

Board of County Commissioners

Meagher County, Montana

Resolution 2011-13

Whereas, the Board of County Commissioners for Meagher County, Montana has determined that it is in the best interest of Meagher County, its employees and the public to consider revision of the Meagher County Personnel Policy Handbook; and

Whereas, the County Commissioners and County Officers have documented and discussed potential changes to the Personnel Policy Handbook for several years, and the County Commissioners directed a committee consisting of Chairwoman Schlepp, Vice Chair Hurwitz, Commissioner Townsend, and Clerk and Recorder Ogle to draft a new personnel policy handbook for dissemination to the County Officers and employees for review; and

Whereas, the Committee has reviewed the comments and compiled a final draft of the Meagher County Personnel Policy Handbook for submission to the County on March 1, 2011, at a regularly scheduled meeting; and

Whereas, Section 7-4-2110(5) MCA authorizes the Board of County Commissioners to adopt personnel policies and procedures; and

Whereas, the Board of County Commissioners for Meagher County, Montana in accordance with the provisions in Section 7-4-2110 and 7-5-121 MCA, at a regularly scheduled meeting with notice of the action to be taken having been included on the posted agenda for the meeting, considered the proposed Meagher County Personnel Policy Handbook and took comments from employees, County Officers and the public regarding the proposed Handbook.

Following discussion by the Board of County Commissioners, upon motion duly made and seconded, adopted the following Resolution by a vote of 2-0.

Now Therefore It Is Hereby Resolved, that the Meagher County Board of County Commissioners hereby adopts the attached Meagher County Personnel Policy Handbook. Pursuant to Section 7-5-123MCA, this resolution is effective immediately.

Done this 1st day of March, 2011.

Board of Meagher County Commissioners:

Chairwoman Nancy Schlepp

Vice Chair Ben Hurwitz

Commissioner Herb Townsend

Approved As to Form and Content:

County Attorney Kimberly Deschene

Attest:

Clerk and Recorder Dayna Ogle

Meagher County Personnel Policy Handbook

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SUBJECT: PURPOSE

STATEMENT OF POLICY

The purpose of these policies and procedures is to:

- Provide fair and consistent human resource management practices at Meagher County
- Provide sound guidance to County supervisors based on sound employment principles
- Comply with state and federal employment laws

These policies govern all employment practices and issues that are not specifically covered by collective bargaining agreements. The word "may" shall be interpreted as permissive. The word "shall" will be interpreted as mandatory.

Temporary, short-term, seasonal and intermittent/on-call employees are eligible for only those rights, privileges and benefits expressly provided in these policies.

Employees in positions identified in Addendum A are eligible for only those rights, privileges and benefits provided expressly or by reference in their employment contract.

The County Commission specifically reserves the right to repeal, modify or amend these policies at any time.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

STATEMENT OF POLICY

In order to fulfill the requirements of this article, the Meagher County Commission is authorized to take all measures which are deemed necessary or effective to provide for equal employment opportunity in county employment, so long as they are consistent with applicable federal or state law, and county policies.

Meagher County is committed to providing equal employment opportunities (EEO). It is the policy of Meagher County to afford all individuals who have the required qualifications an equal opportunity to compete for employment and advancement. Meagher County does not refuse employment or discriminate in compensation, benefits or the other terms, conditions and privileges of employment, based upon: race, color, national origin, age, physical or mental disability, marital status, sexual orientation, religion, creed, gender (including on the basis of pregnancy, childbirth or related medical condition), or political belief unless that factor is a bona fide occupational qualification (BFOQ).

Day to day responsibility for the execution of both the letter and spirit of the policy will be the duty of each elected official, department head and their respective supervisors. Any applicant for employment or employee who believes he or she has been subjected to discrimination, including harassment, based upon any of these factors should immediately contact the County Commission and may also contact the Montana Human Rights Commission or the Federal Equal Employment Opportunity Commission.

Diversity and Non-discrimination

Meagher County will not elicit information from applicants for employment concerning race, color, national origin, age, physical or mental disability, marital status, sexual orientation, religion, creed, gender or political beliefs.

Meagher County will ensure that there exists no employment or personnel management practice or standards which would adversely affect persons of a protected group unless there is a BFOQ.

Reasonable Accommodation

Meagher County will provide reasonable accommodation for applicants and employees with disabilities, unless an undue hardship would result. Requests for accommodation must be communicated to the department head or Commission. Reasonable accommodations may include, but are not limited to: providing or improving access, modifying work sites, restructuring the job, providing assistive devices, providing readers or interpreters, modifying work schedules, and retraining or reassigning employees to vacant positions.

Meagher County will provide reasonable accommodation for the religious beliefs of employees or prospective employees provided it does not constitute an undue hardship for the County. Any employee or applicant who is otherwise qualified for employment may request reasonable accommodation in writing. Information regarding such a request or an accommodation shall be considered confidential to the extent reasonably possible and such information shall not be released to anyone without the right or need to know.

Unable to Fulfill Job Duties

If an employee cannot fulfill the duties of a job in the job description due to illness or injury, the employee must take sick leave or leave without pay until a workers' compensation doctor makes a determination.

Pre-employment Inquiries

Except as may be required by the reasonable demands of a position (a bona fide occupational qualification) or compliance with a lawful affirmative action plan or government reporting or record-keeping requirements, the County will not elicit information concerning race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, or political beliefs from applicants for employment.

The County will obtain information required for tax, insurance, social security, compliance with garnishment or immigration laws or other legitimate business purposes after employment.

Pre-employment Physical Examinations

The county will require pre-employment medical examinations only when necessary to determine ability to perform the physical duties of a particular position. Any pre-employment medical examination will be job related.

The County will require a pre-employment medical examination only after a conditional offer of employment has been made to a job applicant and only when the following requirements are met:

- A. All applicants for the same position are subjected to the examination regardless of disability.
- B. The results of the examination are maintained on separate forms and in separate files and are treated as confidential, except that supervisors and managers may be informed regarding necessary restrictions and accommodations and safety personnel may be informed if a disability might require emergency treatment.
- C. The results of the examination will not be used to refuse employment or to make a distinction in employment unless a medical evaluation establishes inability of the particular applicant to safely and efficiently perform the duties of the position with reasonable accommodation, if necessary.

A background check is required on all new full-time and part-time hires.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: PERSONNEL APPOINTMENTS

STATEMENT OF POLICY

All county employees shall be appointed to one of the following categories as allocated in the adopted county budget:

Regular Full-time Employee

Employees are in regular full-time status when they:

- Have successfully completed a probationary period.
- Are regularly scheduled to work forty (40) hours per week on a continuous basis.
- Are eligible for all employee benefits.
- Do not have a specified termination date at the time of hire.

Regular Part-time Employee

Employees are in regular part-time status when they:

- Have successfully completed a probationary period.
- Are regularly scheduled to work less than 40 hours per week on a continuous basis.
- Do not have a specified termination date at the time of hire.

Regular part-time employees who are regularly scheduled to work at least 20 hours per week (1040 hours per year), but less than 40 hours per week, shall be entitled to applicable employee benefits on a prorated basis.

A regular part-time employee who is scheduled to work less than 20 hours per week shall not be entitled to employee benefits other than those required by State Law.

Short-term Worker

A short-term worker is an employee who is hired for a period of time not to exceed 90 days in a continuous 12-month period. Short-term workers may be hired by a county department without going through the normal county recruitment process, subject to approval by the Commission. Any day in which a short-term worker performs work, regardless of the number of hours, will be counted towards the 90-day limit provided in this section.

Pay rates for short-term workers will be determined by the Commission according to the section entitled **Rate of Pay**. Short-term workers may not be hired into another position by any county department without going through a competitive hiring process, and are not eligible to receive benefits including paid leave or holiday benefits. Membership in the Public Employees' Retirement System is optional for short-term workers. If hired into another position at Meagher County, time served in a short-term appointment does not count toward the qualifying periods for use of sick and vacation time.

Temporary Employee

Temporary employees are those who are hired, either on a part-time or full-time basis, for a specified period of time not to exceed 12 months. Requests to hire temporary employees must be approved by the Commission. Temporary employees are not eligible for benefits except as required by state law or specifically provided in these policies. A temporary employee may be terminated at any time at the discretion of the department head.

Intermittent/On-call Employee

An appointment of an employee on a non-continuous intermittent basis may be made to an approved position. An employee appointed on an on-call basis shall be called to work intermittently as workload, absences, or emergency situations may require. Intermittent/on-call employees shall not be entitled to employee benefits except as required by state law and as specifically provided in these policies. Intermittent/on-call employees may be separated at any time at the discretion of the department head.

Seasonal Employee

A seasonal employee is a regular employee who performs work that is interrupted by the seasons, and who may be recalled to work without losing rights or benefits accrued during the previous season. A seasonal employee is placed in active employment status during the seasonal activity and is then placed in inactive status until the succeeding season. Seasonal employees shall not be entitled to employee benefits except as required by state law and as specifically provided in these policies.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: RECRUITMENT AND SELECTION

PURPOSE: To establish a policy and procedure for recruiting, hiring and promoting employees

STATEMENT OF POLICY

It is the policy of the County to recruit, select, and promote personnel without regard to race, color, religion, creed, political ideas, sex, age, marital status, physical or mental handicap or national origin, except where a bona fide occupational qualification is reasonably necessary to a County operation.

