
DOUGLAS COUNTY, KS



PERSONNEL POLICY

April 1, 2010

DOUGLAS COUNTY PERSONNEL POLICY
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SECTION 1

PURPOSE AND APPLICATION OF POLICY

1.1 INTENT.

The Douglas County Personnel Policy has been designed to provide Douglas County employees with policies for the administration of all employee-related matters. The policies stated herein are guidelines only, with the exception of Douglas County's policy on "at-will" employment, and are subject to change at the sole discretion of Douglas County, as are all other policies, procedures, benefits and other programs of Douglas County. From time to time, County employees may receive updated information concerning changes in policy. Any questions regarding this policy or any updates should be addressed to the Assistant County Administrator.

These policies do not create a contract, express or implied, guaranteeing employment for any specific duration or guaranteeing that a County employee will only be terminated for cause or only after following the progressive discipline procedure. The disciplinary process contained in these policies is merely set forth as a guideline and should not be construed as preventing, limiting or delaying the County's right to take disciplinary action, including immediate discharge without prior notice or warning in circumstances where the County deems such action appropriate. As such, no County employee should have an expectation that he or she will only be terminated for cause or only after following a specific progressive discipline procedure. Douglas County or any County employee may terminate the employment relationship at any time, for any reason, with or without cause or notice. No Department Head, Elected Official, supervisor, manager, or other representative of Douglas County, other than the County Commission acting as such, has the authority to enter into any agreement for employment for a specified period of time or to make any promises or commitments or adopt any policies contrary to the foregoing.

1.2 STATEMENT OF NON-DISCRIMINATION

A. EQUAL EMPLOYMENT OPPORTUNITY. It is the official policy of Douglas County not to discriminate against any employee or applicant for employment in any manner because of race, color, religion, age, military status, sex, national origin, or based on any

other factor prohibited by law. All solicitations or advertisements for employees placed by Douglas County will state that qualified applications will receive consideration for employment without regard to race, color, religion, age, military status, sex, or national origin.

B. QUALIFIED PERSONS WITH DISABILITIES. It is the official policy of Douglas County not to discriminate against any employee or applicant for employment in any manner because of a physical or mental disability in regards to any position which the employee or applicant for employment is qualified to perform with or without reasonable accommodation. Douglas County will provide to disabled employees reasonable accommodations that do not impose undue hardship on the County.

C. ACCOMODATION REQUEST PROCEDURE. Qualified individuals with disabilities may make a written request for reasonable accommodation to the Assistant County Administrator. On receipt of an accommodation request, the Assistant County Administrator will meet with the individual to discuss the request and potential accommodations. The Assistant County Administrator will investigate the feasibility of the requested accommodation and inform the individual of the County's decision.

D. DISCRIMINATION. Any employee who has been found to engage in discrimination or intimidation of another person based upon the other person's race, color, religion, age, military status, sex, national origin, disability, or any other factor prohibited by law shall be disciplined and may be subject to dismissal. Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 as set out in Section 1.3.

E. REPORTING ALLEGED DISCRIMINATION. Any employee or applicant for employment with a bona fide complaint that he or she has been discriminated against in violation of this policy shall promptly report such alleged discrimination to the appropriate Department Head or Elected Official or to the Assistant County Administrator. The Department Head or Elected Official is responsible for immediately informing the Assistant County Administrator of such allegations, who shall be responsible for conducting an investigation into the incident(s).

F. NO RETALIATION. Douglas County prohibits any form of retaliation against any employee or applicant for employment who files a bona fide complaint under this policy or who assists in a complaint investigation.

G. DUTY TO COOPERATE. Each employee has a duty to fully cooperate with an investigation conducted by Douglas County, including the duty to reveal any information that may bear on the investigation. This may include both oral interviews of employees and/or the employee may be asked to provide a written statement. Failure to cooperate may result in discipline up to and including immediate termination.

1.3 STATEMENT OF NON-HARASSMENT

A. DEFINITION. Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. An employee shall not in any way make unwelcome sexual advances, make requests for sexual favors, or exhibit any other verbal, written, or physical conduct of a sexual nature toward another employee or a member of the public. Prohibited acts of conduct include, but are not limited to, sexual flirtations, touching, propositions, verbal abuse of a sexual nature, sexually graphic verbal comments, sexually degrading words used to describe an individual, and displays of sexually suggestive objects or pictures. These actions constitute sexual harassment when submission or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

B. REPORTING ALLEGED SEXUAL HARASSMENT. Any incident of discrimination, insult, intimidation, or harassment in any form shall be promptly reported to the Department Head, Elected Official or the Assistant County Administrator. The Department Head or Elected Official is responsible for immediately informing the Assistant County Administrator of such allegations, who shall be responsible for conducting an investigation of the incident(s). No employee shall be retaliated against by Douglas County for reporting such conduct.

C. CONSEQUENCES OF ENGAGING IN SEXUAL HARASSMENT. Following a thorough investigation, any employee who has been found to have engaged in such conduct shall be disciplined and may be subject to dismissal.

D. CONSENSUAL RELATIONSHIPS. Consensual romantic and sexual relationships between supervisor and employee or between coworkers are strongly discouraged. In the event of an allegation of sexual harassment, the County will be less sympathetic to a defense based upon consent when the facts establish that a professional power differential existed within the relationship. These relationships may be subject to concerns about the validity of consent, conflicts of interest, and unfair treatment of other employees. Further, such relationships can undermine the atmosphere of trust essential to the function of County governance and the employment

relationship and may subject Douglas County to liability. No person involved in a consensual relationship will have direct responsibility for evaluating the employment of, performance by, or for making decisions regarding the promotion or compensation of the other party to the relationship.

1.4 DEFINITIONS

For purposes of this policy, the use of the term "Department Head" within this policy, except in Section 3.1B & C(2) shall refer to both Elected Officials and appointed Department Heads of Douglas County government. This policy shall not apply to any officer of the District Attorney or of the 7th Judicial District of the State of Kansas.

SECTION 2

RECORDS AND REPORTS

2.1 PERSONNEL FORMS. Personnel-related forms are maintained in the County Clerk's Payroll Office and in the Personnel Office. Processing of these forms will be addressed under the appropriate section relating to the specific action.

2.2 RECORDS

A. COUNTY CLERK. The County Clerk shall maintain the following records for each Douglas County employee in an individual file labeled with the employee's name:

1. Vacation leave earned, used and unused.
2. Sick leave earned, used and unused.
3. Compensatory time earned, used and unused.
4. Employee name, address, telephone number.
5. Title of position.
6. Date employed.
7. Social security number.
8. Department
9. Appointment status.
10. Salary rate.
11. Change in status or transfer.
12. Application form.
13. Retirement records and forms.
14. Other records as required for payroll purposes.

B. ASSISTANT COUNTY ADMINISTRATOR. The Assistant County Administrator shall maintain the official employee records including, but not limited to, the following:

1. Application form, resumes, transcripts and letters of recommendation.
2. Disciplinary action forms.
3. Performance evaluations.
4. Payroll change forms.
5. Other records as required for personnel purposes.

The Assistant County Administrator shall maintain in a separate confidential file for all medical information regarding an employee.

2.3 AVAILABILITY OF EMPLOYEE RECORDS.

A. EMPLOYEE RIGHTS. Employees have the right at any time to inspect their own official employee files within either the County Clerk's Payroll Office or the Assistant County Administrator's Office. Requests by an employee for copies of his/her files shall be directed to the Assistant County Administrator and shall be provided within a reasonable time.

B. EMPLOYEE INFORMATION. To ensure that personnel files are up-to-date at all times, employees shall notify the Payroll Office and the Personnel Office of any changes in name, telephone number, home address, marital status, and the individual to notify in case of emergency.

C. KANSAS OPEN RECORDS ACT. Under K.S.A. § 45-215 et seq., the Kansas Open Records Act, any member of the public may request and shall be provided the names, positions, salaries and dates of employment of officers and employees of Douglas County once they are employed as such. Only the County Administrator, the Assistant County Administrator and/or the Freedom of Information Officer, has the authority to give out any other information.

2.4 PROTECTION OF INFORMATION OTHER THAN PERSONNEL RECORDS.

Each Department Head is responsible for authorizing the release of any non-confidential information (other than personnel information) from County records. Employees shall request such authorization from the Department Head prior to the release of information from County records. Requests for information from public records must be honored within three (3) work days of the request.

Requests for release of confidential information and/or for questions about the release of information shall be referred to the Freedom of Information Officer. Douglas County's Freedom of Information Officer is the Assistant County Administrator.

2.5 EMPLOYMENT REFERENCES. Any request for employment references on a current or previous employee must be referred to the Personnel Office. No information other than that specifically allowed under the Open Records Act will be provided, even when a signed release from the individual authorizing the release of information is submitted. Exceptions to this policy may only be authorized by the County Administrator or the Assistant County Administrator, or as specifically required by law.

SECTION 3

POSITION INFORMATION

3.1 CATEGORIES AND TYPES OF APPOINTMENTS. All Douglas County positions shall be assigned to one of the following categories.

A. UNCLASSIFIED. Unclassified positions are exempt from the Douglas County Personnel Policy and are not eligible for any benefits, such as paid leaves or health insurance. Unclassified positions include the following:

1. Part Time, No Benefits: authorized at less than half time. The salaries for these positions are established by the Department Head with the approval of the Assistant County Administrator.

2. Temporary/Seasonal: appointed for a designated period of time not to exceed ten (10) months. Employees in these positions may work either part time or full time.

3. Emergency: must be based upon an emergency situation within the department and be approved by the County Administrator or Assistant County Administrator. Emergency appointments shall not exceed ninety (90) calendar days unless extended by the County Administrator or the Assistant County Administrator. These appointments are exempt from the advertising process as described in Section 3.3A.

4. Internship/School-related appointments: authorized at less than half time. The salaries for these positions are established by the Department Head with the approval of the Assistant County Administrator. These appointments are exempt from the advertising process as described in Section 3.3A.

B. ELECTED OFFICIALS. Elected Officials occupy positions that are filled by election. These positions are exempt from all personnel policies, but shall receive health insurance and retirement benefits.

C. CLASSIFIED EXEMPT. Classified Exempt personnel are not subject to personnel policies with respect to discipline, termination, and/or grievance rights. This classification does not refer to overtime requirements. Classified exempt appointments include the following:

1. Appointed Department Heads
2. Political Appointees. Political appointees occupy positions created by statutory authority to serve at the discretion of Elected Officials.

D. CLASSIFIED. Classified positions are totally governed by all Douglas County Personnel Policies (except as described below). These positions are eligible for all benefits. Classified Appointments include the following:

1. Part Time with Benefits.
2. Full Time.
3. Grant Status: supported by State and/or federal grant funds earmarked for a specific purpose and may be either part time with benefits or full time. Grant status employees may be terminated without grievance rights when grant funds are no longer available for their salaries and/or benefits.
4. Special Project: appointed for a fixed period of time longer than ten (10) months for the purpose of assisting with a special project under the direction of a Department Head. These positions may be part time with benefits or full time. Special Project employees may be terminated without grievance rights at the end of the special project period.

3.2 MINIMUM AGE EMPLOYMENT POLICY.

Employees shall be at least sixteen (16) years of age for unclassified appointments and eighteen (18) years of age for classified appointments.

3.3 EMPLOYMENT PROCEDURES.

A. ADVERTISING. The Personnel Specialist shall coordinate the development of advertisements for County positions.

1. External Notices. Job vacancy notifications shall be posted in the official County newspaper and various other locations and sources as the Assistant County Administrator determines will be useful in notifying the public of openings. All advertisements must appear in the official County newspaper at least twice, and must include the job title, the required and preferred qualifications, the application process, the deadline for application, and the phrases "EEO." The application collection process shall be open for at least five

(5) work days. Exceptions to this process must be approved by the Assistant County Administrator.

2. Internal Notices. The Personnel Specialist shall provide notices of all searches to each department. These notices shall be posted in a visible location, and shall include the job title, required qualifications, and deadline for application.

3. Exceptions.

a. *Internal Searches.* The Assistant County Administrator may designate some positions to filled internally, and the requirement for an external search may be waived.

b. *Transfer/Promotions.* In circumstances where a vacancy may be filled through a transfer or promotion of a current employee, particularly in situations where no other employees qualify for such transfer or promotions, and with the approval of the Assistant County Administrator, the requirement for a search may be waived.

