



Employee Handbook

Effective 4/12/2018

Purpose of This Manual

The purpose of this manual is to provide employees with a general understanding of the personnel policies and procedures of Adams County Government; however, it cannot anticipate every situation or answer every question about employment. Neither this manual, nor any provision in this manual constitutes a contract of employment or any other type of contract. All employees are considered employees-at-will.

Should the wording or the absence of wording in a particular policy lead to a conflict with accepted procedures or practices, the County is not restricted to that policy. It should also be noted that no policy in this manual entitles an employee to disregard the legal directives of his/her Department Head. The County must have flexibility in the administration of its policies and procedures, and reserves the right to change or revise policies without notice when deemed necessary.

The use of the term “Department Head” throughout these policies refers to all Directors and elected or constitutionally appointed officials; however, certain elected or constitutionally appointed officials are permitted by statute to have alternative policies to those presented in this manual. Therefore, the term “County Official” will be used when it is appropriate to differentiate those individuals from all other Department Heads.

For the purpose of this manual, one (1) day of work is considered an eight (8) hour day and one (1) week of work is considered a forty (40) hour week.¹ Work schedules will vary among departments due to the different lengths of work days and lunch breaks; however, unless otherwise stated, eight (8) hour days and forty (40) hour work weeks will be the standard used for the policies on Overtime, Holidays, Sick Time and Vacations.

The personnel policies in this manual supersede and replace all prior manuals and handbooks.

Adams County Employee Benefits

Adams County offers a comprehensive benefits program to all regular, full time employees. For the purpose of this publication the term “start date” refers to the date an employee begins work as a regular, full time employee or is classified as a regular, full time employee. Some employee benefits are discussed in this manual, but others are not. Since certain eligibility requirements must be satisfied to qualify for these benefits, employees are encouraged to consult with their supervisors, their Department Heads or the Human Resource Department for more details.

¹ With the exception of the Adams County Road Department where one (1) day of work is considered a ten (10) hour day; however, one (1) week of work is considered a forty (40) hour week. The standard for this Department shall be four (4) ten (10) hour days and a forty (40) hour workweek for the policies on Overtime, Holidays, Sick Time, and Vacations.

Table of Contents

INTRODUCTION	2
Purpose of This Manual	2
Adams County Employee Benefits	2
DIVERSITY	5
1.01 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT	5
1.02 HARASSMENT AND COMPLAINT PROCEDURE	6
1.03 EMPLOYEES WITH DISABILITIES	9
EMPLOYMENT	10
2.01 EMPLOYEE CLASSIFICATION CATEGORIES	10
2.02 INTRODUCTORY PERIOD	11
2.03 BACKGROUND CHECKS	12
2.04 NEPOTISM, EMPLOYMENT OF RELATIVES AND PERSONAL RELATIONSHIPS	13
2.05 POLICY/RULE VIOLATION OR MISCONDUCT	14
2.06 GRIEVANCE PROCEDURE	17
2.07 DAYS OF ADMINISTRATIVE CLOSING	19
WORKPLACE SAFETY	20
3.01 DRUG-FREE WORKPLACE	20
3.02 WORKPLACE BULLYING	27
3.03 VIOLENCE IN THE WORKPLACE	28
3.04 SAFETY	29
3.05 SMOKE-FREE WORKPLACE	30
WORKPLACE EXPECTATIONS	31
4.01 OUTSIDE EMPLOYMENT	31
4.02 ATTENDANCE AND PUNCTUALITY	32
4.03 ATTIRE AND GROOMING	33
4.04 USE OF COUNTY EQUIPMENT AND TECHNOLOGY	34
4.05 PASSWORD SECURITY	37
4.06 SOCIAL MEDIA- ACCEPTABLE USE	39
4.07 CELL PHONES	40
4.08 TAKE HOME VEHICLES	41

COMPENSATION	42
5.01 VACATIONS.....	42
5.02 HOLIDAYS	44
5.03 SICK TIME	45
5.04 DONATED TIME.....	47
5.05 COURT LEAVE.....	48
5.06 ADMINISTRATIVE LEAVE	49
5.07 BEREAVEMENT LEAVE	50
5.08 LEAVE OF ABSENCE	51
5.09 FAMILY AND MEDICAL LEAVE	52
5.10 MILITARY LEAVE.....	55
5.11 LEAVE TRANSFER BETWEEN DEPARTMENTS	56
5.12 RECORDING LEAVE TIME	57
5.13 OVERTIME	58
BENEFITS	60
6.01 GROUP INSURANCE.....	60
6.02 SOCIAL SECURITY AND RETIREMENT PLANS.....	61
6.03 CONTINUOUS SERVICE CREDIT	62
6.04 WORKER’S COMPENSATION.....	63
Acknowledgement	64

1.01

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

Adams County provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. Adams County complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Adams County expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of Adams County employees to perform their expected job duties is absolutely not tolerated.

Employees or applicants with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of his/her immediate supervisor or the County's Human Resources Director. Employees can raise concerns and make complaints without fear of reprisal and with the assurance of protection from harassment or retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment. See Complaint Process outlined in the Harassment and Complaint Procedure policy.

1.02

HARASSMENT AND COMPLAINT PROCEDURE

Adams County is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Adams County expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

It is the policy of Adams County to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. Adams County prohibits any such discrimination or harassment.

Adams County encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Adams County to promptly and thoroughly investigate such reports. Omnis Health prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

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

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship,

genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that:

- a) Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- b) Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- c) Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Adams County (e.g., an outside vendor, consultant or customer).

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

COMPLAINT PROCESS

Any employee who believes he or she has been the victim of discrimination or harassment under this policy should report such conduct with five (5) business days of the incident in question. Adams County in no way condones or supports any form of discrimination or harassment and considers it to be a very serious offense which could result in severe disciplinary action against the offender. In keeping with this, the following procedure is instituted by the County to provide victims of discrimination or harassment adequate internal recourse to halt such behavior:

1. An employee who believes that he or she has been subject to discrimination or harassment should report the incident to his or her supervisor, or the County's Human Resources Director within five (5) business days of the occurrence. The Human Resources Director shall immediately inform the Department Head and the County Administrator or appropriate County Official of the complaint. The Human Resources Director, County Administrator or appropriate County Official or representative appointed by the County for such purpose shall immediately investigate the complaint. Department Heads and supervisors shall cooperate fully in the investigation of any such complaints. Such an investigation shall be performed in as confidential a manner as possible while assuring a thorough investigation. Only those individuals essential to the investigation of the complaint shall be involved in the process. Depending upon

the seriousness of the offense, a finding that any employee has harassed another employee shall be grounds for disciplinary action, up to and including termination. Likewise, depending upon the seriousness of the offense, a finding that any supervisor has engaged in discriminatory conduct shall be grounds for disciplinary action, up to and including termination.

2. Any employee who would like to appeal any decision made after the investigation process, may follow the procedure outlined in the appeal of decisions pursuant to the Grievance Procedure policy directly to the Human Resources Director, or if the Human Resources Director was part of the decision-making process with regard to the initial decision, then directly to the County Administrator, or if the County Administrator was part of the decision-making process with regard to the initial decision, then directly to the legal representative of the Board of Supervisors.
3. No employee shall be subjected to retaliation of any kind as a result of reporting perceived discrimination or harassment. Appropriate action shall be taken to ensure that retaliation does not occur.

1.03

AMERICANS WITH DISABILITIES ACT (ADA) AND THE ADA AMENDMENTS ACT (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers from discriminating against applicants and individuals with disabilities and that, when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Adams County to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Adams County will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to Adams County. Contact the Human Resource Department with any questions or requests for accommodation.

2.01

EMPLOYEE CLASSIFICATION CATEGORIES

All full time, part time and temporary employees of Adams County Government are considered employees-at-will. Just as an employee has the right to resign from his/her position at any time, the County reserves the right to terminate employment at any time, with or without cause and without prior notice.

The three (3) employee classifications for Adams County Government are as follows:

1. Regular full time: A full time position is one that must be approved as such by the Adams County Board of Supervisors, and be regularly scheduled to work a minimum of thirty (30) hours each work week. Employees classified as regular, full time are eligible for the various benefits offered by the County.
2. Regular part time: A part time position is one that is generally scheduled for less than twenty (20) hours a week. It has not been approved as a full time position by the Adams County Board of Supervisors, and, therefore, is not eligible for any employee benefits for which regular, full time employment is required. For business needs, a part time employee may occasionally be scheduled for more than twenty (20) hours in a work week without changing his/her part-time status.
3. Temporary full time or part time: A temporary full time or part time position is one in which the employee will work for a specified period of time, usually for less than one (1) year. There are no limits to the number of hours a temporary employee may work; however, overtime must be paid when those hours exceed forty (40) in a week. Temporary full time or part time employees are not entitled to benefits.

