases will be limited to the difference between the total tuition cost and the amount reimbursed from other sources.
- f. **AFTER** the employee has successfully completed the course(s), he/she must complete the information in the box at the bottom of the Tuition Reimbursement Form, attached original proof of successful completion of the course(s) with a passing mark, and attach itemized, paid receipts. The completed Tuition Reimbursement Request Form, along with all supporting documentation, must be signed by the department head and County Administrator and forwarded to the Accounting Department for payment.

In the event that the department head or County Administrator does not approve payment for any reason, the employee may appeal the decision to the Human Resources Committee. The Human Resources Committee of the Board reserves the right to reject any claim by the employee that is not in accordance with the above criteria.

LEAVES OF ABSENCE

6.0

PAID MEDICAL LEAVE - Employees unable to come to work for reasons of personal or family mental or physical illness, injury, health condition, disability, diagnostic examination, medical care or treatment or preventative medical care or any other reasons established by Michigan's Paid Medical Leave Act are eligible to use earned medical leave.

Employees must notify their Department Head as early as possible, but in no case later than the morning of the work day for which the employee will be absent. It is expected that the employee shall keep the Department Head advised as to his/her condition and the probable date of return.

A certificate (verification) by a physician selected and paid for by the County if not covered by the employee's insurance may be required by the Department Head at any time, stating the cause or causes of the sickness or disability, and its expected duration or to verify same. The County will not pay for the doctor fee if the County's physician reports the employee is not or was not sick. The County may require the employee to obtain verification of illness from their own physician and at the employee's expense in addition to or in lieu of the above within three (3) days from the employees' medical leave request.

In the case of a work incapacitating injury or illness for which an employee is eligible for benefits under the County's Sickness and Accident Insurance program or the County's Workers Compensation program, medical leave credits may be utilized, at the employee's request, to equalize the difference between the employee's normal bi-weekly after-tax earnings and the disability or compensation benefits. If an employee receives payments in excess of their regular salary, payments in excess shall be refunded to the County through payroll deduction or as otherwise determined by the County.

Any use of medical leave by an employee in excess of three (3) days within a two (2) week period may require medical certification of the sickness or disability giving rise for the leave.

6.1

UNPAID LEAVE

A regular employee who has completed twelve (12) months of employment and worked at least 1250 hours for the County in the past twelve (12) months may request an unpaid personal leave of absence under the Family Medical Leave Act Policy (FMLA) for a period not to exceed one hundred eighty (180) days in any one calendar year. All requests must be in writing, must give the reason for the request, must give the expected duration of the leave and must be approved by the County Human Resources Manager.

Please refer to the **Family Medical Leave Policy** included in your orientation manual or on the intranet in the Policies and Procedures manual for further details.

6.2

MEDICAL LEAVE ACCUMULATION AND PAYMENT - Effective immediately upon commencement of employment, Full-time employees shall accumulate 4 hours of medical leave per 80 regular, straight time hours worked and may accumulate up to 720 hours. This rate of accumulation shall be pro-rated for Part-time employees. Employees are not entitled to use accumulated medical leave until 90 calendar days after hire. Employees who transfer within the County, but are still employed by the County shall retain their accumulated leave. Any accumulated medical leave shall be forfeited upon termination of employment, except that upon an employee's death while the employee is employed with the County or upon retirement under the provisions of the County retirement plan, or upon resignation in good standing from the County with 20 years or more of service, one-half of the employee's accumulated medical leave up to a maximum of 360 hours shall be paid. Any Employee who accumulates more than 720 hours of medical leave under this policy or the former version of this policy may not accumulate additional medical leave until his or her total accumulated medical leave is less than 720 hours. At such time, the employee may again accumulate hours under this Section up to a maximum of 720 hours.

6.3

DEATH IN FAMILY - Employees shall be granted a leave of absence with pay not to exceed 3 days when death occurs in the immediate family defined as parents, step-parents, spouse, children, step children, mother-in-law, father-in-law, sister and brother, and one day for grandparents, brother-in-law and sister-in-law. Such leave will not be deducted from medical leave. If additional leave time is requested, the Department Head may authorize vacation, earned medical leave or unpaid time off.

6.4

JURY DUTY - The County shall pay an employee called for jury duty his/her regular straight time rate which he/she would earn if working, less an amount equal to the payment received for jury service. The employee must return to work and work any hours out of his/her scheduled work day that he/she is not actually on jury duty. In order to receive payment, an employee MUST give the County at least two (2) days' prior notice that he/she has been summoned for jury duty, shall furnish satisfactory evidence that he/she reported for or performed jury duty on the day(s) for which he/she claims such payment, and must furnish a copy of the payments received for jury duty.