B. APPLICATION PROCESS. All candidates for County positions, whether internal or external, must submit applications and/or resumes through the Personnel Office by the advertised deadline. Internal applications for promotions need only complete the abbreviated application. Each application shall be recorded and shall be provided to the Department Head for review after the deadline for application has passed. The Assistant County Administrator has the discretion to accept late applications (submitted after the deadline) when special circumstances exist.

C. INTERVIEW PROCESS. Applications shall be screened down to a manageable number within the department. The screening process shall be based on required and preferred qualifications by the Department Head. If a candidate was interviewed for the same position within the previous six months, it will not be necessary for the candidate to be re-interviewed during the first interview process.

D. DOUGLAS COUNTY EMPLOYEES. In an effort to encourage upward mobility, Douglas County employees may be given priority over external candidates with matching backgrounds, qualifications and suitability.

E. DRUG SCREENING. Pursuant to the County's employment, transfer, or promotion procedures, final candidates for public safety positions (including but not limited to law enforcement, emergency communications, emergency management), and "safety-sensitive" positions (see Section 13) which fall under federal DOT requirements shall be required to take and pass a post-offer, pre-employment drug screening test as a condition of employment, transfer, or promotion.

F. CRIMINAL RECORD CHECKS. Background investigations and/or shall be conducted on all positions with access to law enforcement information. This shall include any position which has unescorted access to law enforcement offices and for employees who will be driving Douglas County vehicles, and for other positions as required. All such positions shall be identified by the Assistant County Administrator. Failure to sign a release for such a background investigation shall make the applicant ineligible for employment in that position. Background checks may include finger printing.

G. RECOMMENDATION AND APPROVAL. Department Heads may make an offer of employment with the approval of the Assistant County Administrator. The Personnel Office is responsible for final preparation of the appointment paperwork. The County Administrator, or his/her designee, shall approve the appointment or promotion of all Douglas County personnel.

H. RECORDS. All applications, interview notes, and any other non-confidential information relating to the hiring process shall be returned to and retained by the Administrative Services Department for a period of two (2) years. Confidential information resulting from background checks shall be maintained in the appropriate law enforcement office as prescribed by law.

I. MEDICAL EXAMS. As part of the County's employment, transfer, or promotion procedures, positions which are required by State or federal law to take and pass a post-offer, pre-employment medical examination will first be offered employment based upon satisfactory completion of the examination and a determination by the examining physician selected by the County that the candidate can perform the essential functions of the position offered, with or without reasonable accommodations.

3.4 EMPLOYEE QUALIFICATION

A. PHYSICAL EXAMINATIONS. The Assistant County Administrator may at any time require an employee to be examined by the County physician for the purpose of determining the employee's ability to safely perform the duties of his/her position.

B. ALCOHOL AND DRUG SCREENING EXAMINATIONS. In situations in which a Department Head or Assistant County Administrator has determined that there is reasonable suspicion to believe an employee has used a controlled substance or has consumed an alcoholic beverage in violation of County policy 5.15, the Assistant County Administrator may require the employee to submit to a drug screening test and/or an alcohol screening test. Should the employee refuse, he/she may be subject to disciplinary action up to and including termination. Should the results of any test be positive, the employee shall be required to participate in the Employee Assistance Program, and may be subject to disciplinary action. All costs of the testing shall be borne by the County.

SECTION 4

INTRODUCTORY PERIOD

4.1 PURPOSE. The introductory period is to be used as an evaluation process for new employees. An employee may be dismissed at any time during the introductory period without the right of appeal or hearing, except in cases where the introductory employee makes an allegation of discrimination or harassment, which will be handled according to the procedures set out in Section 1.2. Nothing contained herein is intended to create an express or implied contract and the employee remains an employee at will. The successful completion of this introductory period should not be construed as creating a contract or as a guarantee of employment for any specific duration or as establishing a just cause standard for termination.

4.2 INTRODUCTORY PERIOD.

A. NEW EMPLOYEES. The introductory period for new employees shall be a minimum of twelve (12) months in length. At the end of the first six (6) months, an interim evaluation of the employee's performance shall be performed. Following the completion of the twelve month period, a performance evaluation shall be conducted. At that point, the Department Head shall recommend extension of the introductory period, dismissal of the employee, or release of the employee from introductory status. The evaluation and recommendation shall be submitted to the Assistant County Administrator for final approval.

B. EXPERIENCE AWARD FOLLOWING RELEASE FROM INTRODUCTORY STATUS. An employee is not eligible for the first experience award until his/her release from introductory status; if no extension was requested, the award shall be effective as originally scheduled by the Assistant County Administrator. If the introductory period was extended, and the employee successfully completes the extended introductory period, the experience award shall be effective on the first day of the pay period following the release from the introductory status.

SECTION 5

CODE OF CONDUCT

5.1 GENERAL ETHICS POLICY. This policy establishes standards of conduct expected for those who work for Douglas County. Government service is a public trust; this policy defines proper ethical behavior for Douglas County employees and encourages employees to do their work with the highest regard for moral principles. These policies are also intended to establish guidelines to assist employees in determining the proper course of action in situations of uncertainty regarding ethical obligations. It is the policy of Douglas County that:

- All citizens be provided fair and equal access to and from the government without any appearance or element of discrimination, favor, or consideration of any special interest.
- All official actions taken in the performance of government duties or responsibility be motivated by service of the public interest and protection of the public trust without any regard for personal accomplishment, enhancement, or personal benefit.
- All persons who act for or represent the interests of the County adhere to the highest standards of ethical conduct in the performance of their official duties.
- The policies and procedures for operation of the County government provide for efficient and cost effective service, responsive to the public interest, which will preserve and promote confidence in Douglas County government and the integrity of its staff.
- Uphold the constitution, laws and regulations of the United States, the State of Kansas, and Douglas County.
- All actions, whether official or unofficial, shall not undermine the public's confidence with respect to the appropriate use of Douglas County funds and resources.

Failure to abide by any of the following provisions may be grounds for disciplinary action and/or dismissal.

5.2 CONFLICT OF INTEREST. A County employee should always avoid conflicts of interest and even the appearance of such conflicts by full, public disclosure of such

interests to appropriate officials, and where possible, by abstaining from participation in the performance or exercise of the official, discretionary actions.

5.3 FINANCIAL/BUSINESS INTERESTS. Employees shall refrain from participation in any selection process, contract negotiation, or purchase of goods or services where they, or their family members or business associates, have any beneficial or financial interest in the award or selection of contract. Further, a County employee shall not engage in or have a financial interest in any business providing goods or services to the County except when the goods or services are provided through formal competitive bid process under the purchasing policies of the County. In this case a full disclosure regarding the financial interest should be made to all the appropriate officials. Employees shall not participate in outside employment or outside activities involving financial or business interests which conflict with their duties as an employee of Douglas County.

5.4 FINANCIAL DISCLOSURES. County employees shall always fully and publicly disclose any material, financial or other beneficial interest that the employee has or may have in any contract, legislative action, formal decision or governmental ruling or determination whenever the employee will or may participate in any manner in the discussion, deliberation, decision or administration of the matter.

5.5 INTERNET AND E-MAIL. Internet and e-mail usage shall be in accordance with the official Douglas County Computer Usage and Security Policy. No employee has any property interest or expectation of privacy in any electronic communication while using Douglas County information technology systems or equipment. Furthermore, the ethical guidelines contained in this policy shall be applied to such computer use while on County time or while using any County property. Employees are prohibited from sending personal e-mails to an "All County Employees" distributions list using County equipment or County assigned e-mail addresses.

5.6 EMPLOYMENT OF RELATIVES. Douglas County discourages the hiring of immediate family members in a Classified full time or Classified part time position in the same division of a department, such divisions to be determined by the Assistant County Administrator. The definition of immediate family member is as follows:

Spouse, Sibling, Child, Parent, and In-laws and Step relationships of these relatives.

Grandchild, Grandparent

Should a Department Head desire to hire a family member as defined above, prior approval must be given by the Assistant County Administrator. If a family relationship as listed above develops after the hiring of the affected employee(s), the Assistant County Administrator must be notified of the relationship. The County Administrator may require the transfer of one or both employees to another division or department.

Additionally, a relative as defined above of a County Commissioner, County Administrator, or Assistant County Administrator may not be employed in any capacity by Douglas County, unless the individual was employed at the time of election of the Commissioner or appointment of the Administrator.

5.7 SPECIAL TREATMENT. No employee shall either directly or indirectly give, promise, render or pay any money, any service or other valuable thing to any person on account of, or in connection with, his/her test, appointment, proposed appointment, promotion or proposed promotion. Additionally, no employee will accept any of the foregoing in exchange for consideration of the testing, appointment, proposed appointment or promotion or proposed promotion of any person.

5.8 OBSTRUCTION OF EMPLOYMENT. No employee of the County shall defeat, deceive or obstruct any person in his/her right to examination, eligibility, certification, or appointment under the provisions of this policy, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment.

5.9 EQUAL EMPLOYMENT OPPORTUNITY. Douglas County will not discriminate against any employee or applicant for employment in any manner because of race, color, religion, age, sex or national origin. All solicitations or advertisements for employees placed by Douglas County will state that qualified applications will receive consideration for employment without regard to race, color, religion, age, sex, national origin, or any other factor prohibited by law. Douglas County will not retaliate against any employee who makes a claim of discrimination.

5.10 USE OF COUNTY PROPERTY. County property shall only be used for the purpose of carrying out official County business. Any exception to this regulation must be approved in writing by the County Administrator.

5.11 PUBLIC RELATIONS. Employees shall be courteous and respectful at all times to the general public. They are expected to be governed by principles and ordinary rules of good behavior and judgment. Employees are expected to be just and honorable in their relations with citizens; they shall not make false reports. Further, they shall not act in a manner calculated to create disturbance or dissension. Employees shall refrain from altercations, disorderly conduct, and the use of profane, abusive or improper language.

5.12 EMPLOYEE RELATIONS. Employees shall be courteous and respectful at all times to other employees. They are expected to be governed by principles and ordinary rules of good behavior and judgment. Employees are expected to be just and honorable in their relations with each other; they shall not make false reports concerning another employee or department. Further, they shall not act in a manner calculated to create disturbance or dissension. An employee shall not threaten or abuse, either verbally or physically, any person, including a person in custody, unless the act committed occurred in self-defense, to protect the lives of others, or to prevent the escape of a person lawfully in custody. Employees shall refrain from altercations, disorderly conduct, and the use of profane, abusive or improper language.

5.13 ATTENDANCE. Employees are expected to arrive at work on time. They are expected to attend work regularly, and to report any inability to report to work in a timely way to supervisors as required by policy. An unauthorized absence is time away from regular scheduled working hours for which the employee has not received explicit approval or authorization from his/her supervisor.

5.14 PERFORMANCE. Employees shall perform their duties promptly, competently, efficiently, and honestly. While at work an employee shall tend to their official duties diligently, and refrain from any actions that take away from the usual course of County business. Such actions include, but are not limited to, excessive personal telephone calls and excessive attention to personal business. A performance rating of less than

satisfactory on any factor within the performance evaluation form may lead to use of discipline (Section 6).

5.15 DRUGS AND ALCOHOL (ALSO SEE SECTION 13). Douglas County recognizes that alcohol and drug abuse in the workplace has become a major concern. We believe that by reducing drug and alcohol use, we will improve the safety, health, and productivity of employees. The object of Douglas County's alcohol and drug policy is to provide a safe and healthy workplace for all employees, to comply with federal and State health and safety regulations, and to prevent accidents. The use, possession, sale, purchase or being under the influence of alcoholic beverages, illegal drugs, or other intoxicants by employees at any time on Douglas County premises or while performing Douglas County work is prohibited. Employees must not report for duty or be on Douglas County property while under the influence of, or have in their possession while at work, any alcoholic beverage, marijuana, or illegally obtained drug, narcotic, or other illegal substance. The misuse of prescription drugs is also prohibited under this alcohol and drug policy.

5.16 STEALING. Employees shall not steal, take, or remove anything of value from any premise, household, person, or office which does not belong to him/her.

5.17 GAMBLING. Employees shall not engage in gambling while at work. This policy includes, but is not limited to, athletic game pools.

5.18 VISITORS AND TELEPHONE CALLS. Personal visits and telephone calls shall be allowed at the discretion of the Department Head. Excessive personal telephone calls and excessive attention to personal business may lead to disciplinary action (Section 6).

5.19 GUNS OR OTHER WEAPONS. Unless required by occupation, no employee shall carry, possess, keep, discharge, clean, repair or assemble guns, firearms, or other weapons of any description while at work or in any County owned building or in a vehicle while on County owned property (except as permitted by the Kansas Personal and Family Protection Act, K.S.A. 75-7c01 et seq.) The definition of weapon shall be as described in K.S.A. 21-4201.