The following procedures should be adhered to by all departments in filling positions:

- A. Requests to fill all vacancies, whether through internal or external recruitment shall be made to the County Commission as soon as the department head becomes aware of a vacancy. Upon receipt of notification and approval to fill the position, the selection process will begin. The selection process will be coordinated between the County Commission and the department head affected. *The Commission may choose not to fill a position.*
- B. A job description should be reviewed or created.
- C. The department head will receive and review all applications. Only those applicants meeting minimum qualification requirements will be referred to the Commission for further consideration. All applicants shall be treated consistently with regard to selection procedures and criteria used.
- D. The Commission shall, in cooperation with the department head, determine the selection procedure that will be used to fill a vacant position. Selection procedures shall be developed in advance of any review of applicant qualifications, and shall include written criteria that will be used to evaluate candidates. This process may include one or more of the following evaluation tools:
 1. County application and supplemental questionnaire
 2. Written, oral or performance tests
 3. Assessment centers or job simulation exercises
 4. Physical and agility exams
 5. Assessment of training, education and experience
- E. If oral interviews are included in the selection process, the Commission and department head will assist in developing relevant interview questions. Interview panel may be comprised of the department head and two commissioners.
- F. The department head shall make job offers and oral or written comments to salary levels and employee benefits. Rates of pay for newly-hired, promoted, and transferred employees shall be determined in accordance with applicable policies.

Reasonable accommodations shall be made for disabled applicants to allow participation in the selection process.

The County may recruit internally and externally. Internal applicants who meet the minimum qualifications will be evaluated with the total pool of applicants. The County reserves the right to reject any and all applications for the position and re-advertise if there are not sufficient qualified applicants.

Applications for a posted position will not be accepted after the published closing and/or receipt date.

It is the policy of Meagher County to provide preference in employment to eligible disabled veterans, other veterans, and certain relatives as required in 39-29-101, *et seq.*, MCA. It shall be the responsibility of the department head to administer preference when filling vacancies.

Job offers shall be made in writing by the County Commission and appropriate department head. A job offer should specify whether the job is permanent, temporary, seasonal or a short-term position and whether the job is full or part-time. The offer should also specify the position, title, grade, salary, work location, starting date and hours of work.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: NEPOTISM

PURPOSE: To Comply with the Montana nepotism laws

STATEMENT OF POLICY

No one may be refused employment or terminated *solely* because another member of that individual's family is employed by the County (MCA 2-2-302). However, immediate family members of current county employees are not eligible for employment or contract in job classifications in which a conflict of interest might occur.

Conflicts of interest include, but are not limited to the following:

- an employee with supervisory authority to appoint, remove or discipline a family member
- an employee with the responsibility for auditing the work of a family member
- an employee with influence over the promotion or transfer of a family member
- an employee that has the authority to contract with an independent contractor that is a family member. (In this situation the county employee must recuse him/herself and allow the Commission to make the determination if the County will contract with said independent contractor.)

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: PROBATION PERIOD/TRIAL PERIOD

STATEMENT OF POLICY

Probationary Period

Probation is a designated period of at-will employment during which a newly-hired employee is required to demonstrate satisfactory job performance. Probation is used to determine if the employee should be retained beyond the probationary period and attain regular status. A probationary period shall not include any leave of absence or time served by the employee under a temporary, short-term, or intermittent/on-call appointment.

All initial hire or re-employment appointments shall serve a probationary period of at least 1040 hours. One extension of up to 520 hours may be made at the department head's discretion. Additional extensions must be requested in writing by the department head and approved by the Commission. When the probationary period is extended, the department head shall notify the employee and the Commission in writing on or before the end of the established probationary period that the probationary period has been extended and shall specify the length of the extension.

In the event a new employee does not satisfactorily complete the probationary period, as determined by the department head, the employee shall be terminated. Probationary employees who are terminated in accordance with this section shall not have access to the grievance procedure contained herein.

A terminated probationer shall be notified in writing by the appropriate department head. A copy of the notification shall be retained in the personnel file.

An employee who has not completed the probationary period and is promoted shall be required to complete a new probationary period.

Trial Period

A trial period is a designated period during which a newly-promoted or reassigned employee is required to demonstrate satisfactory job performance and used to determine if the employee will be retained in the new position.

All promoted or reassigned employees shall serve a trial period of at least 1040 hours. One extension of up to 520 hours may be made at the department head's discretion. When the trial period is extended, the department shall notify the employee in writing on or before the end of the established trial period that the trial period has been extended and shall specify the length of the extension.

If an employee does not perform satisfactorily at any time during the trial period the employee may be returned to the employee's former position if it is still vacant. If the employee's former position is filled the employee may be:

- A. Placed in another available position for which the employee is qualified.
- B. Subject to corrective action.
- C. Terminated for good cause.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: EMPLOYEE PERSONNEL RECORDS

STATEMENT OF POLICY

The personnel files of all county employees will be locked and maintained in the Clerk and Recorder's Office. The Clerk and Recorder's office shall be the sole repository of personnel files. Separate personal files shall not be kept by department heads.

Employees shall notify the Clerk and Recorder whenever there is a change in their name, address, telephone number or other personal data necessary for county business purposes.

Personnel File Documents

An employee's personnel file will include:

- A. All items that define or change status, classification, conditions of employment, pay or benefits.
- B. Original application and resume for employment.
- C. Performance evaluations.
- D. Copies of comments relative to employee performance which have been received by the employee or whose placement in the personnel file has been acknowledged by the signature of the employee.
- E. Performance-related information which an employee has requested be placed in the personnel file.
- F. Documentation of any disciplinary action or warning. (This material may be removed in accordance with **Warning Notice** under **DISCIPLINARY ACTION & GRIEVANCE PROCEDURE**)
- G. Information of a confidential nature pertaining to employee benefits, medical information and withholding authorizations. This information is kept in a separate file which is available only to the employee and Clerk and Recorder.

Personnel File Access

An employee's personnel file is available only to the employee and to appropriate supervisory personnel.

Access to a personnel file by persons other than the employee, department head, and the Clerk and Recorder must be authorized in writing by the employee. Each inspection of the file is recorded on a log in the particular file. No materials in a personnel file may be removed from the personnel office.

The Clerk and Recorder also maintains records of employment which are available to the public. This information includes the employee's name, position, date of hire and pay rate.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: PERFORMANCE EVALUATION

STATEMENT OF POLICY

There may be regular performance appraisals, from time to time, of permanent and seasonal full-time and part-time employees.

The primary purpose of an employee performance appraisal system is to provide the opportunity for the employee and the supervisor to discuss the employee's job performance during the preceding evaluation period and to communicate job goals and objectives. Performance evaluations may be used to assist in decisions affecting promotions, demotions, dismissals, layoffs, re-employment, salary increases and training. Completed appraisal forms shall be returned to the Clerk and Recorder's Office by the department head.

A special evaluation may be completed whenever there is a change either upward or downward in the employee's performance.

If the employee disagrees with an appraisal, the employee has the right to submit, within ten (10) working days of receipt of the appraisal, a written rebuttal, which will be attached to the appraisal document.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: SALARY ADMINISTRATION

STATEMENT OF POLICY

Employees shall be paid their regular hourly rate of pay for all hours worked up to forty (40) in a work week. Except as provided in **Overtime and Compensatory Time**: (1) Fair Labor Standards Act (FLSA)-exempt employees shall not be paid for more than forty (40) hours in one week, and (2) time in an approved leave status shall not be considered hours worked. **Overtime and Compensatory Time** governs situations in which employees work more than forty hours in a work week. Also see **Hours of Work** under **HOURS OF WORK AND WORK RULES**.

Meagher County supervisors may not approve any paid leave hours that cause an employee to be compensated for more than forty hours in any work week.

Rate of Pay

The pay plan shall consist of a schedule of pay ranges covering all positions not covered by an individual employment contract or a collective bargaining agreement. Each pay range shall include minimum and maximum rates of pay. Assignment to a pay range shall be linked directly to position classification. Employees in comparable job classifications shall be compensated in similar pay ranges. See **Addendum A** for a list of Exempt Positions.

The normal starting pay rate for a newly-hired employee shall be the minimum rate of pay in each position. Upon written request of the department head, the commissioners may approve an exception to the minimum rate for new hires, and may assign a different pay rate within the established pay range.

Exceptions will be considered to mitigate problems with demonstrated failed recruitment, retention problems or other exceptional circumstances. Exceptions shall be approved only when: (1) the best interests of the County are served, and (2) such approval will not result in a request for additional funding.

Pay for part-time, temporary, short-term or seasonal employees shall be in accordance with the classification of the position and shall be based upon the number of hours worked.

Pay Increases

Pay increases will be granted within parameters established by the Board of County Commissioners during the annual budget process. Meagher County will periodically evaluate the criteria used in distributing pay increases.