6.5

PERSONAL HOURS - All full time employees shall be allowed twenty four (24) hours Personal leave with pay per calendar year except for new hires. Personal hours may be used only with the prior approval of the Department Head, and is not accumulative from one calendar year to the next. New hires will receive personal hours on a pro-rata basis effective 120 days after the beginning of employment to the end of the calendar year.

Remaining annual Personal hours must be used prior to or during a pay period that ends in the current year. IE: Personal hours used in pay period 12/11/XX thru 12/24/XX would be charged to the current years balance. Personal hours used in pay period 12/25/xx thru 01/07/xx (period ends in new year) would be charged to the new year's balance.

OTHER LEAVES

7.0

MILITARY TRAINING LEAVES - Military Reserve or National Guard Leave of Absence. Upon presentation of official orders requiring training, a regular full time employee who is a member of an armed forces reserve unit or National Guard will be granted a leave of absence to engage in annual training. Upon presentation by a regular full time employee of compensation records identifying the date of and payment made for the training program, the County shall pay the difference between the compensation received for the training and the compensation that would have been received had the regular full time employee worked as scheduled for up to ten (10) working days annually. In the event that the annual training required for an employee exceeds the ten (10) days specified above, the additional days shall be granted as a leave of absence without pay (or charged against the employee's accumulated vacation leave, if requested by the employee).

COMPLAINT PROCEDURE

8.0

COMPLAINT PROCEDURE

1. This complaint procedure shall be applicable to regular County employees covered under this Manual. Excluding, however, employees employed by elected County officials (Sheriff, Treasurer, Clerk, Register of Deeds, Drain Commissioner, Prosecutor and Judges) for disciplinary or discharge matters. Grievances of employees working for elected officials or the courts for disciplinary or discharge matters who are not covered by a collective bargaining contract may be considered under this procedure if such elected official, at their option, permit the same, and requests processing of the grievance in writing to the Board of Commissioners. This grievance procedure also is not applicable to any County elected officials or County employees who receive direct appointment by the Board of Commissioners such as appointed department heads. Further, employees are employees at will.
2. Should any regular employee of Clinton County to whom this procedure is applicable, have a complaint about the interpretation or application of personnel policies, the following steps will be taken:

STEP 1. All complaints shall be submitted within seven (7) calendar days of its occurrence or when the employee should reasonably have obtained knowledge of its occurrence. If not so submitted, the complaint shall be considered automatically closed.

The employee shall place the complaint in writing and present it to his/her department head as outlined above. The employee shall sign the complaint. The department head shall, within fourteen (14) calendar days after receipt of the written complaint, give his/her decision in writing.

Unresolved complaints shall proceed to STEP 2, provided they have been appealed within seven (7) calendar days from the date the department head's answer was received or due.

STEP 2. In the event the complaint is not settled at STEP 1, the complaining party may appeal in writing within seven (7) calendar days of receipt of the department head's answer to the County Administrator. A copy of the appeal will be forwarded to the department head.

The County Administrator will meet with the parties to review the complaint and give a response within fourteen (14) calendar days after the meeting. In the event the complaint is not settled at STEP 2, the complaining party may appeal in writing to the Board of Commissioners within seven (7) calendar days after receipt of the County Administrator's response.

STEP 3. The Board of Commissioners will hear the controversy at one of its normally scheduled meetings as determined by the Chair. The Chair may, at his/her discretion, set up a special meeting to hear the controversy. In addition, the chair may require transcripts of the hearing be taken by a certified court stenographer and placed on file with the clerk's office. The employee may appear before the Board of Commissioners to present his/her complaint. The employee may present witnesses and evidence and be represented by an attorney or other person of his/her choosing.

For employees who have been discharged and who have been employed for one (1) year or more, the Board of Commissioners, within its sole discretion, may provide up to four- (4) weeks severance pay and continue health insurance premium payments for that time, provided the employee is not receiving unemployment benefits during that period. The decision of the Board of Commissioners shall be binding and final on all parties.

3. Any complaint not appealed from Step 1 to Step 2 or to Step 3 within the prescribed time limit shall be considered dropped and not subject to further appeal.

DISCIPLINE

9.0

DISCIPLINARY ACTION – Disciplinary action may include any one or more of the following:

- **Verbal Warning.** Verbal warnings should be documented and placed in the employee's personnel file.
- **Written Warning.** Employees should receive a copy of any written warning. One copy of the warning should be placed in the employee's personnel file.
- **Probation.** Probation is a period during which an employee will be expected to achieve certain goals or meet certain performance expectations.
- **Demotion.** Demotion is the placement of an employee into a lower-level position, usually with a lower level of pay.
- **Suspension.** Suspension is time away from work without pay, for a specified duration, not to exceed five working days.
- **Termination.** Termination is a permanent removal from the job and may occur at any time.