So that all interested parties have an opportunity to apply for positions as they become open, job openings that are not filled by employees within a department will be posted at a public location. Unsolicited applications and resumes that are not submitted for an open position will be considered only at the discretion of a Department Head.

The Adams County Government compensates employees on a monthly and bi-weekly schedule depending on the position in which they are placed. The Department Head will notify the employee of the compensation applicable to the position upon employment.

2.02

INTRODUCTORY PERIOD

Adams County has an introductory period for new employees. During the introductory period, we will evaluate your work habits and abilities to make sure that you can perform your job satisfactorily. The introductory period also gives you time to decide if the new job meets your expectations.

Since your employment with Adams County is voluntary and at-will, you may terminate your employment at any time during or after the introductory period, with or without cause or advance notice. Likewise, Adams County may also terminate your employment at any time during or after the introductory period, with or without cause or advance notice.

The introductory period for all new and rehired employees is the first ninety (90) calendar days after their hire date. If you are absent for a significant amount of time during your introductory period, the length of the absence will automatically extend the introductory period. We may also extend the introductory period if we decide it was not long enough to evaluate your performance. This could happen either during or at the end of the introductory period.

When employees satisfactorily complete the first introductory period, they are assigned to the regular full time or part time employment classification.

2.03

BACKGROUND CHECKS

To ensure that individuals who join Adams County are well qualified and to ensure that Adams County maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to Adams County. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, and state and federal privacy and anti-discrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead Adams County to deny employment, a copy of the report will be provided to the applicant, and the applicant will have the opportunity to dispute the report's accuracy. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

Additional checks such as a driving record or credit report may be made on applicants for particular job categories if appropriate and job related and as permitted by applicable laws.

Adams County also reserves the right to conduct a background check for current employees to determine eligibility for promotion or reassignment in the same manner as described above.

2.04

NEPOTISM, EMPLOYMENT OF RELATIVES AND PERSONAL RELATIONSHIPS

Adams County wants to ensure that employment practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in law, grandfather, grandmother, son, son-in-law, daughter, daughter-in law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins and domestic partner relatives.

If two employees begin a dating relationship or become relatives, partners or members of the same household and if one party is in a supervisory position, that person is required to inform their Department Head of the relationship.

Adams County reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

2.05

POLICY/RULE VIOLATION OR MISCONDUCT

Progressive Discipline

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

Adams County supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, best practices and employment laws. Adams County reserves the right to vary from this policy depending on the infraction at issue. Employees may follow the procedure outlined in the Grievance Procedure policy with regard to review of the decision, if the employee feels aggrieved based on the employment action at issue.

Outlined below are the steps of our progressive discipline policy and procedure. Adams County reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines Adams County's progressive discipline process:

- **Verbal warning:** A supervisor or Department Head verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor or Department Head considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a Performance Improvement Plan (PIP). PIP status will last for a predetermined amount of time not to exceed ninety (90) days. Within this time period, the employee must demonstrate a

willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the Department Head. At the end of the period, the PIP may be closed or, if established goals are not met, dismissal may occur.

Adams County reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

Separation of Employment

Separation of employment within an organization can occur for several different reasons, including the following:

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are encouraged to provide two (2) weeks' notice, preferably in writing, to facilitate a smooth transition out of the position. If an employee provides less notice than requested, Adams County may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Retirement:** Employees who wish to retire are required to notify their Department Head and the Human Resource Department in writing at least one (1) month before the planned retirement date.
- **Job abandonment:** Employees who fail to report to work or contact their supervisor or Department Head for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Department Head who shall notify the Human Resource Department at the expiration of the third workday and initiate the paperwork to terminate the employee.
- **Termination:** Employees of Adams County are employed on an at-will basis, and Adams County retains the right to terminate an employee at any time.

Return of County Property

At the time of separation and prior to final compensation, all records, assets or other items of County property, including, but not limited to, uniforms, cell phones, keys, PC's and identification cards, in the employee's custody shall be returned to the Department Head. Failure to return some items may result in deductions from the final paycheck. An employee will be required to sign the Wage Deduction Authorization Agreement to deduct the costs of such items from the final paycheck.

The separating employee shall contact the Human Resource Department as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or another day, as mutually agreed on.

Accrued vacation leave will be paid in the last paycheck. Health insurance terminates the last day of employment, unless otherwise specified by the Human Resources Department or unless an employee requests immediate termination of benefits. Information for continued health coverage pursuant to Consolidated Omnibus Budget Reconciliation (COBRA) will be provided. Employees will be required to pay their share of the dependent health and dental premiums through the last day of coverage.

Rehire

Former employees who left Adams County in good standing and were classified as eligible for rehire may be considered for re-employment. An application must be submitted to the Human Resource Department, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Department Head prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee. Previous employment with Adams County will not be considered in calculating longevity, leave accruals or any other benefits.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation is not eligible for rehire.

2.06

GRIEVANCE PROCEDURE²

Disciplinary action may consist of any of the actions outlined in the Policy/Rule Violation or Misconduct policy, suspension with or without pay, demotion, termination or other adverse employment actions. When possible, all potential disciplinary actions should be discussed with the Director of Human Resources before any adverse action is taken. The County Administrator should be contacted by the Department Head or the Director of Human Resources as soon as possible either prior to or, if not possible, without any unreasonable delay after any action is taken pursuant to this policy.

The Department Head has the authority to formally discipline an employee in any manner, unless specified within these policies, by the County Administrator or the legal representative of the Board of Supervisors. If an employee feels aggrieved by the adverse employment action, then the employee may appeal the decision of the Department Head to the Director of Human Resources within thirty (30) business days of receiving written notice of the disciplinary action in question by submitting a written objection stating with particularity all grounds for appeal with any facts supporting said grounds. The Director of Human Resources may grant the employee a conference or provide notice that a conference is not necessary as soon as possible after receipt of the notice of appeal. The Director of Human Resources will provide the employee notice of his decision with regard to consideration of the appeal within five (5) business days, or as soon as possible, after a conference is held with such individual.

If an employee feels aggrieved by the adverse employment action after consideration by the Director of Human Resources, then the employee may appeal the decision to the County Administrator within five (5) business days of receiving written notice of the disciplinary action in question by submitting a written objection stating with particularity all grounds for appeal with any facts supporting said grounds. The County Administrator may grant the employee a conference or provide notice that a conference is not necessary as soon as possible after receipt of the notice of appeal. The County Administrator will provide the employee notice of his decision with regard to consideration of the appeal within thirty (30) business days, or as soon as possible, after a conference is held with such individual.

If the employee feels aggrieved by the decision of the County Administrator, then the employee may appeal such decision to the Board of Supervisors by delivering a notice of appeal to the legal representative of the Board within five (5) business days of receipt of the notice of the decision of the County Administrator by submitting a written objection stating with particularity all grounds for appeal with any facts supporting said grounds.

² This Grievance Procedure is applicable to all adverse employment actions unless another review or appeal procedure is outlined within this manual for the particular issue at hand, including those outlined within the Harassment and Complaint Procedure or Drug-Free Workplace policy, which should be read in conjunction with this policy as employees must follow those administrative procedures prior to resorting to the terms of this policy.

The legal representative for the Board may place the matter for consideration by the Board on the next agenda for a regularly scheduled meeting, unless good cause is found for a delay, or provide notice that consideration by the Board is not necessary as soon as possible after receipt of the notice of appeal. The Board of Supervisors will consider the grievance of the employee, and render a written decision to the employee with regard to the appeal within thirty (30) business days, or as soon as possible, of consideration.

An employee must follow this administrative process in order to receive full consideration of the grievance at issue. If the Director of Human Resources is the source of the grievance from the employee, then the employee may choose to appeal directly to the County Administrator. If the County Administrator is the source of the grievance from the employee, then the employee may choose to appeal directly to the Board of Supervisors through the legal representative of the Board as specified above

2.07

DAYS OF ADMINISTRATIVE CLOSING

The Administrative Offices of Adams County are open Monday through Friday from 8:00 a.m. until 5:00 p.m. Work hours may vary in some departments depending on the services provided.

The County Administrator may designate full or partial days as days of Administrative Closing. At the time of the announcement, the County Administrator's office will issue guidelines for employee compensation. Each County Official may make the same or different decision for his/her office.

3.01

DRUG-FREE WORKPLACE

Adams County has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment. For these reasons, Adams County is committed to the elimination of drug and/or alcohol use and abuse in the workplace. This policy has been adopted in accordance with Miss. Code Ann. § § 71-7-1, *et. seq.*

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of Adams County. The Human Resource Department is responsible for policy administration.

Employee Assistance and Drug-Free Awareness

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Human Resource Department, whose members have been trained to make referrals and assist employees with drug/alcohol problems. Any employee who voluntarily identifies themselves as a drug user or alcoholic, prior to testing or notice thereof, and who successfully completes counseling and rehabilitation for the problem, will not be terminated, but shall be subject to this policy for drug and alcohol testing thereafter.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor or Department Head. Employees should not, however, disclose underlying medical conditions unless directed to do so.