5.20 DRESS. Employees shall dress according to the position held. All employees are expected to wear some type of footwear while at work. Appropriate dress will vary by occupation, but all employees are expected to abide by custom or policy established by the Department Head.

5.21 BEHAVIOR WHICH REFLECTS ON THE COUNTY. As an employee of Douglas County, you are providing a service to the citizens of Douglas County. Your behavior can and will influence the public's perception of County governance. We believe that the citizens of Douglas County expect exemplary behavior from the employees of Douglas County. Therefore, any behavior of County employees which adversely impacts the opinions of the citizens of Douglas County or their government is prohibited.

5.22 VIOLATION OF DEPARTMENT REGULATIONS. Employees shall not violate any written departmental regulation.

5.23 INSUBORDINATION. Employees shall not be insubordinate. Insubordination is the failure or refusal of an employee to obey any proper directive or order of a supervisor or to abide by established and lawful County policy or procedure.

5.24 NEGLIGENCE IN THE CARE OF COUNTY MONEY OR PROPERTY. Employees shall not be careless or negligent with the money or other property of the County or the public.

5.25 INFLUENCE OTHERS TO COMMIT AN UNLAWFUL ACT. Employees shall not induce or attempt to induce an employee of the County to commit an unlawful act or to act in violation of any departmental regulation or order.

5.26 ACCEPTANCE OF GIFTS OR SERVICES. A gift or gratuity refers to anything of value, whether it is money, services, loan, travel, entertainment, hospitality, promise, favor, or material objects. Individual employees and departments are discouraged from accepting any gift or gratuity from any person or company in connection with his/her work. Individual employees are prohibited from accepting goods and/or services (including food) with a value of greater than twenty-five dollars (\$25.00). Departments are prohibited from accepting goods and/or services (including food) with a value of

greater than seventy-five dollars (\$75.00), and such goods and/or services must be shared with all employees and not given to any individual employee. Should an employee and/or department receive a gift in excess of the amounts allowed, the employee and/or department head must donate this gift to a non-profit agency for use by clients and must notify the County Administrator of the donation.

5.27 COMPLIANCE WITH LAWS. Employees shall abide by all State, local and federal laws. The conviction of an employee for a crime which makes the individual unsuitable for that position is grounds for immediate dismissal.

5.28 SEXUAL HARASSMENT. Employee shall not sexually harass other employees or the general public. See Section 1.3 for the statement of Non-Harassment.

5.29 SMOKE-FREE WORK PLACE. Employees shall not violate the Smoke Free Work Place regulation established by the County Commissioners in Resolution 93-15. This resolution prohibits smoking within a building which is owned or leased by Douglas County, and specifies that there will be no designated smoking areas within any Douglas County owned buildings.

5.30 POLITICAL CAMPAIGNS. Douglas County employees are prohibited from any appearance of campaigning for a candidate for an elected office during the employee's work hours and/or at any Douglas County facility during the work hours of that facility. This includes, but is not limited to, wearing or displaying political badges, buttons or signs on their person or on County property, distributing literature on County property, using County equipment to communicate regarding a political campaign, or in any other way participate in the administration of any political campaign during on-duty hours. This shall include the use of County equipment, including the use of email, for mass mailings with respect to a particular political campaign. Employees desiring to become a candidate for a County elective office in which he/she will run against an incumbent shall notify the County Administrator of such intent, and shall abide by all provisions of this policy.

5.31 CELL PHONE USE.

- Employees who are assigned Douglas County cell phones are to minimize the use of this phone for personal use; excessive use of County cell phones for personal calls could result in cell phone privileges being revoked.
- Employees are prohibited from using a cellular phone while driving (either a County vehicle or a personal vehicle used for County business and/or while operating county equipment) for the following purposes:
 - Sending or reading text messages or emails;
 - Accessing the internet

Additionally, employees are encouraged not to use cellular phones while driving a County vehicle or a personal vehicle for County business, except in cases of public safety issues.

- Cell phone use is considered by IRS to be non-cash compensation; in an effort to minimize the tax impact on the employee, the County will provide a cell phone stipend at a rate to be determined by the Assistant County Administrator.
- Employees shall refrain from using the cell phone for purposes of photography except for official County business.
- Employees are expected to restrict text messaging within the limits of the plan; failure to do so will result in reimbursement from the employee and possible disciplinary action.

5.32 PARTICIPATION IN SOCIAL MEDIA SITES. It is the policy of Douglas County to recognize an employee's personal and private affairs, however, it is the responsibility of each employee to conduct themselves in a manner that will not reflect negatively on Douglas County or impair the ability of Douglas County to conduct its operations. This includes any participation in social media or social networking sites. Furthermore, the ethical guideline contained in this policy shall apply to any employee engagement in any communication on social media or social networking sites when such communication relates to County operations or if it impairs the employee's ability to perform their duties. Employees will ensure that any communication clearly reflects that any opinion expressed is the individual's opinion and is not the opinion of Douglas County or in the employee's official capacity as a Douglas County employee.

5.33 DOUGLAS COUNTY SOCIAL MEDIA SITES. Douglas County maintains several social media outlets for the purpose of communicating with County residents.

Employees must comply with the official Douglas County, Kansas Social Media Policy when they are representing Douglas County or participating in a Douglas County social media outlet.

SECTION 6

DISCIPLINE

6.1 DISCIPLINARY ACTION.

Nothing contained herein is intended to create an expressed or implied contract and the employee remains an employee at will.

Department Heads may use any of the following actions, up to and including termination, for any County employee within their department for violation of the Code of Conduct (Section 5) or for any other action as they deem appropriate. All such actions must have the prior approval of the Assistant County Administrator. These disciplinary actions will not be used for introductory employees.

A. COUNSELING. When the employee's job performance or personal conduct is unsatisfactory, the Department Head may, at his/her discretion, counsel the employee. The Department Head will document this counseling session and forward the documentation to the Assistant County Administrator. This documentation is not filed in the employee's personnel file unless further action is taken.

B. REPRIMAND. The Department Head shall notify the employee in writing, preferably using the Reprimand Form, of the nature of the problem and the expectations for improvement. The Reprimand Form must be dated and signed by the employee and the Department Head. One copy of the Reprimand Form shall be provided to the employee and the original shall be forwarded to the Assistant County Administrator to be placed in the employee's personnel file.

C. SUSPENSION WITHOUT PAY. The Department Head shall complete the Suspension Notice with a description of the misconduct or poor performance and the length of the suspension without pay. The Suspension Notice shall be shared with the employee and must be dated and signed by the employee and the Department Head and forwarded to the Assistant County Administrator.

D. DEMOTION. With the approval of the Assistant County Administrator, the Department may demote an employee to a position of lower pay and responsibility. A

Demotion Notice must be completed and submitted to the Assistant County Administrator; the notice must contain a statement to the employee of his/her right to a pre-demotion hearing (see Section 8.2A). An employee may only be demoted if a vacancy exists or with the approval of the Assistant County Administrator.

E. DISMISSAL. With the approval of the Assistant County Administrator, the Department Head may recommend dismissal. A Dismissal Notice must be completed and submitted to the Assistant County Administrator; the Notice must contain a statement to the employee of his/her right to a pre-termination hearing (see Section 8.2A), and the employee shall be suspended with pay for at least three (3) work days during which time he/she may request such hearing. The employee shall not be given any severance pay, except for any compensation due for accumulated vacation leave, compensatory time, and sick leave (guidelines are in Section 9).

F. EXCEPTIONS FOR CERTAIN CLASSIFICATIONS. Introductory employees, Unclassified employees, and Classified Exempt employees may be dismissed at any time. These positions have no right to appeal a dismissal decision except in cases of alleged discrimination or harassment.

6.2 SERIOUS OFFENSES. If the employee has committed one of the following offenses, the Department Head may dismiss the employee immediately with the approval of the Assistant County Administrator. This is not an all inclusive list and other acts of misconduct may also lead to immediate dismissal.

1. Conviction of commission of a crime while on or off the job if the crime relates to the performance of the employee's duties.
2. Physical violence on the job.
3. Breach of security procedures.
4. Two (2) unauthorized absences in a twelve (12) month period.
5. Sexual harassment or other professional misconduct.
6. Any conduct which threatens the rights of other employees.
7. Serious violation of County policy, such as, but not limited to, insubordination, drugs & alcohol, threats of violence, using abusive language, etc.
8. Fraud, dishonesty, or abuse of County property, such as falsifying County records.

6.3 GRIEVANCE RIGHTS. All Classified employees have the option to request a grievance hearing for disciplinary actions (see Section 8). As stated in the Section 8 (Grievance), when the action is demotion or dismissal, the employee must request a hearing within five (5) calendar days of notification of the action.

6.4 REMOVAL OF DISCIPLINARY ACTION FROM EMPLOYEE FILE. An employee may request in writing the removal of disciplinary action from the employee's personnel file if no further disciplinary action of any kind has been taken for a period of 2 years from the date of the original action. Such request will be submitted to the Assistant County Administrator who, along with the employee's department head, will make a recommendation to the County Administrator. Recommendations will be based upon, but not limited to, lack of further disciplinary action, the employee's performance at work, attendance, and dedication to the job. The County Administrator's decision will be final and is not subject to grievance. If the request is denied, the employee must wait for a period of 2 years prior to submitting another request.

SECTION 7 SEPARATIONS

7.1 RESIGNATION.

A. NOTIFICATION. An employee who desires to terminate his/her service with the County is requested to submit a written resignation to the Department Head. Should the employee provide verbal notice, it shall be the responsibility of the Department Head to prepare a notice for the employee's signature. A copy of the resignation shall be provided to the Assistant County Administrator for the employee's personnel file.

B. LENGTH OF NOTICE. Douglas County asks that an employee provide at least fourteen (14) calendar days notice prior to the final day of work. The Department Head has the discretion to waive the notice period.

C. USE OF PAID LEAVE FOLLOWING NOTIFICATION. The use of sick leave during the period following notification of resignation shall only be authorized when the employee provides a physician's statement verifying the illness. Failure to provide a physician's statement shall result in those days being considered as unauthorized leave without pay. The use of personal discretionary days following notification of resignation shall not be allowed, and the employee shall not receive compensation for unused personal discretionary days. The use of vacation leave and/or compensatory time shall be at the Department Head's discretion.

D. RETURN OF COUNTY PROPERTY. The employee shall surrender to the Department Head all property in the employee's possession belonging to the Department.

7.2 LAST PAYCHECK. If an employee's employment is terminated for an reason (voluntarily or involuntarily), the last pay check the employee receives shall include the following:

- Regular Pay: Regular earnings through the last day of employment.
- Accumulated Vacation Pay: The employee shall be compensated at his/her regular rate of pay for all accumulated vacation leave.

- Accumulated Compensatory Time: The employee shall be compensated for all accumulated compensatory time.
- Accumulated Sick Leave: If the employee has been employed for at least two (2) years in a Classified or Classified Exempt position, the employee shall be compensated for one-third (1/3) of his/her accumulated sick leave up to a maximum of 1/3 of 720 hours at his/her regular rate of pay. Employees with less than two years of service are not compensated for accumulated sick leave.

7.3 DEATH WHILE EMPLOYED. In the case of death of an employee, the Department Head shall notify the County Administrator and the Assistant County Administrator as soon as possible. The estate of the employee shall be paid his/her earnings, including accumulated compensatory time, since the last pay period. Additionally, regardless of length of service, the estate of the employee shall be paid all accumulated vacation leave and one third (1/3) of the accumulated sick leave up to a maximum of 1/3 of 720 hours at the employee's regular rate of pay. The estate must ensure that all County property is returned to the Department Head.

7.4 REDUCTION IN FORCE. Employees may be laid off, with the approval of the County Administrator, when it is deemed necessary because of a shortage of funds, shortage of work, the abolition of a position, or other material changes in duties or organization.

A. RETURN OF COUNTY PROPERTY. On the last day of work, the employee shall surrender to the Department Head all property in the employee's possession belonging to the County.

B. HEALTH INSURANCE. Douglas County shall continue payment of the employer's portion of health insurance coverage for three (3) months after the effective date of the lay-off. The employee shall be obligated to pay his/her portion of the premium. After three (3) months, the employee shall have the option of continuing health insurance coverage based on COBRA regulations.

SECTION 8

GRIEVANCES/APPEALS

8.1 ELIGIBILITY FOR USE OF GRIEVANCE PROCEDURE. Except as provided in this section, only Classified Non-Exempt employees who have completed their introductory period are eligible to file a grievance. Introductory, Unclassified, and Classified Exempt employees may only file a grievance for alleged discrimination or harassment.