All pay adjustments shall be processed by the Clerk and Recorder. The department head shall review the pay adjustment with the commissioners prior to notifying an employee. Actions resulting in pay adjustments may include: promotion, reclassification, new hire, merit increase, step increase, temporary work at a higher or lower classification level, transfer, demotion and suspension. Department heads shall request such changes in writing. Generally, changes in pay rates shall become effective at the beginning of the first full pay period following such change.

Anniversary Date

The anniversary date is the date from which time is computed in order to determine eligibility for regular (non-probationary) status and may be used to set salary increases. The anniversary date for newly-hired regular full-time and part-time employees shall be the first day following the successful completion of the probationary period.

The anniversary date for a non-probationary, promoted employee shall be reset to the effective date of the promotion. The anniversary date for a transferred, reclassified or demoted employee shall not change.

Payment upon Termination

In all cases, final payment upon termination will be made no later than the next regularly scheduled pay date from the pay period in which the employee's separation occurred.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: OVERTIME AND COMPENSATORY TIME

STATEMENT OF POLICY

Non-Exempt—A position which has been determined to be subject to the overtime provisions of the Fair Labor Standards Act and Montana Wage and Hour Law.

Exempt (elected officials)—A position which has been determined to be excluded, or exempt, from the overtime provisions of the Fair Labor Standards Act and Montana Wage and Hour law. Meagher County positions that have been determined to be exempt are listed in **Addendum B**.

Overtime Pay

Non-exempt employees (employees who are not exempt from the overtime provisions of the Fair Labor Standards Act) shall receive overtime compensation at the rate of 1 1/2 times their regular hourly rate of pay for all hours worked exceeding forty (40) in a work week. Absences while in a leave status (e.g., annual leave, sick leave, holiday, personal leave) and hours paid for jury duty shall not be considered hours worked for the purpose of calculating overtime payments.

The department head shall require that employees receive prior approval to work overtime.

Non-exempt Compensatory Time

A non-exempt employee may receive compensatory time off in lieu of overtime payment upon mutual agreement between the employee and the department head. Compensatory time for non-exempt employees shall be earned at the rate of 1 1/2 hours for each hour worked in excess of forty (40) in a given work week. Employees may accrue a maximum of 160 compensatory time hours, and shall receive compensation for additional overtime hours worked once they reach this limit. Non-exempt employees shall be paid for unused accumulated compensatory time upon moving to another department with the County, or upon moving to an exempt position, or upon termination of employment. The department head shall require that employees receive prior approval to work overtime.

Exempt Compensatory Time

Exempt employees (employees who are exempt from the overtime provisions of the Fair Labor Standards Act) may receive compensatory time off for hours worked exceeding 40 in a work week at the rate of one hour for each hour worked over forty (40). Under certain limited circumstances, the Board of County Commissioners may direct that exempt employees who work more than forty hours in a given work week receive compensation at the regular hourly rate for such hours. The department head may require that employees receive prior authorization to work more than forty hours in a work week. With the exception of holiday leave, absences while in a leave status (e.g., annual leave, sick leave, personal leave) shall not be considered hours worked for the purpose of calculating compensatory time under this section. Exempt employees are not entitled to receive compensation for unused compensatory time.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: VACATION

STATEMENT OF POLICY

Meagher County provides both paid and unpaid leave benefits to employees under the conditions set forth in this policy. While it is Meagher County's policy to provide these leave benefits, it is also Meagher County's policy that:

- Employees are expected to attend work on a regular and consistent basis.
- Excessive absenteeism, for any reason, is grounds for corrective or disciplinary action.
- Failure to provide adequate notice for using any leave benefits set forth in this policy is also grounds for corrective or disciplinary action.

Vacation

An employee must be continuously employed for the qualifying period of six (6) calendar months to be eligible to use earned vacation leave or to be eligible for a lump sum payment for unused vacation leave credits upon termination.

Accrual

As provided by State law, each employee shall earn vacation credits as follows:

- A. From the first full day of employment through ten (10) years of employment at the rate of 15 working days for each year of service (10 hours/month).
- B. After ten (10) years through fifteen (15) years of employment at the rate of 18 working days for each year of service (12 hours/month).
- C. After fifteen (15) years through twenty (20) years of employment at the rate of 21 working days for each year of service (14 hours/month).
- D. After twenty (20) years of employment at the rate of 24 working days for each year of service (16 hours/month).

Proportionate leave credits shall be earned and credited at the end of each pay period. Years of employment used to adjust the accrual rate will be calculated using the employee's service date. Employees may be credited for prior Montana public employment by submitting the required documentation to the personnel office.

Regular Part-time

These employees shall earn vacation leave credits on a pro-rated basis according to the actual number of hours worked in a pay period provided they have worked the qualifying period.

Years of Employment Completed

0-10 years
 10-15 years
 15-20 years
 20+ years

Hours in the Pay Status in the Pay Period

.058 x number of hours
 .069 x number of hours
 .081 x number of hours
 .092 x number of hours

Short-term Workers and Temporary Employees

Short-term workers are not eligible for annual leave benefits and do not accrue vacation leave credits.

Temporary employees do not earn vacation leave credits except that a temporary employee subsequently hired to a regular status without a break in service and temporary employees who are continuously employed longer than 1040 hours shall have their time counted from the date of hire, toward accrual of vacation credits.

Temporary employees who qualify to earn vacation credits may use vacation subject to approval by the supervisor, and are entitled to be paid for unused credits upon termination, in accordance with **Payment on Termination** of these policies below.

Accrual During Leave without Pay

Vacation credits shall not accrue during a leave of absence without pay.

Advancing Prohibited

Advancing vacation leave credits prior to their accrual is expressly prohibited.

Maximum Accumulation

Annual vacation leave may be accumulated to a total not to exceed two (2) times the maximum number of days earned annually as of the end of the first pay period of the next calendar year. Excess vacation time shall be forfeited if not taken within 90 days from the last day of the calendar year in which the excess was accrued.

If the employee submits a reasonable request to use the excess vacation leave prior to March 30th of any given year and such request is denied, the employee shall not forfeit the leave and will have until the end of the calendar year to use the excess vacation leave.

Scheduling

Scheduling of vacation shall be accomplished by cooperation between the employee and the department head, giving consideration to the employee's needs and the needs of the County. The department head has the discretion to approve or deny leave requests.

Vacation on Holidays

Vacation leave taken over a legal holiday shall not be charged to an employee's vacation leave for that day.

Use of Vacation for Sick Leave

Absence from employment by reason of illness may only be charged against vacation leave credits at the employee's request.

Payment on Termination

Upon termination of employment with the county, any employee who has worked the qualifying period will be paid for unused vacation leave credits at the rate of pay in effect at the time of termination.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: SICK LEAVE

STATEMENT OF POLICY

Sick leave benefits shall be provided to Meagher County employees according to state law.

Qualifying

An employee must be continuously employed for the qualifying period of ninety (90) calendar days to be eligible to use earned sick leave or to be eligible for payment for unused sick leave credits upon termination in accordance with **Payment on Termination** below.

Accrual

Each employee, with the exception of short-term workers, shall earn sick leave credits from the first full day of employment at the rate of one (1) working day per month without restriction as to the number of working days which may be accumulated. Proportionate sick leave credits shall be earned and credited at the end of each pay period.

Part-time, intermittent/on-call and seasonal employees shall earn sick leave credits on the prorated basis of .046 times the number of hours worked.

An employee shall not accrue sick leave credits during a leave of absence without pay.

Advancing Prohibited

Advancing sick leave credits prior to their accrual is expressly prohibited.

Use of Sick Leave

Sick leave credits may be used for:

- A. Illness or injury of the employee.
- B. Illness, injury, or death in the employee's immediate family requiring the employee's personal attendance. Immediate family shall mean spouse, parents, grandparents, siblings, children or grandchildren of the employee or spouse of the employee, son-in-law, or daughter-in-law.
- C. Quarantine for contagious disease control, provided the certification is obtained from the attending physician.
- D. Maternity-related disability, including prenatal and postnatal care, birth, miscarriage, or other medical care for either the employee or child.
- E. Doctor or dental appointments for treatment of the employee's illness, injury or preventive care. When possible, the employee's supervisor shall be notified at least 48 hours in advance.
- F. To attend or make arrangements for a funeral of a member of the employee's immediate family or, at the department head's discretion, another closely-related individual, for a period of time not to exceed four (4) consecutive working days. This leave may be extended to five (5) consecutive working days if the funeral that the employee attends is more than 500 miles from the City of White Sulphur Springs.
- G. For the placement of a child for adoption or foster care of a child.

Reporting

Absences that necessitate use of sick leave shall be reported by the employee to the supervisor or department head as soon as practical. Failure to report such leave within two (2) hours of the employee's regularly scheduled starting time may be considered absence without approved leave and a deduction from the

employee's pay will be made for the period of such leave. Such absences are grounds for disciplinary action, including dismissal.

Sick Leave on Holidays

Sick leave taken on a legal holiday shall not be charged to an employee's sick leave for that day.