Adams County will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other policies. Such employees may be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up drug and alcohol tests.

Types of Drugs

As specified within this manual, the drugs that Adams County will test for are defined as follows:

Alcohol (Ehyl)
Amphetamines (speed)

Barbiturates
 Benzodiazepine
 Benzoyllecgonine (Cocaine, Cocaine Metabolite)
 Cannabinoids (THC, Marijuana)
 Methadone
 Methaqualone (Quaaludes)
 Opiates
 Phencyclidine (PCP, Angel Dust)

This list is not intended as an exclusive or exhaustive list of all drugs that may be tested for by Adams County, and the County reserve the right to unilaterally amend this list to include additional drugs, or classes thereof, when necessary

Concentration Levels of Drugs

For Screening

The concentration levels of each drug that will trigger a positive result on a test are as follows:

<u>Drug</u>	<u>Cut-off Limit</u>
Alcohol (Ethyl)	.08 blood/Alcohol by breath alcohol test
Amphetamines (speed)	1,000 ng/ml
Barbiturates	1,000 ng/ml
Butabarbital	1,000 ng/ml
Benzodiazepine	200 ng/ml
Benzoyllecgonine (Cocaine, Cocaine Metabolite)	300 ng/ml
Methadone	300 ng/ml
Cannabinoids (THC, Marijuana)	50 ng/ml
Methaqualone (Quaaludes)	300 ng/ml
Opiates (Morphine, Codeine, Heroin, Hydromorphone, Hydrocodone)	2000 ng/ml
Phencyclidine (PCP, Angel Dust)	25 ng/ml

For Confirmation Testing

For the subsequent GC/MS (Gas Chromatography/Mass Spectroscopy) test (for confirmation purposes):

Alcohol (Ethyl)	.08 blood/Alcohol by breath alcohol test
Amphetamines (speed)	500 ng/ml
Barbiturates (Amobarbital, Butabarbital, Phenobarbital, Secobarbital)	100 ng/ml
Benzodiazepine	100 ng/ml
Benzoyllecgonine (Cocaine, Cocaine Metabolite)	100 ng/ml
Methadone	200 ng/ml
Cannabinoids (THC, Marijuana)	15 ng/ml

Methaqualone (Quaaludes)	300 ng/ml
Opiates (Morphine, Codeine, Heroin, Hydromorphone, Hydrocodone)	2000 ng/ml
Phencyclidine (PCP, Angel Dust)	25 ng/ml

Adams County shall have the right to modify the specific concentration level for each drug from time to time as is necessary in accordance with data provided by the testing laboratory selected by Adams County to perform testing.

Work Rules

The following work rules apply to all employees:

- Whenever employees are working, are operating any County vehicle, are present on County premises, or are conducting related work off-site, they are prohibited from:
 - Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
 - Being under the influence of alcohol or an illegal drug as defined in this policy.
- The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee’s body while performing County business or while in a County facility is prohibited.
- Adams County will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee’s ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
- Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Required Testing

Adams County retains the right to require the following tests:

- **Pre-employment:** All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable suspicion:** Employees are subject to testing based on observations by a supervisor or Department Head of apparent workplace use, possession or impairment. Reasonable Suspicion is a suspicion based on specific, objective and articulable fact or facts and reasonable inferences drawn from those facts in light of experience, and may be based on other things, including, but not limited to observable phenomena, such as the direct observation of drug/alcohol use and/or

the physical symptoms or manifestations of being under the influence of a drug, including alcohol, by means of a breath alcohol test; abnormal or erratic behavior while at work, absenteeism, tardiness or deterioration in work performance; information provided by a reliable and credible source which has been independently corroborated; a work-related accident; evidence that an employee has tampered with a drug test; or evidence that an employee is involved in the use, possession, sale, solicitation or transfer of drugs while working or while on Adams County premises, or operating a motor vehicle, machinery or equipment during business hours or while working for Adams County. A supervisor is required to detail, in writing, the specific facts, symptoms, or observations, which form the basis of the determination that reasonable suspicion exists to warrant the testing of an employee, and present the observations to the Department Head or Human Resources Department before sending an employee for reasonable suspicion testing.

- **Follow-up:** Employees who have tested positive, or otherwise violated this policy, are subject to discipline up to and including termination. Depending on the circumstances and the employee's work history/record, Adams County may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.
- **Random:** Current Adams County employees shall be subject to random drug and alcohol testing based on upon their positions within the County as outlined by statute as well as Adams County's routinely scheduled fitness for duty medical examination applicable to certain employees by placing their name in a pool for random selection by a computer program used to generate a list of those eligible employees and those who are chosen for random selection.
- **Employees subject to the regulations of the Federal Highway Administration (FHWA) and the Federal Department of Transportation (DOT):** Adams County Employees who are subject to other federal or state regulations in accordance with their job descriptions shall be subject to the alcohol and drug testing required by such agencies. The employee shall be given a copy of the requirements set forth by the agencies at issue, will acknowledge receipt of the copy by their signature, and the notification of the testing required by the additional agencies will be included in the employee's personnel file.

Procedure

- **Reasonable Suspicion:** Upon the receipt of a written report by the supervisor or Department Head that reasonable suspicion exists that an employee is under the influence of alcohol during work hours, the employee will immediately submit to a breath/intoxilyzer test to be conducted by the Adams County Sheriff's Department.

If the result of the test reveals a blood alcohol level of .05 or higher, the employee shall submit to a blood draw for further confirmatory testing. A subsequent positive result of in excess of a .05 blood alcohol level or refusal to submit to any of these tests shall result in termination. Upon the receipt of a written report by the supervisor or Department Head that reasonable suspicion exists that an employee is under the influence of drugs, the employee shall be advised of the situation by the supervisor or Department Head. The supervisor or Department Head shall take note of the time that the employee was informed, and the employee shall report to the testing location within one (1) hour of notification for the purpose of submitting a urine sample for substance abuse testing. The testing location shall take note of the time the employee arrived for submission and communicate said time to the supervisor or Department Head. Failure to arrive within one (1) hour of notification shall be considered a test refusal, and subject the employee to termination.

- **Random:** After an employee has been randomly selected for testing, the employee shall be advised of their selection by their supervisor or Department Head. The supervisor or Department Head shall take note of the time that the employee was informed, and the employee shall report to the testing location within one (1) hour of notification for the purpose of submitting a urine sample for substance abuse testing. The testing location shall take note of the time the employee arrived for submission and communicate said time to the supervisor or Department Head. Failure to arrive within one (1) hour of notification shall be considered a test refusal, and subject the employee to termination. Random testing will not be utilized to detect alcohol abuse by an employee as that should only be conducted when there is reasonable suspicion that the employee is under the influence of alcohol during work hours as described herein.

The specimen collected shall be sufficient for at least three (3) drug tests.

Consequences

Applicants who refuse to cooperate in a drug test or who test positive will not be hired. If an employee tests positive for alcohol or has a positive confirmed drug test for the first time, not including those employees who have previously disclosed an alcohol or drug problem prior to notification or testing and have already successfully completed a treatment program, then the employee may choose to undergo treatment prescribed by a substance abuse professional at the employee's own cost. The employee will not be permitted to drive a vehicle or operate any road equipment until the employee has completed the prescribed treatment and successfully passed a subsequent drug test.

An employee whose drug screen sample yields an initial, positive results shall automatically be given a confirmation test using GC/MS testing. An applicant may request, at their own expense, subsequent testing of the sample. In the event the second test confirms the initial, positive results, the employee or applicant shall be notified of the results, in writing, by the appropriate Department Head or designee within five (5) working days after receipt of the result.

The letter of notification shall include the substance found and its concentration level, and inform the employee or applicant of the consequences of such report as well as the options available at that point in time.

An employee or applicant whose second test confirms the initial test result may, at the employee or applicant's own expense, have a third test conducted of the same sample at a licensed laboratory chosen by the employee and approved by Adams County.

Within ten (10) working days of the employee's receipt of a confirmed positive result, an employee may submit information to the Human Resources Department explaining the reasons the results do not constitute a violation of Adams County's policy. If the Human Resources Department is not satisfied with the explanation submitted by the employee, a written explanation submitted by the Department Head of the Human Resources Department, or their designee, as to why the employee's explanation is unsatisfactory, along with a report of the positive results, shall be made a part of the employee's medical and personnel files.

Employees who refuse to cooperate in required tests will be terminated. Employees who choose not to seek treatment after receipt of a confirmed positive drug or alcohol test, may be terminated. Any employee with two (2) positive confirmed drug or alcohol tests will be terminated.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management and Human Resources. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.

Right to a Hearing

If an employee's initial positive test result has been confirmed, the employee is entitled to a hearing on the issue of termination in accordance with this Section as long as another infraction has not occurred subjecting the employee to termination in accordance with other provisions as outlined within these policies. In order to request a hearing, the employee shall make a written request for a hearing to their Department Head within five (5) days from the date of receipt by the employee of the confirmation test results.