Since employment is at will, termination may occur at any time, with or without reason or notice. The County does *not* utilize a progressive disciplinary procedure and does not implement disciplinary action in any particular order. We will review each disciplinary case individually and issue disciplinary action as we deem necessary and appropriate.

EMERGENCY SITUATIONS

10.0

EMERGENCY SITUATIONS - When it is deemed to be in the best interest of the employees in the County service to close the buildings or curtail certain services as a result of inclement weather or other emergency situations (such as tornadoes, snowstorms, etc.), such determination shall be made by the Chair of the Board of Commissioners or his/her designated representative. When offices are closed under this section, employees shall record the time on his/her attendance record as Administrative Leave (AL). If an employee is on a previously scheduled vacation day, medical leave, personal day or funeral leave; that employee shall be charged for that day as planned. If courthouse offices are open, but an employee is unable to get to work, earned leave time may be used or it can be taken unpaid. Administrative Leave (AL) shall have no effect on other forms of leave covered in the Personnel Policies.

If any office is closed without this authorization, employees who have lost time shall not be paid for such lost time except:

- a. Earned and unused compensatory time can be utilized for such lost time, or
- b. Earned vacation or personal time can be utilized for such lost time.

If the Courthouse is to be closed under this section due to weather conditions that may develop during the nighttime hours, employees in doubt should check the Clinton County website at <http://www.clinton-county.org> where emergency information will be provided. For those without web access, contact the Clinton County Facility and Fleet Services Department at (989) 224-5105 where a recorded message will be available with the information after 7:00 a.m.

EMPLOYEE LAY-OFF AND TERMINATION

11.0

REDUCTION OF COUNTY SERVICES - When, by decision of the County Board of Commissioners, it is deemed necessary to reduce the level of County services, the Board of Commissioners shall notify the Human Resources Manager that no vacancies can be filled without written approval of the Board of Commissioners. The Human Resources Manager shall advise each Department Head when the approval rule is to become effective and as to the necessary procedures for requesting approval to fill vacancies.

11.1

LAY-OFF OF EMPLOYEES - The termination of positions and the subsequent lay-off of employees shall be determined by the County Board of Commissioners, after consultation with County Department Heads.

Full-time and part-time employees terminated as a result of such action shall be given a minimum of ten (10) calendar days' notice, and upon termination shall be eligible for the payment of any earned but unused vacation time, but not medical leave. In addition, the County will continue the employees' life and health insurance coverage for one calendar month past the employees' termination date.

If a full or part-time employee, who has been laid off, is rehired within one year, the employee shall be entitled to credit for prior years' service in calculation of fringe benefits.

11.2

TERMINATION - LEAVING EMPLOYMENT –As a matter of courtesy, employees who desire to leave the County are expected to give at least fourteen (14) calendar days' notice in writing. An employee shall be paid earned salary to the date on which employment terminates. The County's contributions to insurance plans will be made through the end of the month in which terminations occur.

All employees are encouraged to schedule an exit interview with the Human Resources Manager following resignation but prior to termination of employment. The Human Resources Manager shall make every attempt to schedule the exit interview at a time which is convenient for the employee and which minimizes disruption of the work schedule.

An exit interview allows the County to verify the information in its files and to clarify the employee's questions about his/her status upon termination. The employee has opportunity to speak candidly about employment with the County, and the County may discover ways to improve its operations as a result.

Resignation Procedures

1. Employees should submit a written resignation to be placed in his or her personnel file.
2. The employee must return all office keys.
3. The employee must return this Manual.

Employees who are enrolled in the County's medical insurance plan at the time of their termination may be eligible to continue coverage at their expense under the group plan following the termination of their employment. Coverage generally may extend for up to eighteen (18) months or longer, depending upon the circumstances. The cost will be 102% of the County's premium. See the Insurance Coordinator for details.

ADMINISTRATION

12.0

POLICY ADOPTION AND ADMINISTRATION - Responsibility for implementation and subsequent amendment of the policy shall be as follows:

1. The Board of Commissioners shall approve all policies and procedures and the classification and compensation plan and schedules, and any amendments thereto.

2. The Human Resources Committee of the Board shall review these policies and procedures as necessary, and recommend to the Board of Commissioners amendments to them; recommend actions, new classifications, and salary ranges for such classifications; and meet as necessary with the County Administrator and other Department Heads (representatives of major classification categories) to discuss changes in the County Personnel Policy, fringe benefits, and compensation schedule amendments.

3. The County Administrator shall be responsible for the administration of the County's personnel system, including preparation of new or revised job descriptions, classifications and compensation schedules based on the duties, responsibilities and nature of work in County services, for approval by the Human Resources Committee and the Board of Commissioners; review of all personnel transactions for conformance to County classification and compensation schedules and policies; communicate with employees and Department Heads to insure knowledge and understanding of personnel policies.