8.2 ACTIONS ELIGIBLE FOR GRIEVANCE. Grievances may be filed only for the following reasons:

- Demotion
- Disciplinary Action
- Alleged Discrimination or Harassment
- Violations of the Douglas County Personnel Policy

For situations not falling into the above eligibility criteria, employees should follow the chain of command within their department. For questions about grievance eligibility or processes, contact the Assistant County Administrator.

8.3 EMPLOYEES OF APPOINTED DEPARTMENT HEADS

A. FILING PROCEDURES FOR DEMOTION OR DISMISSAL. In cases of demotion or dismissal, the employee must initiate the grievance process by contacting the Assistant County Administrator within five (5) calendar days of notification of the action.

B. FILING PROCEDURES FOR ANY OTHER ACTION. The following steps are to be taken in sequential order for an employee grievance. Extensions to all time periods may be made with the written agreement of both parties. Failure to meet a deadline by a Department Head shall automatically cause the process to move to the next step; failure by the employee to meet a deadline without an authorized extension shall terminate the process.

1. STEP 1. Employees must make an attempt to work the situation out within their department prior to submitting a grievance form.

2. STEP 2. The aggrieved employee shall submit the complaint on a Grievance Form (available from the Assistant County Administrator) to the Assistant County Administrator within seven (7) calendar days of the receipt of the incident or action, or within seven (7) calendar days of the date he/she could reasonably be expected to have knowledge of the incident or action. The Assistant County Administrator shall investigate the complaint and furnish the aggrieved employee(s) with a written reply within seven (7) calendar days of receipt of the employee's Grievance Form.

3. STEP 3. If Step 1 failed to resolve the grievance issue, the aggrieved employee(s) shall submit to the Assistant County Administrator the Request for Grievance Hearing within seven (7) calendar days from the receipt of the written response in Step 1; a grievance hearing will then be scheduled with the County Administrator

C. GRIEVANCE HEARING PROCEDURES. A hearing with the County Administrator must be scheduled within a reasonable time following receipt of the Request for Grievance Hearing.

D. EMPLOYEE RIGHTS. The employee may be accompanied and represented by an attorney retained by the employee; however, the hearing shall not be bound by the rules of evidence. The employee must inform the Assistant County Administrator if he/she will be accompanied by an attorney at least one day in advance of the hearing. At that time, the County shall have the option of rescheduling the hearing to accommodate the schedule of the County Counselor. Witnesses and documentation applicable to the grievance may also be presented at the hearing.

E. SUPERVISOR RIGHTS. The supervisor may be accompanied and represented by the County Counselor. Witnesses and documentation applicable to the grievance may also be presented at the hearing.

F. ATTENDANCE. The hearing shall be conducted in closed session and only the following individuals may be present: the aggrieved employee and his/her attorney, the supervisor, the Department Head and/or his/her designee, the County Administrator, the

County Counselor, the Assistant County Administrator, and witnesses at appropriate intervals.

G. PROCESS. The proceedings should be conducted with sufficient formality to preserve an orderly presentation of both sides of the issues, provide opportunities for the introduction of evidence either in the form of testimony or exhibits, and preserve the opportunity to cross examine opposing witnesses.

H. FINDINGS. The County Administrator shall complete his/her findings and conclusions with regard to the grievance within a reasonable time following the hearing and submit such findings in writing to the aggrieved employee with a copy to the Assistant County Administrator. The County Administrator's decision shall be final and binding (except when the complaint is based on alleged discrimination or harassment as set out in Section 8.2l) unless a majority of the Board of County Commissioners has indicated a desire to hear an appeal.

I. APPEALS. In cases of alleged discrimination or harassment, both parties have the right to appeal the grievance findings to the Board of County Commissioners. Notification of the appeal shall be made to the Assistant County Administrator within seven (7) calendar days of receipt of the findings. All documentation shall be submitted to the County Commissioners for consideration; the Commissioners shall consider the appeal on the record and will have the discretion to hold a hearing. The County Commissioners shall respond to the appeal in writing within a reasonable time of the filing of the appeal. The findings of the County Commissioners shall be final and binding.

J. EXEMPTIONS FROM GRIEVANCE PROCEDURE.

1. PERFORMANCE EVALUATION. Any appeal by an employee related to the outcome of a performance evaluation is ineligible to be heard through the grievance procedure. Such appeals shall be filed with the Assistant County Administrator, and shall be heard by the County Administrator. The employee must make the appeal within seven (7) calendar days after the evaluation. The County Administrator's decision shall be final and binding.

2. CLASSIFICATION SYSTEM OR PAY PLAN. Any appeal by an employee to an administrative decision regarding the Douglas County pay plan or classification system, including but not limited to reclassification or reallocation requests, is ineligible to be heard through the grievance procedure. Such appeals shall be heard by the County Administrator. Such appeals must be filed with the Assistant County Administrator within seven (7) calendar days of the decision (or first knowledge of the decision). The County Administrator's decision shall be final and binding.

8.4 EMPLOYEES OF ELECTED OFFICIALS

A. FILING PROCEDURES FOR DEMOTION OR DISMISSAL. In cases of demotion or dismissal, the employee must initiate the grievance process by contacting the Assistant County Administrator within five (5) calendar days of notification of the action.

B. FILING PROCEDURES FOR ANY OTHER ACTION. The following steps are to be taken in sequential order for an employee grievance. Extensions to all time periods may be made with the written agreement of both parties. Failure to meet a deadline by an Elected Official shall automatically cause the process to move to the next step; failure by the employee to meet a deadline without an authorized extension shall terminate the process.

1. STEP 1. Employees must make an attempt to work the situation out within their department prior to submitting a Grievance Form.

2. STEP 2. The aggrieved employee shall submit the complaint on a Grievance Form (available from the Assistant County Administrator) to the Assistant County Administrator within seven (7) calendar days of the receipt of the incident or action, or within seven (7) calendar days of the date he/she could reasonably be expected to have knowledge of the incident or action. The Assistant County Administrator shall investigate the complaint and furnish the aggrieved employee(s) with a written reply within seven (7) calendar days of receipt of the employee's Grievance Form.

3. STEP 3. If Step 1 failed to resolve the grievance issue, the aggrieved employee(s) shall submit to the Assistant County Administrator the Request for Grievance Hearing within seven (7) calendar days from the receipt of the written

response in Step 1; a grievance hearing will then be scheduled with the Elected Official.

C. GRIEVANCE HEARING PROCEDURES. A hearing with the Elected Official must be scheduled within a reasonable time following receipt of the Request for Grievance Hearing.

D. EMPLOYEE RIGHTS. The employee may be accompanied and represented by an attorney retained by the employee; however, the hearing shall not be bound by the rules of evidence. The employee must inform the Assistant County Administrator if he/she will be accompanied by an attorney at least one day in advance of the hearing. At that time, the County shall have the option of rescheduling the hearing to accommodate the schedule of the County Counselor. Witnesses and documentation applicable to the grievance may also be presented at the hearing.

E. SUPERVISOR RIGHTS. The supervisor may be accompanied and represented by the County Counselor. Witnesses and documentation applicable to the grievance may also be presented at the hearing.

F. ATTENDANCE. The hearing shall be conducted in closed session and only the following individuals may be present: the aggrieved employee and his/her attorney, the supervisor, the Elected Official, the County Counselor, the Assistant County Administrator, and witnesses at appropriate intervals.

G. PROCESS. The proceedings should be conducted with sufficient formality to preserve an orderly presentation of both sides of the issues, provide opportunities for the introduction of evidence either in the form of testimony or exhibits, and preserve the opportunity to cross examine opposing witnesses.

H. FINDINGS. The Elected Official shall complete his/her findings and conclusions with regard to the grievance within a reasonable time following the hearing and submit such findings in writing to the aggrieved employee with a copy to the Assistant County Administrator. The Elected Official's decision shall be final and binding (except when the complaint is based on alleged discrimination or harassment as set out in Section 8.2I).

I. APPEALS. In cases of alleged discrimination or harassment, both parties have the right to appeal the grievance findings to the Board of County Commissioners. Notification of the appeal shall be made to the Assistant County Administrator within seven (7) calendar days of receipt of the findings. All documentation shall be submitted to the County Commissioners for consideration; the Commissioners shall consider the appeal on the record and will have the discretion to hold a hearing. The County Commissioners shall respond to the appeal in writing within a reasonable time of the filing of the appeal. The findings of the County Commissioners shall be final and binding.

J. EXEMPTIONS FROM GRIEVANCE PROCEDURE.

1. PERFORMANCE EVALUATION. Any appeal by an employee related to the outcome of a performance evaluation is ineligible to be heard through the grievance procedure. Such appeals shall be filed with the Assistant County Administrator, and shall be heard by the Elected Official. The employee must make the appeal within seven (7) calendar days after the evaluation. The Elected Official's decision shall be final and binding.

2. CLASSIFICATION SYSTEM OR PAY PLAN. Any appeal by an employee to an administrative decision regarding the Douglas County pay plan or classification system, including but not limited to reclassification or reallocation requests, is ineligible to be heard through the grievance procedure. Such appeals shall be heard by the County Administrator. Such appeals must be filed with the Assistant County Administrator within seven (7) calendar days of the decision (or first knowledge of the decision). The County Administrator's decision shall be final and binding.

SECTION 9

LEAVES

9.1 GENERAL CONDITIONS

A. REPORTING ABSENCES. It is the employee's obligation to report reasons for an absence to his/her supervisor as soon as possible (no later than within one-half (1/2) hour after the beginning of the work day) or in accordance with departmental policy.

B. APPROVAL OF LEAVES. All requests for leaves shall be considered by the Department Head or his/her designee for conformance with County and departmental rules established for each type of leave. The Department Head has the discretion to deny a request for most leaves.

C. TYPES OF LEAVES. The following types of leaves are hereby established:

- Vacation Leave
- Sick Leave
- Family Medical Leave
- Well Leave
- Military Leave
- Civil Leave
- Funeral Leave
- Work Injury Leave
- Holidays (including Personal Discretionary Days)
- Leave Without Pay
- Leave With Pay

9.2 VACATION LEAVE

A. ELIGIBILITY. Vacation leave is only granted to Classified and Classified Exempt employees. Vacation leave accrues from the date of employment as a Classified or Classified Exempt employee.

B. UTILIZATION. Department Heads may use their discretion when considering requests for vacation leave or when requiring that an employee utilize accumulated vacation hours in order to ensure a minimum disruption of departmental and County

work. Utilization of vacation leave will be charged at a minimum of one-quarter (.25) hour increments.

C. MAXIMUM ACCUMULATIONS AND EXCESS PAYMENT. The maximum accumulation of vacation leave is 290 hours for full time employees and 145 hours for part time employees. However, employees are allowed to exceed that limit until the last day of the last full pay period ending in October. If, at that time, a full time employee has utilized at least one hundred twenty (120) hours and a part time employee has utilized at least sixty (60) hours of vacation during the past 26 pay periods, the employee will receive payment at his/her regular rate for all accumulated vacation hours over the maximum. The employee's accumulated vacation leave total will then be dropped to the maximum allowable hours. If an employee has not taken the stipulated number of hours of vacation during the past 26 pay periods, all hours in excess of the maximum will be lost. *Donated hours shall not count toward the 120 hours required for eligibility for excess vacation payment.*

D. ACCRUAL RATES. All eligible employees and Department Heads shall be subject to the following accrual schedule. Employees who are "Part Time with Benefits" shall earn and accrue vacation leave on a prorata basis (based on the position's FTE).

**VACATION LEAVE ACCRUAL
SCHEDULE**

Years of Service	Accrued Hours per Pay Period
0-4	3.75
5-9	4.75
10-14	5.50
15+	6.50

Employees who, on December 31, 1994, accrue more vacation leave than the schedule indicates shall remain at their current rate and shall not receive another increase in vacation accrual rate until their years of service on the above schedule dictates such an increase.

E. DONATION OF VACATION LEAVE. Employees may, on a voluntary basis, donate vacation hours to another employee on medical leave. Such donations must be coordinated through the Assistant County Administrator. The employee receiving the donation shall not be responsible for repaying any vacation leave donations. Donated hours in excess of the amount needed shall remain with the recipient, and will not be returned to the donor. *Donated hours shall not count toward the 120 hours required for eligibility for excess vacation payment.*

1. Eligibility. Employees donating hours must have sufficient vacation leave accumulated to retain at least forty (40) hours of vacation leave after the donation. The employee receiving the donation must have depleted all other accumulated paid leave and, if applicable, have requested and used the maximum sick leave loan from the County (see Section 9.3H) prior to receipt of the donation.