The Department Head shall inform the Human Resources Department of the request for a hearing, and the Human Resources Director shall designate an individual to serve as the Hearing Officer, who shall set a date for the time and place for the hearing within ten (10) days from the date of receipt of the written request from the employee. At the hearing, the employee may be represented by legal counsel, and present evidence as well as witnesses on their behalf.

Confidentiality

All information from the employee's or applicant's drug and alcohol test is confidential, and only those with a need to know are to be informed of the results. Disclosure of test results to any other person, agency or organization is prohibited, unless prior, written authorization is obtained from the employee or applicant; unless it is necessary to introduce a positive confirmed test result into an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under applicable state or local law, or a judicial proceeding, provided the information is relevant to the hearing or proceeding; or the information must be disclosed to a federal or state agency or other unit of the state or United States government as required under law, regulation or order; or in accordance with compliance requirements of a state or federal government contract; or disclosed to a drug abuse rehabilitation program for the purpose of evaluation or treatment of an employee; or there is a risk to public health or safety that can be minimized or prevented by the release of such information; provided, however, that unless such risk is immediate, a court order permitting the release shall be obtained prior to the release of the information.

This Section shall require the Department of Human Resources to separate this information from the remainder of an employee's personnel file.

If an employee refuses to sign a written consent form for release of information, Adams County may discipline the employee up to termination.

Crimes Involving Drugs

The policy does not apply to the possession, use, sale or solicitation of drugs, which would be considered illegal in accordance with state or federal law, nor does it apply to convictions of drug-related offenses, all of which could subject an employee to termination and serve as a basis for refusal to hire an applicant. Adams County prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on County premises or while conducting County business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel may be notified, as appropriate, when criminal activity is suspected.

3.02

WORKPLACE BULLYING

Adams County defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Adams County wants to ensure all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including supervisors and Department Heads, that Adams County will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. Adams County considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault; damage to a person’s work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

3.03

VIOLENCE IN THE WORKPLACE

All employees, customers and vendors must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates or coerces another employee, customer or vendor will not be tolerated. Adams County resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. Adams County treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, a Department Head or Human Resources. When reporting a threat or incident of violence, the employee should report such behavior in writing within five (5) days of the event in question, and be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees shall promptly inform the Human Resource manager of any Order of Protection or Restraining Order that they have obtained or that has been obtained against them, which could include the workplace as a protected area.

Adams County will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Adams County will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, Adams County may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Adams County encourages employees to bring their disputes to the attention of their supervisors, the Department Heads or Human Resources before the situation escalates. Adams County will not discipline employees for raising such concerns.

3.04

SAFETY

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area.

It is the responsibility of the employee to complete an Accident and Incident Report for each safety and health infraction that occurs by an employee or that the employee witnesses. Failure to report such an infraction may result in employee disciplinary action up to and including termination.

Furthermore, Adams County requires that every employee assume the responsibility of individual and the safety of fellow employees. Failure to follow Adams County safety and health guidelines or engaging in conduct that places the employee, other employees or property at risk can lead to employee disciplinary action up to and including termination.

3.05

SMOKE-FREE WORKPLACE

It is the policy of Adams County to prohibit smoking on all County premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The smoke-free workplace policy applies to:

- All areas of County buildings.
- All County-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the County.
- All visitors to the County premises.
- All contractors and consultants and/or their employees working on the County premises.
- All employees, including temporary employees.

Smoking is permitted in parking lots only. Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

4.01

OUTSIDE EMPLOYMENT

Employees are permitted to engage in outside work or to hold other jobs, subject to certain restrictions as outlined below.

Activities and conduct away from the job must not compete with, conflict with or compromise Adams County's interests or adversely affect job performance and the ability to fulfill all job responsibilities. Employees are prohibited from performing any services for customers on nonworking time that are normally performed by Adams County. This prohibition also extends to the unauthorized use of any County tools or equipment and the unauthorized use or application of any confidential information. In addition, employees are not to solicit or conduct any outside business during paid working time.

Employees are cautioned to carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If Adams County determines that an employee's outside work interferes with performance, the employee may be asked to terminate the outside employment.

Employees who have accepted outside employment may not use paid sick leave to work on the outside job. Fraudulent use of sick leave will result in disciplinary action up to and including termination.

4.02

ATTENDANCE AND PUNCTUALITY

Vacation and holidays must be scheduled with one's supervisor in advance. Sick leave may be used in the case of emergency or sudden illness without prior scheduling. Patterns of absenteeism or tardiness may result in discipline, even if the employee has not yet exhausted available paid time off. Absences due to illnesses or injuries that qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance record. Medical documentation within the guidelines of the FMLA may be required in these instances.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter. A no call/no show offense may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.

4.03

ATTIRE AND GROOMING

It is important for all employees to project a professional image while at work by being appropriately attired. Adams County employees are expected to be neat, clean and well groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed.

Employees must dress in a manner that will not hinder their ability to effectively complete their work assignments, including consideration of the communities served, customer expectations, business needs or the standards of the department and the employee's safety. Employees are expected to practice personal hygiene, including natural and artificial scents, which do not interfere with the public and/or co-workers in their work environment on a daily basis. Employees should be mindful of, and dress appropriately for, special events, meetings and appointments with customers. Employees shall abide by specific dress requirements intended to ensure job-related safety, including, but not limited to, when operating equipment or machinery, working with potentially dangerous chemicals or for public health consideration.

Except as noted or approved by the Department Head and/or the Board of Supervisors, employees may not wear the following items:

- T-shirts, hats or clothing articles that may create a hostile or abuse work environment, including, but not limited to, those that contain sexually suggestive cartoons, pictures or words;
- Denim pants or jean-style pants of any color, except for the following: employees who work for the Road Department due to the nature of the work performed; Information Technology staff who install equipment and cables; and staff who are moving and/or organizing supplies and/or assembling or repairing equipment; or departments where Department Heads have specified a casual dress day on Fridays;
- Clothing that does not properly conceal tattoos, piercings, brandings and/or designed scarring that may be considered offensive or inappropriate by the public and/or co-workers;
- Pants below the waistline or low-rise pants showing undergarments or low front tops, halter tops, or tops that show bare midriffs;
- Open toed flip flop style sandals; and
- Employees are prohibited from having money or other currencies pinned or attached to clothing at any time on Adams County property and during their normal work hours.

Adams County reserves the right for supervisors and Department Heads to determine appropriateness. Any employee who is improperly dressed will be counseled or, in severe cases, may be sent home to change clothes. Continued disregard of this policy may be cause for disciplinary action, which may result in termination.

4.04

USE OF COUNTY EQUIPMENT AND TECHNOLOGY

Adams County provides the technological equipment necessary for its employees to conduct the official business of the County. Telephones, cell phones, paging devices, voicemail, typewriters, photocopy machines, facsimile machines, and computers with electronic mail, internet and word processing capabilities are examples of such equipment. This equipment is not intended for employees' personal or commercial use. Incidental or occasional use of County technology for non-commercial, personal use may be acceptable, provided the following conditions are met:

1. Such usage does not interfere with the employee's job duties or the department's ability to conduct business;
2. Use of the equipment does not negatively affect the computer systems' primary use for their business purpose;
3. Use of the equipment does not result in any added cost to the County; and
4. Such use is acceptable to the Department Head.

All electronic information created and/or communicated by an employee as part of their job responsibilities is subject to being monitored by the County. For example, telephone numbers dialed, length of telephone calls, time at which calls are made and types of websites accessed are subject to review for various reasons, including, but not limited to, cost analysis, resource allocation, optimum technical management of information resources, and detecting patterns of use that indicate violations of county policies or applicable laws.

Electronic Mail

Employees and officials of Adams County do not have any right to privacy in any electronic mail (e-mail) that travels over the County's electronic mail system. All e-mail that travels over the County system is subject to being examined not only by officials of the County but also by members of the public as allowed under the public records laws.

E-mail may never be used by County employees for the following:

1. Composing or forwarding chain letters.
2. Using e-mail for any personal commercial or promotional purpose, including messages offering to buy or sell goods or services.
3. Composing, forwarding or sending material that contains offensive slurs or jokes, or are otherwise deemed to be harassing, derogatory to any individual or group, obscene, sexually explicit, pornographic, intimidating, threatening, defamatory, discriminatory or abusive, or that is for any purpose that is illegal or contrary to any Adams County policy or business interests.