Payment on Termination

Upon termination, an employee who has worked the qualifying period shall be entitled to be paid an amount equal to one quarter (1/4) of the amount attributed to the accumulated sick leave. Such termination pay will only apply to those credits earned since July 1, 1971. Payment for accumulated sick leave shall be computed on the basis of the employee's regular rate of pay at the time of separation from the County.

Abuse of Sick Leave

Abuse of sick leave may be cause for dismissal or other disciplinary action including forfeiture of payment for any accumulated sick leave. With the approval of the Commission the department head or supervisor may require an employee to submit a medical certification signed by a licensed physician to substantiate usage of personal/family sick leave.

Such certification may be required if absence from duty recorded as sick leave is frequent, habitual, excessive, suggests a pattern of abuse, or if the department head has reason to believe the employee may be misrepresenting reasons for using sick leave.

When an employee is returning to duty following a long illness or absence due to injury, or whenever the department head or supervisor has reason to question the employee's ability to return to duty and perform all duties without restrictions or without risk of injury to self or others, the personnel office may require a medical certification of the employee's fitness to return to duty.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: MATERNITY LEAVE

STATEMENT OF POLICY

Employees may request the use of annual vacation leave, sick leave, compensatory time or other appropriate paid leave, or leave without pay, for necessary absences due to maternity-related disabilities.

In determining the standard of a reasonable leave, the department head shall apply standards at least as inclusive as those applied to any other valid medical reason.

In accordance with 49-2-310, MCA, it shall be unlawful for the employer to:

- A. Terminate a woman's employment because of her pregnancy.
- B. Refuse to grant to the employee a reasonable leave of absence for such pregnancy.
- C. Deny to the employee who is disabled as a result of pregnancy any compensation to which she is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by her employer, provided that the employer may require disability as a result of pregnancy to be verified by medical certification that the employee is not able to perform her employment duties.
- D. Require that an employee take a mandatory maternity leave for an unreasonable length of time. Maternity leave shall be treated the same as any other leave provided for herein, except that eligibility for maternity leave shall not require employment for any specified period of time.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: FAMILY AND MEDICAL LEAVE

STATEMENT OF POLICY

Employees may request the use of annual vacation leave, sick leave, and compensatory time or other appropriate paid leave or Family and Medical Leave without pay, for necessary absences for purposes such as adoption, paternity leave, infant or child care, elder care, or care of other members of the employee's immediate family.

Meagher County provides the benefits required under the Federal Family and Medical Leave Act of 1993 (FMLA), and as expanded on by these policies, to all eligible employees. Employees who are eligible may receive up to twelve weeks of paid or unpaid leave for certain family and medical reasons.

To be eligible for FMLA leave, the employee must have worked for Meagher County for a minimum of twelve months and for at least 1,040 hours during the twelve-month period immediately preceding the leave. Eligible part-time employees will receive prorated leave based on the average weekly hours worked.

Eligible employees may take up to twelve (12) weeks of leave within a twelve-month period. At the time an employee requests FMLA leave, records for the previous twelve months will be reviewed to determine if FMLA leave has previously been used and the amount of leave an employee is eligible to receive.

The twelve weeks of leave may be taken in a single block of time, or if medically necessary on an intermittent basis or on a reduced work schedule. When the leave is taken for child birth or placement of a child for adoption or foster care, intermittent or reduced leave schedules are subject to employer approval. FMLA taken for the birth or placement of a child must be within one year (12 months) of the birth or placement.

Purpose of Leave

An eligible employee will be granted up to twelve weeks of FMLA leave for any of the following reasons:

- A. For the birth of a child and to care for the newborn child.
- B. For the placement of a child with the employee for adoption or foster care.
- C. For the care for a spouse, child or parent with a serious health condition.
- D. For a serious health condition that makes the employee unable to perform the functions of the employee's job.

Serious Health Condition

A serious health condition is one that includes illness, injury or mental condition involving any of the following:

- A. Incapacity or treatment in connection with inpatient care in a hospital, hospice, or residential medical facility.
- B. A period of incapacity requiring an absence of longer than three days and involving continuing treatment or supervision by a health care provider.
- C. Continuing treatment or supervision by a health care provider for a chronic or long-term health condition or for prenatal care.

Notice and Certification

Employees are required to provide advance notice of leave requests whenever possible. Thirty (30) days notice is required when the need for leave is foreseeable. When advance notice is not possible, the employee must provide notice as soon as practical. Requests for FMLA leave must be made in writing to the department head and the Commission.

Medical certification from a health care provider may be required to support a request for FMLA leave due to the employee's own serious health condition or that of a family member. Medical certification reflecting fitness for duty will be required when an employee returns to work from FMLA used due to the employee's own serious health condition.

Prior Use of Paid Leave

Employees are required to use all available accrued paid sick leave, including donated sick leave (in accordance with **SICK LEAVE GRANTS**), prior to using FMLA leave. An employee may, at his or her option use accrued vacation leave, personal leave or compensatory time during a qualified FMLA absence.

Any absence which qualifies as an FMLA leave and is covered by Meagher County's maternity or family leave policies will run concurrently with FMLA leave.

Health Benefits

An employee's health insurance coverage will be continued at the same level he or she had prior to the use of FMLA leave. Employees who pay a portion of the contribution costs for dependent coverage for health benefits or other insurance coverage are required to self pay those costs to maintain coverage during the FMLA leave.

If an employee fails to return to work following a FMLA leave, the employee may be liable for repayment of health benefits contributions paid by the County during the employee's unpaid FMLA leave. Repayment may be waived in situations where the continuing serious health condition or circumstances beyond the control of the employee prevents the employee from returning to work.

An employee on FMLA leave may elect to alter his or her contributions to the flexible benefits plan for qualifying events.

Reinstatement

An employee returning to work following a FMLA leave will be returned to the same or equivalent position with equivalent pay as when the leave began. The use of FMLA leave will not result in the loss of any employment benefit accrued prior to the start of an employee's leave.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: LEAVE WITHOUT PAY

STATEMENT OF POLICY

Leaves of absence without pay may be granted to non-probationary employees for up to 720 hours. Extensions of approved leave will be considered.

Upon return to duty, the employee shall be placed in the same class and rate of pay to which he/she was entitled prior to the leave unless otherwise agreed to by the employee, the department, and approved by the commissioners. Requests for leave of absence without pay shall be submitted in writing by the employee to the department head stating the reason for the leave and the approximate length of time off requested. Approved leave requests shall be forwarded to the Commission for appropriate action.

No employee benefits shall accrue during a leave without pay. The employee may continue to retain county insurance coverage, upon advance approval by the Commission, and provided that 100 percent of premiums are paid by the employee in a manner prescribed by the plan administrator. Requests for leave without pay for medically-related reasons will be considered under **FAMILY AND MEDICAL LEAVE**.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: HOLIDAYS

STATEMENT OF POLICY

Legal holidays, except Sundays, defined in 1-1-216, M.C.A., shall be observed by county employees without loss of pay. The following are legal holidays:

- A. New Years Day, January 1
- B. Martin Luther King Jr. Day, the third Monday in January
- C. Presidents Day, the third Monday in February
- D. Memorial Day, the last Monday in May
- E. Independence Day, July 4
- F. Labor Day, the first Monday in September
- G. Columbus Day, the second Monday in October
- H. Veterans' Day, November 11
- I. Thanksgiving Day, the fourth Thursday in November
- J. Christmas Day, December 25
- K. State General Election Day (which falls in even-numbered years)

Holidays Falling on Weekends

If a legal holiday falls on a Sunday, the following Monday will be considered the holiday. If a legal holiday falls on a Saturday, the preceding Friday will be considered the holiday. When a legal holiday falls on a regular employee's scheduled day off, the employee shall treat either the last preceding workday or the next following workday as the holiday, unless otherwise mutually agreed by the employee and department head.

Eligibility

To be eligible for holiday pay an employee must be in pay status on the last regularly scheduled working day immediately before the holiday or on the first regularly scheduled working day immediately after the holiday, except that:

An employee is not eligible for holiday benefits when:

- A. The employee is a new employee to Meagher County reporting for the first day of work on the day immediately following a holiday.
- B. The employee is separating from Meagher County with the last day of work on the day immediately before the holiday.
- C. The employee is a short-term worker in accordance with **Short-term Worker**, under **Personnel Appointments (PERSONNEL ADMINISTRATION)**.
- D. The employee is recalled from layoff or is called back to work to a seasonal position on the day immediately following a holiday.

An employee returning from a leave of absence without pay, including Family and Medical Leave, on the day immediately following a holiday shall be entitled to holiday pay on a prorated basis using the average number of hours worked for two full pay periods preceding the holiday.

Calculation

Full-time Employees

All eligible full-time employees working 40 hours in a week shall be entitled to eight (8) hours of holiday pay for each legal holiday listed above. Generally, the employee will have the day off and will receive eight (8) hours pay for that day. Meagher County reserves the right to require an employee to work on a holiday. Employees who are required to work on a holiday shall be compensated in accordance with **Pay for Work on a Holiday** below.