2. Calculation. The Assistant County Administrator shall convert the number of vacation hours using the regular rate of pay for each of the employees.

3. Limit. An employee may not receive more than 10 weeks of donated sick or vacation leave over a 2 calendar year time period.

9.3 SICK LEAVE

A. ELIGIBILITY. Sick leave is only granted to Classified and Classified Exempt employees. Sick leave accrues from the date of employment. Employees may also want to refer to Section 9.7, Family Medical Leave Act.

B. UTILIZATION. Sick leave must be used in not smaller than quarter hour (.25) increments. Sick leave hours may be utilized for the following purposes:

1. Personal Use: illness or physician/dental appointment (shift personnel are expected to schedule such appointments during off duty hours).

2. Family Use: family illness or physician/dental appointment (shift personnel are expected to schedule such appointments during off duty hours). For this purpose, family is defined as child (including step-child and foster child), grandchild, parent or grandparent (including in-laws), sibling (not including in-laws) or spouse who requires transportation, care or hospitalization.

3. Required by Department Head: the employee may be required to take sick leave by the Department Head (with the approval of the Assistant County Administrator) when there is a concern about the ability of the employee to safely perform his/her duties due to an non-work related injury or illness.

C. NOTIFICATION. In order to be granted the use of sick leave, an employee must report to the Department according to departmental regulations the reason for the absence as soon as possible (no later than one-half (1/2) hour after the beginning of the work day) or in accordance with departmental policy on the work day for which sick leave is being requested. Employees are expected to schedule appointments in advance when possible. It is the employee's responsibility to keep the appropriate supervisor informed each day the employee is absent, unless sick leave is authorized for a specific period of time.

D. MAXIMUM ACCUMULATION. Employees may accumulate a maximum of 1,040 hours of sick leave. Once an employee reaches that maximum level, no additional hours will be added to the accumulated total until sick leave hours are used.

E. ACCRUAL RATE. Full time employees will accrue 4.75 hours per pay period. Employees who are "Part Time with Benefits" will accrue sick leave on a prorata basis (based on the position's FTE).

F. MEDICAL DOCUMENTATION. The Department Head, at his/her discretion, may require that the employee submit medical documentation of illness or injury prior to returning to work for any of the following reasons:

1. The employee is absent three (3) or more consecutive days.
2. There is a concern about possible sick leave abuse.
3. Sick leave is being substituted for vacation leave.

G. MEDICAL RELEASE. The Department Head, at his/her discretion, may require that the employee, prior to returning to work, submit a medical release containing a statement from a physician confirming the illness or injury and providing the date the employee is released to perform his/her full duties when there is a concern about the ability of the employee to safely perform his/her duties. A medical release is required anytime an employee requests the use of sick leave following notice of resignation.

H. SICK LEAVE LOAN. If an employee who has successfully completed the introductory period is suffering from a prolonged illness or injury, or has been approved for Family Medical Leave, and has depleted his/her accumulated sick leave, compensatory time, and vacation leave, the employee may apply for a sick leave loan not to exceed four (4) work weeks of regular pay. The Department Head and Assistant County Administrator must approve the loan request in order for it to become effective. Upon the employee's return to employment, the loan will be repaid at a rate of 3.5 hours per pay period. Should the employee leave the service of the County prior to repaying the loan, he/she will contribute first any accumulated sick leave, then compensatory time, and then vacation leave toward repayment of the loan. The value of any remaining hours will be deducted from the employee's last paycheck, as authorized in the sick leave loan application, and any remainder shall be repaid by the employee. A maximum of four work weeks in any 3-year period may be awarded. An employee may receive a second loan to be combined with the first loan up to the maximum number of weeks stated above.

I. SICK LEAVE DONATION. Employees may, on a voluntary basis, donate a calendar year maximum of forty (40) sick leave hours to another employee on medical leave. Such donations must be coordinated through the Assistant County Administrator. The employee receiving the donation shall not be responsible for repaying any sick leave donations. Donated hours in excess of the amount needed shall remain with the donee, and will not be returned to the donor.

1. Eligibility. Employees donating hours must have sufficient sick leave accumulated to retain at least eighty (80) hours of sick leave after the donation. The employee receiving the donation must have depleted all other paid leave, including sick, vacation and compensatory hours, and have requested and used the maximum sick leave loan from the County (if eligible) (see Section 9.3H) prior to receipt of the donation.

2. Calculation. The Assistant County Administrator shall convert the number of sick hours using the regular rate of pay for each of the employees.

3. Well Leave. Sick leave donations will not affect well leave.

4. Limit. An employee may not receive more than ten (10) weeks of donated sick or vacation leave over a two (2) calendar year time period.

9.4 WELL LEAVE

A. ACCRUAL. Employees who are eligible for sick leave will receive additional hours of pay or vacation leave for every six (6) consecutive pay periods in which no sick leave is used. Full time employees will receive five (5) hours, and part time employees will receive two and one-half (2.5) hours. The Department Head will have the discretion to determine whether well leave hours will be paid in cash or in vacation leave.

B. USE OF SICK LEAVE. Employees may use up to one (1) work week's worth of sick leave in a payroll year (defined as the payrolls falling within the calendar year) without interrupting the well leave accrual process. After the use of one (1) work week's use of sick leave, any further use of sick leave in that payroll year will cause the well leave credit to return to zero (0). For purposes of well leave, the value of a work week is considered to be 42.5 hours for full time employees, and the pro-rated value (based on the position's FTE) for part time employees.

9.5 MILITARY LEAVE. Douglas County provides military leave for training and service performed by a member of any governmental military organization in compliance with the Uniform Services Employment and Reemployment Rights Act (USERRA).

A. COPIES OF MILITARY ORDERS. Copies of the employee's military orders will be submitted to the Department Head prior to the employee's departure.

B. PAY AND BENEFITS. When on military leave, an employee will not receive regular pay. However, the employee may choose to use accumulated vacation leave. The employee will continue to accrue leave benefits for ninety (90) days; the County's portion of the health insurance premium for the employee will continue to be paid for a period of ninety (90) days (the employee will be responsible for paying his/her portion of the premium during that period). After 90 days, the employee will be responsible for paying the premium for health insurance coverage or may discontinue coverage until the employee returns to work.

C. SCHEDULING. If possible, the employee should attempt to schedule military training so that it does not interfere on a regular basis with the employee's work schedule.

D. RETURN TO WORK. Employees will be expected to return to work within two (2) weeks of release from active military duty, or as specified by USERRA.

9.6 CIVIL LEAVE. Classified and Classified Exempt employees (including introductory employees) will be given time off without loss of pay for the reasons outlined below. An employee is expected to return to work one (1) hour after release from Civil Leave, unless other arrangements are made with the Department Head.

A. JURY DUTY. The employee must provide notice to the Department Head that he/she has been called for jury duty. In order to receive full wage compensation, the employee will submit to the Department Head all jury fees received.

B. WITNESS IN COURT. An employee will be given necessary time off when appearing in court as a witness as the result of a subpoena, a copy of which will be provided to the Department Head. In order to receive full wage compensation, the

employee will submit to the Department Head any witness fees received.

9.7 FAMILY MEDICAL LEAVE

A. DESCRIPTION. Pursuant to the Family Medical Leave Act, Family Medical Leave is available for employees who must take off work for a prolonged period due to Family Leave (birth, adoption of a child, placement of a foster child in the home) or Medical Leave (a serious medical condition of the employee, or a serious medical condition of a family member, defined as spouse, son, daughter, or parent, but not parent-in-law). This leave does not guarantee pay, but it does preserve the job of the employee for up to twelve weeks. The employee is limited to one twelve-week leave of Family Medical Leave in a rolling twelve month period, starting from the first day of the employee's Family Medical Leave. The FMLA definition of "serious health condition" and additional information including the "Notice of Employee Rights and Responsibilities" is available from the Assistant County Administrator.

B. ELIGIBILITY. The employee must have at least twelve (12) months of service and 1250 hours over the previous twelve (12) months with the County prior to commencing leave. When requesting Family Medical Leave, the employee must notify both his/her Department Head and the Assistant County Administrator. The County will notify you of your eligibility in writing once a request has been made.

C. FMLA LEAVE MAXIMUMS. Employees may request up to a maximum of twelve weeks off in a year, such year (or twelve month period) to begin with the date of the first day off work under approved Family Medical Leave. Employees must make a reasonable effort to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Qualifying leave may also be taken on an intermittent basis.

D. FORMS. The employee must complete the Family Medical Leave Act Certification Form provided by the Assistant County Administrator; the Form requires information from the medical provider. The form must be submitted within 15 calendar days after our request unless it is not practicable under the particular circumstances to do so despite your diligent, good faith efforts. After submission of this completed form to

the County, the Assistant County Administrator will notify the employee in writing of approval or non-approval of the request with a Designation Form.

E. PAY. The employee will be required to utilize, in the following order, accumulated sick leave, then accumulated compensatory time, and then accumulated vacation leave prior to going on leave without pay. The employee may also request a sick leave loan (see Section 9.3H).

F. BENEFITS.

1. Vacation and Sick Leave. Vacation and sick leave accrual will continue for a period not to exceed twelve weeks.

2. Health Insurance. The County's portion of the health insurance premium for the employee will continue to be paid for a period of twelve weeks, after which the employee will assume responsibility for the full premium pursuant to the guidelines established by COBRA, or discontinue coverage. It will continue to be the employee's obligation to pay his/her portion of the premium directly to the Administrative Services Department during the twelve week period. Failure to pay the employee portion of the health insurance premium will result in loss of coverage; however, before coverage is dropped, the County will provide written notice to the employee that the payment has not been received at least 15 days in advance of termination of coverage.

3. Other Benefits. Employees should contact the County Clerk's Payroll Office for information about coverage by life insurance while on leave without pay.

G. EXTENSION OF FAMILY MEDICAL LEAVE. Should the employee be unable to return to work on the date specified in the Family Medical Leave documentation, it shall be the employee's responsibility to request an extension from the Assistant County Administrator. The Assistant County Administrator will be required to respond to such a request in writing. In no case, however, will the Family Medical Leave be extended beyond twelve weeks.

H. MEDICAL RELEASE. The employee on leave for their own serious health condition will be requested to submit a release to return to full duties from the employee's medical provider prior to returning to work.

J. FMLA EXPANDED FOR MILITARY FAMILIES. There are special provisions that expand the leave available under FMLA for employees who are a family member of a servicemember in the armed forces or eligible veteran. Expanded FMLA leave is available for family members of a servicemember under the following circumstances:

1. Caregiver Leave for Injured Servicemember. An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the closest blood relative of a covered servicemember) shall be entitled to a total of twenty-six (26) work weeks of leave during a twelve month period to care for a covered servicemember or eligible veteran in a single 12-month period. A covered servicemember is a member of the armed forces, including the national guard or reserves, who has a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the servicemember medically unfit to perform his/her duty for which the servicemember is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability list for a serious injury or illness that occurred while on active duty. An eligible veteran is a veteran who has a serious injury or illness that was incurred or aggravated while on active duty in the Armed Force and the veteran was discharged within five (5) years of when the condition occurred.

2. Family Leave due to Qualifying Exigency. An eligible employee may use up to 12 weeks of FMLA leave for any qualifying exigency arising from a spouse, son, daughter, or parent who is either on active duty in the armed forces, or who has been notified of an impending call or order to active duty in the armed forces or is being deployed with the Armed Forces to a foreign country. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA leave for qualifying exigency is not an addition to the standard FMLA twelve week entitlements; rather it constitutes additional qualifying basis for FMLA leave.

Employees will need to notify the Assistant County Administrator and complete the relevant Certification form to initiate FMLA leave for military families.

J. NO OUTSIDE EMPLOYMENT WHILE ON FMLA LEAVE. Employees on FMLA paid or unpaid leave are prohibited from working any outside employment while benefits are maintained by Douglas County.

9.8 DOMESTIC VIOLENCE OR SEXUAL ASSAULT LEAVE. Douglas County will comply with the Kansas Domestic Violence Leave Act pertaining to leave granted to an employee who is a victim of domestic violence or sexual assault. Employees may take sick, vacation, and/or compensatory accrued paid leave or leave without pay not to exceed eight (8) days per calendar year as provided by the Act.