Computers and Internet

As stated above, computers are provided to assist employees conduct official County business. All software acquired or developed on behalf of Adams County shall be deemed property of Adams County. Some of the guidelines for computer use are as follows:

1. Employees should never use County computers for personal or private commercial activities or save such information on the computer system.
2. Employees may not send or receive any software programs or download information, material or music that violate copyright laws or any license governing the use of software.
3. All passwords and other security screens must be kept completely confidential, and employees are not to breach, test or monitor computer or network security measures.
4. Employees may not use passwords of other employees to access computer systems, send emails or other electronic communications in an attempt to hide the identity of the sender or represent the sender as someone else, and monitor or intercept the files or electronic communications of other employees or third parties.
5. Actions and/or activities that may damage or otherwise disrupt the County network, servers, workstations, or peripherals are not allowed.
6. Download or installation of executable files (software programs that are downloaded from the internet, e-mail or are otherwise purchased) is prohibited. Executable files, which can be from internal or external sources, may pass along viruses or other programs that may damage the network. If in receipt of such a program, Information Systems should be contacted immediately.
7. Installation of software purchased by the user for personal use may not be installed. County provided software may not be installed on any computers other than those designated under the user licenses for that software.
8. Hardware obtained for personal use (i.e. speakers, cameras, etc.) may not be attached to County computers without approval of both the Department Head and Information Systems.
9. Accessing inappropriate internet sites such as sites that display pornography or obscene material, sites that provide information advocating or providing instruction regarding methods for dangerous, illegal or terrorist conduct; or sites that are otherwise considered illegal shall not be not permitted under any circumstances.

It should be understood that all software, data or any other form of information, media or digital file on Adams County computers are considered property of Adams County regardless of the original source. If a county employee puts personal data on a county computer, that information becomes property of Adams County. Furthermore, any such data would be considered public information, and be treated as such. ANY COUNTY BUSINESS CONDUCTED ON A PERSONAL MEDIUM IS STILL CONSIDERED PUBLIC RECORD, and, therefore, any message discussing county business sent from a county employee using their personal phone or email to anyone in or out of the county, then the message is a public record, which is subject to the Public Records Act set forth by statute.

No outside equipment may be plugged into the 'Adams County Network' without explicit permission from the appropriate technology department. Employees may participate in online forums that may be important to the performance of an employee's job; however, employees should remember that any messages or information sent on county-provided facilities to one or more individuals via an electronic network, i.e. internet mailing lists, bulletin boards, and online services, are statements identifiable and attributable to Adams County.

The aforementioned policies are meant to be guidelines and are not inclusive of every policy that would govern the use of County provided technology and equipment. Use of such equipment or technology has been approved for conducting official County business only.

4.05

PASSWORD SECURITY

Password Protection- Passwords are the entry point to our IT resources. Protecting access to our resources is critical in ensuring that the Adams County computer systems remain secure and function properly. Passwords for all systems are subject to the following rules:

1. No passwords are to be spoken, written, e-mailed or shared in any where such password would be known to anyone other than the individual user.;
2. No passwords are to be shared to “cover” from someone out of the office. Contact IT and it will gladly create a temporary account if there are resources an employee needs to access to the absence of another employee;
3. Passwords are not to be the employee’s name, address, date of birth, username, nickname or any term that could easily be guessed by someone who is familiar with you; and
4. Passwords are not to be displayed or concealed on an employee’s workplace.

Password Composition- Password complexity is the key factor in password security. Passwords must meet the following criteria:

1. Passwords may not contain all or part of the user’s account name;
2. Passwords are to be at least eight (8) characters long; and
3. Passwords contain characters from the following four (4) categories:
 - a. English uppercase characters (A.....Z);
 - b. English lowercase characters (a.....z);
 - c. Base ten (10) digits (0...1); and
 - d. Non-alphanumeric characters (exclamation point [!], dollar sign [\$], pound sign [#], percent sign [%], etc.).

Encryption

Employees can use encryption software supplied to them by the IT Director for purposes of safeguarding sensitive or confidential business information. Employees who use encryption on files stored on an Adams County computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) and of all the passwords and/or encryption keys necessary to access the files.

Exceptions

This policy is written to maintain a consistent and secure network for the benefit of the entire County. In no way is this policy meant to prevent any individual from accessing

services that are needed to perform their job. In the event that any individual needs access to any service that is blocked for any security reason, then the employee must fill and submit the Employee Computer Access Exception Form available through the Adams County IT Department.

4.06

SOCIAL MEDIA- ACCEPTABLE USE

Employees may not post financial, confidential, sensitive or proprietary information about Adams County, vendors, employees or applicants on the Internet or any other public outlet. As far as allowable by law, employees may not post obscenities, slurs or personal attacks that can damage the reputation of Adams County, vendors, employees or applicants. Adams County may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

4.07

CELL PHONES

Cell phones issued by Adams County are not for personal benefit, and should not be used as a primary mode of personal communication. County issued cell phones should be primarily limited to business use. Occasional and minimal personal use of a County cell phone during designated work hours is permissible, and emergency calls are always permissible. Excessive personal use of a County owned cell phone may lead to disciplinary action and/or the revocation of the benefit of using a County phone. All employees should take time to familiarize themselves with the functions of the cell phone issued to them. Employees are responsible for the County issued cell phone once the employee takes possession of the equipment. It is also important to be mindful of the fact that cell phone calls can be intercepted and proper precautions should be taken when communicating confidential information.

Employees are to make personal calls on personal cell phones before and after work as well as during break and lunch periods. Employees are required to keep personal phones on silent or vibrate mode while in County buildings. Excessive personal calls during the day may lead to disciplinary action. County employees may not use personal and/or County issued cell phones while driving personal vehicles on County business or County owned vehicles at any time.

Any misuse of a County owned cell phone will subject the employee to disciplinary action, including termination, and potentially cause the revocation of the employee's privilege to have a County issued cell phone assigned to them. Misuse includes, but is not limited to, the following: failure to reimburse the County for personal calls as outlined herein; making calls of a threatening, harassing or inappropriate nature; making excessive personal calls; making calls to inappropriate numbers, including (900) numbers; and downloading improper material, including ringtones, to the phone.

All cell phones are issued through a Cell Phone Request form, which is available through the IT Department, and subject to approval by the County Administrator. County issued cell phones must be returned to the Department Head and/or County official upon separation from employment.

Reimbursement

As each County owned cell phone has a pre-determined cost plan associated with each phone, if a monthly cell phone bill exceeds the designated plan amount as a result of the employee's personal use of such phone, the employee must reimburse the County for that overage amount within ten (10) days of receiving notification from the Department Head or County Official that the amount in question is owed to Adams County. If a County owned cell phone is damaged or lost due to an employee's negligence, the employee is responsible for the cost to repair or replace the phone. If a County owned cell phone is lost or stolen, the employee must immediately notify the Department Head and/or County Official.

4.08

TAKE HOME VEHICLES

An employee who is authorized by the Department Head or County Official to take a vehicle home on a regular basis must have a valid driver's license and proof of insurance. County vehicles may not be used for personal use other than commuting and *de minimis* (minimum), i.e. stop for a personal errand; may not be driven by a non-County employee; and should be locked and parked in a secure location. An assignment of a County vehicle is not a privilege or a right of an employee of Adams County.

The Internal Revenue Service (IRS) regulations require an employer provided vehicle to be treated as a non-cash taxable fringe benefit when it is used for the employee's personal benefit. Employees are instructed to discuss any potential tax consequences on their use of a County issued vehicle with their Department Head or the Human Resources Director. If an employee is issued a Take Home Vehicle, a Take Home Vehicle form must be executed and turned into the Human Resources Department for inclusion in the employee's personnel file.

5.01

VACATIONS

The County provides paid vacation so that full-time employees may have periods of free time away from the work environment. Part time and temporary employees are not eligible for paid vacation. Vacation accruals will start and be recorded on the last paycheck of the first full calendar month after an employee's start date. Though the vacation accrual rate is based on the employee's start date, the payroll year (first pay period in January through the last pay period in December) is used as the vacation year for record keeping and accounting purposes.

Listed below are the vacation accrual rates based on years of continuous service as a regular full time employee, as well as the number of unused vacation hours that can be carried over from one payroll year to the next.³ Unused vacation time that exceeds the carry over limit will be transferred to the Public Employees' Retirement System for the purpose of adding to creditable years of service.

YEARS OF CONTINUOUS SERVICE	ACCRUAL RATE MONTHLY	MAXIMUM HOURS ACCRUED Per Year
1 month to 36 months	12 hours	18 days
37 months to 96 months	14 hours	21 days
97 months to 180 months	16 hours	24 days
Over 180 months	18 hours	27 days

³ With the exception of the Adams County Road Department where one (1) day of work is considered a ten (10) hour day; however, one (1) week of work is considered a forty (40) hour week. The standard for this Department shall be four (4) ten (10) hour days and a forty (40) hour workweek for the policies on Overtime, Holidays, Sick Time, and Vacations.

Vacation hours are not accrued during leaves of absence unless specified by applicable laws. Employees may use earned vacation time upon accrual.

Vacation Procedures:

- All vacation leave should be requested as far in advance as reasonable and is subject to the approval of the Department Head.
- Department Heads will determine and notify employees of the advance notice requirements for vacation requests in their individual departments.
- Department Heads, at their discretion, may allow employees to take vacation time in periods of fifteen (15) minute increments, if less than a full day
- Payment of vacation leave will be at the employee's regular rate of pay.
- The transfer of vacation time for employees who transfer from one county department to another is covered under the policy entitled Leave Transfer Between County Departments.