Part-time Employees

All eligible part-time employees (including regular part-time, temporary, intermittent/on-call, or seasonal) shall be entitled to holiday pay on a prorated basis using the average number of hours worked per day for the pay period, not to exceed eight hours. To figure holiday pay, add the total hours worked in the pay period and divide that number by the number of work days in the pay period. Generally, the employee will have the day off and will receive prorated holiday pay for that day. Meagher County reserves the right to require an employee to work on a holiday. Employees who are required to work on a holiday shall be compensated.

Holidays and Alternate Work Schedules

Employees working alternate schedules (*i.e.*, four ten-hour days) may only receive eight hours of paid holiday leave. Vacation or personal leave may be used to make up the hours of lost time or otherwise these hours will be considered to be leave without pay.

Pay for Work on a Holiday

An employee who is designated as non-exempt under the Fair Labor Standards Act (FLSA) and who works on the day a holiday is observed shall be paid for all hours actually worked. In addition to the holiday benefit provided for in this rule, the employee shall receive either a paid day off at the regular rate, or pay as described below, at the County's discretion.

- A. If the holiday benefit is a paid day off to be taken at a later date, the employee shall receive pay at the regular rate for every hour worked on the holiday.
- B. If the holiday benefit is to be pay, but no day off, the employee shall also receive premium pay (regular rate x 1.5) for all hours worked on the holiday.

When a part-time, non-exempt employee is required to work on a legal holiday, in addition to holiday, the employee shall have the option to either:

- A. Receive time off with pay in direct proportion to the hours worked on the holiday, but not to exceed eight (8) hours of paid leave, to be taken at a time mutually agreed to by the employee and the supervisor.
- B. Receive pay at the regular hourly rate for each hour worked on the holiday up to eight (8) hours. Hours worked exceeding eight (8) hours on a holiday shall be calculated in accordance with work week overtime provisions outlined in **Overtime and Compensatory Time**.

Exempt employees who receive approval to work on a holiday shall accrue time off with pay equivalent to the number of hours worked.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: JURY DUTY AND WITNESS LEAVE

STATEMENT OF POLICY

Meagher County employees shall be eligible to serve as a witness or to serve on a jury when properly subpoenaed or summoned.

Procedure

An employee on authorized jury duty or witness leave shall receive their normal daily wage. A part-time employee will receive compensation for those hours the employee is normally scheduled to work. Hours paid for jury duty do not count as hours worked for the purpose of calculating overtime.

The employee shall collect all fees and allowances payable as a result of serving on jury duty or as a witness and forward the fees to the Clerk and Recorder Office. Employees serving on jury duty or as a witness in district or justice court should inform the clerk of the court of their employment status, precluding the payment of fees by the court. An expense or mileage allowance paid by the court shall be retained by the employee.

If an employee elects to charge juror or witness time off against annual leave or compensatory time, the employee shall not be required to remit to the County any fees paid by the court. Employees serving on jury duty on a normal day off will not receive additional compensation for those hours.

Excuse from Jury Duty

The department head may request the court to excuse employees from jury duty if they are needed to ensure County operations are not interrupted.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: LEAVE FOR FUNERAL SERVICES OF A MEAGHER COUNTY EMPLOYEE

STATEMENT OF POLICY

Employees who receive supervisory approval to attend local funeral services shall be allowed a reasonable period of time to attend such services without loss of pay and without being required to use paid leave.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: EDUCATION/TRAINING

STATEMENT OF POLICY

The County shall provide training and education opportunities to benefit employees and the County while maintaining county services at a maximum level and while ensuring the maximum benefit is derived from education and training dollars.

Supervisors are encouraged to explore, participate in and extend county training and educational opportunities to all regular employees. Employees may request training and, with the supervisor's consent, shall be permitted to participate in the County's training and educational opportunities during the work day.

Education Leave/Tuition Reimbursement

Requests for education leave and tuition reimbursement must be approved by the department head. The Board of County Commissioners reserves the right to limit the number of trainings which may be allowed during any fiscal year.

Any regular (non-probationary) full-time or part-time employee who works at least 1040 hours annually, may be granted time off with pay to attend job-related courses at an accredited post-secondary education institution, including approved vocational education centers. Part-time employees will receive benefits provided by this policy on a pro-rated basis. Time off with pay shall not exceed nine (9) quarter credit hours or six (6) semester credit hours per fiscal year. Upon receiving evidence of satisfactory completion of courses previously approved as outlined in this policy, along with receipts, the employee shall be reimbursed for the cost of books and tuition up to a maximum of three hundred fifty dollars (\$350.00) per fiscal year.

Employees who enroll in classes for professional development, personal growth, or educational advancement which are not directly job-related and which meet at times other than during the employee's regularly scheduled working hours may not claim such hours as compensable. Employees attending courses on their own time shall not be permitted work time off as a method of compensation. All outside class work must be accomplished on the employee's own time.

Training Leave

Regular, non-probationary employees may attend training seminars, workshops, or conferences related to professional development, safety, personal growth and educational advancement without charging related time off against annual leave and without losing any part of their salary for attendance within regularly scheduled working hours. Attendance must be approved in advance by the supervisor or department head.

The department may provide reimbursement for reasonable registration fees and other related expenses, such as lodging, per diem, mileage, in accordance with the state rate. Payment must be approved by the supervisor or department head in advance of the employee attending the training event.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: INSURANCE BENEFITS

STATEMENT OF POLICY

The County shall make group insurance benefits available to regular full-time employees and regular part-time employees scheduled to work at least 1040 hours per fiscal year. Temporary employees working for a period of less than 12 months are not eligible for group insurance benefits.

Insurance benefits that Meagher County provides are group health insurance.

Commissioners will determine county contribution annually.

Full-time rates are offered to employees scheduled to work 40 hours per week on a continuous basis.

Half-time rates are offered to employees scheduled to work at least 20 but less than 40 hours per week on a continuous basis.

Employees who are regularly enrolled and receiving insurance benefits and who subsequently have a temporary status change for at least 90 days will be given the corresponding benefit rate for the duration of the temporary assignment.

Any changes to health coverage done during open enrollment need to be completed prior to the end of July pay period. No changes will be made after payroll has run, except in the case of life changing events.

Meagher County allows surviving spouses of retired employees who were enrolled in insurance policies to be eligible to continue their insurance coverage through the County until they remarry, or are delinquent by thirty days, at which time they will be dropped.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: WORKERS' COMPENSATION

STATEMENT OF POLICY

Meagher County provides eligible employees with wage supplement and medical benefits for work-related injury or disease covered under the Montana Workers' Compensation Act or the Occupational Disease Act.

Employees must report every work-related injury or disease immediately to the supervisor, in accordance with time frames set by state law. As soon as such report is received, supervisors must submit a first report "Supervisors Notice of Injury/Exposure" form to the Clerk and Recorder.

Benefits for compensable injuries may include: wages; medical, hospital, and related services; and other compensation. In accordance with state law, eligibility for wage loss benefits begins after a six (6)-day or 48-hour waiting period (whichever is earlier). Employees may use accrued leave, including annual or sick leave benefits, to cover wage loss during the waiting period.

During an absence due to work-related injury or disease:

- Annual leave may be used in accordance with state law.
- Family and Medical Leave (FML) may be used in accordance with federal law and these policies.
- Leave without pay (LWOP) may be used in accordance with these policies.

Employees may retain county insurance coverage during approved LWOP or FML in accordance with the provisions of those policies.

Medical certification reflecting fitness for duty will be required when an employee returns to work from a work-related illness or injury. When employees are not able to return to the duties they were performing at the time of their injury, but are anticipated to make a full recovery, transitional work assignments may be considered. The Commission will coordinate transitional work assignments with the department head or supervisor of the position to which the employee will be returned.

Criminal proceedings may be initiated against a person who obtains or assists in obtaining Workers' Compensation benefits to which the person is not entitled.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: EMPLOYEE ASSISTANCE PROGRAM (EAP)

STATEMENT OF POLICY

The Meagher County Employee Assistance Program (EAP) has been implemented in order to retain valued employees, to increase effectiveness on the job and to encourage a positive work environment by assisting employees in coping effectively with personal and job-related problems.

The purpose of the EAP is to provide this assistance through special arrangements with outside, professional counseling resources. The program is designed to deal with a broad range of problems such as emotional, behavioral, family, marital, chemical dependency, financial, legal and other personal problems.

Eligibility

This program is available to all regular full-time and part-time employees working at least 1040 hours per fiscal year, and their families. EAP provides problem assessment, consultation, short-term counseling and referral. Cost for this service is covered by Meagher County. The employee or family member shall be responsible for the costs of services provided by a referral resource. Some of these expenses may be eligible for payment by the employee's health insurance.

Referral

Participation in the EAP is voluntary and will not jeopardize an employee's job security or promotional opportunities.

- A. Self-referral to the EAP is encouraged.
- B. It is the responsibility of all levels of management to refer employees to the EAP when appropriate to assist in resolving employee job performance problems. Supervisors and managers will base referrals to the EAP strictly on the basis of job performance, in accordance with County policy and procedures.
- C. If an employee initiates discussion of a personal problem with a supervisor, the supervisor may recommend that employee use the EAP.