9.9 FUNERAL LEAVE

A. FAMILY MEMBERS.

1. Employees will be allowed three (3) work days of funeral leave for the following family members: Spouse, Sibling, Parent, Child (including foster child), Grandparent, Grandchild, and in-laws, step, and great relationships of these relatives.

2. Employees will be allowed one (1) work day of funeral leave for the following family members: Niece, Nephew, Cousin, Aunt, Uncle and in-laws and step relationships of these relatives.

Should the employee require more the above number of days, and with the approval of the Department Head, the employee may utilize accumulated compensatory time, accumulated vacation leave, or authorized leave without pay.

B. CO-WORKERS. Employees may be allowed a minimum of two (2) hours off with pay to attend the funeral of a co-worker or a former co-worker. Extensions of this time may be granted at the discretion of the Department Head.

9.10 WORK INJURY LEAVE. Douglas County provides Worker's Compensation benefits for all employees who are injured on the job in accordance with Kansas statutes.

A. NOTIFICATION. All accidents and incidents must be reported to the employee's supervisor immediately; the supervisor or Department Head must report the incident to the Assistant County Administrator within one (1) work day.

B. PHYSICIANS. All Douglas County employees injured in the course of employment will use the County appointed physicians.

C. RETURN TO WORK. A County employee who has experienced a work injury which required medical attention must have a signed release from the County physician in order to return to work. Exceptions may be authorized by the Assistant County

Administrator. The employee will be expected to report to work on the day specified by the physician.

D. PROCEDURE WHEN INJURED.

1. Notification. Following notification and treatment, the employee and supervisor must complete the Work Injury Report Form. The form will be forwarded to the Assistant County Administrator by the Department Head.

2. Treatment. For minor injuries, the employee will be directed to the County physician for treatment. The employee will not use the hospital emergency room for minor injuries that occur during regular business hours. For major injuries, an ambulance will be summoned immediately and the employee will be transported to the appropriate hospital (as determined by the paramedics) for treatment. Under no circumstances will a seriously injured employee be transported to the emergency room by County or personal vehicle.

3. Medical Expenses. All medical expenses incurred as a result of a work injury will be paid by Douglas County, except if the employee refuses to use the County physicians (see Kansas statutes). The employee will also be required to purchase all pharmaceuticals from the pharmacy with which the County contracts for this service.

E. COMPENSATION.

1. First Week. Under Kansas statutes, the first week off due to a work injury is not compensable until the employee is off three (3) consecutive weeks. An employee who has a work injury may use accumulated sick leave, compensatory leave, or vacation leave during that week, or may choose to be on leave without pay.

2. Subsequent Weeks. Beginning on the first day of the second week, and continuing until the employee returns to work, Douglas County will pay total and temporary disability to the employee in the amount of two-thirds (2/3) of the employee's average weekly wage up to the maximum established by Kansas statutes. It will be assumed for the administration of compensation to the employee that the employee elects to use accumulated sick leave (and vacation leave when sick leave is depleted) to bring the total compensation up to the amount equal to a full paycheck. The employee may elect not to use sick

leave by contacting the Assistant County Administrator. The worker's compensation checks will be available in the Administrative Services Department on regular pay days.

F. ACCRUAL OF LEAVE BENEFITS. An employee will continue to earn sick leave and vacation leave benefits while off on a work injury for a period of six (6) months.

9.11 NO OUTSIDE EMPLOYMENT WHILE ON LEAVE. Employees on FMLA or other types of paid or unpaid leave (except Military leave) are prohibited from working outside employment while benefits are maintained by Douglas County.

9.12 HOLIDAYS.

A. PERSONAL DISCRETIONARY DAYS. The Board of County Commissioners may include in the list of holidays one or more Personal Discretionary Days. To be eligible for a personal discretionary day, an employee's status must be full time or part time with benefits, with an employment date on or before October 1 of that year. Employees hired after June 30 of that year (but before October 1) are only entitled to one (1) personal discretionary day. Personal discretionary days are equal to one normal work day, and must be taken all at one time (may not be split into hours). Personal discretionary days must be scheduled in advance through the employee's supervisor and according to departmental procedures, and must be utilized during the calendar year for which it was authorized and PRIOR to the first day of the last pay period in December for which a pay check is issued during the next calendar year.

B. NON-SHIFT WORKERS. All Classified and Classified Exempt employees and Elected Officials of the County will receive their regular compensation for days proclaimed as holidays, including personal discretionary days, by the Board of County Commissioners.

1. Value of Holiday Pay. Holiday pay is defined as 1-1/2 times the employee's regular rate of pay.

2. Required to Work on Holiday. Employees who are required to work on authorized holiday will be compensated at their regular rate for the holiday, plus holiday pay for each hour worked.

3. Forfeit of Holiday Pay. An employee will forfeit his/her right to compensation for the holiday if he/she has an unauthorized absence on the last regular work day preceding such holiday or on the first regular work day following the holiday.

C. SHIFT WORKERS. For purposes of holiday pay, July 4 (Independence Day), December 25 (Christmas Day), and January 1 (New Year's Day) will be considered the authorized holidays and not any other day designated by the Board of County Commissioners to recognize those specific holidays. The holiday will be considered to be the day on which the employee works the most hours. For example, an employee whose shift begins at 11:00 p.m. on December 25 will NOT be paid holiday pay for that shift; the employee who shift begins at 11:00 p.m. on December 24 WILL be paid holiday pay for that shift.

1. Value of Holiday Pay. Holiday pay is defined as 1-1/2 times the employee's regular rate of pay.

2. Required to Work on Holiday. Employees who are required to work on an authorized holiday will be compensated at their regular rate for their work day, plus holiday pay for hours actually worked.

3. Holiday While on Leave. Employees on authorized leave status will receive compensation for the holiday which will not be charged to vacation or sick leave. An employee who receives approval for use of vacation on a holiday for which he/she was scheduled to work shall be paid regular hours charged to holiday and not to vacation.

4. Employees Scheduled Off on Holiday. Shift personnel whose regular non-work day falls on a holiday will have their accumulated vacation leave increased by one (1) regular work day.

5. Forfeit of Holiday Pay. Any employee will forfeit his/her right to compensation for the holiday if he/she has an unauthorized absence on the last regular work day preceding such holiday or on the first regular work day following the holiday. An employee also forfeits holiday pay if the employee uses sick leave on the holiday.

D. UNCLASSIFIED POSITIONS. Unclassified employees will receive compensation for the holiday only if they work that day. Time will be paid at the regular rate (no holiday pay will be applied).

9.13 CURTAILMENT OF SERVICES. The duty of all County officials and employees is to serve the public. There may be situations, however, when those services can be minimized to protect the welfare of employees. Examples may be inclement weather, power outages, etc. Under any but the most extreme weather conditions, all County offices will be open and staffed by as many employees as the Department Head deems necessary to serve the public's need under the conditions then in effect.

A. ANNOUNCEMENT. If it is necessary to close facilities due to inclement weather or other conditions, it will be the responsibility of the County Administrator or his/her designee to make that announcement. Employees will be paid for those days. If the County offices are open and are forced to close early, all employees who reported to work will be paid for the full day. In instances where some employees are required to remain at work and others have been released (with pay) to leave, those employees remaining at work will be paid for hours worked and, in addition, will receive paid time off at a later date equal to the time off received by the employees who were released early; in the case of shift workers, the hours will be added to their accumulated vacation leave. In every instance, the decision to curtail County services will be based on local weather, road conditions, current weather forecast information, the status of the utility service to the offices, or any other emergency situation.

B. NO ANNOUNCEMENT. If the announcement is not made and employees do not come to work, that work day will be charged to the employee's accumulated vacation leave or leave without pay, at the discretion of the Department Head. In order for this to be an authorized absence, the employee must call his/her supervisor within one-half (1/2) hour of the beginning of the work day (or in accordance with departmental policy).

C. VACATION/SICK LEAVE ADJUSTMENTS. If an employee is on authorized vacation or sick leave and the facilities are closed, the amount of vacation or sick leave used will be adjusted to reflect only the time the facilities were open.

9.14 OVERTIME POLICY (FAIR LABOR STANDARDS). It is the County's policy to comply with the requirements of the Fair Labor Standards Act (FLSA). Therefore, the County prohibits all improper deductions from the salaries of exempt employees and requires compliance with the FLSA for overtime pay. If an employee believes that an improper deduction has been made to his/her salary, or that the employee has not been paid the correct amount of overtime, the employee should immediately report this to his/her supervisor or the Assistant County Administrator. Reports of improper deductions or overtime payments will be promptly investigated. If it is determined that an improper deduction or overtime payment has occurred, the employee will be reimbursed.

A. ELIGIBILITY. It is the policy of Douglas County that overtime work is not encouraged and will be avoided when possible. Overtime work must be approved in advance by the Department Head or other appropriate supervisor. An employee working unauthorized overtime may be subject to disciplinary action.

B. COMPENSATION. Two types of pay are available for overtime hours:

1. Cash. The employee will receive cash compensation at a rate of one and one-half (1-1/2) times the employee's regular rate of pay.
2. Compensatory Pay. The employee will receive one and one-half (1-1/2) hours of compensatory leave for each "overtime" hour worked. Department Heads may, at their discretion and with the approval of the Assistant County Administrator, establish maximum accumulation limits, not to exceed 480 hours for employees in public safety positions and 240 hours for other employees.

The availability of compensatory time will be determined by each Department Head. Should a Department Head allow the employees to choose the type of compensation, the employee and the Department Head must sign documentation of the choice, and the documentation must be forwarded to the Assistant County Administrator.

C. UTILIZATION. Approval of employee requests for use of compensatory time will be at the discretion of the Department Head. Requests will be granted within a reasonable period and must not unduly disturb the operations within the department. Department Heads, with the approval of the Assistant County Administrator, may pay out the value of the compensatory time accumulation to employees at any time.

9.15 LEAVE WITHOUT PAY. The Department Head may, at his/her discretion, authorize Leave Without Pay if the employee has utilized all accumulated vacation, compensatory and, if appropriate, sick leave for circumstances which the Department Head deems warranted. The Department Head must notify the Assistant County Administrator of all approved Leave without Pay. Unless otherwise approved in writing by the Assistant County Administrator, such leaves are limited to thirty calendar days. If appropriate, the employee must submit a request for Family Medical Leave (Section 9.7). Unless specifically authorized by the Department Head, time off without pay will be considered as an unauthorized absence (see Section 5.13).

SECTION 10

BENEFITS

10.1 RETIREMENT

A. KPERS. All Classified and Classified Exempt employees and Elected Officials become members of the Kansas Public Employees Retirement System (KPERS) as per K.S.A. 74-4901 after one (1) year of continuous service. Members contribute the appropriate percentage (established by KPERS) of their gross salary to their KPERS account. The County Clerk's Payroll Office will be responsible for the enrollment of employees in KPERS as well as assisting members with information and application of benefits. Booklets summarizing benefits are available in the County Clerk's Payroll Office.

B. KP&F. Classified and Classified Exempt employees and Elected Officials in designated public safety positions become members of Kansas Police & Fire (KP&F) immediately upon employment. KP&F is a division of and fully coordinated with the administrative structure of KPERS. Members contribute the appropriate percentage (established by KP&F) of their gross salary to their KP&F account. The County Clerk's Payroll Office will be responsible for enrollment in KP&F as well as assisting members with information and application of benefits. Booklets summarizing benefits are available in the County Clerk's Payroll Office.

10.2 GROUP HEALTH INSURANCE.

A. ELIGIBILITY. Any Elected Official, Classified, or Classified Exempt employee may join the Douglas County group health plan. Specific benefits are set forth in booklets which are available in the Personnel Office and on the Douglas County Intranet. If information in this Personnel Policy and the Summary Plan Description conflict, the information in the Summary Plan Description controls. Douglas County reserves the right to amend or terminate any of its benefit programs or to increase the employee premium contributions

B. RETIREES. Group health insurance benefits will be extended to Classified and Classified Exempt employees and Elected Officials who retire from the County

1. Retiree Eligibility.

a. *Elected Officials*: Elected Officials who have served a minimum of four years and are of retirement age (as defined within the retirement plan in which they are participating).

b. *Appointed Staff*: Employees who have served a minimum of ten (10) consecutive years and are of retirement age (as defined within the retirement plan in which they are participating).

2. Notice. Retirees must provide written notification of their intent to retire to the Personnel Office at least thirty (30) days prior to their retirement date.

3. Premiums. Premium charges may be as much as 150% of the employee premium, as determined by the Board of County Commissioners each plan year. Payment of premiums must be made to the Personnel Office by the first of the month for which coverage is being provided.