Department Heads approve vacation requests based on business needs and availability of staff at the time of the request; however, during the period of time between an employee's notification of intent to resign and his/her last day worked, the Department Head is not required to grant the employee's request for vacation leave. Any vacation time that remains available to the employee after the last day worked will be paid in a lump sum.

5.02

HOLIDAYS

Pursuant to Mississippi Code Annotated Section 3-3-7, the following days will be designated as paid holidays for all regular full time employees in active status:

1. 1st day of January
2. 3rd Monday of January
3. 3^d Monday of February
4. Last Monday of April
5. Last Monday of May
6. 4th of July
7. 1st Monday of September
8. 11th day of November
9. The day fixed by proclamation by the Governor of Mississippi as a day of Thanksgiving, which shall be fixed to correspond to the date proclaimed by the President of the United States
10. 25th day of December

In the event any holiday shall fall on Sunday, then the next following day shall be a legal holiday. In addition to those holidays listed above, any other holiday as proclaimed by the State of Mississippi and/or the Government of Mississippi, including the Governor, shall also be a recognized holiday pursuant to this section.

1. Unless otherwise stated, all holidays will be considered the length of the day associated with the employee's regular schedule.⁴
2. Each County Official may change the holiday schedule to meet the business needs of his/her office, so refer to any policy manuals available in that regard.
3. All employees who are in an active pay status at the time the holiday occurs are eligible for holiday compensation. Should a holiday occur during an employee's vacation time, he/she will not be charged a vacation day for the day of the holiday.
4. Employees who are required to work on an observed holiday shall be paid for the number of hours worked at two hundred percent (200%) of the regular hourly rate.

Inactive employees who are receiving disability or worker's compensation payments are not eligible for holiday payments even if they are using accrued vacation time to supplement these payments. Unused leave will be transferred to the Public Employees' Retirement System for the purpose of adding to creditable years of service.

⁴ With the exception of the Adams County Road Department where one (1) day of work is considered a ten (10) hour day; however, one (1) week of work is considered a forty (40) hour week. The standard for this Department shall be four (4) ten (10) hour days and a forty (40) hour workweek for the policies on Overtime, Holidays, Sick Time, and Vacations.

5.03

SICK TIME

The County realizes that employees occasionally have to miss work for medical reasons. Full-time employees earn paid sick time at a rate of eight (8) hours per month in accordance with the following schedule:⁵

YEARS OF CONTINUOUS SERVICE	ACCRUAL RATE MONTHLY	MAXIMUM HOURS ACCRUED Per Year
1 month to 36 months	8 hours	12 days
37 months to 96 months	7 hours	10.5 days
97 months to 180 months	6 hours	9 days
Over 180 months	5 hours	7.5 days

Paid sick time may be used for the following:

1. The employee's absence due to personal injury or illness including conditions related to pregnancy or childbirth, as well as routine medical, dental, and eye appointments.
2. The employee's absence resulting from a need to care for a child, spouse or parent suffering from a serious illness or injury. It should be noted that paid sick time may not be used to care for the child of an ill family member.

Paid sick time will only be granted for the reasons listed above. Attempts to use paid sick time for reasons not listed above could result in disciplinary action. Paid sick time may not be taken until

⁵ With the exception of the Adams County Road Department where one (1) day of work is considered a ten (10) hour day; however, one (1) week of work is considered a forty (40) hour week. The standard for this Department shall be four (4) ten (10) hour days and a forty (40) hour workweek for the policies on Overtime, Holidays, Sick Time, and Vacations.

earned; however, unpaid leave will be granted for conditions covered by the Family and Medical Leave Act when an employee has no sick leave available.

A Department Head may require a physician's statement of illness or injury before payment of sick time is made. After an absence due to injury or illness, an employee may be required to provide a physician signed medical release in order to return to work.

Unused sick time may be carried over at the end of the payroll year to the next payroll year, and any unused sick time will be transferred to the Public Employees' Retirement System for the purpose of adding to creditable years of service. Employees transferring to another division within county government will be given credit for unused sick leave provided there is no break in service.

Unless scheduled to work, employees will not be charged available sick time for absences occurring on weekends, official holidays or days of administrative closing. Sick leave shall be charged to the nearest fifteen (15) minute period.

As stated previously, sick time is provided to cover absences resulting from illness or injury. It shall not be used to take time off during the period of time between an employee's notice of resignation and his/her last day worked. An employee using sick time during this period should be prepared to provide medical documentation in order to be compensated.

5.04

DONATED TIME

An eligible employee who is suffering from an illness or whose immediate family member(s), as defined in the Bereavement Leave policy are suffering from an illness may receive medical and vacation leave from another County employee, if the receiving employee has exhausted all medical and vacation time.

Before the employee may receive any donated time, the Department Head must receive a physician's statement outlining the beginning date of the illness and/or injury, and the date the employee would be anticipated to return to work capable of performing the essential functions of the job.

The receiving employee, Department Head of the receiving employee and the Department Head of the donating employee shall receive a breakdown of the donated time in a report form completed by the Human Resources Department for the signatures of both employees.

The maximum amount of donated time shall be as follows:

1. Sick Time- Not exceeding fifty percent (50%) of the balance of the donating employee's earned sick time; and not to exceed 12 work weeks.
2. Vacation Time- Not to exceed a number of days that would leave the donating employee with less than seven (7) days of vacation time and not to exceed 12 work weeks.
3. No more than 12 work weeks of total hours can be donated to an employee during a 12 month period.
4. If the recipient of the donated leave has been placed on FMLA, the total amount of donated time to that employee shall not exceed the designated 12 week FMLA period.

If the total amount of leave donated to any employee(s) is not used by the receiving employee, i.e. excess donated leave, the donated leave shall be returned to the donating employee on a pro rata basis, based on the ratio of the number of days of leave donated by each employee to the total number of days of leave donated by all donating employees.

No Supervisor or Department Head can donate time to an employee, per the Department of Labor.

Once the employee(s) and Department Heads signs the agreement of donating leave, the agreement cannot be withdrawn by the employee.

Nothing in this section shall be construed to require an employee to remain employed by the County.

5.05

COURT LEAVE

Paid court leave is provided to all County employees who are required to serve on a jury or as a witness in a state, federal or local court. This ensures against a loss of pay for employees performing a civic duty. In order to receive paid leave, the employee must submit an authentic summons, subpoena, or notice to appear from the appropriate court.

An employee who is duly summoned as a witness in a matter before a state, federal or local court or an employee who testifies in behalf of the County in a matter arising out of his/her employment will receive his/her regular rate of pay for the time missed from work; however, the employee shall return to work immediately after he/she is dismissed from court.

Notwithstanding the above, County employees who appear in court as a plaintiff or a defendant in private litigation will not be paid for time missed from work whether appearing voluntarily or pursuant to a summons or subpoena. On these occasions, the employee must take vacation leave, compensatory time or leave without pay.

Employees who are required to serve on jury duty will be compensated in accordance with state laws. Pay for time served on court leave, including the time spent traveling to and from court, shall be made at the employee's regular rate of pay, except that such compensation shall not exceed the total of the employee's regularly-scheduled daily pay; however, if the jury service results in any personal compensation from the court, the employee is required to reimburse the County for any compensation received from the court while on paid court leave.

Should the employee be dismissed from jury duty before 12:00 noon, the employee shall return to work immediately after dismissal from court.

Upon return to work, the employee will be required to present proof of jury duty service or other mandated court appearance, including dates of service and any compensation received from the court. The employee has ten (10) working days after return to work from court service to reimburse the County for any compensation received, or the employee may choose to retain the court compensation and take vacation leave instead of court leave. Any reimbursements from the court received by the employee for personal expenses, such as parking, mileage, and food allowance, and any non-reimbursed parking expenses shall not be included in the amount reimbursed to the County.

5.06

ADMINISTRATIVE LEAVE

County employees may be granted administrative leave with pay. For the purposes of this section, “administrative leave” means discretionary leave with pay, other than personal leave or major medical leave.

The Governor or the County Administrator may grant administrative leave with pay to employees in the event of extreme weather conditions, in the event of a man-made, technological or natural disaster or emergency, or in the event of any other reason within the discretion of the County Administrator taking into consideration the health, safety and welfare of employees. Any employee on a previously approved leave during the affected period shall be eligible for such administrative leave granted by the Governor or County Administrator, and shall not be charged for his previously approved leave during the affected period. The County Administrator may also grant administrative leave with pay to any employee who is a certified disaster service volunteer of the American Red Cross who participates in specialized disaster relief services for the American Red Cross in this state and in states contiguous to this state when the American Red Cross requests the employee's participation.