Confidentiality

Employee referral to and participation in the EAP, as well as all records and discussions of personal issues, will be handled in accordance with strict confidentiality regulations. Records will be kept by the designated counseling resource and will not become part of an employee's personnel file.

EAP's policy of confidentiality allows information to be released only:

- A. With written and informed consent of the client.
- B. When the EAP staff determines that there is a clear and imminent risk to the client or to the community.
- C. When required by a court order.

In addition, child abuse must be reported in accordance with state law.

When an employee is referred to the EAP in lieu of discipline or discharge, the personnel office may require that the employee authorize verification of attendance at EAP sessions.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: HOURS OF WORK

STATEMENT OF POLICY

The normal work week shall be forty (40) hours, Sunday through Saturday. Meagher County department heads may not approve any paid leave hours that cause an employee to be compensated for more than forty hours in any work week. It is the department head's responsibility to make a schedule that will provide adequate service to the public.

Time sheets accurately reflecting hours worked each work day and total hours worked each work week will be submitted monthly by each employee to the Clerk and Recorder. Time Sheets that are signed by the supervisor or department head will constitute final supervisory approval of all leave requests, overtime approval and compensatory time accrual. Department heads shall be responsible for maintaining records and submitting accurate timesheets documenting employee attendance and hours of work.

Breaks—Employees shall have 15 minutes for every four hours worked. If you do not take your break it is not accumulated (use it or lose it). Breaks should be scheduled toward the mid-point of each four-hour period.

Alternate Work Schedules

Implementation of alternate work schedules is at the department head's discretion, based on the following considerations:

- A. Generally, county offices must be open from 8:00am to 4:00pm daily and supervisors will ensure adequate staff coverage during those hours.
- B. Core hours shall be established when all employees normally work.
- C. Outside limits on the work day shall be established (e.g. a starting time no earlier than 7:00am and an ending time no later than 6:00pm).
- D. The department head will determine what level of supervisory coverage is required during extended office hours.
- E. The department head may withdraw approval for alternate work schedules with five working days advance notice.
- F. Department heads shall determine whether four 10-hour work days will work for each department.

Nothing in this policy limits the authority of the department to establish or change work schedules as necessary to ensure successful operations.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: DRIVERS LICENSE REQUIREMENT

STATEMENT OF POLICY

Employees whose work requires that they drive county vehicles must hold a valid Montana State Drivers License, including a Montana Commercial Drivers License if applicable.

All new employees who will be assigned work entailing the operation of a county vehicle will be required to submit to a Montana State Division of Motor Vehicles driving record check as a condition of employment. Periodic checks of employee driver's licenses through visual and formal Division of Motor Vehicles review may be made by department heads. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Any employee performing work which requires the operation of a county vehicle must immediately notify his/her immediate supervisor in all cases where his/her license is expired, suspended or revoked and/or when the employee is unable to obtain an occupational permit from the State Division of Motor Vehicles.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: SMOKE-FREE WORKPLACE

STATEMENT OF POLICY

County buildings and offices will be smoke free. There shall be no smoking in any county-owned vehicle.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: PERSONAL APPEARANCE

STATEMENT OF POLICY

It is the responsibility of all employees to represent the County to the public in a manner which shall be courteous, efficient and helpful.

County employees should always be well groomed and dressed in a manner suitable for the public service environment and to reflect favorably on the County's image.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: WORK RULES**STATEMENT OF POLICY**

The following work rules shall be applicable to all county employees. Employees who violate any of the work rules shall be subject to disciplinary action, administrative leave and termination. It shall be the joint responsibility of the Commission and the department heads for the overall administration and implementation of the work rules.

The following rules are not intended to be all-inclusive:

- A. Employees shall not behave in an unsafe, discourteous or disrespectful manner toward other employees or members of the public.
- B. Employees shall not engage in unlawful activity while on the job.
- C. Employees shall not engage in partisan political activity while on the job.
- D. Employees shall not engage in unapproved soliciting, use their position for personal gain, or use their position inappropriately to coerce others.
- E. Employees shall not possess unauthorized firearms or weapons on County premises.
- F. All Meagher County employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances while at work or on County premises.
- G. Employees shall not possess, use or be under the influence of alcohol or intoxicating beverages while at work or on County premises.
- H. Employees shall not falsify records, reports, or claims of any kind.
- I. Employees shall not, directly or indirectly, maintain employment which conflicts with the interest of the County or which interferes with the employee's ability to discharge County duties in full. Outside employment may be determined to be in conflict of interest if:
 - It interferes with or affects the performance of normal duties with the County;
 - It is conducted or solicited on County time;
 - Any county-owned equipment or facilities are used to perform the outside interest; or
 - The nature of the duties with the County places the employee in a position to exercise influence which may enhance the outside interest.
- J. Employees shall not have any financial interests in the profits of any contract, service, or other work performed by the County; nor shall they personally profit directly or indirectly from any contract, purchase, sale, or service between the County and any person or company.
- K. No employee of Meagher County shall operate any motor vehicle belonging to Meagher County or any other motor vehicle within the scope of employment of Meagher County while the driver's license of the employee is cancelled, suspended, or revoked.
- L. Any other behavior or conduct that is prohibited elsewhere in these policies.
- M. Conflict of interest:
 - If a business is doing business with Meagher County and an employee's interest is sufficient enough to affect the employee's decisions or actions as a county employee, the employee may not represent Meagher County with the firm doing business with the county.
 - No employee shall accept gifts from any person or firm doing business with Meagher County under circumstances where it might reasonably be inferred that the purpose of the gift is to influence the employee in the conduct of Meagher County business with the donor. Such gifts should be returned with a note of explanation.

- When an employee has a question concerning a possible conflict of interest, it is expected that he/she will divulge this and request advice from the Commission.
- Employment with Meagher County is considered the employee's primary responsibility. Any interference in the job performance that is the result of outside employment shall be cause for the employee to terminate the outside employment. Refusal by the employee to do so will then be cause to ask the employee to resign or be terminated from Meagher County employment.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: VIOLENCE IN THE WORKPLACE

STATEMENT OF POLICY

It is the policy of Meagher County to promote a safe environment for its employees, free from violence, threats of violence, intimidation or other disruptive behavior. Meagher County will not tolerate any type of workplace violence committed by or against employees.

The following behaviors, while not inclusive, are examples of conduct that Meagher County will not tolerate:

- Causing physical injury to another person
- Making threatening statements, remarks, gestures or expressions
- Engaging in aggressive or hostile behavior that communicates a direct or indirect threat of physical harm, or creates a reasonable fear of injury to another person
- Possessing a weapon while at work (excluding sheriff and deputies)
- Writing threatening notes, letters or e-mail

Individuals who commit such acts may be removed from the workplace, and may be subject to disciplinary action (including termination), criminal prosecution, or both.

Employees who observe or experience violence in the workplace should immediately report it to the department head and/or sheriff. Department heads who receive such reports should contact the County Commissioners regarding investigating the reports and initiating appropriate corrective action. Threats or assaults that require immediate attention should be reported to 9-1-1.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: WORKPLACE HARASSMENT**STATEMENT OF POLICY**

Meagher County is committed to providing a work environment in which all people are treated with respect and dignity. It is the policy of Meagher County to protect the rights of employees to work in an environment free of all forms of illegal discrimination and harassment, including sexual harassment. The provisions of this policy apply in all County workplaces and at all employer-sponsored activities.

Sexual Harassment

The Montana Human Rights Act and Title VII of the Civil Rights Act of 1964 prohibit discrimination in employment based upon sex. Sex discrimination includes sexual harassment. It is the policy of Meagher County as an employer:

- A. to provide a working environment free from sexual harassment for all County employees and for visitors to the County's workplaces.
- B. to communicate the County's sexual harassment policy and report procedures to employees and supervisors.
- C. to recognize the sensitive nature of complaints of sexual harassment; to encourage early reporting by employees; and to resolve complaints promptly and confidentially.
- D. to prohibit retaliation against any employee reporting alleged sexual harassment or who has acted as a witness for such a report.

Definition and Examples

Harassment refers to behavior, which is unwelcome, personally offensive and interferes with an employee's effectiveness and work environment. Sexual harassment is generally defined as unwelcome sexual advances, requests for favors, and other verbal, physical and visual contact of a sexual nature when:

- submission is made either explicitly or implicitly a term or condition of employment.
- submission or rejection by an employee is used as a basis for employment decisions affecting the employee.
- such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile or otherwise offensive work environment.

The following are possible examples of sexual harassment:

- A. Sexual advances which are unwanted. This may include situations which begin as reciprocal attractions but later cease to be reciprocal.
- B. Leering or sexual gestures
- C. Displaying sexually suggestive objects, pictures, cartoons, or posters
- D. Verbal abuse of a sexual nature; sexually-oriented jokes, innuendoes or obscenities; sexually-suggestive letters, notes or invitations
- E. Reprisals or threats after a negative response to sexual advances
- F. Actions effecting employment benefits in exchange for sexual favors. (This may include situations where a third party is treated less favorably because others have agreed to sexual advances.)

- G. Physical conduct such as assault, attempted rape, impeding or blocking movement or touching
- H. Hazing, including daring or asking an employee to engage in unsafe work practices, especially as applied to women in nontraditional work environments.