4. Coverage. Coverage shall be considered as a primary insurer until the retiree reaches the age of eligibility for Medicare, at which point the Douglas County health insurance plan shall automatically become a secondary insurer. Should a retiree on the health insurance plan choose to decline Medicare benefits, the health insurance plan shall still pay as secondary insurer based upon an estimate of what Medicare benefits would have been.

10.3 FLEXIBLE BENEFITS (CAFETERIA) PLAN. Douglas County offers employees the opportunity, at their own expense, to participate in a Flexible Benefits Plan under IRS regulations. Eligible payments are payroll deducted before taxes. The plan year runs June 1 through May 31, and agreements to participate must be signed for the entire twelve (12) month period. More information is available in the Personnel Office.

10.4 CREDIT UNION. The County is a member of the Midwest Regional Employees Credit Union. All employees are eligible for membership. Contact the credit union for additional information.

10.5 ATHLETIC CLUB MEMBERSHIP. Douglas County shall allow payroll deduction for athletic club memberships in an amount to be established each year by the Assistant County Administrator. Agreements shall not extend beyond the calendar year, but may be renewed at the beginning of each calendar year. Contact the Personnel Office for additional information. The employee's use of such facilities is at his or her own risk. By authorizing the use of this membership, Douglas County in no way assumes liability for personal injuries sustained at an athletic facility.

10.6 DIRECT DEPOSIT. Employees have the option of having their paycheck wired directly into their bank account(s) rather than receiving a paper check. This option may be initiated and terminated at any time. More information is available in the County Clerk's Payroll Office.

10.7 DEFERRED COMPENSATION. Douglas County offers two deferred compensation plans which may be payroll deducted (before taxes). Employees participate at their own expense. Brochures and contact names and telephone numbers for additional information may be obtained from the Personnel Office.

10.8 COMPUTER LEASE/PURCHASE PROGRAM. The purpose of this program is to assist County employees with developing and/or expanding computer literacy skills, so that these employees will improve their value to Douglas County and enhance their career progression potential. This is accomplished by assisting employees in acquiring computer equipment and software, which are similar and compatible with the equipment and software currently used by Douglas County, under favorable financial conditions.

A. ACQUISITION OF EQUIPMENT. The employee purchases the equipment and Douglas County, in turn, purchases the equipment from the employee (except for the cost of sales tax) and leases it back to the employee through a payroll deduction plan (interest free). Upon final lease payment, the employee can purchase the equipment for \$1.00.

B. PROGRAM REQUIREMENTS

1. Eligibility. To be eligible for participation in the program, the employee's position must have an FTE of at least 0.50, the employee must have passed his/her introductory period, have at least a satisfactory performance rating, and not have any garnishments or other withholdings (except child support) against his/her salary. Once an employee has made a purchase through this program, the employee is not eligible to make another purchase until the first purchase has been paid in full.

2. Maximum. A maximum of \$1,620 will be made available toward the purchase of an approved computer system and/or printer, software and peripherals. PC systems are defined as complete systems and do not include purchasing components to upgrade currently owned systems. (Computer components are defined as internal parts, such as motherboards; complete systems are defined as equipment, such as a printer, monitor or CPU.)

3. Repayment. Repayment will be made over a maximum period of 52 pay periods. The employee may choose to pay the outstanding balance in full at any time.

4. Warranty and Insurance. A full parts and labor warranty must be included in the purchase for the entire lease period. Maintenance and other support will NOT be the responsibility of Douglas County. Employees must provide proof of insurance (Homeowner's or Renter's) for fire and theft coverage. An anti-virus software must be purchased for use on the computer system.

C. DOCUMENTATION. Administrative Services will be responsible for assisting employees in completing the Lease/Purchase Agreement with final approval by the Assistant County Administrator. Administrative Services will maintain necessary documentation, including financial records on the transactions and arrangements for payroll deduction. The Payroll Office will be responsible for maintaining accounts on lease payments.

10.9 INTRANET. The County provides an intranet site for the use of employees. This site will contain documents of interest to the employee, such as the Personnel Policy, Health Insurance Plan, Payroll Facts, etc. It will also allow for posting of notices, including but not limited to items for sale, information about special events, calendar items, etc. All such postings must be handled by the Webmaster, and must meet the County guidelines established for such purpose.

10.10 CLOTHING.

A. CLOTHING (other than uniforms). For commissioned officers in the Sheriff's Office who are requested to wear street clothing instead of a uniform, and for corrections officers in the Youth Services Department, the County may provide a clothing subsidy at a rate to be determined by the department head. Such subsidy will be considered compensation, and thus taxable income, under IRS regulations.

B. WORK BOOTS. In situations where employees are requested to wear specific footwear, the County may provide a boot subsidy at a rate to be determined by the

Department Head. Such subsidy will be considered compensation, and thus taxable income, under IRS regulations.

10.11 TRAVEL

A. MILEAGE. Employees are encouraged to use Douglas County vehicles for out of town travel, unless otherwise directed by the Department Head. However, if an employee uses a personal vehicle, he/she may submit a request for mileage reimbursement at the rate established by the Board of County Commissioners. Included in the request must be the destination and purpose of the travel, the year, model, and make of the vehicle, the vehicle tag number, and the total miles. Any toll charges paid may be included in the request.

B. MEALS.

1. Overnight travel. Meals during overnight travel will be reimbursed by Douglas County. It is preferred that employees use their individual P-cards for meals. However, if an employee pays for the meal with cash or personal credit card, he/she may submit a request for reimbursement. Detailed receipts must be attached to the request; reasonable server tips may be included in the request. Douglas County will not reimburse the employee for alcoholic beverages.

2. Not overnight travel. If it is necessary to have a meal for business purposes that is not part of overnight travel, it is preferred that employees use their individual P-cards for this meal. However, if an employee pays for the meal with cash or personal credit card, he/she may submit a request for reimbursement, along with a detailed receipt (reasonable server tips may be included in the request). This reimbursement, according to IRS regulations, will be considered a taxable income expense to the employee.

10.12 VEHICLES. Vehicles owned by Douglas County are not to be used for personal use except for commuting to and from work and lunch unless previously approved by the County Administrator. For employees who are authorized to drive vehicles home on a regular basis, the County will provide a vehicle subsidy at a rate to

be determined by the Assistant County Administrator. Such subsidy will be considered compensation, and thus taxable income, under IRS regulations. **Employees are to leave County vehicles in a clean condition and with at least one-quarter tank of fuel after use.**

10.13 CELL PHONES. Employees who are assigned Douglas County cell phones are to minimize the use of this phone for personal use; excessive use of County cell phones for personal calls could result in cell phone privileges being revoked. Cell phone use is considered by IRS to be non-cash compensation; in an effort to minimize the tax impact on the employee, the County will provide a cell phone stipend at a rate to be determined by the Assistant County Administrator.

SECTION 11

EMPLOYEE ASSISTANCE PROGRAM

11.1 PURPOSE. The Douglas County Employee Assistance Program is jointly sponsored by DCCCA and The Bert Nash Mental Health Center. The program has been designed with the following purposes in mind:

- Concern for the individual.
- Prevention of unsatisfactory employee job performance.
- Improve unsatisfactory employee job performance.
- Assist supervisors in problem employee management.
- Provide assistance for employees with personal problems.

The Assistant County Administrator will have the discretion to allow the use of another facility, at the employee's request, should one of the above facilities provide an uncomfortable or inappropriate situation for the employee.

11.2 CONTACT INFORMATION

A. VOLUNTARY CONTACTS. Employees who wish to seek counsel on personal issues should contact The Bert Nash Mental Health Clinic or DCCCA directly, identifying himself/herself as a Douglas County employee. Further information may be obtained through the Assistant County Administrator.

B. SUPERVISORY REFERRALS. Supervisors wishing to refer employees with job performance deficiencies will put the request in writing (generally through a disciplinary format) and contact the Assistant County Administrator with the request. The Assistant County Administrator will contact the appropriate agency with the information.

11.3 CONFIDENTIALITY

A. VOLUNTARY REFERRAL. The employee who uses the Employee Assistance Program will do so in complete confidence. No information at all, including knowledge

of the visit, will be provided to Douglas County without the employee's express written consent.

B. SUPERVISORY REFERRAL. The employee will be requested to sign a consent form allowing the following to occur:

1. The Therapist or Counselor may contact the Assistant County Administrator prior to the initial visit to gather information about the problem areas being experienced at work.

2. The Center may release to the Assistant County Administrator verification that the employee did attend the initial consultation visit.

No additional information will be released to Douglas County without the employee's express written consent. Failure to sign the appropriate release forms or to attend the first consultation will result in further disciplinary action, including termination.

11.4 FEES

A. INITIAL VISIT. The initial visit, whether voluntary or through supervisor referral, is free of charge to the employee.

B. SUBSEQUENT VISITS. Follow-up visits will be at the employee's option, and will be charged at a rate based upon the employee's income level. This rate will be established by the agency.

SECTION 12

PERSONNEL SYSTEM

12.1 CLASSIFICATION SYSTEM & PAY PLAN. The Assistant County Administrator will be responsible for maintaining and updating the Douglas County Classification System and Pay Plan, as approved by the Board of County Commissioners. The County Administrator will have the authority to reallocate positions by two (2) grade levels, to reclassify any position within the classification system, and to create new positions when appropriate. All other changes to the classification system or pay plan must be authorized by motion of the Board of County Commissioners. With the exception of the County Administrator, County Commissioners, and District Attorney, all Classified, Classified Exempt, and Elected positions will be assigned to the classification system and pay plan.

12.2 ON-CALL COVERAGE. Douglas County recognizes that situations occur after regular working hours that necessitate call back of some employees. On-call employees will not engage in activities that would prevent them from complying with Section 13 or any other provision of the Douglas County Personnel Policy, performing their required duties, receiving their on-call summons, or responding to a situation within the designated time frame.

A. NOTIFICATION. Employees subject to on-call status will be notified in writing by their Department Head with a copy to the Director of Administrative Services. Call back procedures will be spelled out either in that memo or in a departmental regulation. Department Head

B. COMPENSATION. On-call compensation will be established by the Assistant County Administrator for all hourly County employees.

C. FAILURE TO RESPOND. Failure to reach a designated on-call employee may result in disciplinary action. Trades for on-call schedules must be pre-approved by the appropriate supervisor(s). If approved, the scheduled on-call employee is ultimately responsible for ensuring that coverage is maintained and that all necessary staff are notified of any change.

D. RESPONSE TIME. Once the designated on-call employee is notified that his/her services are required, response should be as quickly as possible. Each department will set maximum response times.

12.3 PERFORMANCE EVALUATION SYSTEM.

A. PHILOSOPHY ON MERIT. Superior performance by Douglas County employees will be rewarded through merit compensation. The standard for superior performance will be established through the performance evaluation system.

B. PERFORMANCE EVALUATION SYSTEM RULES

1. All performance evaluations, EXCEPT for employees who have not completed at least six (6) months of service on November 30, will be administered by the end of November of each year. Completed (and signed) evaluations will be forwarded to the Personnel Office immediately. Evaluations for introductory employees MUST be submitted to the Personnel Office on or around the employee's six-month anniversary and on or around the employee's first anniversary date.

2. The immediate supervisor and the Department Head will review the evaluation before it is discussed with the employee.

3. An evaluator will not give identical total scores to all subordinates.

4. The evaluation form will be signed by the employee, supervisor, and the Department Head prior to being forwarded to the Personnel Office. Employees refusing to sign the evaluation form will not be eligible for a merit award and a witness will be asked to sign the form (in the employee's presence) acknowledging that the employee reviewed the form but refused to sign it.

5. Employees must have successfully completed six (6) months of service on November 30 in order to be eligible for a merit award.

6. For ranking purposes, each department will be considered as one group except as determined by the Assistant County Administrator. All management staff, as determined by the County Administrator, will be considered as one group. Funds for these merit increases will come from the applicable departmental budgets.

7. Each November the Assistant County Administrator will provide each Department Head with a list of proposed merit increases. Total merit increases for each evaluation group may range from 0% to 4%, with the average of the group being that established annually by the Board of County Commissioners. Included in the group for determination of the average merit will be all employees who left the service of the County after May 31 with an assigned merit of 0. Department Heads may recommend merit amounts, but awards must be consistent with the performance evaluation scores for that year and must remain in ranked order. Final approval of awards will be made by the Assistant County Administrator.

8. Merit awards will be added to the employee's base salary until the employee reaches the maximum salary in his/her assigned pay grade, at which point merit awards are provided to the employee in the form of a lump sum payment.

9. Merit Award Distribution.

a. Merit awards will be distributed on the first paycheck in January following the December merit decisions.

b. If an employee is retiring after November 30 and is eligible for a lump sum merit payment, that lump sum merit payment will be distributed on the employee's last paycheck even if it is prior to January 1.

12.4 EXPERIENCE AWARDS

A. ONE YEAR OF SERVICE. Douglas County employees will receive a one time five percent (5%) increase to their base salary recognizing their one (1) year anniversary.

To be eligible for this award, the employee must have successfully passed his/her introductory period.

B. MORE THAN ONE YEAR OF SERVICE. Subsequent continued service will be rewarded through an annual one percent (1%) increase to the employee's base salary. An employee who has reached the maximum salary of his/her assigned pay grade is no longer eligible for experience increases. **Exception:** Employees with a less than minimally acceptable score on their most recent evaluation will not be eligible for the experience award that year.

C. EFFECTIVE DATE OF EXPERIENCE AWARDS. All experience awards will be effective the first day of the pay period following the employee's anniversary of employment unless the employee's introductory status is extended. In that case, the first year experience award will be effective the first day of the pay period after the employee has successfully completed the introductory period.

SECTION 13

CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING POLICY

13.1 PURPOSE. Douglas County has a long standing commitment to maintain high standards for employee safety and health. The use of controlled substances and the misuse of alcohol is contrary to these standards. This policy is intended to meet the criteria established by the Federal Highway Administration and Department of Transportation ("DOT") regarding controlled substances and alcohol use and testing for employees operating commercial motor vehicles AND to provide controlled substances and alcohol use testing for all Douglas County positions.

13.2 COVERED POSITIONS

A. SAFETY SENSITIVE POSITIONS. Certain provisions of this policy will only apply to "safety-sensitive" positions and where applicable that will be noted. The FTA has determined that "safety-sensitive" functions are performed by those who (49 CFR, part 655.4):

1. Operate revenue service vehicles including when not in revenue service.
2. Operate non-revenue service vehicles that required drivers to hold CDL's.
3. Dispatch or control revenue service vehicles.
4. Maintain (including repairs, overhaul, and rebuilding) a revenue service vehicle or equipment used in revenue service, unless the recipient receives funding under 49 U.S.C. 5309, is in an area less than 50,000 in population and contracts out such services, or funding under 49 U.S.C. 5311 and contracts out such services.

5. These categories include supervisors who perform these functions. Supervisors of employees in these categories who do not themselves perform these functions are excluded.

Douglas County positions covered by this policy, hereinafter referred to as “safety-sensitive positions” include, but may not be limited to, the following:

Equipment Operator/Maintenance Workers I, II, and III
Grounds Maintenance Workers I, II and III
Road & Bridge Superintendent
Fleet Maintenance Superintendent
Fleet Maintenance Worker
Fleet Mechanic
Assistant Fleet Mechanic
Vegetation Control Superintendent
Vegetation Control Workers I and II
Operations Division Manager
Buildings & Grounds Workers I II, and III
Director, Buildings & Grounds

B. PUBLIC SAFETY POSITIONS. Douglas County positions covered by this policy, hereinafter referred to as “public safety positions” include, but may not be limited to, the following:

Youth Services: Corrections Officers I, II, III, & IV Training Officer,
Corrections Officer Supervisors, Detention Operations Manager, Assistant
Director, Director

Sheriff’s Office: All Commissioned Officers, Corrections Officers I, II, III & IV

Emergency Communications: Communications Officers,
Communications Supervisors, Training Officer

C. OTHER POSITIONS. The Assistant County Administrator shall have the authority to designate additional positions to be covered by this policy.

13.3 PROHIBITED CONDUCT. Employees must not manufacture, distribute, dispense, possess, or use controlled substances or use or possess alcohol while on Douglas County property or during the work day. Employees are prohibited from:

- Having consumed enough alcohol to have a blood alcohol concentration of 0.04 or greater.
- Possessing or using alcohol during the work day or while on Douglas County property.
- Consuming alcohol within four (4) hours of reporting to work.
- Using, possessing, manufacturing or distributing controlled substances (except when prescribed by a physician, in which case the supervisor will

be informed and will determine whether or not the employee can safely perform the duties of his/her position).

- Having a positive test for controlled substances or alcohol.
- Refusing to submit to any required drug or alcohol testing.

13.4 PROGRAM DESIGN.

A. PRE-EMPLOYMENT DRUG SCREENING APPLIES TO ALL NEW EMPLOYEES IN SAFETY SENSITIVE POSITIONS. Final candidates for Safety Sensitive positions will be given a conditional offer and will be required to submit to a drug screening test. To be eligible for employment, the candidate's test results must be negative (DOT results must be verified by our Medical Review Officer). If an applicant fails a drug screening test or refuses to take a test, the applicant will not be considered for hire for a period of two years.

B. PRE-EMPLOYMENT DRUG SCREENING APPLIES TO ALL NEW EMPLOYEES IN PUBLIC SAFETY POSITIONS. Final candidates for Public Safety positions will be given a conditional offer and will be required to submit to a drug screening test. To be eligible for employment, the candidate's test results must be negative. If an applicant fails a drug screening test or refuses to take a test, the applicant will not be considered for hire for a period of two years.

C. POST-ACCIDENT TESTING, ALL EMPLOYEES (NOT LIMITED TO SAFETY SENSITIVE OR PUBLIC SAFETY EMPLOYEES).

1. DOT Drivers. Following a motor vehicle accident (as defined by Kansas statutes) involving a Douglas County vehicle or equipment within the boundaries of Douglas County, the driver will immediately be tested for both alcohol and controlled substances. Motor vehicle accidents in a Douglas County vehicle occurring outside of Douglas County must be reported immediately to the employee's department head, who will have the discretion to request post-accident testing.

2. All Other Employees (not limited to Safety Sensitive or Public Safety Employees). Following a motor vehicle accident (as defined by Kansas statutes) involving a Douglas County vehicle or equipment within the boundaries of

Douglas County which results in an injury to anyone, or in all instances where an accident resulted in more than minor property or equipment damage, or if the employee was the driver of a vehicle and received a citation for a moving traffic violation, the driver will be immediately tested for both alcohol and controlled substances.

D. RANDOM TESTING.

1. Safety Sensitive Employees. Each calendar year, at least fifty percent (50%) of the employees in safety-sensitive positions will be tested for controlled substances and ten percent (10%) of the employees DOT covered positions will be tested for alcohol. These employees will be selected randomly throughout the calendar year. This testing will be unannounced and will be coordinated by the Assistant County Administrator. The employee must report to the testing site immediately upon notification. Testing will be conducted while the employee is on duty; alcohol testing will only be conducted immediately before, while or just after an employee performs a safety sensitive function.

2. Public Safety Employees. Public Safety employees are subject to unannounced random testing for controlled substances. Such testing will be coordinated by the Assistant County Administrator. The employee must report to the testing site immediately upon notification.

E. REASONABLE SUSPICION TESTING, ALL EMPLOYEES. The County will require an employee in any position to submit to an alcohol test and/or a controlled substance test when the County has reasonable suspicion to believe that the employee has violated the County and/or federal regulations regarding use of alcohol and/or controlled substances during, just preceding, or just after performing work duties or just before the employee is to perform safety-sensitive functions. Reasonable suspicion criteria include, but are not limited to, "specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors" of the employee.

F. RETURN TO DUTY TESTING, ALL EMPLOYEES. If an employee has been off duty due to conduct prohibited in this policy, the employee must test negative to an alcohol and/or controlled substance test, whichever is applicable, prior to returning to duty.

G. FOLLOW-UP TESTING. Any employee (not limited to Safety Sensitive and Public Safety employees) who has failed a drug screen test and/or alcohol test will be subject to future unannounced follow-up alcohol and/or controlled substance testing.

13.5 CONTACT PERSON FOR DOT INFORMATION AND MATERIALS. Each department having DOT safety-sensitive positions will have a contact person from whom employees may obtain materials and information about the federal regulations and Douglas County policy. These contacts are listed below:

Public Works Department: Operations Division Manager

Maintenance Department: Director, Buildings & Grounds

13.6 WORK DAY DEFINED. For purposes of this policy, these regulations apply whenever an employee is actually performing, ready to perform, or immediately available to perform any work-related duties, including safety-sensitive functions. Thus, the work day under this policy will be considered to be any time the employee is performing the functions of his/her position, which includes the regular work day, overtime hours, and/or snow removal or other emergency duty.

13.7 TESTING PROCEDURES. All tests will be performed at the medical facility designated by Douglas County. The professionals performing the testing for safety sensitive positions will be trained with respect to DOT regulations and the test results will be reviewed by a Medical Review Officer, who will be responsible for communicating results to the employee and to the Assistant County Administrator. All drug and alcohol testing will be conducted in compliance with the federal DOT procedure listed in 49 CFR 40 & 655.

A. ALCOHOL: A breath screening device will be used for alcohol testing and shall comply with 49 CFR 40.

B. CONTROLLED SUBSTANCE: A urine sample will be requested under the direct observation of a trained professional. The sample will be sealed and initialed in the presence of the employee.

C. POSITIVE RESULTS. If the result of the initial drug screen test is positive, a further confirmation test will be performed on the same sample. The second test will be a gas chromatography/mass spectrometry test. If the result of the initial alcohol test is 0.04 or greater, a second breath test will be performed with a printout of the results.

13.8 REFUSING TO SUBMIT TO TESTING. Compliance with this testing policy is a condition of employment for all Douglas County employees (regardless of position). Any employee refusing to submit to a post-accident test, a random test, a reasonable suspicion test, return to duty test, or a follow-up test for either alcohol or controlled substances will not be permitted to return to work and will be considered suspended without pay. Such refusal will constitute insubordination under the Douglas County Personnel Policy and may result in disciplinary action up to and including termination.

Behavior that constitutes refusal to test:

- Refusing to provide specimen. This includes an insufficient volume of urine without a valid medical explanation.
- Tampering with, adulterating, or substituting a specimen.
- Failing to appear for testing within sixty (60) minutes of being notified.
- Leaving the scene of an accident without just cause prior to submitting to a test.
- Leaving collection facility prior to test completion.
- Failing to permit an observed or monitored collection when required.
- Failing to take a second test when required.
- Failing to undergo a medical examination when required.
- Failing to cooperate with any part of the testing process.
- Failing to sign the alcohol test form.
- Once test is underway, failing to remain at site and provide a specimen.

13.9 CONSEQUENCES FOR VIOLATIONS OF SECTION 13. Violations of this Section 13 are considered a serious offense and will result in disciplinary action. Employees who have an alcohol concentration of 0.04 or greater and/or employees who have a positive

drug screening result will be subject to disciplinary action up to and including termination. Additionally, when termination does not occur, employees will be required to use the Douglas County Employee Assistance Program. The Assistant County Administrator will make the initial appointment for the employee at DCCCA, and the employee will be required to sign a release allowing DCCCA to confirm the employee's attendance at the appointment to the Assistant County Administrator. The employee will be expected to follow the rehabilitation program established by the substance abuse professional, including, but not limited to, providing verification of participation in such program. Repeated violations of this section by an employee may result in termination.

Before an employee may return to work after a violation of this policy, the employee will undergo a return-to-duty alcohol and/or drug screening test, and must have a result of less than 0.02 blood alcohol concentration and/or a negative drug screen result.

13.10 EMPLOYEE ASSISTANCE PROGRAM. The Douglas County Employee Assistance Program is jointly sponsored by DCCCA and the Bert Nash Mental Health Center. See Section 13 of the Douglas County Personnel Policy for specific details on the use of this program.

13.11 SUPERVISORY TRAINING. All Douglas County employees who perform supervisory functions over safety-sensitive positions will be required to receive at least sixty (60) minutes of training on alcohol misuse and an additional sixty (60) minutes of training on controlled substance use during each calendar year. The training will include the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

Supervisors will be expected to immediately report concerns about potential alcohol misuse and/or controlled substance use to the Contact Person in their department. Failure to do so could result in disciplinary action. The Contact Person must notify the Assistant County Administrator of these concerns immediately.

13.12 SAFETY SENSITIVE POSITION TRAINING. All Douglas County employees in safety sensitive positions will be required to receive at least 60 minutes of training on the effects and consequences of prohibited drug use and misuse of alcohol on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.

13.13 CERTIFICATE OF RECEIPT. Each employee occupying a DOT safety-sensitive position will be required to sign a statement certifying that he/she has received a copy of this policy. The original of this Certificate of Receipt will be filed in the employee's official personnel file in the Personnel Office.