Administrative leave granted under this policy shall not exceed twenty (20) days in any twelve-month period. An employee on administrative leave shall not be deemed to be an employee of the County for purposes of workers' compensation or for purposes of claims against the County allowed under Chapter 46, Title 11, Mississippi Code of 1972. As used in this paragraph, the term “disaster” includes disasters designated at level II and above in American Red Cross national regulations and procedures.

5.07

BEREAVEMENT LEAVE

The County allows full time employees to use up to twenty-four (24) hours of sick time for the purpose of bereavement leave per incident for an employee to attend the funeral of a close relative. For the purposes of this policy, those who are considered close relatives are as follows:

Spouse	Brother/Sister	Parent-in-law
Child	Grandparent	Daughter/Son-in-law
Parent	Grandchild	Brother/Sister-in-law
Domestic Partner		

Official holidays and days of administrative closing falling within the period of paid bereavement leave will be charged as holidays and days of administrative closing.

A Department Head may allow the paid bereavement leave to start later than the day after notification if the date of the funeral or travel needs warrant such consideration. Also, in situations where an employee needs to be off work longer than the day of bereavement leave reasonable unpaid personal leave or use of vacation time may be used with approval from the Department Head.

A Department Head may request an employee to provide verification of the reason for the absence.

5.08

LEAVE OF ABSENCE

Whenever an employee has to be away from work for an extended period of time, he or she shall submit a written request for a Leave of Absence (LOA) to his/her Department Head. For the purposes of this policy a personal LOA is defined as an unpaid absence of more than five (5) working days. A medical LOA is for an extended illness and should start on the first day of absence. The request should be submitted at least thirty (30) days in advance or as soon as possible if the LOA is unexpected. Contained in the request should be a start date for the LOA and an expected date of return. If only an estimate, an expected return date should be stated and the employee is obligated to contact the supervisor if that date changes.

A personal LOA should only be for a short period of time, but may be approved for up to twelve (12) weeks at the discretion of a Department Head. All vacation and compensatory time shall be used prior to unpaid time being granted. Personal LOAs should be reserved for unique situations for which there are no other alternatives. They should not be granted for purposes such as looking for or working in another job, serving time in correctional facilities, etc. All personal LOAs are at the discretion of each Department Head and are not the right of any employee. Employee's taking personal LOAs may not be guaranteed the same job or salary upon return to work, unless otherwise required by law. If extenuating circumstances support an LOA of longer than twelve (12) weeks, a Department Head, after consultation with Human Resources, may allow additional unpaid time; however, the total LOA should not exceed twelve (12) months. If extraordinary and compelling reasons exist at the end of twelve (12) months, a Department Head and employee may appeal to the County Administrator for an extension. An extension cannot be granted without the approval of the employee's Department Head.

Medical LOAs are granted for certain medical conditions of the employee or an immediate family member. These are addressed in the Family and Medical Leave policy, and state that which is required under federal and state laws. After consultation with Human Resources, the Department Head may allow additional leave to that which the law requires; however, those employees granted leave beyond that required by law may not be guaranteed the same job or salary upon return to work.

All military LOAs will be handled in accordance with federal and state laws.

Unless mandated by law, vacation and sick time will not be accrued while an employee is on any unpaid LOA. Furthermore, the employee is responsible for any medical insurance premiums that are owed, and will lose coverage should payments not be made.

Employees are expected to return to work as scheduled at the end of their LOA. Failure to return on the designated date may result in termination unless the Department Head has approved an extension.

5.09

Under the Family and Medical Leave Act

In compliance with Federal Laws concerning the Family Medical Leave Act (FMLA), Adams County Government provides covered employees with up to twelve (12) weeks of unpaid job-protected leave within any twelve month period of taking FMLA leave (“rolling period”) for certain family and medical reasons. Once available sick or vacation time has been used in accordance with this policy, the balance of any remaining leave will be unpaid. Employees are eligible for FMLA leave if they have worked for the County for at least twelve (12) months. It is not required that the (12) twelve months be consecutive. The employee must also have worked at least one thousand two hundred fifty (1250) hours in the twelve (12) month period immediately preceding the application for leave.

The following list indicates reasons for leave covered under FMLA:

1. Birth of a child or the placement of a child for adoption or foster care.
2. A serious health condition of the employee, or the care of a child, spouse or parent who has a serious health condition. A serious health condition is an illness, injury, impairment or physical or mental condition requiring inpatient care or continuing medical treatment by a health care provider. To qualify as serious, the condition must result in either an overnight stay in a medical care facility or absence from work and/or regular daily activities for more than three (3) days.
3. Any work-related injury that results in an employee having to miss work, if such an injury or illness meets the criteria stated above for a serious health condition.
4. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

In addition, eligible employees may take up to 26 work weeks of leave in a single twelve month period to care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember (referred to as military caregiver leave). An eligible employee is limited to a combined total twenty-six workweeks for any FMLA qualifying reason during the single 12-month period. Any other qualifying reason allowable by law.

Benefits provided by the County Employee Benefit Plan will be administered in accordance with federal law. If you were a Covered Employee prior to the commencement of the leave period, your coverage will stay in effect during the FMLA leave period under the same conditions as if you were not on leave. If the County currently pays your health insurance premiums, the County will continue to do so during your unpaid leave. Any payment for family or dependent coverage that is ordinarily paid by you will continue to be paid by you. Failure to make such payments will result in a loss of coverage; however, once the leave is concluded, coverage may be reinstated if the employee requests coverage in writing within thirty-one (31) calendar days of his/her return to work, and pays the required premium. Any waiting periods, deductibles or plan maximums partially or totally satisfied prior to the leave will be continued or reinstated when the County is informed of your return from FMLA leave.

During periods of unpaid leave, an employee will not accrue additional seniority or other such employment benefits, unless required by federal or state law. Though such leave is not considered a “break in service”, periods of unpaid leave may affect the vesting requirements under the Public Employees’ Retirement System of Mississippi (PERS). Employees may contact PERS or the Human Resources Department for more information. During the periods of leave, an employee may take any vacation or sick leave available for compensation at the employee's sole discretion. Additionally, during the FMLA period, an employee may receive donated leave time pursuant to the County's donated policy. The employee may not receive donated leave after the FMLA period has expired.

The right to a leave under this policy shall apply equally to male and female employees who meet the eligibility requirements. Employees requesting medical leave for their own medical condition, or the serious health condition of a parent, child or spouse, must use the balance of any available sick leave accrued prior to the commencement of unpaid leave. Paid sick leave will run concurrently with FMLA leave until paid leave is exhausted, at which point any remaining FMLA leave will be unpaid. The employee may also use vacation leave if he/she so desires, but shall not be required to do so.

The employee must give thirty (30) days advance notice to his/her Department Head of the need for leave, where the need is foreseeable. Emergency conditions and unforeseen events, such as a sudden serious health condition or a premature birth, do not require such notice. Under such circumstances, the employee must give notice within forty-eight (48) hours of knowledge that the leave will be necessary, except in extraordinary circumstances to be determined by the employee’s Department Head.

The County has the right to verify an employee’s request for family/medical leave. If the employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the County requires that the request be supported by certification supplied by the health care provider responsible for the treatment of the serious health condition on a form prescribed by the County. The certification must include the date the serious health condition began, how long the condition is expected to continue and what medical facts form the basis for these findings. If leave is taken for the serious health condition of a family member, the certification must also include a statement that the individual needs the care of the employee, and, if applicable, an estimate of the amount of time the employee is needed to care for the family member.

If the Department Head has reason to doubt the certification, the County may require a second opinion be acquired from a provider of the County’s choice at the County’s expense. That provider may not be employed by the County on a regular basis. Should that provider find that a serious health condition as defined by the law does not exist, a third provider may be selected to resolve the conflict. The decision of this provider shall be final and binding. To the extent allowed by law, the medical certification will be treated as confidential and privileged information.

The employee is required to report in periodically to his/her Department Head while on FMLA leave. The employee shall report in weekly, or, if the employee is suffering from a serious health condition, as frequently as is possible given the employee’s condition. The employee is expected to indicate whether he or she intends to return to work.

Leave taken under this policy can be taken intermittently, or on a reduced leave schedule when certified to be medically necessary. Intermittent or reduced leave schedules for routine care of a new child may be taken only with your Department Head’s approval, on a schedule mutually agreed upon by you and your Department Head.

Ordinarily, you are entitled to be returned to your original position or an equivalent position

when you return from Family and Medical Leave. However, if you are a key, salaried employee in the top ten percent (10%) of paid employees, the County may not be able to hold your job for you. In these circumstances, the County must show that the denial is necessary to prevent substantial and grievous economic injury to the operations of the County. The County must also notify you that it will not be able to hold your original position at the time it is determined, and must give you the option to return to work within a reasonable period of time after receiving this notice.

County's Responsibilities:

Once the County becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the County must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the County must provide a reason for ineligibility.