Reporting Responsibility

All supervisory personnel have an obligation to:

- A. Inform employees of their right to a harassment-free environment and to provide training for employees regarding both the prevention and reporting of any type of harassment.
- B. Express strong disapproval of any type of harassment.
- C. Make it clear that those employees who engage in any type of harassment will be appropriately disciplined and that victims and informers will be protected from retaliation.
- D. Be aware of activities in the workplace.
- E. Take immediate corrective action if any type of harassment occurs.

Employees have a responsibility to:

- A. Report all incidents or actions as soon as possible after the alleged harassment occurs, to the supervisor, department head or to the Commission.
- B. Make it known that the behavior in question is unwelcome, offensive or inappropriate and request that the action stop immediately, including informing the harasser if possible.
- C. Keep written records of the dates and facts of all sexual harassment and the names of witnesses.

Employees may file a complaint through the Commission, through the grievance procedure found in **Grievance Procedure** under **DISCIPLINARY ACTION AND GRIEVANCE PROCEDURE** of these policies, or through the Human Rights Commission, Department of Labor in Helena, Montana.

Violation of Policy

Substantiated violations of this policy may result in disciplinary action in accordance with **DISCIPLINARY ACTION AND GRIEVANCE PROCEDURE**. Disciplinary action up to and including discharge may be warranted if the violation is sufficiently severe or repeated.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: DRUG-FREE WORKPLACE

STATEMENT OF POLICY

All Meagher County employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace. Examples of controlled substances include illegal narcotics, cannabis, stimulants, depressants and hallucinogens.

Violations of this policy will result in disciplinary action up to and including termination. Meagher County may require employees who violate this policy to participate in a drug-abuse assistance or rehabilitation program as a condition of continued employment.

To assist employees in overcoming drug-abuse problems the county provides an employee assistance program (see **EMPLOYEE BENEFITS**) and medical benefits for substance-abuse treatment. Conscientious efforts to seek such help will not jeopardize an employee's job status.

Any employee convicted of violating a criminal drug statute in the workplace or while conducting official County business must inform his immediate supervisor of such conviction within five days. That supervisor must inform the personnel office of any such communication immediately.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: ELECTRONIC COMMUNICATIONS POLICY

STATEMENT OF POLICY

It is the policy of Meagher County to authorize use of all means of electronic communications for legitimate business purposes. The county will not tolerate the unauthorized access or use of the systems described below, and documented abuses will be subject to disciplinary action.

Meagher County will not monitor these systems as a routine matter; however, the county reserves the right to access any of these systems and disclose any and all of their contents. This policy also applies to password protected messages. Any access of password protected messages without the consent of the sender or recipient must be done with commissioner approval. Also, in the course of normal system maintenance, county employees may discover violations to this policy which will be reported.

Security

The County owns the contents of all files stored on its systems and all messages transmitted over its systems, and reserves the right to access them. E-mails may be accessed and monitored in the normal course of business by system administrators, supervisors and commissioners.

Definitions

Systems governed by this policy include:

"Local Area Network (LAN)" means a multi-computer system connecting file servers and work stations.

"E-mail" means written, electronic communication. The County's e-mail systems consist of internal e-mail, including the bulletin board system (BBS), e-mail to the city, and internet e-mail.

"Internet browsing" means access to the "World Wide Web."

"Voice mail" means electronic communication provided through the County phone system.

"Faxing" means written and electronic means of communications. The County's fax systems consist of external fax machines and faxing using computer software through the county's LAN servers.

Provisions

An employee should not transmit anything in a fax or e-mail message, whether internal or external, that he or she would not be comfortable writing in a letter or memorandum using county letterhead.

All faxes, e-mail, voice mail, and internet browsing capabilities are provided to employees at the county's expense to assist internally in the conduct of company business and externally in communicating for legitimate business purposes.

Meagher County will not knowingly permit any of these systems to be used for unlawful purposes. This specifically includes, but is not limited to, the offering or solicitation of illegal substances, the offering or solicitation of illegal activities, such as computer crimes or hacking, the offering or solicitation of computer files which are protected by copyrights, trademarks, or other creative rights.

These systems may not be used to download or transmit information or messages that reasonably may be considered offensive, pornographic, discriminatory, defamatory, disparaging, or threatening to any employee or any other person or entity. The County's policies against sexual or other forms of harassment apply fully to the use of these systems.

When using the internet and visiting host servers, the user is required to respect the conventions, courtesies, and rules of use which govern communications on the internet. Some examples would include, but are not limited to, refraining from harassing, threatening or tormenting any other user or group of users. Users will not use internet email for the posting or transmitting to or from the internet any unlawful, offensive, inflammatory or prohibited communication material of any kind. Users may not use the internet to encourage, conduct or agree to any activity that would constitute a criminal or civil offense.

These systems are provided to facilitate the County's business communications. The use of such systems for outside business ventures, to leak confidential or privileged information, or for political or religious causes is prohibited. The excessive or inappropriate use of these systems for personal business is also prohibited.

By using these systems, employees consent to this policy and the County's right to monitor and access these systems in accordance with applicable state and federal laws.

Employees who misuse or abuse these systems or policies set forth above may be subject to discipline up to and including, discharge.

Govern your use of e-mail appropriately. Before selecting e-mail as your means for communication or document transmission, first consider the need for immediacy, formality, accountability, access, security, and permanence. E-mail is more permanent than a phone conversation, but it is less secure than paper mail because it is easy to duplicate and distribute.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: PURCHASING POLICY

PURPOSE: To establish general guidelines related to capital outlay purchases or professional contract services

STATEMENT OF POLICY

It shall be the policy of Meagher County that all department heads and elected officials shall have the authority to make capital outlay purchases that have been previously approved by the County Commissioners. Capital outlay purchases or professional contract services that have not been previously approved in the budget must be approved by the County Commissioners prior to any purchasing or contracting commitment.

Any department entering into any contract or purchase in excess of \$50,000 shall require bid security in compliance with the provisions of Title 18, Chapters 1 and 4, MCA.

Any contractor selected for any project shall be required to provide proof of compliance with the Contractor's Registration Law with the Montana Department of Labor as set forth in Title 39, Chapter 9.

Any bidding or purchasing for small equipment, capital outlay or contract for professional services shall follow certain guidelines. All bids and purchases for capital outlay and contracts for professional services shall be done in a competitive process as outlined below.

Capital outlay shall be defined as follows:

- Having a useful life of more than five years
- Acquisition cost or market value at date of acquisition of \$5000 or greater

Requirements of Public Contracts over \$50,000

1. As a General Rule, Bids Required: Competitive bidding is required for most sizeable county purchases under §7-502301, MCA. For any purchase or bid over \$50,000, the department head or elected official shall consult the current bidders list on file at the Clerk and Recorder's Office and solicit bids from that list. All vendors on that list for the particular item or service needed shall be contacted. An advertisement shall also be placed in the official county newspaper and any other publication deemed appropriate. A bid solicitation form shall be used. A bid solicitation form is not necessary when a bid is received in writing. The lowest responsible bid should be accepted.
2. Equipment: Vehicles, road machinery, other machinery, apparatus appliances, equipment, materials or supplies that cost in excess of \$50,000 must be put out for bid and must be let to the lowest and best responsible bidder. See Title 7, Chapter 5, Part 23, MCA.
3. Services: Any contracts for construction, repair or maintenance of any building, road or bridge in excess of \$50,000 must be put out for bid and must be let to the lowest and best responsible bidder.

Requests for Proposals must be published twice, not more than 21 days or less than three days prior to the bid opening, with at least six days separating each publication in the County's contract newspaper, pursuant to §7-1-2121, MCA.

Exceptions

- 1. Purchases at public auction: § 7-5-2303, MCA, allows the County to purchase vehicles, machinery, equipment, material and supplies up to \$60,000 at public auctions instead of going through the bidding process.
- 2. Emergency purchases: § 7-5-2304 (2), MCA, provides that the above requirements do not apply to emergency purchases.

Meagher County and In-state Preference

It shall be the policy of Meagher County that purchases for capital outlay, supplies, small items and contracts for professional services may be awarded to Meagher County businesses if they are up to three percent (3%) over an out-of-county bid.

It shall also be the policy of Meagher County that purchases for capital outlay, supplies, small items and contracts for professional services may be awarded to Montana businesses if they are up to three percent (3%) over an out-of-state bid.

Contract Review

It shall be the policy of Meagher County to have one of the attorneys review any contract prior to signing.

Record-keeping of Bids

An original of all bids required by this policy must be turned into the Clerk and Recorder's Office.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: EMPLOYEE SEPARATION

STATEMENT OF POLICY

Employee separation means the removal of an employee from county service for either voluntary or involuntary reasons.

Separation Process

It shall be the responsibility of the supervisor to notify the personnel office of employee separations. Notice will be given as soon as possible in order that the separation process can be completed prior to the employee's last scheduled day of employment.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: VOLUNTARY SEPARATION

STATEMENT OF POLICY

Resignation

An employee may resign in good standing by submitting a written resignation to his/her department head stating the reasons and the effective date of resignation at least two weeks prior to the effective date, unless extenuating circumstances require a shorter period. Failure to comply with this requirement may be cause for denying future reemployment with the County.

Retirement

A qualified employee may elect to retire in accordance with applicable state law.

A retired employee may continue county health insurance coverage *at full cost to the retiree*, provided that premium amounts are paid in accordance with policies established by the plan administrator.

Surviving spouses of retired employees who are currently enrolled are also eligible to continue their health insurance coverage through the county until they remarry or are delinquent by thirty days, at which time they will be dropped. (Resolution 2010-#29)

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: INVOLUNTARY TERMINATION

STATEMENT OF POLICY

Involuntary termination is covered in **Termination** under **Disciplinary Action** in **DISCIPLINARY ACTION AND GRIEVANCE PROCEDURE**.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: DISCIPLINARY ACTION

STATEMENT OF POLICY

It is the policy of Meagher County that County employees who fail to perform their jobs in a satisfactory manner or engage in misconduct shall be subject to disciplinary action.

Discipline shall be conducted in accordance with the principles of good cause and due process. Progressive discipline shall be applied when appropriate; however, specific disciplinary action will be determined by the severity of the misconduct, the employee's disciplinary record, and any other relevant criteria.

Informal disciplinary action may include:

- coaching and counseling
- oral reprimand

Formal disciplinary action may include:

- written reprimand or warning notice
- suspension (with or without pay)
- demotion
- termination

Employees have the right to grieve and appeal all formal disciplinary actions imposed.

Procedures

Should a department head determine that formal disciplinary action is appropriate in a particular instance, the department head shall contact the Commission prior to imposing such discipline.

It is the responsibility of the department head or supervisor to maintain accurate and complete documentation of all formal and informal disciplinary actions, including the employee behavior that leads to such discipline.

At the request of the department head, a member of the Commission will be present during disciplinary meetings or hearings with employees. An employee may be suspended, demoted, or terminated immediately for certain types of misconduct including, but not limited to: insubordination, theft, drinking of or being under the influence of alcoholic beverages or drugs while on duty, physical misconduct, abusive or criminal behavior, or abandonment of duties.

Warning Notice

The supervisor may issue a warning notice when the violation is so serious that it requires punitive discipline, but not so serious as to warrant suspension or termination. A warning notice shall specify what performance deficiency or violation has occurred, what the employee must do to correct the deficiency or violation and in what time period, and what further action will be taken if the employee does not improve or correct the performance or behavior.

The employee shall have the right to make written response.

Written warning notices which do not result in suspension, demotion, or dismissal may be removed from the employee's personnel file after eighteen months from date of issuance, provided that there has been no subsequent disciplinary action. Employees may request removal of such letters in writing to the Commission.

Suspension

Suspension is the temporary separation of an employee from county service for disciplinary reasons or pending the outcome of an investigation involving the employee. A suspension may be paid or unpaid.

An employee placed on suspension shall receive notice specifying the total length of the suspension, what violation or unacceptable behavior has occurred, what the employee must do to correct the behavior in what time period, and what further action will be taken if the employee does not make the correction or improvement.

When it is necessary to remove the employee immediately from the work place, suspension may be initiated by oral notice followed by a written suspension notice.

The employee has the right to make written response which is to be filed with the suspension notice in the personnel office.

Demotion

Demotion for cause may be appropriate in order that employees whose work has not been satisfactory, but who do not deserve dismissal, may be retained and assigned less difficult work. An employee may be demoted by the department head when the employee cannot or will not satisfactorily perform the duties in the employee's present position. Written notifications of demotions stating the reasons why shall be furnished to the employee.

Termination

A probationary employee may be terminated in accordance with **Probation/Trial Period** (under **PERSONNEL ADMINISTRATION**).

A regular employee may be terminated when other forms of punitive discipline fail or when the violation is so serious that it demands that the employee be removed permanently from the job.

The employee shall be given a written termination letter setting forth the reasons for the termination and the effective date. The employee shall have the right to make a written response. Final payment for wages shall be in accordance with **Payment upon Termination** (under **EMPLOYEE BENEFITS**).

Administrative Leave shall only be given for a period of time long enough to determine if any misconduct has taken place.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: GRIEVANCE PROCEDURE

STATEMENT OF POLICY

Policy

A grievance shall be defined as any controversy involving the interpretation of these policies or an alleged violation of any provision of these policies.

It is the policy of Meagher County to treat all employees equitably and fairly in matters affecting their employment. The presentation of a grievance shall be considered the right of each employee without fear of reprisal. The following grievance procedure shall be in effect for county employees covered by these policies.

Failure to file or advance the grievance according to the established procedures and times shall cause that party to waive the right to respond to that step. If the employee fails to respond, the grievance will be canceled. If management fails to respond, the employee may proceed to the next step of the procedure. Time limits or procedural steps may be waived upon mutual, written agreement by both the employee and the department head or Commission.

In the event that a supervisor or department head receives a grievance (formal or informal) from an employee the department head shall try to assist with the problem. If the department head cannot solve the issue, the department shall contact the Commission. The commissioners will assist the department in handling the grievance and will ensure compliance with these policies. Montana Association of Counties (MACo) can be contacted for advice and guidance on any and all human rights issues. The county contact for HR shall be the Clerk and Recorder.

Informal Procedure

Every effort shall be made to resolve the grievance informally with the employee's immediate supervisor. Within ten (10) working days of knowledge of the alleged incident, the employee shall talk to his or her supervisor about the complaint. The supervisor shall be given five (5) working days to attempt to resolve the grievance. If the supervisor fails to respond within five (5) working days, or if the supervisor's response does not resolve the grievance, the employee may reduce the complaint to writing and begin the formal grievance procedure below.

Formal Procedure

If a formal grievance is received, written responses at all levels of the grievance procedure will first be reviewed with the department head. If the department head's response does not resolve the grievance, the employee may appeal the department head's decision, in writing, to the Board of County Commissioners within five (5) working days of completion of the first step. The decision of the Board of County Commissioners shall be rendered within thirty (30) calendar days of receipt and shall be final.

Alternative Dispute Resolution (Optional)

Nothing in this policy precludes the employee and the employer from mutually agreeing to engage in alternative dispute resolution, including, but not limited to mediation, fact-finding or binding

arbitration. Should the employee and the employer agree to engage in alternative dispute resolution, any related costs shall be split equally between the parties.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

SUBJECT: AUTHORITY CLASSIFICATION

STATEMENT OF POLICY

A position is defined as the aggregate duties and responsibilities to be performed by an employee as assigned by the proper county authority. A position may be filled or vacant.

A classification plan shall be maintained for all county positions, excluding elected officials and appointed department heads, and other designated positions. The Commission shall determine the classification level of all positions.

Positions that are sufficiently similar as to duties and responsibilities shall be grouped together, such groups to be known as a class. Each class shall be designated by a class (job) title and defined by a class specification (job or position description).

A job analysis and application of the Factor Evaluation System (FES) shall provide the means by which positions are placed in their proper classes and grades. The FES quantifies characteristics of factors relevant to all positions and maintains consistency of these principles within a department and among all departments of the County.

Responsibilities

1. Supervisor/Department Head: Department Heads will notify the Commission of their intent to create new positions, including grant-funded positions, and must get approval for each new position. No new position will be filled before a position description is developed.

Every effort will be made to ensure that employees are assigned work within their job description. Prior to changing a position or assigning an employee significant responsibilities outside of their existing job description, the supervisor will contact the department head and County Commissioners to coordinate updating the job description and adjusting compensation, when necessary. Changes which require budget adjustments or requests for enhancements will require the approval of the department head and Board of County Commissioners.

All requests for job descriptions review must be based on changes in the existing class specifications, and not factors such as the amount of work performed or the competitiveness of the pay range assigned to the existing classification. If initiated by the employee, the supervisor and department head must concur with the request before submitting it formally to Commission.

2. Commissioners: Commissioners shall have overall authority for administration of the job descriptions. Responsibilities of the commissioners shall include, but are not limited to: approving proposed classification studies, conducting job analyses, determining class titles, developing and reviewing class specifications, and assigning pay grades.

The commissioners shall review the request, develop a new class specification, if necessary, and assign a tentative classification level. It shall be the sole responsibility of the commissioners to establish the salary range of all positions.

EFFECTIVE:	Immediately	DATE:	March 1, 2011
APPROVAL:	Commission	LAST REVISED:	March 1, 2011

SUBJECT: CLOSING

STATEMENT OF POLICY

These policies shall be controlling unless they conflict with negotiated collective bargaining agreements or specific statute, which shall take precedence to the extent applicable.

EFFECTIVE: Immediately

DATE: March 1, 2011

APPROVAL: Commission

LAST REVISED: March 1, 2011

ADDENDUM A

Exempt from Personnel Policies in Accordance with **PURPOSE.**

Elected Officials
County Extension Agents

ADDENDUM B

FLSA Exempt Positions (Revised 1/99)

Elected Officials
Communications Supervisor
Undersheriff
Attorney
Research Assistant/Law Clerk
Health Department Director
Library Director