County must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Enforcement:

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against the County.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights

5.10

MILITARY LEAVE

Military Leave with pay shall be approved immediately upon submission by the employee to his/her Department Head of an authentic Military Order showing the date, time and place to appear.

Pay for time served on Military Leave shall be made at the employee's regular rate of pay for the length of time required by applicable State and Federal laws. Upon return to work, the employee will be required to present proof of military service including dates of service. The County complies with applicable federal and state laws regarding the employment and re-employment rights related to military service.

5.11

LEAVE TRANSFER BETWEEN DEPARTMENTS

Any regular full time employee of any agency, office, or department of the County (covered by this Personnel Policy) who transfers to another office or department of the County without a break in service shall have all vacation and sick leave transferred to the new department. Absent an agreement by both Department Heads, any outstanding compensatory time for back overtime or unused holidays will be paid by the department from which the employee is transferring.

5.12

RECORDING LEAVE TIME

Supervisors are required to record employee hours on the forms provided for this purpose. The forms should be completed for non-exempt employees and sent to the Human Resources Department on a regular basis as specified by the Director of the Human Resources Department. Both exempt and non-exempt employees should record all vacation and leave time on the provided forms and should verify and sign such forms. Employees should be sure that their actual hours worked and all leave time taken is recorded accurately. It is the responsibility of the supervisor to ensure that all leave time is recorded accurately. Falsifying these records is a crime.

5.13

OVERTIME

For the purpose of this policy manual, one day of work is considered an eight (8) hour day and one week of work is considered a forty (40) hour week.⁶ Each employee will be given a minimum of thirty (30) minutes of non-paid time for meal breaks whenever he/she is scheduled for six (6) or more hours in a work day. At the discretion of the department head, paid rest breaks may also be scheduled during the work day. The eight (8) hour day and forty (40) hour week will be used for determining overtime pay rates as well as the accrual and usage of sick and vacation pay.

In accordance with federal wage and hour laws, non-exempt employees are eligible for overtime compensation for all hours worked over forty (40) in a workweek. Certain executive, professional and administrative employees are considered to be exempt under federal wage and hour laws and are therefore not eligible for overtime compensation.

Non-exempt employees shall be paid overtime or given compensatory time for all hours worked over forty (40) during the applicable work week. Only hours actually worked will be considered in calculating overtime and compensatory time. The amount of payment for each hour of overtime is calculated by multiplying the hourly rate of pay by 1.5. No employee shall work any hours in excess of forty (40) per week without the prior consent of the employee's supervisor.

A Department Head may elect to compensate employees compensatory time in lieu of overtime pay. Such compensatory time shall be earned at a rate of one and one-half (1.5) hours for each hour worked over forty (40) hours in a week. The amount of compensatory time earned is determined by multiplying all time worked over forty (40) hours in a pay week by 1.5. With the exception of law enforcement and public safety employees, no employee may accrue more than two hundred forty hours (240) hours of compensatory time. Law enforcement and public safety employees may accrue up to four hundred eighty (480) hours of comp time. The use of compensatory time is subject to approval by the Department Head. Such approval will not be denied unless undue disruption to the office or department will occur.

Exempt employees shall only be paid overtime, only if the county has declared an emergency pursuant to Miss Code Ann § 33-15-17(d) and said employee has worked over forty (40) hours during the applicable work week. The amount of

payment for each hour of overtime is calculated the same as the non-exempt employees.

¹ With the exception of the Adams County Road Department where one (1) day of work is considered a ten (10) hour day; however, one (1) week of work is considered a forty (40) hour week. The standard for this Department shall be four (4) ten (10) hour days and a forty (40) hour workweek for the policies on Overtime, Holidays, Sick Time, and Vacations.

6.01

GROUP INSURANCE

County employees who are classified as regular full time employees may choose to enroll in the County's group life and health insurance plan in effect at the time of employment. The County will pay one hundred percent (100%) of the premium for life insurance and hospitalization for the employee only. In order to be eligible for the group life and health insurance, the employee must be considered full-time as defined in the Employee Classifications policy.

Employees should contact the Benefits Department for more information on the insurance plans, eligibility requirements and enrollment procedures.

6.02

SOCIAL SECURITY AND RETIREMENT PLANS

Participation in the Social Security System is mandatory for all employees in an active pay status who meet Social Security Guidelines. Payroll contributions into the Social Security System shall be shared by the County and each employee.

Employees should contact their local Social Security office for information regarding Social Security Benefits.

All employees of Adams County are covered under the Public Employees' Retirement System of Mississippi (PERS). Terms of coverage shall be governed by the PERS.

6.03

CONTINUOUS SERVICE CREDIT

Provided there is no break in employment, the time between an employee's date of hire as a regular full time employee and his/her date of termination will be considered a period of continuous service. If an employee with a break in service is rehired by the County, his/her period of continuous service starts over on the date of rehire. The period of continuous service shall be broken under the following conditions:

1. Discharge with or without cause;
2. Voluntary resignation; or
3. Changing status from regular full time employment to part time or temporary employment.

The Department Heads shall be responsible for determining the continuous service credit of an employee on the basis of information contained in the employees official personnel file.

6.04

WORKER'S COMPENSATION

Any employee sustaining an injury or illness in the course of his/her employment should notify his/her supervisor immediately. If the injury or illness is determined to be compensable under the Worker's Compensation Law, the employee will be placed on worker's compensation leave. This leave shall not be counted against accrued sick leave. A separate policy and procedure guide is available to all employees and will list the panel of physicians as well as the accepted procedure to be used in triage, non-emergency and emergency care. Employees must comply with the procedures for reporting the injury and selection of physicians as set forth in the Worker's Compensation Guide available through the Human Resources Department in order to be entitled to Worker's Compensation benefits.

If an employee is receiving worker's compensation through the Adams County Worker's Compensation Trust insurance plan, the employee may use medical or vacation time that they have accrued, and the County shall pay the difference between the employee's full salary and the compensation amount paid by said insurance only. The employee's leave that is applied will be proportionate to the payments made by worker's compensation and the county wages.

ACKNOWLEDGMENT OF RECEIPT AND REVIEW OF ADAMS COUNTY PERSONNEL POLICIES

By signing this form, I acknowledge that I have received a copy of the Personnel Policies currently in effect for my department as of this date, including policies on **Discrimination, Harassment, Family Medical Leave, Overtime, and Policy/Rule Violation or Misconduct**. I understand that it is my responsibility to read and comply with these and all of the policies contained in this manual.

I further acknowledge that within these policies, I have received the **Use of County Equipment and Technology** and **Password Security** policies governing the use of the County's computer and telecommunications equipment and services. I understand that I have no expectation of privacy when I use any of the telecommunication equipment or services. I am aware that violations of this guideline on appropriate use of the electronic mail and Internet systems may subject me to disciplinary action, including termination from employment, legal action and criminal liability. I further understand that my use of the electronic mail and Internet may reflect on the image of Adams County to our customers, competitors and suppliers and that I have responsibility to maintain a positive representation of the County.

I also acknowledge that within these policies, I have received the **Cell Phones** policy, which contains the rules and conditions governing the use of a County issued cell phone and use of a private phone while conducting County business or during business hours while working for the County. I understand that I have no expectation of privacy when I use any of the telecommunication equipment or services. I am aware that violations of the guideline on appropriate use of a County issued cell phone or personal cell phone may subject me to disciplinary action, including termination from employment, legal action and criminal liability. I further understand that my use of a County issued cell phone or personal phone used on County business or during business hours while working for the County may reflect on the image of Adams County to our customers, competitors and suppliers, and that I have responsibility to maintain a positive representation of the County.

I understand that these policies cannot and are not intended to answer every question about my employment with Adams County, that the policies are subject to change, and that revisions may occur from time to time. I understand that all changes to the policies will be filed in the office of the Adams County Clerk. Although my employer will usually provide me with notice of changes, I understand that changes will apply to me regardless of whether I receive actual notice. I understand that revised information may supersede, modify or eliminate any or all of the policies at any time. All information contained in the policies is subject to applicable state and federal laws, rules and regulations, and I understand that to the extent that any such laws may conflict with any provision of the policies, such laws, rules and regulations will control.

I further understand that I should consult my Department Head regarding any part of the policies that I do not understand or any questions I may have about my employment with Adams County, which are not answered in these policies. The current policies will always be on file in the office of the Adams County Clerk, and I may examine them there at any time during normal business hours.

I have entered into my employment relationship with Adams County voluntarily, and I acknowledge that there is no specific length of employment and that my employment may be terminated by me or by my employer at will, without cause or prior notice, at any time.

I acknowledge that none of the County's policies may be construed to create a contract of employment or any other legal obligation, express or implied, and that any policy may be amended, revised, supplemented, rescinded or otherwise altered, in whole or in part, at any time, in the sole and absolute discretion of Adams County.

Employee Name (type or print)

Date

Employee Signature

Witness Name (type or print)

Witness Signature

Employee's Computer Account Number,
if applicable

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE