



# A SPECIAL CALLED WORKSHOP WILL BE CONDUCTED BY THE JASPER COUNTY COUNCIL.

Meeting Date: Monday, March 24, 2025, AT 10:00 A.M.

Place: Council Chambers, Jasper County Clementa C. Pinckney Government Bldg.  
358 3rd Avenue Ridgeland, SC 29936

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**JASPER COUNTY COUNCIL**  
**SPECIAL CALLED WORKSHOP**  
Jasper County Clementa C. Pinckney Government Bldg  
358 3<sup>rd</sup> Avenue Ridgeland, SC 29936  
Monday, March 24, 2025  
Agenda

**10:00AM**

- **Call to Order by Chairman Kemp**

*Clerk's Report of Compliance with the Freedom of Information Act.*

*In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting and the meeting agenda were posted at least 24 hours prior to the meeting on the County Council Building at a publicly accessible place, on the county website, and a copy of the agenda was provided to the local news media and all person's or organizations requesting notification.*

- **Pledge to the Flag and Invocation**
- **Approval of Agenda**
- **Jasper County Personnel Policy Procedures Handbook**
- **Adjourn**

***Special Accommodations Available Upon Request to Individuals with Disabilities***, please contact the Jasper County ADA & Civil Rights Coordinator, ***Tisha Williams*** in person at 358 Third Avenue, Ridgeland, South Carolina, by telephone at ***(843) 717-3690*** or via email at [\*\*\*jadministrator@jaspercountysc.gov\*\*\*](mailto:jadministrator@jaspercountysc.gov) no later than 48 hours prior to the scheduled meeting



# JASPER COUNTY HUMAN RESOURCES

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*Jasper County Clementa C. Pinckney Government Building  
358 Third Avenue – Courthouse Square – Post Office Box 150  
Ridgeland, South Carolina 29936 - 843-717-3680 – Fax: 843-726-7996*

Nicole Holt  
Human Resources Director

[nholt@jaspercountysc.gov](mailto:nholt@jaspercountysc.gov)

## JASPER COUNTY EMPLOYEE HANDBOOK UPDATE

Jasper County Administration and Human Resources have determined that it is prudent and necessary to update our Personnel Policies and Procedures Manual. It is recommended that a review be conducted periodically, and our labor attorney recommended a review be conducted at least once a year to stay compliant with employment laws, especially at the state and local levels, as they are constantly being updated and changed. It also ensures that all employees have a clear understanding of company policies and procedures, promoting a fair and organized workplace.

We consulted with a third-party labor attorney group, McAngus, Goudelock & Courie, LLC (MGC) who have reviewed and revised the manual. All recommendations were updated and they highly recommended to rename the policy manual “EMPLOYEE HANDBOOK”. The handbook includes changes, improvements, and additions to some of our policies. Some of the additions include:

- Blogging and Social Media Policy (pp. 38)
- Pregnancy Accommodations Policy (pp.13-14) based on South Carolina Pregnancy Accommodations Act enacted on May 2018, which also includes necessary language for The Pregnant Workers Fairness Act, which went into effect on June 18, 2024
- Diversity, Equity & Inclusion Policy (pp.46-47)

The attached Employee Handbook final draft is now ready for adoption as required by Jasper County Council. Our attorneys recommend the Council adopt the handbook by resolution, so that periodic changes can be more readily adopted. Upon approval, this new Employee Handbook shall go into effect on July 1, 2025, to coincide with the start of the new fiscal year.

Respectfully,

*Nicole Holt*

Nicole Holt, PSHRA-CP  
Human Resources Director

*An Equal Opportunity Employer*



# JASPER COUNTY EMPLOYEE HANDBOOK

EFFECTIVE DATE: JULY 1, 2025  
IN ACCORDANCE WITH S. C. CODE § 41-1-110, THIS DOCUMENT IS NOT AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT.

THIS EMPLOYEE HANDBOOK DESCRIBES IMPORTANT INFORMATION ABOUT JASPER COUNTY, AND I UNDERSTAND THAT I SHOULD CONSULT HUMAN RESOURCES REGARDING ANY QUESTIONS NOT ANSWERED IN THE HANDBOOK. I HAVE ENTERED INTO MY EMPLOYMENT RELATIONSHIP WITH JASPER COUNTY VOLUNTARILY AND ACKNOWLEDGED THAT THERE IS NO SPECIFIED LENGTH OF EMPLOYMENT. ACCORDINGLY, EITHER I OR JASPER COUNTY CAN TERMINATE THE RELATIONSHIP AT WILL, WITH OR WITHOUT CAUSE, AT ANY TIME, SO LONG AS THERE IS NOT VIOLATION OF APPLICABLE FEDERAL OR STATE LAW.

I UNDERSTAND AND AGREE THAT NO MANAGER, SUPERVISOR, OR REPRESENTATIVE OF JASPER COUNTY HAS ANY AUTHORITY TO ENTER INTO ANY AGREEMENT FOR EMPLOYMENT OTHER THAN AT WILL. ONLY THE COUNTY ADMINISTRATOR HAS THE AUTHORITY TO MAKE ANY SUCH AGREEMENT AND THEN ONLY IN WRITING SIGNED BY THE COUNTY ADMINISTRATOR OF JASPER COUNTY.

THIS MANUAL AND THE POLICIES AND PROCEDURES CONTAINED HEREIN SUPERSEDE ANY AND ALL PRIOR PRACTICES, ORAL OR WRITTEN REPRESENTATIONS, OR STATEMENTS REGARDING THE TERMS AND CONDITIONS OF YOUR EMPLOYMENT WITH JASPER COUNTY. BY DISTRIBUTING THIS HANDBOOK, JASPER COUNTY EXPRESSLY REVOKES ANY AND ALL PREVIOUS POLICIES AND PROCEDURES THAT ARE INCONSISTENT WITH THOSE CONTAINED HEREIN.

I UNDERSTAND THAT, EXCEPT FOR EMPLOYMENT AT-WILL STATUS, ANY AND ALL POLICIES AND PRACTICES MAY BE CHANGED AT ANY TIME BY JASPER COUNTY, AND THE COUNTY RESERVES THE RIGHT TO CHANGE MY HOURS, WAGES, AND WORKING CONDITIONS AT ANY TIME. ALL SUCH CHANGES WILL BE COMMUNICATED THROUGH OFFICIAL NOTICES, AND I UNDERSTAND THAT REVISED INFORMATION MAY SUPERSEDE, MODIFY, OR ELIMINATE EXISTING POLICIES.

I UNDERSTAND AND AGREE THAT NOTHING IN THE EMPLOYEE HANDBOOK CREATES, OR IS INTENDED TO CREATE, A PROMISE OR REPRESENTATION OF CONTINUED EMPLOYMENT AND THAT EMPLOYMENT AT JASPER COUNTY IS EMPLOYMENT AT WILL, WHICH MAY BE TERMINATED AT THE WILL OF EITHER JASPER COUNTY OR MYSELF. FURTHERMORE, I ACKNOWLEDGE THAT THIS HANDBOOK IS NEITHER A CONTRACT OF EMPLOYMENT NOR A LEGAL DOCUMENT. I UNDERSTAND AND AGREE THAT EMPLOYMENT AND COMPENSATION MAY BE TERMINATED WITH OR WITHOUT CAUSE AND WITH OR WITHOUT NOTICE AT ANY TIME BY JASPER COUNTY OR MYSELF.

I HAVE RECEIVED THE HANDBOOK, AND I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND COMPLY WITH THE POLICIES CONTAINED IN THIS HANDBOOK AND ANY REVISIONS MADE TO IT.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Printed Name

Date \_\_\_\_\_

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## **1. INTRODUCTION**

To The Employees of Jasper County:

As an employee of Jasper County, you work for a very important group of people -- the citizens of our County. Through your employment with Jasper County, you play a part in providing essential services to the public. These services are important to the existence and improvement of our County and the provision of these services is critical to the quality of life in Jasper County. For these reasons, it is important that you take your job seriously and perform your duties to the very best of your ability. Attitude is the most important part of your job. Your attitude toward the public should be one of courtesy, efficiency, and willingness to serve. Your attitude toward co-workers and supervisors should be one of cooperation, responsibility, and fairness.

You should also realize as a public employee that all your actions both on and off the job reflect directly on Jasper County. Keep in mind that as a public employee, paid with public funds and using public equipment, you are in the public eye. It is essential that your actions be beyond reproach and in the best interest of the County that you serve. It is the objective of the County Council to maintain a staff of efficient and well-trained employees who are aware of their responsibilities and who are interested in serving the needs of the citizens of Jasper County.

The Employee Handbook of Jasper County is designed to acquaint you and to provide you with information about working conditions, employee benefits and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the Personnel Manual. It describes many of your responsibilities as an employee and outlines the programs developed by the County Council to benefit employees.

### **1.A JASPER COUNTY GOVERNMENT**

Jasper County operates under the Council-Administrator form of government as set forth by state law.

The Council is elected at-large, and the five (5) Council members are elected by districts for four-year staggered terms. The Council determines all County policies, adopts ordinances, and appoints the County Administrator.

### **1.B AUTHORITY AND RESPONSIBILITY OF THE COUNTY ADMINISTRATOR**

The County Administrator is appointed by the County Council and serves at the pleasure of the Council. The County Administrator serves as the administrative head of the County Government and is responsible for the administration of all departments of the County. The County Administrator executes the policies, directives, and legislative actions promulgated by the County Council and supervises the expenditure of appropriated funds.

The County Administrator may delegate any such authority to subordinate personnel as he or she deems necessary. In the absence of the County Administrator, the designated Acting Administrator will carry out the duties set forth herein.

### **1.C AUTHORITY AND RESPONSIBILITY OF THE HUMAN RESOURCES DIRECTOR**

The Human Resources Director is hired by the County Administrator for Administrative Services. The Human Resources Director is responsible for the direct supervision of the Jasper County personnel and interpretation and enforcement of this Employee Handbook.

### **1.D EMPLOYEES SUBJECT TO THESE POLICIES**

These policies are applicable to all regular full-time, regular part-time, and temporary employees of the County, except as otherwise provided by law.

### **1.E DEPARTMENTAL POLICIES**

Departmental policies may be established by the Department Heads. In cases of conflict, this Employee Handbook will prevail.

### **1.F CONFLICT POLICY**

These policies and procedures supplement and supersede all previous rules and regulations, policies, practices, and procedures, etc. All conflicting rules, regulations, and directives are hereby repealed.

### **1.G ADMINISTRATION OF EMPLOYEE HANDBOOK**

The County Council, by official action, establishes the Jasper County Employee Handbook. Personnel matters relating to the County Administrator, County Attorney, Registrar of Deeds and Clerk to Council will be addressed by the County Council.

### **1.H EQUAL EMPLOYMENT OPPORTUNITY**

Jasper County is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to effectuate these principles and mandates. Jasper County prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law. Jasper County conforms to the spirit as well as to the letter of all applicable laws and regulations.

#### **Scope**

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between Jasper County and its employees, including:

- Recruitment
- Employment
- Promotion

- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Jasper County.

### **Dissemination and Implementation of Policy**

Jasper County Council will be responsible for the dissemination of this policy. Directors, managers, and supervisors are responsible for implementing equal employment practices within each department. The HR department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

### **Procedures**

Jasper County administers our EEO policy fairly and consistently by:

- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees.
- Advertising for job openings with the statement “We are an equal opportunity employer, and all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law.”
- Posting all required job openings with the appropriate state agencies.
- Forbidding retaliation against any individual who files a charge of discrimination, opposes a practice believed to be unlawful discrimination, reports harassment, or assists, testifies, or participates in an EEO agency proceeding.
- Requires employees to report to a member of management, an HR representative, or the county attorney any apparent discrimination or harassment. The report should be made within 48 hours of the incident.
- Promptly notifies HR or the county attorney of all incidents or reports of discrimination or harassment and takes other appropriate measures to resolve the situation.

### **Harassment**

Harassment is a form of unlawful discrimination and violates county policy. Prohibited sexual harassment, for example, is defined as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment also includes unwelcome conduct that is based on race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law. Harassment becomes unlawful where:

- Enduring the offensive conduct becomes a condition of continued employment, or;
- The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Jasper County encourages employees to report all incidents of harassment to a member of management or the HR department. Jasper County will protect the confidentiality of harassment allegations to the extent possible. Jasper County cannot guarantee complete confidentiality since we cannot conduct an effective investigation without revealing certain information to the alleged harasser and potential witnesses. However, information about the allegation of harassment will only be shared with those who need to know about it. Records relating to harassment complaints will be kept confidential on the same basis. Jasper County conducts harassment prevention training for all employees and maintains and enforces a separate policy on harassment prevention, complaint procedures and penalties for violations in the Human Resources department. Jasper County investigates all complaints of harassment promptly and fairly, and, when appropriate, takes immediate corrective action to stop the harassment and prevent it from recurring.

### **Remedies**

Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. Jasper County will promptly, thoroughly, and fairly investigate every issue that is brought to its attention in this area and will take disciplinary action, when appropriate, up to and including termination of employment.

### **1.I DISABILITY ACCOMMODATIONS**

The County is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA). The County does not discriminate against a qualified employee or applicant regarding any terms or conditions of employment because of such individual's disability or perceived disability, so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the County will provide a reasonable accommodation to a qualified individual with a disability, as defined by the ADA, who has made the County aware of his or her disability, provided such accommodation does not constitute an undue hardship or pose a direct threat of substantial harm to the health or safety of the applicant, employee, or others. If an applicant or employee is disabled and believes he or she needs a reasonable accommodation to apply for employment or to perform the essential functions of his or her job, he/she should contact Human Resources or a member of management and specifically request a reasonable accommodation.

### **1.J PREGNANCY ACCOMMODATIONS**

Pursuant to the South Carolina Pregnancy Accommodations Act (PAA), employees have a right to be free from discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions, including, without limitation, lactation. Additionally,



employers covered by the PAA must make reasonable accommodations for pregnancy and related medical conditions, including, without limitation, lactation.

If you are a pregnant employee and believe you need a reasonable accommodation in order to perform your essential job functions, you should contact Human Resources or a member of management and request such an accommodation. Reasonable accommodations are specific to each individual's facts and needs.

An employer may not take an adverse action (e.g., demotion, termination, etc.) against an employee for requesting or using a reasonable accommodation under PAA. If you believe that your rights under PAA have been violated, or you have concerns about how your situation has been handled, please immediately contact Human Resources or a member of management.

## **1.K ANTI-HARASSMENT POLICY**

### **Policy**

It is the objective of Jasper County to create and maintain a work environment in which people are treated with dignity, decency, and respect. The work environment should be characterized by mutual trust and the absence of intimidation, oppression, and exploitation. Jasper County will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, Jasper County will seek to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

Managers and supervisors who knowingly allow or tolerate discrimination, harassment, or retaliation, including the failure to immediately report such misconduct to human resources (HR), are in violation of this policy and subject to discipline.

### **Prohibited Conduct Under This Policy**

Jasper County, in compliance with all applicable federal, state, and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

### **Discrimination**

It is a violation of Jasper County's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race (including hairstyle/texture), color, national origin, age, religion, disability status, sex, sexual orientation, gender identity or expression, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state, and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1967 and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

### **Harassment**

Jasper County prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate, or coerce an employee, co-worker, or any person working for or on behalf of Jasper County.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, age, sex, sexual orientation, pregnancy, appearance, disability, gender identity or expression, marital status, or other protected status, including epithets, slurs, and negative stereotyping.
- Nonverbal harassment includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion, or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status.

### **Sexual harassment**

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under Jasper County's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature ... when ... submission to or rejection of such conduct is used as the basis for employment decisions ... or such conduct has the purpose or effect of ... creating an intimidating, hostile or offensive working environment."

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

### **Consensual Romantic or Sexual Relationships**

Jasper county strongly discourages romantic or sexual relationships between a manager or other supervisory employee and an employee who reports directly or indirectly to that person, because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion, or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department or other actions may be taken.

If any employee of Jasper County enters into a consensual relationship that is romantic or sexual in nature with an employee who reports directly or indirectly to that employee, or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the HR Director or other appropriate supervisor. Because of potential issues regarding quid pro quo harassment, Jasper County has made reporting mandatory. This requirement does not apply to employees who do not work in the same department or to parties where neither one supervises or otherwise manages responsibilities over the other.

Once the relationship is made known to Jasper County, the county will review the situation with Human Resources in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not

chosen for the position to which he or she applied, the Human Resources Director and County Administrator will decide which party will be moved. That decision will be based on which move will be least disruptive to the organization as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

### **Retaliation**

No hardship, loss, benefit, or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

Any person who is found to have violated this aspect of the policy will be subject to discipline up to and including termination of employment.

### **Confidentiality**

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the HR Director will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the HR department.

### **Complaint procedure**

Jasper County has established the following procedure for lodging a complaint of harassment, discrimination, or retaliation. The company will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The HR Director may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the HR Director will dictate the verbal complaint.
2. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the HR Director will notify senior management and review the complaint with the county attorney and/or the county's legal counsel.
3. The HR Director will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. If necessary, the complainant and the respondent will be separated during the course of the investigation, either through internal transfer or administrative leave.
5. During the investigation, the HR Director, together with legal counsel or other management employees, will interview the complainant, the respondent, and any witnesses to determine whether the alleged conduct occurred.
6. Upon conclusion of an investigation, the HR Director or other person conducting the investigation will submit a written report of his or her findings to the County Administrator

and County Attorney. If it is determined that a violation of this policy has occurred, the HR Director will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:

- a) the severity, frequency, and pervasiveness of the conduct;
- b) prior complaints made by the complainant;
- c) prior complaints made against the respondent; and
- d) the quality of the evidence (e.g., firsthand knowledge, credible corroboration).

If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the HR Director may recommend appropriate preventive action.

7. The County Administrator and/or County Attorney will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the HR Director and other management staff as appropriate, and decide what action, if any, will be taken.
8. Once a final decision is made by the County Administrator, County Attorney and the HR Director, the HR Director will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

### **Alternative Legal Remedies**

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state, or federal agencies or the courts.

## **2. DRUG-FREE, ALCOHOL-FREE WORKPLACE**

The use of illegal drugs and similar substances is a serious threat to our nation's collective health, safety, and welfare. Drug and alcohol use in the workplace is dangerous because it often leads to physical impairment, loss of judgment, safety violations, and the risk of injury or death. In order to prevent these consequences of drug and alcohol use, the County Council endorses a Drug-Free, Alcohol-Free Workplace policy to help ensure the health, safety, and welfare of County employees and the public.

In accordance with the requirements of the Federal Drug-Free Workplace Act of 1988, Jasper County's policy is as follows:

- Employees are expected and required to report to work free from the effects of drugs or alcohol. It is our intent and obligation to provide a drug-free, alcohol-free, healthful, safe, and secure work environment.
- The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on County premises or while conducting County business off County premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
- Employees needing help in dealing with drug or alcohol dependency are encouraged to use State and County services provided by the Commission on Alcohol and Drug Abuse, the State Alcohol and Drug Abuse Council, and the related group health organizations, as appropriate.

Employees must, as a condition of employment, abide by the terms of the above policy and report any convictions or guilty pleas under a criminal drug or alcohol statute for violations occurring on or off County premises. A report of a conviction or guilty plea must be made to the Human Resources Director within five (5) days after the conviction or guilty plea.

## **2.A EMPLOYEE TESTING POLICY**

It is well-recognized that substance abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the County Council to comply with the Drug Free Workplace Act, to comply with applicable state and federal regulations, to establish and maintain drug-free, alcohol-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of controlled substances on or off the job.

For these reasons, the County adopts the following policy:

## **2.B GENERAL RULE**

- A. All employees of the County are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs that are not prescribed for the employee's own use. This prohibition applies to use at any time, both on the job and off the job. County employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.
- B. All employees of the County are prohibited from using or possessing alcoholic beverages on the County premises or time. (The term "the County premises or time" includes: the County's vehicles and private vehicles on the County premises; parking lots and recreation areas.
- C. Furthermore, all employees of the County are prohibited from reporting to or being at work while under the influence of alcohol. (An employee is considered to be "under the influence of alcohol" if he or she has any detectable amount of alcohol in his or her system.)

## **2.C APPLICANTS FOR EMPLOYMENT**

Applicants tentatively selected for employment are subject to a pre-employment drug test. The County does not hire applicants tentatively selected for employment who refuse to submit to a drug test or who test positive for use of illegal or unauthorized substances.

## 2.D CURRENT EMPLOYEES

- A. All County employees are subject to alcohol and/or drug testing where “particularized suspicion” of alcohol and/or drug use in violation of this policy exists or under other lawful conditions.
- B. Particularized suspicion of drug use in violation of this policy is deemed to exist when:
1. Information that an employee has used illegal drugs or substances in violation of this policy is provided by an informant deemed reliable by the County;
  2. An incident or accident occurs in which the employee is involved and that causes injury to the employee, a co-worker, or a third party, or that results in property damage. **NOTE:** Post accident testing for employees required by their jobs to hold a commercial driver’s license (CDL) will be done in accordance with Department of Transportation (DOT) regulations;
  3. An employee exhibits any of the following:
    - a) extreme mood swings;
    - b) slurred speech;
    - c) unusual clumsiness;
    - d) staggering;
    - e) dilation of pupils;
    - f) sleeping on the job or lethargy;
    - g) excessive unexplained sweating; or
    - h) unusual irritability or jittery;
    - i) other aberrational behavior, such as but not limited to, excessive
      1. absenteeism or tardiness, significant deterioration in job
      2. performance, repeated errors or rules violations, etc.
    - j) An employee has admitted violation of the County’s drug policy;
    - k) An employee has been arrested for violation of drug laws; and/or
    - l) An employee has tested positive for drugs in violation of this policy within the past five (5) years.
- C. Particularized suspicion of alcohol use in violation of this policy is deemed to exist when:

1. Information that an employee has used or possessed alcohol in violation of this policy is provided by an informant deemed reliable by the County;
  2. An incident or accident occurs in which the employee is involved and that causes injury to the employee, a co-worker, or a third party, or that results in property damage. **NOTE:** Post accident testing for employees required by their jobs to hold a CDL license will be done in accordance with DOT regulations;
  3. An employee exhibits behavior consistent with alcohol use, such as, but not limited to:
    - a. erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
    - b. the apparent odor of an alcoholic beverage on an employee's breath; and/or
    - c. other aberrational behavior, such as but not limited to, excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
  4. An employee has admitted violating the County's alcohol policy; and/or
  5. An employee has tested positive for alcohol in violation of this policy within the past five (5) years.
- D. Particularized suspicion testing for drugs or alcohol is to be approved by the County Administrator or his/her designee. Particularized suspicion testing of employees of elected or appointed officials is to be approved by the elected or appointed official or his/her designee.
- E. Employees may be tested for the use of controlled substances as part of any "fitness for duty" physical examination mandated by federal/state law or by the County.
- F. Random testing for illegal or unauthorized drug use will be conducted for all employees whose positions are designated by the County as safety sensitive. In addition, employees whose jobs require them to possess a CDL license will be randomly tested in accordance with DOT regulations.
- G. Employees who refuse to submit to an alcohol and/or drug test when ordered to do so or who adulterate or substitute test samples (or attempt to do so) may be subject to disciplinary action, up to and including discharge.
- H. Employees who are taking prescription drugs or over-the-counter medications that they are advised or believe can adversely affect job performance or safety are required to notify their supervisor or Human Resources that they are taking such medication, and any concerns related to performance or safety before reporting to work so that appropriate measures can be taken.



## 2.E TESTING PROCEDURE

### A. Drug Testing

1. Drug testing is by urinalysis or any other legally recognized drug or alcohol test.
2. The collection of samples is performed under reasonable and sanitary conditions.
3. Urine is normally collected under conditions of semi-privacy -- that is, a person of the same gender is in a position to observe obvious attempts to substitute or adulterate a urine sample. However, the collection of the urine sample may be directly observed by a person of the same gender when the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule or previous results show sample was dilute.
4. Urine samples are sealed, labeled, and documented in accordance with laboratory procedures. Labeling, storage, and transportation of samples is performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.
5. Specimens are checked for at least the following six drugs:
  - a. marijuana;
  - b. cocaine;
  - c. opiates;
  - d. amphetamines;
  - e. phencyclidine; and
  - f. barbiturates.

**NOTE:** Tests of CDL employees conducted pursuant to DOT regulations will test only for substances mandated by DOT regulations.

6. Applicants and employees are given an opportunity to provide any information that they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.
7. Samples that initially result in a positive finding for drug use are re-tested by the gas chromatography/mass spectrometry (GCMS) or an equivalent method at County expense. If the confirmatory test results in a positive finding of drug use and is verified by the Medical Review Officer, the written report of the Medical Review Officer is conclusive for all employment-related purposes.

8. The County Medical Review Officer normally allows an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the County.

B. Alcohol Testing.

1. Employees are normally afforded an opportunity to provide any information that they consider to be relevant to the test.
2. Alcohol tests may be conducted to determine if an employee has violated this policy.
3. A non-evidential screening device may be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the County, then a confirmatory test is conducted utilizing an EBT (evidential breath testing) device or blood test.
4. A confirmatory test result generated through the use of an EBT or Blood Alcohol Testing that indicates a presence of alcohol in violation of this policy is conclusive for purposes of this policy.

## **2.F NOTICE TO EMPLOYEES**

The County makes every effort to distribute to all employees a copy of this policy. Additional copies of this policy are available in Human Resources. Under federal and state Drug Free Work Place laws, the County is required to give employees notice that by continuing to work, the employees agree to abide by the policy as a condition of employment.

## **2.G NOTICE TO EMPLOYER, STATE AND FEDERAL GRANTOR/CONTRACTING AGENCIES, AND LAW ENFORCEMENT AUTHORITIES**

- A. As a condition of employment, employees are required to notify the County within five (5) calendar days after any criminal conviction for the manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. The County will notify all state and federal grantors/contracting agencies of such employee convictions as required by the state and federal Drug Free Workplace Act. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.
- B. The County will notify law enforcement authorities whenever illegal drugs are found in the workplace.

## **2.H CONSEQUENCES OF VIOLATING THIS POLICY**

Employees who violate this policy are subject to disciplinary action, up to and including discharge and possible criminal charges. Substitution or adulteration of a test sample, or any attempt to do so, is deemed a violation of this policy.

- A. Probationary employees who violate this policy are subject to immediate termination of employment.
- B. All other employees are subject to disciplinary action, up to and including termination of employment when found in violation of this policy.
- C. The County, in lieu of terminating an employee, may in its discretion, condition the continued or future employment of an employee who tests positive for, or admits to the use of, illegal drugs or alcohol in violation of this policy, upon the successful completion of a drug and/or alcohol counseling/rehabilitation program. CDL employees found in violation of DOT drug and alcohol regulations and who are not terminated from employment will be required to complete the evaluation, referral, and education/treatment process required by DOT regulations before being allowed to return to work in a DOT regulated position.
- D. If the County agrees to allow an employee who is found to be in violation of this policy to continue as an employee, the employee's continued employment is subject to the following:
  - 1. Referral of the employee for drug and/or alcohol abuse counseling;
  - 2. Retesting the employee for alcohol and/or controlled substances before allowing the employee to return to duty;
  - 3. Requiring the employee to authorize other counseling facility to report periodically to the County during the course of treatment/counseling;
  - 4. Placing the employee on probation for at least six (6) months following the employee's return to duty;
  - 5. Requiring the employee to submit to unannounced follow-up drug and/or alcohol testing for a period of up to five (5) years;
  - 6. An employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program and who refuses or fails to participate in a single counseling or treatment session is in violation of this policy and subject to disciplinary action, up to and including immediate termination;
  - 7. Costs of the alcohol and/or drug treatment or counseling program that are not covered by health insurance are the responsibility of the employee; and
  - 8. An employee whose return to duty test sample does not indicate that the employee has discontinued use of illegal drugs, or that indicates the employee is under the influence of alcohol (as defined in this policy), is in violation of this policy and subject to disciplinary action, up to and including immediate termination.

**NOTE:** Employees of elected and appointed officials who are not appointed by the authority of County Council are subject to discipline and dismissal at the discretion of, and in accordance with any rules and/or practices of the elected or appointed official for whom they work.

## **2.I COMING FORWARD WITH SUBSTANCE ABUSE PROBLEMS**

- A. All employees who have alcohol and/or substance abuse problems and report them to the County before being selected for testing, and before the occurrence of an event that normally would result in testing, may at the County's sole discretion be allowed to be subject to this policy in lieu of or in addition to discipline.
- B. An employee who admits to a violation of this policy or tests positive for drugs and/or alcohol in violation of this policy, but seeks counseling and remains an employee of the County, is subject to discharge if he or she again either admits to a violation of this policy or tests positive for drugs and/or alcohol in violation of this policy.

**NOTE:** Employees of elected and appointed officials who are not appointed by the authority of County Council are subject to discipline and dismissal at the discretion of, and in accordance with any rules and/or practices of the elected or appointed official for whom they work.

## **2.J TESTING COSTS**

The County is responsible for the costs of all drug and alcohol tests to which the County requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to this policy is solely responsible for the cost of all follow-up tests.

## **2.K NOTIFICATION OF TEST RESULTS**

- A. Applicants may be notified of the results of a pre-employment drug test, provided the applicant requests the results within sixty (60) days of being notified of the disposition of the employment application.
- B. Employees may be notified of the results, including the drug(s) discovered, of all positive drug and/or alcohol tests.

## **2.L CONFIDENTIALITY**

Any drug or alcohol test results or information supplied by employees and applicants as part of the County's alcohol and drug testing program are kept as confidential as possible, consistent with the purposes of this policy.

## **3. CONDITIONS OF EMPLOYMENT**

### **3.A NEPOTISM - HIRING OF RELATIVES**

Members of an immediate family will not be employed by the County in the same department when such employment results in one (1) member of an immediate family supervising, evaluating the performance of, or disciplining other immediate family members; where one (1) employee occupies a position of influence over an immediate family member's employment duties,

promotion, or salary; or where an immediate family member is in any other way responsible for the employment status of the other immediate family member. "Immediate family" for purposes of this policy is defined as: spouse, child(ren), parent(s), grandparent(s), grandchild(ren), brother(s), sister(s), aunt(s), uncle(s), and cousin(s) of the employee or of the spouse of the employee.

Personal relationships (such as domestic partner co-habitant or significant other) and situations not specifically addressed in this policy, which in the County's opinion, create a conflict of interest or give the appearance of a conflict of interest are treated as being within the immediate family of each other for the purposes of this nepotism policy.

Employees who are in violation of this policy on the date this policy is adopted may remain in their positions until such time the County determines that the relationship is not in the best interest of the County. If employees become related by marriage and create a situation prohibited by this policy, one of the employees may be asked to give up his position. If the employees cannot choose which of them it will be, the employee having the lower budgeted annual salary may be removed. The removed employee may be considered for other positions within the county for which they are qualified.

### **3.B JOB-RELATED INVESTIGATION**

Each employee of the County may be asked to cooperate with respect to any job-related hearing or inquiry scheduled by the Human Resources Director, County Administrator, or by anybody authorized to act on its behalf. Failure to cooperate may result in disciplinary action, up to and including termination of employment.

### **3.C POST-OFFER, PRE-EMPLOYMENT MEDICAL EXAMINATIONS/DRUG TESTING**

Post-offer, pre-employment medical examinations and/or questionnaires may be required for all applicants who have been given a conditional offer of employment. The County may require "post offer" pre-employment physical examinations and/or questionnaires for such classes of positions as determined necessary by the Human Resources Director. If a medical examination is required, the person selected for the position must submit to an examination by a physician approved in advance by the Human Resources Director. Medical examination forms must be completed by the selected physician.

The County may conduct a post-offer, pre-employment drug test for all applicants who have been given a conditional offer of employment. The County will not hire any applicant tentatively selected for employment who refuses to submit to a drug test or who tests positive for use of illegal or unauthorized substances. An applicant who is rejected under this policy may be considered for future vacancies after one year (365 days) from the date of the last drug test or refusal.

**3.D DRIVER'S LICENSE - DRIVING RECORD**  
**(CDL = Commercial Driver's License or Class "D" = Non-Commercial Driver's License)**

When a driver's license is required as a condition of employment, it will be the policy of the County that an employee must possess a valid driver's license at the time of appointment, and maintain such license during his or her employment.

When a license is not required as a condition of employment, it is the policy of the County that an employee must have a valid driver's license (Commercial or Non-Commercial) when it is necessary that the employee utilize the County's vehicles and/or equipment.

A valid license is defined as an issued license that has not expired nor has, within the past three (3) years, been revoked or suspended as a result of a moving violation. Non-moving violations will be considered on a case-by-case basis.

All new employees will furnish, at his or her expense, an up-to-date copy of his or her driving record from the South Carolina Division of Motor Vehicles or similar agency from the applicant's state of residency.

**3.E VEHICLE POLICY**

The County owned vehicles are to be used only for official County business. Official business is defined as that which is necessary for an employee to perform his or her duties and responsibilities or any additional duties and responsibilities assigned by an employee's immediate supervisor or County Administrator. Employees *must* be authorized by their immediate supervisor or the County Administrator to drive a County owned vehicle.

**General Use**

County owned vehicles will be driven only by authorized employees of the County. Employees who have been authorized to drive a County owned vehicle are not to use the vehicle for personal purposes, except as authorized by the County Council.

Employees of the County must possess and maintain a valid driver's license and must be in compliance with all applicable local, state, and federal traffic laws and regulations when operating County owned vehicles.

All operators are required to wear seat belts at all times and are required to drive safely and in a courteous manner at all times.

County vehicles are to be used for conducting business for the County only. Passengers, except other employees or authorized personnel, are prohibited from traveling in County vehicles. Authorized personnel include:

1. Others engaged in advising on, or assisting in, matters related to County services and improvements; and

2. Immediate family members being transported only while the employee is directly in route to or from work or working.

All County vehicles will display only signs, stickers, decals, or flags authorized by the County and placed in the official designated location(s) on the vehicle.

Emergency vehicles must be equipped with flashing lights, safety cones, a fire extinguisher, and first-aid kits. It is your responsibility to let your manager know if your county vehicle does not equip these items.

Employees are not to let their vehicle idle when he or she is not in it.

Travel in County vehicles outside of the service area must be approved in advance by the employee's Department Head or, in his or her absence, the County Administrator.

Since individuals are assigned specific vehicles, each operator will be held responsible for keeping vehicle(s) clean and in good repair. Daily checks of tire pressure and fluid levels are also required and failure to maintain these policies could result in disciplinary action.

### **3.F TRAVEL TO AND FROM WORK**

The use of a vehicle for travel to and from work is a privilege not to be abused. Under no circumstances is an employee to drive County owned vehicles while under the influence of intoxicants or any other controlled substance nor are intoxicants to be transported in County owned vehicles. Anyone under the influence of intoxicants or other controlled substances will not be permitted to ride in the vehicle. Stops at bars, taverns, night clubs, etc., or private homes are strictly prohibited. An occasional stop on the way home to complete brief errands is acceptable (i.e., the bank, post office, grocery store, laundry, etc.). Under no circumstances are the vehicles to be used for other personal travel except as authorized.

IRS regulations require certain employees using County vehicles for travel to and from work to pay for such use; designated on-call or emergency service duty personnel are exempt from this policy.

### **3.G VEHICLE ACCIDENTS - TRAFFIC VIOLATIONS**

In the event of an accident involving a County owned vehicle or employees receiving a travel allowance and traveling on County business in a personal vehicle, no matter how minor, the operator and all employee(s) involved, must notify his or her supervisor or the Human Resources Director immediately. The operator of the vehicle should stay at the scene of an accident until it has been properly investigated by the appropriate law enforcement agency and obtain a copy of the accident report, the names of witnesses, and insurance information of all parties involved, if possible.

Supervisor will ensure that the employee involved in the accident has reported to a designated physician or medical facility for drug testing. If test results are positive, the employee may be subject to disciplinary action, up to and including termination from employment.

Employees who are found to be "at fault" in an accident with a County vehicle are responsible for payment of the County's deductible, not to exceed \$500.

Traffic violations occurring during the operation of a County vehicle or a privately owned vehicle will not be the responsibility of the County, nor will the County be responsible for traffic accidents occurring during the use of privately owned vehicles while on County business.

### **3.H SAFETY AND ACCIDENT PREVENTION**

The goal of the County's Risk Management and Prevention Program is to reduce accidents and injuries involving County employees, equipment, and property; to realize savings by initiating and monitoring loss control procedures; and ensure that the County maintains appropriate safety and health standards. This will include implementing measures to ensure the County's compliance with the following:

1. Blood Borne Microorganism Exposure Control Plan; and
2. Hazard Communications Standard (Employee Right to Know Program).

All County employees are required to utilize safety belts, Personal Protective Equipment (if warranted), and equipment while operating any County equipment.

Although it is the responsibility of the Human Resources Director, or designee, to implement and monitor safety practices in accordance with basic safety standards, safety is the responsibility of all employees.

Accidents resulting in injury or property damage must be reported to the employee's immediate supervisor as soon as possible. The supervisor and employee must complete an accident report for any accident resulting in personal injury or property damage. The written report must be forwarded to the Human Resources Director, or designee, within three (3) working days following the date of the accident. All employees are responsible for the following:

- Exercising maximum care and good judgment at all times to prevent accidents and injuries;
- Obeying safety rules and exercising caution in all their work activities;
- Reporting to supervisor and seeking first-aid for all injuries, regardless of how minor;
- Using all safety equipment provided by the County at all times when performing tasks for which the equipment has been issued;
- Observing, conscientiously, all safety rules and regulations at all times;
- Notifying their supervisor or the Human Resources Director before reporting to work if they are advised or believe that a prescription or over-the-counter medication they are taking may adversely affect job performance or safety by causing drowsiness or other side effects that could lead to injury to them and their co-workers; and
- Reporting any unsafe conditions to their supervisor. It is important to note that ALL employees, including supervisors, are expected to correct unsafe conditions as promptly as possible.

Employees are not to wear rings while working on or around heavy equipment such as trucks, tractors, motor graders, front end loaders, etc., as well as, shop type equipment, which includes grinders, drill presses, jacks, etc. Employees who wear wedding bands are required to wear gloves when in the presence of the above described vehicles or equipment.



#### **4. CODE OF CONDUCT**

##### **4.A EMPLOYEE CONDUCT**

It is the duty of all employees to maintain high standards of conduct, cooperation, and courtesy to County customers and to the public, as well as maintain high standards for effective and efficient work for the County.

Personal work on County time and personal use of County tools, equipment, and facilities is prohibited.

When contacting customers or the public in any manner on any County business, employees will do so in a courteous manner. All employees are expected to conduct themselves in a manner that will reflect favorably upon their department and the County at all times.

Employee's work at the County is one of a confidential nature. The financial, personal, and professional affairs with which an employee is entrusted by our customers deserve strictest confidentiality.

##### **4.B DEALING WITH THE PUBLIC**

Friendly and efficient service to the public earns respect for you and for the entire County government, which you represent. For this reason, always practice good public relations by showing interest in citizens problems or requests, by your ability to give information or service a citizen wants, and through your willingness to help promptly and courteously.

##### **4.C OUTSIDE EMPLOYMENT**

County employment will be considered the employee's primary employment, and no employee may engage in outside employment that interferes with the interest of the County service, creates a conflict of interest, gives the appearance of a conflict of interest, or in any way, interfere with the working schedule of the employee.

Equipment, vehicles, property, facilities, materials, supplies, or uniforms of the County may not be used by employees for outside employment nor for travel to or from such employment unless explicitly authorized by the County Administrator. Employees sustaining injuries while engaged in outside employment are ineligible to receive benefits under the County's workers' compensation program.

Any employee engaged in outside employment must complete an Outside Employment Form from Human Resources and submit that to their Department Head. It must state where they are employed, their hours of work, and any other pertinent information. Any outside employment must be approved by their Supervisor and the Human Resources Director prior to commencement of the outside employment, and a record of such approval will be placed in the employee's personnel file.

In the event the County determines that a conflict of interest exists or that the secondary employment gives the appearance of a conflict of interest, the employee will be given the option to continue employment with the County or resign.

#### **4.D CONFLICT OF INTEREST**

The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Whether a situation creates a conflict of interest or gives the appearance of a conflict of interest is a decision made by the County Administrator, at his or her sole discretion.

A conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the County's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, as well as unrelated employees residing together or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

Employees of the County may not engage in the same or similar line of business or research as that which is conducted by the County without the previous written approval of the County Administrator. An employee may not have a financial interest in a company that is a competitor of or a supplier to the County. Financial interests held by a relative in such companies are to be disclosed to the County Administrator so that a determination can be made as to whether a conflict exists.

It is specifically prohibited for an employee to be engaged in the sale of supplies used by the County.

If an employee has any influence on transactions involving purchases, contracts or leases, it is imperative that he or she disclose to the County Administrator, as soon as possible, the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the County does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the County.

The materials, products, designs, plans, ideas, and data of the County are the property of the County and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such practice will be subject to disciplinary action up to and including termination from employment.

#### **4.E GIFTS AND GRATUITIES**

Employees may not accept gifts, gratuities, entertainment, or loans from organizations, business concerns, or individuals with whom he or she has, or may have an official relationship or with whom he or she conducts or may conduct business with or for the County. These limitations are

not intended to prohibit the acceptance of articles of negligible value that are distributed generally or to prohibit employees from accepting social courtesies that promote good public relations nor to prohibit employees from obtaining loans from lending institutions. Any employee receiving any gift or gratuity will file a report form on any such occurrence.

#### **4.F CIVIC AND POLITICAL ACTIVITIES**

Employees of the County may be subject to the provision of the Hatch Act, 5 U.S.C. §7321 ,*et seq.*

County employees are encouraged to be active and participate in local, state, and federal affairs. Employees are encouraged to exercise their rights as citizens, which include holding membership in and supporting a political party, voting independently, and participating in civic activities except where a conflict of interest may arise. As an employee of the County, employees are not permitted to:

- Utilize County time, materials, or equipment in support of a campaign;
- Utilize County time, materials, or equipment in support of voting activities;
- Hold political office during employment that would create a conflict of interest, or participate in civic organizations that would create a conflict of interest; or
- Solicit any assessments, contributions, or services for any political party or candidate from any employee in County service during working hours.

Any employee of the County who runs for any elected County office, must, upon qualifying, take a leave of absence from the County until such time as the employee is no longer qualified, or elected. If elected, the employee must resign his or her County position and will not be eligible for rehire until one (1) year following his or her last day in office.

Any employee of the County may run for any other elected office; however, the employee's position with the County is his or her first priority. The policies in the section on Outside Employment will apply in this situation.

#### **4.G RELEASE OF INFORMATION**

At all times, employees are to be courteous, friendly, and helpful to those members of the public who seek information and access to County records. No employee entrusted with, or having knowledge of, information of a confidential nature concerning either another employee or the County may release such information without the specific approval of the Human Resources Director. Employees are to courteously decline to reveal information unless release of information is a normal part of an employee's duties.

#### **4.H FREEDOM OF INFORMATION ACT**

The County adheres to the stipulations contained in the Freedom of Information Act (FOIA). All FOIA requests are to be immediately delivered by hand or by e-mail to the County Attorney's Office.

#### **4.I COMPUTER, E-MAIL, AND INTERNET**

Computers, computer equipment, electronic devices, operating systems, storage media, network accounts, internet/intranet systems, computer files, the e-mail system, telephones, and software furnished to employees are the property of Jasper County and are intended for County business only.

Access to computer systems and networks owned or operated by the County impose certain responsibilities and obligations on County employees and Officials (hereinafter termed "users") and is subject to County government policies and local, state, and federal laws.

Users may be subject to limitations on their use of the networks as determined by the appropriate supervising authority.

Use of network services or equipment devices or systems provided by the County are subject to monitoring for security, network management reasons, or for any other reason deemed necessary by the County.

Users who violate any copyright declarations are acting outside the course and scope of their employment or other authority, and the County is relieved of any legal responsibility therefore.

Users are personally responsible and liable for such infringing activities.

By participating in the use of networks and systems provided by the County, users agree to be subject to and abide by this policy for their use.

#### **Special Provisions**

Users are to:

- Use the network only for official County business and access only files and data that are their own, that are publicly available, or to which they have authorized access.
- Refrain from monopolizing systems, overloading networks with excessive data or wasting computer time, connect time, disk space, printer paper, manuals, or other resources.
- Protect their User ID and system from unauthorized use. Users are responsible for the use of their user ID. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.
- Assume responsibility for any changes associated with billable services unless appropriate authorization has been obtained.
- Report the theft, loss or unauthorized disclosure of Jasper County confidential or proprietary information to management immediately.
- All computing devices must be secured with a password-protected screensaver with the automatic activation feature set to ten (10) minutes or less.

- Lock their computer or device screens or log off entirely when the computer or device is to be left unattended.
- Use a disclaimer whenever posting from a County email address to newsgroups or other electronic forums, which states that the opinions expressed are strictly that of the employee and not of the County, unless posting is done in the course of official business duties.
- Use extreme caution when opening email attachments received from unknown senders, which may contain malware. If employees are unsure about the legitimacy of an email, they should contact the County IT Department before opening, previewing or forwarding the email.

Users may **not**:

- Use the networks for illegal, unlawful, or immoral purposes or to support or assist such purposes. Examples of this would be the transmission of violent, threatening, defrauding, obscene, discriminatory, harassing or otherwise illegal or unlawful materials.
- Use mail or messaging services to harass, intimidate, or otherwise bully another person.
- Use the networks for private, recreational, or non-public purposes including the conduct of personal and commercial transactions.
- Use the networks for commercial or partisan political purposes.
- Use the networks or other County equipment for personal gain, such as selling access to a User ID or by performing work for profit with County resources in a manner not authorized by the County.
- Use the network to disrupt network users, services, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer “worms” and viruses, and sustained high volume network traffic, which substantially hinders others in their use of the network.
- Attempt to circumvent or subvert system or network security measures.
- Intercept network traffic for any purpose unless engaged in authorized network administrative duties.
- Make or use illegal copies of copyrighted software or other mediums, store such copies on County systems, or transmit them over County networks.
- Install unauthorized programs or software on County equipment.
- Access, use or share confidential or proprietary information if not authorized as part of their job duties to do so.
- Violate the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to,

the installation or distribution of “pirated” or other software products that are not appropriately licensed for us by Jasper County Government.

- Engage in unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Jasper County Government or the end user does not have an active license is strictly prohibited.
- Access date, a server or an account for any purpose other than conducting Jasper County Government business, even if you have authorized access.
- Export software, technical information, encryption software or technology, in violation of international or regional export control laws.
- Introduce malicious programs into the network or server (e.g., viruses, worms, Trojan’s, etc.)
- Reveal an account password to others or allow use of their account by others. This includes family and other household members when work is being done at home.
- Use a Jasper County Government computing asset to actively engage in procuring or transmitting material that is in violations of the County’s harassment, discrimination or retaliation policies or applicable workplace laws.
- Make fraudulent offers or products, items, or services origination from any Jasper County Government account.
- Effect security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, “disruption” includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- Send unsolicited email messages, including the sending of “junk mail” or other advertising material to individuals who did not specifically request such material. This constitutes email spam.
- Engage in any form of harassment via email, telephone, etc., whether through language, frequency, or size of messages.
- Engage in unauthorized use, or forging, of email header information.
- Solicit email for any other email address, other than that of the poster’s account, with the intent to harass or to collect replies.
- Create or forward “chain letters”, “Ponzi” or other “pyramid” schemes of any type.

- Post the same or similar non-business related messages to large numbers of Usenet newsgroups (newsgroups spam).

#### **4.J INTERNET AND INTRANET PROVISIONS**

##### **Internet Access (External Access)**

Each Department Head will decide who in the department will have access to the Internet and be assigned an Internet e-mail address.

Each County employee assigned an Internet e-mail address is responsible for removing mail from the mail server in a timely manner. E-mail will be automatically purged after thirty (30) days of receipt.

County employees having access to the County's Wide Area/Local Area Network have access to the County's Web Site.

##### **Internet and Intranet e-mail Address**

To simplify User IDs throughout the County's Wide Area/Local Area Network, one User ID will be assigned to each User. The ID serves as the Sign-On to gain access to the User's systems and/or applications and Internet and/or Intranet e-mail address.

##### **County Property**

All e-mail messages and attachments are considered County property and may be intercepted, read, monitored, shared and/or audited by administration for any valid business purpose.

Misuse or abuse of Internet access and/or e-mail services is a violation of County policy.

#### **4.K TELEPHONE POLICY**

##### **Business**

A large percentage of the County's business is transacted by telephone. Telephone manners could be the difference between a satisfied customer and a dissatisfied customer. Always answer the telephone promptly, pleasantly, and competently. Identify yourself as an employee of the County.

##### **Personal**

The telephone equipment of the County is provided for the purpose of providing service to our customers. Therefore, it is necessary to limit personal calls to an absolute minimum number. Personal calls should only be made in case of absolute necessity or emergency. If non-emergency personal calls must be made, please arrange to make them during breaks or meal periods. Employees are required to pay for any long distance calls made on County telephones.

## **Use Of Personal Cell Phone**

Employees are expected to exercise the same discretion in using personal cell phones during work hours as is required when using County phones. Personal calls should only be made in case of absolute necessity or emergency. If non-emergency personal calls must be made, please arrange to make them during breaks or meal periods.

## **4.L CELL PHONES**

### **Use of County-Owned Cell Phone**

Cell phones furnished to employees (hereinafter termed “users”) are the property of Jasper County and intended for County business use only.

Use of cell phones and services provided by the County are subject to monitoring.

### **Special Provisions**

Users are to:

- Protect their cell phone from unauthorized use.
- Assume responsibility for any charges associated with billable services outside those authorized by the County unless appropriate authorization has been obtained.

Users are **not** to:

- Use the cell phone for illegal, unlawful, or immoral purposes or to support or assist such purposes. Examples of this would be to use the phone for the transmission of violent, threatening, defrauding, obscene, discriminatory, harassing, or otherwise illegal or unlawful calls.
- Use the cell phone to harass, intimidate, or otherwise bully another person.
- Use the cell phone for private, recreational, or non-public purposes, including the conduct of personal and commercial transactions.
- Use the cell phone for commercial or partisan political purposes.
- Use the cell phone or other County equipment for personal gain, such as performing work for profit with County resources in a manner not authorized by the County.
- Use the cell phone while driving. Regardless of the circumstances, employees are encouraged to pull off the road and stop the vehicle prior to placing or accepting a call whenever safely possible. Employees who are charged with traffic violations resulting from the use of a cell phone while driving may be responsible for all liabilities that result from such actions.



## **County Property**

Users understand that cell phones and accessories are considered County property and may be audited by administration.

Misuse or abuse of an issued cell phone is a violation of County policy.

## **4.M BLOGGING AND SOCIAL MEDIA**

The County focuses on promoting a positive public image. In support of maintaining this positive image, employees are required to conduct themselves in a professional manner when using a social networking site and/or blog. In general, employees should think carefully before posting online, because most online social platforms are open for all to see. Despite privacy policies, employees cannot always be sure who will view, share or archive the information that is posted. Before posting anything, you should always remember that you are responsible for what you post online. It is always best to carefully consider the risks and rewards with respect to each posting, and to use your best judgement and exercise personal responsibility when posting to any blogs or social media sites.

Employees are strictly prohibited from listing their County email address or Company phone number on a blog or social media site, with the exception of any Linked-In or similar account used for professional networking purposes, or unless it is an authorized part of their County job duties.

Employees making personal use of blogs or social media are prohibited from making online postings that are false, profane, obscene, threatening, intimidating, defamatory, discriminatory, or harassing; that disclose confidential, trade secret, or proprietary information; or that violate any laws.

If the employee's affiliation with the County may be known, identified, or presumed, the employee must state that the views expressed on the blog or other social media site are the employee's alone and do not represent the views of the County. Employees are not authorized to speak on behalf of the County, or to represent that they do so, unless it is an authorized part of their County job duties.

The County reserves the right to monitor blogs and social media activity. Any on-line conduct that violates County policy or applicable law, adversely affects your job performance or the job performance of other employees, adversely affects the public or entities we work with, or otherwise adversely affects the legitimate business interests of a County department, may result in disciplinary action, up to and including termination.

## **4.N UNAUTHORIZED RECORDING**

The County believes that problems between and among employees are best resolved through open communication. Employees are encouraged to bring their concerns to their supervisor or the Human Resources Director, or where appropriate, to use the County's grievance procedure.

Employees are prohibited from using any electronic device, including but not limited to digital records or cell phones, to make audio and/or video recordings of other employees or County officials unless the employee or official to be recorded has given his/her express permission or

unless express prior authorization is obtained from the County Administrator or a law enforcement agency.

#### **4.0 SMOKING**

In keeping with the County's intent to provide a safe and healthful work environment, smoking in the workplace is:

- Prohibited in all County owned, leased, or otherwise occupied buildings and vehicles.
- Discouraged – Non-smoking areas are clearly designated and employees must respect those designations. Smoking is permitted within twenty-five (25) feet of any County building. In situations where the preferences of smokers and non-smokers conflict, the preferences of the non-smokers will prevail.

This policy applies equally to all employees, customers, and visitors.

#### **4.P ATTIRE AND GROOMING**

Jasper County strives to maintain a workplace environment that functions well and is free from unnecessary distractions and annoyances. As part of that effort we require employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. To that end, department heads may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas; guidelines may limit natural or artificial scents that could be distracting or annoying to others.

All staff members are expected to present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment.

Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during interviews, new-hire orientations and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor.

Any staff member who does not meet the attire or grooming standards will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

All staff members must carry or wear the County identification badge at all times while at work.

Certain staff members may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions and will be provided to employees by your department.

Tight, revealing, or otherwise workplace-inappropriate dress is not permitted.

No graphic shirts displaying anything negative or discriminatory should be worn during any time.

Jasper County recognizes the importance of individually held religious beliefs to persons within its workplace. We will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the Human Resources Director.

Departments that adopt casual or dress-down days must use the following guidelines to define appropriate casual attire:

**Appropriate**

**Inappropriate**

**Slacks**

- Khakis or corduroys
- Jeans (must be clean and free of rips, tears and fraying; may not be excessively tight or revealing)
- Skorts, capri pants

- Sweatpants, leggings, or exercise wear
- Shorts, low-rise or hip-hugger pants or jeans

**Appropriate**

**Inappropriate**

**Shirts**

- Polo collar knit or golf shirts
- Oxford shirts
- Company logo wear
- Short-sleeved blouses or shirts
- Turtlenecks
- Blazers or sport coats
- Jackets or sweaters

- Shirts with writing (other than company logo)
- T-shirts or sweatshirts
- Beachwear
- Strapless blouses or shirts that expose excessive cleavage
- Exercise wear
- Crop tops, clothing showing midriffs
- Spaghetti strap shirts/blouses

**Appropriate**

**Inappropriate**

**Shoes**

- Boating or deck shoes, moccasins
- Casual, low-heel, open-back shoes (e. g., mules, sling backs)

- Sandals, thongs, flip-flops, or slides

The following guidelines apply to business attire: Dress shirts, ties, tailored sport coats or blazers worn with dress pants (not khakis), tailored pantsuits and coordinated separates.

Violations of the policy can range from inappropriate clothing items to offensive perfumes and body odor. If a staff member comes to work in inappropriate dress, he or she will be required to go home, change into comforting attire or properly groom, and return to work.

If a staff member's poor hygiene or use of too much perfume/cologne is an issue, the supervisor should discuss the problem with the staff member in private and should point out the specific areas to be corrected. If the problem persists, supervisors would follow the normal corrective action process.

County employees are expected to maintain high personal standards. One of the most noticeable expressions of personal standards is dress and appearance. Employees must dress in a professional manner and will wear clothing that is appropriate and tasteful in the County's business environment.

What is appropriate for employees in one (1) department may not be appropriate for another. Where official work clothes and uniforms are provided by the County, it will be the responsibility of the employee to wear and care for the issued items. Determination of an employee's specific dress and appearance is a supervisory responsibility. Personal appearance standards may be established in departmental rules consistent with the work performed by that department.

Any individualized needs for accommodation related to appearance or dress standards should be discussed with the Human Resources Director.

#### **4.Q ATTENDANCE AND PUNCTUALITY**

The County expects employees to be reliable and to be punctual in reporting for scheduled work. An employee's attendance at their assigned work place is essential to the success of the County's overall mission.

Absenteeism and tardiness place a burden on other employees and on the work program of the County. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, employees are responsible for notifying their supervisor as soon as possible in advance of the anticipated absence or tardiness. Poor attendance and/or tardiness are unacceptable, and may result in disciplinary action, up to and including termination of employment.

#### **4.R SOLICITATION**

Solicitation of the County employees by private individuals or by County employees while on county property and work time is prohibited unless prior approval is granted by the County Administrator. Solicitation will not be permitted if not in the best interest of the County.

County authorized solicitation for recognized charitable organizations is purely voluntary; no coercion of an employee to make contributions will be permitted. Upon approval by the County Administrator, designated County employees are permitted to solicit other employees of the County on behalf of recognized charitable organizations during their working hours or the working hours of the employee sought to be solicited.

#### **4.S PURCHASE OF COUNTY PROPERTY**

No elected official, officer, or employee of the County, nor members of their immediate families, may bid for or purchase County property except at open auction.

#### **4.T GENERAL PROHIBITIONS**

Employees may not make any false statement(s), certification(s), mark(s), rating(s), or report(s) with regard to any test certification(s) or appointment(s) made under these policies, or in any manner commit or attempt to commit any fraud preventing the impartial execution of these policies.

Employees may not deceive or obstruct any person(s) in their right to application, certification, eligibility, or appointment under these rules; or, to furnish to any person any special or confidential information for the purpose of affecting the rights or prospects of any person with respect to employment with the County.

No employee or official whose duties involve the use of a badge, card, or clothing insignia as evidence of authority or for identification purposes will permit such badge, card, or insignia to be used or worn by any person who is not authorized to use or wear same; nor permit same to be out of their possession without good cause or approval of the Department Head or appropriate Management personnel. Such badge, card, or insignia will be used only in the performance of the official duties of the position to which they relate.

#### **4.U HOUSEKEEPING**

Employees are expected to maintain a clean, healthful working atmosphere.

It is the responsibility of each employee to maintain common areas in which they work or utilize during meals or break periods. Each employee is to keep his or her own work area clean. The employee is to do his or her part in maintaining tools and equipment in a neat and orderly fashion.

#### **4.V PUBLIC BUILDINGS AND FACILITIES**

County-owned buildings are kept and maintained for the purpose of serving the public. All restrooms in County-owned buildings are to remain open to the public during normal business hours.

## 5. RECRUITMENT AND SELECTION

### 5.A RECRUITMENT

The County selects the most suitable person for the task to be performed with appropriate attention to such factors as:

- Previous work experience;
- Education and training background;
- Certifications, etc.;
- Demonstrated skills and abilities; and
- Demonstrated reliability, honesty and integrity.

The County does not discriminate against any employee or applicant for employment because of race, color, religion, sex, pregnancy, sexual orientation, gender identity/expression, national origin, citizenship, age, mental or physical disability, genetics, past, present or future status in the Uniformed Services of the United States, or any other characteristic protected by applicable federal, state or local law in conformity with the Equal Employment Opportunity Policy contained in this Manual.

All internal and external applicants (hereinafter referred to as “applicants”) for employment, must complete a County employment application. When completing a County application form, applicants may submit a resume; however, the resume will not take place of the information requested in the application form.

#### Recruitment Procedure

##### Position Requisition

When a position becomes vacant, a written request must be submitted to the County Administrator or his/her designee. The request will identify the position to be filled and all other pertinent information that the County Administrator or his/her designee(s) may request for recruitment purposes. If the position has been established as a new position with the Classification and Compensation Plan, a job description must accompany the request. No position will be refilled until a review has been made of the position as it relates to the needs of the department and the entire County workforce.

The County Administrator and/or the Human Resources Director is responsible for establishing reliable applicant sources and for providing qualified applicants for each County job opening.

Once the position has been approved for recruitment, and at the discretion of the County Administrator or his/her designee, the position may be authorized for recruitment as:

- (1) Internal Only for Promotional Opportunity

Where promotional employees may exist within the County’s workforce, vacancies in positions above the entry grade level may be posted and filled

by applicants from within the County's workforce who are capable of performing the job.

Position vacancies will be posted INTERNAL only on the County's bulletin board(s) for a period of at least ten (10) County work days.

The internal announcement will communicate essential information, such as: position title, minimum qualifications (education, training, and experience), any special requirements and/or certifications, salary, how and where to apply, and the closing date for acceptance of employees' applications.

Interested employees must apply within the specified period as announced on the Internal announcement.

If it is determined that there are no qualified applicants from within the County's workforce capable of performing the job, or if the department wishes to interview external applicants prior to making a decision, the position may be authorized for external recruitment.

(2) External Job Vacancy Announcement

For outside (external) recruitment purposes, publicity for a job vacancy may be as broad as deemed necessary by the Administrator. The County Administrator, where deemed appropriate, may use national, state, and local advertising in trade journals, newspapers, etc., and may contact educational and training institutions and job placement organizations.

At a minimum, publicity for outside recruitment purposes should include notification to each department of the County, the South Carolina Employment Services Office, and other recruitment outlets.

External applications will be accepted for at least one (1) week following the date of the external posting.

The announcement will communicate essential information to the prospective applicant, such as: position title, minimum qualifications (education, training, and experience), any special requirements and/or certifications, salary, how and where to apply, and the closing date for acceptance of applications/resumes.

(3) Internal and External Job Vacancy Announcement

To expedite the filling of a vacant County position, recruitment for the position may be authorized to run internally and externally concurrently.

Internal and external applications will be accepted for at least one (1) week following the date of the internal and external job vacancy announcement.

The announcement will communicate essential information to the prospective applicant, such as: position title, minimum qualifications (education, training, and experience), any special requirements and/or certifications, salary, how and where to apply, and the closing date for acceptance of applications/resumes.

## **Roster of Qualified Candidates**

From time to time there may be certain County positions that are frequently declared vacant due to turnover or difficulty in obtaining an adequate number of qualified applicants. In these instances, the County Administrator is authorized to develop a pool of potential applicants as long as the vacancies are advertised in accordance with the County's recruitment policy. Previous applications are maintained for a period of one (1) year. The County Administrator may also consider applications submitted for one (1) vacancy recruitment for another similar vacancy so long as the applications reflect that the candidates meet the minimum qualification requirements established for the vacant position.

## **5.B SELECTION**

The selection process for employment with the County involves deciding which (internal or external) job applicant will be selected for the vacant position(s). The County's success in achieving its goal to find and select those persons who offer the greatest potential to become productive and satisfactory employees over a long period of time depends upon the County's ability to select the most suitable applicant for the available job.

### **Selection Procedure**

- **Applications** A central application file that provides data on each applicant's background and experience will be maintained by the Human Resources Department. Each applicant (internal and external) must complete a written application.
- **Preliminary Screening** The application form will be checked immediately for any inadequate or inaccurate information. All applicants must meet the minimum requirements (equivalent education, training, and experience) for the position in which they are seeking employment. If the applicant does not possess the minimum requirements for the position, the applicant will be excluded from further consideration. Applicants meeting the minimum requirements will be considered for the vacancy.
- **Interview – Internal Applicants** The Department Head will review the file of qualified internal applicants and interview all qualified internal applicants.
- **Interview – External Applicants** In addition to interviewing all the qualified internal applicants, the Department Head may interview qualified external applicants.
- **Reference Checks** Human Resources will conduct reference checks including telephone calls or personal contacts with previous employers of the applicant. The applicant's present or immediate supervisor may be contacted, but only if the applicant provides consent. Effort should be made to contact individuals who are familiar with the applicant's skills, abilities, and suitability for the position under recruitment. The Human Resources Department may, on a case by case basis, permit a Department Head to conduct reference checks.
- **Decision to Hire** The final selection will be made by the Department Head subject to approval by the County Administrator or his or her designee.



## **5.C CONDITIONAL OFFER OF EMPLOYMENT**

The offer of employment to the selected applicant is expressly conditional contingent upon completion of all the identified prerequisites.

An offer of employment is contingent upon the selected applicant's successful completion, to the County's satisfaction, of the following:

- Medical/Physical Examination (post offer of employment);
- Drug Test (Post offer of employment);
- Possession of the appropriate valid (commercial or non-commercial) driver's license;
- Driver's license check;
- Verification of background information contained in the employment application/resume and reference checks (optional, at the discretion of the hiring authority); and
- Criminal background check

## **5.D DUTIES AND RESPONSIBILITIES**

All employees of the County are hired for the purpose of accomplishing the goals and carrying out the policies set by the County. While every effort will be made to assign each employee a regular set of duties, employees are expected to fulfill all duties and responsibilities that they are reasonably qualified to perform as directed by their supervisor. It is the intent of this policy that no employee will be limited to a restricted set of duties simply because of the job title of the position that he or she holds. Employment with the County is a privilege, not a right. The primary factors in determining an employee's assignment and duties will be whether such activity best meets the interests of the County.

## **5. E DIVERSITY, EQUITY AND INCLUSION POLICY**

Jasper County is committed to fostering, cultivating, and preserving a culture of diversity, equity and inclusion.

Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and company's achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

Jasper County's diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing

development of a work environment built on the premise of gender and diversity equity that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for the diversity.

All employees of Jasper County have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other county-sponsored and participative events. All employees are also required to attend and complete annual diversity awareness training to enhance their knowledge to fulfill this responsibility.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from a supervisor or an HR representative.

## **6. EMPLOYEE RECORDS**

### **6.A PERSONNEL RECORDS**

The official personnel records files are maintained by the Human Resources Director, or designee, for all County employees, active and inactive. The following records are maintained in the employee's personnel file:

- Application for Employment Form;
- Resume, if available;
- Letter(s) of Recommendation;
- Employee Acknowledgment & Receipt of Employee Handbook;
- Safety indoctrination, when applicable;
- Letter(s) of Commendation;
- Training and Educational Authorization;
- Rate of Pay;
- Performance Evaluation Form(s);
- Letter(s) or Certificate of Awards;

- School records, diplomas, certificates, etc.;
- Disciplinary Action Forms;
- Notices of Employee Status Change(s);
- Notice of Termination of Employment; and
- Any other record(s) as determined by the Human Resources Director.

An employee's medical and related records, i.e., workers' compensation reports, Family and Medical Leave Act documents, etc., are maintained in a file separate and apart from the employee's personnel file. The only medical information retained in an employee's personnel file is physicians' certification(s) stating that an employee is unable to work or the employee is able to return to work.

## **6.B ACCESS TO PERSONNEL FILES**

Employees will have the right to review their individual personnel file. All records are confidential and will be reviewed in the presence of the County Administrator or designee during normal working hours or other scheduled time. The file may not be removed from the Human Resources Office for any reason.

## **6.C PERSONAL INQUIRY**

The Human Resources Director, or designee, will respond to public inquiry, during normal working hours, relative to employees and former employees. It is the policy of the County to respond to inquiries on employees or former employees as follows:

Phone Inquiries - Only the information provided by the caller. i.e., name, address, phone number, date of hire, position title, and current salary will be confirmed.

Written Requests - Only information that can be verified, i.e., name, address, phone number, date of hire, position title, salary, and/or wages for a requested period of time will be provided. Inquiries concerning work history should be responded to as follows: It is the policy of the County to confirm only the information provided. A written authorization, signed by the employee or former employee must accompany the request.

## **6.D PERSONAL DATA CHANGES**

It is the responsibility of each employee to promptly notify the Human Resources Director, or designee, of any changes in personal data, such as:

- Personal mailing address;
- Telephone number;
- Number and name(s) of dependent(s);

- Individual(s) to be contacted in the event of an emergency;
- Educational accomplishments;
- Marital status;
- Beneficiary changes; and
- Other such status reports that should be accurate and current at all times.

#### **6.E PERSONNEL TRANSACTIONS**

All appointments, authorized salary increases, promotions, employee evaluations, demotions, dismissals, suspensions, and other personnel transactions will be made in writing and in the manner designated by the County Administrator, or designee.

A written request or a personnel action form must be completed for any personnel action involving a promotion, demotion, request to remove or extend introductory period, transfer, termination, etc.

#### **6.F ATTENDANCE RECORDS**

Attendance records are maintained for each employee utilizing the county's time keeping system. The time keeping Supervisor and Department Head are responsible for verifying the employee's attendance.

The Supervisor is responsible for assuring the completion of any department attendance reports for each employee within his or her operational unit. Employees should review and approve their time cards at the end of every pay period. It is the responsibility of all employees to check their pay statements to ensure that all hours have been properly paid and report any discrepancies immediately.

Timecards must reflect all absences including vacation, sick leave, holidays, and any other leaves, paid or unpaid, excused or unexcused.

#### **6.G RECORDS RETENTION**

The Human Resources Director will determine the time limit that any personnel records will be kept in the employee's personnel file. However, the final disposition of such records will be in accordance with the applicable State Records Retention laws.

## **7. EMPLOYMENT STATUS**

### **7.A NEW HIRE**

A new hire is an applicant who has never worked for the County and has been selected to fill a regularly established position for which he or she meets the minimum qualifications. The date the employee is hired and reports to work will be the employee's official date of hire.

### **7.B RE-HIRE**

A former, regular employee who left County employment, in good standing, is eligible for re-hire into any vacant position for which he or she meets the minimum qualifications. Former employees who are re-hired will be re-hired on the same basis as a new employee. The date the employee is re-hired will be the employee's new date of hire.

### **7.C RE-INSTATEMENT**

A former regular employee who left County employment, in good standing, may be re-instated in the same position, if it is available, or to a similar position for which the employee is qualified, if the employee returns to employment within three (3) months from the effective date of termination or approved leave without pay. The eligible employee may be re-instated either at his or her former rate of pay or the minimum of the pay range established for the position to which the employee is re-instated, whichever is higher. A re-instated employee may retain his or her original date of hire. Accrued and unused benefits may be reinstated except as otherwise provided in this Employee Handbook.

Employees who leave to fulfill military obligations are entitled to reinstatement rights as provided by law.

### **7.D RE-CALL**

Any employee who is laid off after achieving regular status may be recalled within six (6) months after the effective date of the layoff into any vacant position for which he or she qualifies without having to go through the normal recruitment and selection process. Preference will be given to laid-off employee(s) who had successfully completed their initial probationary period if the employee meets the minimum training and experience requirements for the vacant position. The Human Resources Director will determine the laid off employee's interest and suitability for the vacancy. A re-called employee retains his or her original date of hire. Accrued and unused benefits will be reinstated.

### **7.E TYPES OF APPOINTMENTS**

#### **Introductory Appointment - New Employee**

New employees must serve an initial introductory period of six (6) months before the employee will be considered a regular employee. The initial introductory period is intended to give new

employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The County uses this period to evaluate employee capabilities, work habits, and overall performance.

New full-time employees will earn both sick and annual leave during their introductory period. These employees are permitted to use sick leave after three (3) months employment but may not use annual leave until they have successfully completed their initial introductory period of six (6) months. Should a newly hired employee leave employment voluntarily or involuntarily prior to completion of the introductory period, said employee will not be paid for accrued vacation/sick leave time. Rather, it will be forfeited and not paid out. During this initial introductory period, employees are eligible for all legally mandated benefits (such as social security, workers' compensation insurance, and South Carolina State Retirement) only. New employees receive wages for approved holidays within the introductory period if they are scheduled to work on a Holiday.

If at any time during the introductory period, the Department Head or County Administrator determines that the performance of the employee has been unsatisfactory, the Human Resources Director may authorize termination of the employee. The County Administrator must concur with the termination recommendation.

If an employee is not performing satisfactorily by the end of the introductory period, but there is reason to believe that the employee may develop the ability to perform satisfactorily by an extension of the introductory period, the Department Head, with the County Administrator's approval, may grant an extension of up to ninety (90) days.

### **Regular Appointment**

An employee who has successfully completed their six (6) months initial introductory period will be granted regular status only if the Department Head and the County Administrator concur that the service of the employee has met expectations. The employee is eligible for the County's fringe benefit programs, subject to the terms, conditions, and limitations of each benefit program and will be eligible to apply for and/or transfer to another county position if qualified and selected.

### **Temporary Appointment**

A temporary appointment is made when an employee is hired to perform a task not to exceed one (1) year. While the employee will receive all legally mandated benefits (such as social security, workers' compensation insurance coverage, and South Carolina State Retirement), he or she is ineligible for all of the County's other leave and fringe benefit programs. Temporary employees are paid only for hours worked.

## **7.F TYPES OF EMPLOYMENT STATUS**

An employee may be hired in with one (1) of the following statuses:

Full Time - Any employee who is scheduled to work a minimum of forty (40) hours per week is considered full time and is eligible for all leaves, fringe benefits, and programs, in accordance with the provisions contained in this Personnel Manual; or

Part-Time - Any employee who is scheduled to work less than forty (4) hours per week, for a scheduled number of hours a day and a scheduled number of days a week is considered part-time; and, depending on the type of position, may be eligible for leaves, fringe benefits and programs, as determined by the County Administrator and/or, in accordance with the provisions for same as contained in this Employee Handbook.

## **7.G TYPES OF POSITIONS**

An employee may be hired in for one (1) of the following types of positions:

Regular Position - A full-time or part-time position that has been established in the County's budget on a recurring basis; or

Temporary Position - A full-time or part-time position established in the budget on an as needed basis or, at any other time as may be approved by the County Administrator when a need arises.

## **7.H FLSA CLASSIFICATION**

In accordance with the criteria set forth by the Fair Labor Standards Act (FLSA), all County employees will be classified as follows:

Hourly – Non-Exempt;  
Salaried – Non-Exempt; or  
Salaried – Exempt.

### **Non-Exempt Status**

Employees who are classified as non-exempt are eligible for overtime pay based upon a single hourly rate or under the fluctuating work week plan. The employee will be notified of the method prior to any work being conducted.

### **Exempt Status**

Employees who are classified as exempt are paid a fixed salary for all hours worked on a weekly basis. Employees may be classified as exempt if their assigned duties and responsibilities meet the criteria set forth by FLSA.

## **8. EMPLOYEE CHANGE OF STATUS**

### **8.A PROMOTION**

A promotion occurs when an employee applies for and is selected for a position that has a higher pay grade and salary range.

In filling vacancies, an effort will be made to promote qualified employees from within County employment, when it mutually benefits the County and the employee.

Any employee, irrespective of the position or area in which he or she is employed, may apply for promotional consideration if; they have had no disciplinary actions in the preceding twelve (12) months. Where two (2) or more qualified County employees are considered for a position, the following factors will apply:

- knowledge, training, ability, skill, and efficiency;
- prior performance evaluations;
- attendance record;
- outcome of the interview; and
- length of continuous service from the last date of hire.

Promoted employees must serve an introductory period of six (6) months in their new position. If the employee fails to meet required standards of performance, the employee may be restored to the position from which he or she was promoted, if available, or to a comparable position, if available. If a comparable position is not available, the employee may be given priority for any County-wide vacancies for which he or she is qualified. In the event no vacancies for which the employee is qualified are available, the employee will be terminated. The terminated employee will be eligible to re-apply for employment without prejudice. Re-applying does not ensure selection.

## **8.B DEMOTION**

A demotion occurs when an employee moves to a position that has a lower pay grade and salary range. The following are the various types of demotions:

### **Voluntary Demotion**

Employees, for various reasons, may request a demotion within their department or by transfer to another department. Voluntary demotions must be requested in writing by the employee and approved by the Human Resources Director. Demoted employees may serve an introductory period of six (6) months in their demoted capacity.

### **Involuntary Demotion - Non-Disciplinary**

For any employee whose work in his or her present position is unsatisfactory, but who offers promise of becoming a satisfactory employee, the employee's supervisor or Department Head may request an employee be demoted. A written statement detailing, in writing, the reasons for such action is required. The Human Resources Director must approve a demotion prior to such action being taken. A copy of the notice will be provided to the employee.

Employees who are involuntary demoted (non-disciplinary) must serve an introductory period of six (6) months in their demoted capacity. If, after the introductory period, the employee's service is unsatisfactory, the employee will be terminated.



### **Involuntary Demotion - Disciplinary**

An employee may be demoted as a result of a disciplinary action. Demoted employees must serve an introductory period of six (6) months in their demoted capacity. If an employee fails to satisfactorily complete the introductory period, the employee will be terminated.

### **8.C TRANSFER - LATERAL**

A transfer occurs when a regular employee moves to a position that has the same pay grade and salary range. The following are the various types of transfers:

#### **Voluntary Transfer**

A voluntary transfer occurs when a regular employee applies for and is selected for a position that has the same pay grade and salary range. Voluntary transfers must be requested, in writing, and approved by the County Administrator.

#### **Involuntary Transfer**

The County Administrator may, for various reasons, transfer a regular employee within their respective department or to another department.

Transferred employees may be required to serve an introductory period of six (6) months in the new position.

### **8.D CHANGE OF STATUS - CONDITIONS OF EMPLOYMENT**

If at any time during the introductory period, the Department Head or County Administrator determines that the performance of the employee has been unsatisfactory, the Human Resources Director may authorize termination of the employee. The County Administrator must concur with the termination recommendation.

If an employee is not performing satisfactorily by the end of the introductory period, but there is reason to believe that the employee may develop the ability to perform satisfactorily by an extension of the introductory period, the Department Head, with the County Administrator's approval, may grant an extension of up to ninety (90) days.

## **9. CLASSIFICATION AND COMPENSATION PLAN**

### **9.A POLICY AND PURPOSE**

The objective of this plan is to provide a pay range for each class of positions that will enable the County to recruit and retain qualified employees.

The classification and compensation system should be revised and reviewed periodically to properly reflect economic changes as well as personnel needs throughout the County.

## **9.B CLASSIFICATION PLAN**

### **Administration of the Classification Plan**

The primary responsibility for day-to-day administration of the classification plan rests with the Human Resources Director within the limits of these policies and procedures. The Human Resources Director is charged with the maintenance of the classification plan and its administration so that it will reflect the duties performed by each employee and the class to which each position is allocated. The Human Resources Director will periodically review the entire classification plan for recommending appropriate changes in the allocation of positions.

### **Use of Job Titles**

Class (job) titles are to be used in all personnel, financial accounting, budget, and appropriate records. No person will be appointed to or employed in a position in County service under a title not included in the classification plan.

### **Allocation of Positions**

Whenever a newly authorized position is established or duties of an old position change, the Department Head will submit, in writing, a comprehensive description of the duties of such position to the Human Resources Director. The Human Resources Director may authorize the appropriate classification, the establishment of a new classification, or the abolishment of any existing classification(s).

### **Reclassification of Positions**

An established position may be reclassified from one (1) class to a different class as a result of the natural change in the duties and responsibilities; a redistribution of work assignments that significantly alters the duties and assignments of a position; or revisions of class specifications to more accurately reflect levels of work performed.

A job description for the reclassified position must be submitted to the Human Resources Director. Changes in duties and responsibilities must be of a permanent nature. Reclassification is not based upon the performance of the individual but upon the requirements of the job.

Types of reclassification include:

Upgrade: An upward reclassification (upgrade) occurs when an action is requested that provides that a position is moved from one (1) classification to another classification when the latter has a higher pay grade and minimum salary.

Downgrade: A downward reclassification (downgrade) occurs when an action is requested that provides that a position is moved from one (1) classification to another classification when the latter has a lower pay grade and minimum salary.

### **9.C COMPENSATION (PAY) PLAN**

The Compensation (Pay) Plan is designed and established to provide a uniform, objective, and equitable system for compensating employees. The Compensation (Pay) Plan consists of a salary schedule consisting of pay grades with established salary ranges. Each salary schedule's pay grade ranges will consist of:

Minimum Salary: The minimum of the pay range represents the minimum salary that the County pays for an individual whose combination of related prior education, training and experience meets the minimum qualification requirements as specified in the County's approved job description.

Mid-Point Salary: The mid-point of the pay range represents the marketplace competitive salary necessary to retain a fully qualified, experienced, and capable employee whose performance is consistently meeting the County's expectations.

Maximum Salary: The maximum of the pay range represents the maximum salary that the position is valued to the County.

### **9.D MAINTENANCE OF PAY RANGES AND SALARY SCHEDULE**

The County Administrator will make, or cause to have made, such comparative studies as deemed necessary of the factors affecting the level of employee compensation prior to the preparation of the Annual Budget. On the basis of such studies, the County Administrator will recommend to the County Council such changes in salary and salary schedule ranges as deemed necessary to maintain the fairness and adequacy of the overall salary structure.

### **9.E. STARTING RATES OF PAY**

The minimum salary of the established pay grade for a position is considered the normal appointment salary for positions in the County. Appointments below or above the minimum of the established pay grade may be authorized as follows:

Above the Minimum: If an applicant's training, experience and/or other qualifications are directly related to and substantially exceed the minimum requirements of the position, the Human Resources Director may authorize hire at a rate of pay not to exceed ten percent (10%) above the minimum of the salary range. The County Administrator, with the recommendation of the Human Resources Director, may authorize hiring at a rate of pay not to exceed the mid-point of the salary range. Authorizations will be in percent intervals; i.e., two percent (2%), two and a half percent (2-1/2%), three percent (3%), three and a half percent (3-1/2%), four percent (4%), five percent (5%), etc.

Below the Minimum: If an applicant's training and experience does not meet the minimum qualifications, the Human Resources Director may authorize hiring the applicant as a "Trainee" at a rate of pay below the minimum of the pay range until the "Trainee" meets the minimum qualifications established for the position. Trainee appointments should never exceed twelve (12) months in duration. The rate of pay may be two and a half percent (2-1/2%), five percent (5%), etc., below the minimum depending on what the applicant is lacking.

## **9.F CHANGE IN EMPLOYEE STATUS**

### **Promotion**

The salary of an employee who is promoted will be set at a rate within the new pay grade that results in a pay increase in accordance with job responsibility, in accordance with the following and with the approval of the Human Resources Director.

The promoted employee will be placed in an introductory status for a period of up to six (6) months. (See Changes in an Employee's Anniversary Date, section 9.I)

### **Demotion - Non-Disciplinary/Voluntary**

The salary of an employee who is demoted, voluntarily or for non-disciplinary reasons, may be adjusted in accordance with job responsibility and as it relates to the employee's former salary. In no event will the new salary be in excess of the current salary of the demoted employee; or in excess of the maximum of the new pay grade. The demoted employee may be placed in an introductory status for a period of up to six (6) months. No demotion action may be taken without the prior approval of the Human Resources Director.

An employee who accepts a non-disciplinary, voluntary demotion and returns to his/her prior position within a period of six (6) months will be reinstated at the same pay the employee occupied at the time of the demotion.

### **Involuntary Demotion**

The salary of the employee who is involuntarily demoted will be adjusted to a lower salary in the new grade as it relates to the employee's former salary, but in no event will the new salary be in excess of the prior salary of the demoted employee or the maximum of the new pay grade. The employee so demoted will be placed in an introductory status for a period of up to six (6) months. Employees who are involuntarily demoted from a supervisory position to a non-supervisory position will receive a reduction in pay to the minimum of the new pay grade or not to exceed ten percent (10%) if within the new pay grade. (See Changes in an Employee's Anniversary Date, section 9.I)

### **Lateral Transfer**

The salary of the laterally transferred employee will not change unless there is a specific, justifiable reason for a change in salary. Under these circumstances, the Human Resources Director may approve a salary increase or a salary decrease, depending on the circumstances. Laterally transferred employees may be required to serve a six (6) month introductory period. (See Changes in an Employee's Anniversary Date, section 9.I)

### **Reclassification**

The salary of an employee whose position is reclassified and allocated to the same, higher, or lower grade will be determined by the rules for lateral transfer, promotion, or (non-disciplinary)

demotion. Reclassified employees are not required to serve an introductory period. (See Changes in an Employee's Anniversary Date, section 9.I)

## **9.G. WORKING OUT OF CLASSIFICATION**

### **Higher Classification**

If an employee is temporarily assigned to work in a position with a higher pay grade designation for thirty (30) calendar days or less, there will be no change in the employee's salary. If the employee works more than thirty (30) calendar days, the employee will receive a pay increase to the minimum rate of the higher classification or five percent (5%) above current salary, whichever is greater; payment is retroactive to date assigned. When the temporary assignment is concluded, the employee reverts back to his or her salary prior to the assignment. Temporary assignments are not to exceed six (6) months.

### **Lower Classification**

If an employee is assigned to temporarily work in a position with a lower pay grade, the employee's pay will not be reduced during the assignment. If the temporary assignment exceeds thirty (30) calendar days, the Human Resources Director will notify the County Administrator who will review the needs of that operational unit. Any such assignment must be approved by the Human Resources Director.

## **9.H SALARY PROGRESSION**

### **Merit Increase System**

The Merit System is developed as part of this plan to permit the County latitude in recommending deserving employees monetary rewards for exceptional motivation, adaptability, and productive performance. The merit increase award is not automatic or across-the-board. Merit increases will be considered based on demonstrated performance, potential, the financial policies of the County, and other economic considerations.

### **Eligibility**

All regular full-time employees, after the required introductory period has been successfully completed and when performance "meets expectations at an acceptable level of competence" as recorded in a performance appraisal rating form are eligible.

The employee's Department Head may recommend a merit increase if he or she meets the criteria described above. Such recommendation will be submitted to the Human Resources Director for consideration and approval by the County Administrator. No individual will receive more than one (1) merit increase during any fiscal year.

The employee's approved merit increase will be effective on the employee's anniversary date. No merit increase may be granted to an employee that would cause the employee to exceed the maximum pay in that pay grade.

The merit increase is based upon, but not limited, to the following factors:

- The current performance evaluation;
- The difference between current and past performance as evidenced by previous performance evaluations, if applicable;
- The employee's potential for improvement; and
- Other advances in the employee's qualifications, as evidenced by certificates of further education, workshops and seminars attended, and other such evidence.

### **General Pay Adjustment**

The County Council may, from time to time, approve a general pay adjustment for all employees to be effective July 1.

### **Cost of Living Adjustment (COLA)**

The County Council may, upon appropriate notification of economic changes, approve a cost of living adjustment for all employees, and may adjust each pay grade's salary range; i.e., the minimum salary, the mid-point salary, and the maximum salary.

## **9.I CHANGES IN AN EMPLOYEE'S ANNIVERSARY DATE**

An employee's anniversary date will change only if the employee has been:

- Promoted;
- Involuntarily Demoted – Disciplinary; or
- Resigned employment and returns to employment more than ninety (90) days following resignation date.

An employee's anniversary date will not change if the employee has been:

- Involuntarily Demoted – Non-Disciplinary;
- Voluntarily Demoted; or
- Laterally Transferred.

## **10. WORK CONDITIONS AND HOURS**

### **10.A TIMEKEEPING**

Accurately recording time worked is the responsibility of every non-exempt employee. Time worked is all the time actually spent performing assigned duties.

Non-exempt employees are responsible for clocking in and out via the County's time-keeping system, unless you've been set up by your supervisor with a schedule. Overtime work must always be approved before it is performed.

Employees are prohibited from tampering, altering or falsifying time records, or recording time on another employee's time record.

Non-exempt employees are to report to work no more than seven (7) minutes prior to their scheduled starting time nor stay more than seven (7) minutes after their scheduled stop time without expressed, prior authorization from their Department Head.

It is the employee's responsibility to approve his or her time record to certify the accuracy of all time recorded. It is also the responsibility of the employee to verify the accuracy of their pay statements each pay period. If there are any inaccuracies, the employee is to immediately notify their supervisor of the Human Resources department.

Hours of work are to be coordinated by the County Administrator to ensure the greatest amount of service to the citizens of the County.

## **10.B WORK SCHEDULES**

### **Work Week**

As used in this and other policies, the term "work week" means the number of hours an employee, other than detention center personnel, law enforcement officers, and emergency services personnel, is scheduled to work during a designated seven (7) consecutive calendar day period of time. The established work week is as follows:

Start: 12:00 Midnight – Sunday

-- seven (7) calendar days --

Stop: 12:00 Midnight – Sunday

### **Work Period**

As used in this and other policies, the term "work period" means the number of hours detention center personnel, law enforcement officers, and emergency services personnel are scheduled to work during a designated work period. The established work period for eligible employees is as follows:

Start: 12:00 Midnight – Sunday

-- fourteen (14) calendar days --

Stop: 12:00 Midnight – Sunday

## **10.C PAYROLL PERIOD**

The County's pay period begins Sunday at 12:00 midnight and ends fourteen (14) days later.

#### **10.D PAY DAY**

The Friday following the end of the payroll period is pay day. Payroll checks are released in the employee's home department. In the alternative, employees will be paid by direct deposit. For pay days that fall on a holiday, the County will attempt to pay on the preceding work day.

#### **10.E MEAL PERIODS**

Regular full-time employees may be provided a paid meal period daily, of either thirty (30) minutes or one (1) hour. Each Department Head will schedule a reasonable period of time for employees for the purpose of eating their meal. Employees are expected to observe not only the schedule for taking their meal period, but also, the prompt return to their work station within the allotted time.

#### **10.F REST BREAK PERIOD(S)**

Employees may be granted two (2) paid rest breaks, per work day, of no more than fifteen (15) minutes each, with one (1) taken in the morning and one (1) in the afternoon. Employees are expected to observe not only the schedule for taking rest breaks, but also, the prompt return to his or her work station within the allotted time.

Rest breaks and meal breaks may not be used or combined to come in late or leave early.

#### **10.G SMOKING BREAK PERIOD(S)**

Employees may be granted smoking breaks in lieu of rest breaks, not to exceed a total of thirty (30) minutes per work day. Employees are expected to observe not only the schedule for taking smoking breaks, but also, the prompt return to his or her work station immediately upon completion of the smoke break. No smoking is permitted within twenty-five (25) feet of any County building.

#### **10.H LACTATION BREAKS**

Special breaks are available for lactating mothers. The federal Break Time for Nursing Mothers law requires employees covered by the Fair Labor Standards Act (FLSA) to provide basic accommodations for breastfeeding mothers at work. These accommodations include time for women to express milk and a private space that is not a bathroom each time they need to pump. For up to one (1) year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. The County will provide suitable private space for this to occur. Please see Human Resources to make arrangements. Breaks of more than fifteen (15) minutes in length will be unpaid for non-exempt employees and should be indicated on the employee's time record.



## **10.1 OVERTIME**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the Supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Department Heads will ensure that no unauthorized overtime hours are worked.

### **Overtime Compensation**

Overtime will be compensated to all non-exempt hourly or non-exempt salaried employees in accordance with FLSA and state wage and hour restrictions.

Overtime is based on actual hours worked. Vacation leave, sick leave, holiday leave, or any other paid leave of absence is not considered hours worked for purposes of performing overtime calculations.

All non-exempt employees, except law enforcement and fire suppression employees, will be compensated for overtime at time-and-one-half for all hours worked over forty (40) in a seven (7) calendar day work week or granted compensatory time.

Deputy Sheriffs and Detention Officers are compensated for overtime for all hours worked over eighty-six (86) in a fourteen (14) day work period.

Firefighter/EMT's/Paramedics are compensated for overtime for all hours worked over one hundred and six (106) in a fourteen (14) day work period.

**NOTE: Overtime will be compensated by pay or compensatory leave.**

### **Compensatory Leave Hours**

Compensatory Leave time may be accrued by all non-exempt hourly or non-exempt salaried employees in accordance with FLSA.

Exempt employees are not entitled to compensation or compensatory time for any overtime work performed. However, the County Administrator may grant compensatory leave on a case-by-case basis.

## **11. ATTENDANCE AND LEAVE PROCEDURES**

The County provides extensive leave policies. The leaves that are granted are to be used for the intended purposes.

**11.A ANNUAL LEAVE**

It is the policy of the County to provide paid annual leave (commonly referred to as vacation leave) offering the opportunity for healthful rest and relaxation to all eligible employees. (Introductory Appointment – New Employee, section 7.E)

**Eligibility**

All regular full-time employees are eligible for accrual of annual leave. Annual leave accrual will begin with the employee’s date of hire; however, annual leave cannot be used until the employee successfully completes his or her initial introductory period. Temporary and part-time employees are not eligible for annual leave with pay.

**Accrual**

Eligible employees accrue annual leave according to the following schedule:

<b>MAXIMUM CARRY OVER IS 45 DAYS</b>							
<b>Years of Continuous Service</b>	<b>8 Hour Schedule</b>	<b>8.5 Hour Schedule</b>	<b>9 Hour Schedule</b>	<b>10 Hour Schedule</b>	<b>Equivalent Days Per Year</b>	<b>12 or 24 Hour Schedule</b>	<b>Equivalent Days per Year</b>
<b>0-5 Years</b>	8	8.5	9	10	12	12	12
<b>5-10 Years</b>	10	10.63	11.25	12.5	15	14	14
<b>10-15 Years</b>	12	12.75	13.5	15	18	16	16
<b>15+ Years</b>	13.33	14.17	15	16.66	20	17	17
<b>Maximum Carry Over is 45 Days</b>	360	382.5	405	450		540	

Annual leave is not considered as hours worked in the computation of overtime.

**General Information**

Minimum annual leave to be taken per request:	Two (2) hour increments
Minimum annual leave to be used per fiscal year:	The equivalent of two (2) weeks

Whenever possible, employees will be allowed to take paid annual leave at times most convenient to them. However, in order to ensure a continued, smooth operation and maintain a high quality in the delivery of services to the citizens of the County, the Department Head reserves the right to limit the number of employees who may be absent from a given Department or unit at any one (1) time. When there is a conflict in the schedule of two (2) or more employees who cannot be spared at the same time, the Department Head will make the determination. The Department Head may request an employee to work in lieu of taking his or her scheduled annual leave. Employees who work their scheduled annual leave may reschedule their annual leave or, in

addition to hours worked, be paid their annual leave hours, upon approval by the County Administrator.

Except in the case of an emergency, all annual leave must be approved, in writing and in advance, by the employee’s Supervisor or Department Head.

An employee wishing to take annual leave should request approval as soon as possible but at least three (3) days in advance. In the event of an emergency that makes the three (3) day notice impossible, the employee must get in touch with his or her Supervisor or Department Head as soon as possible. **NOTE: The employee may be required to verify the emergency.**

**Payment of Annual Leave Upon Separation From Employment**

Employees must give and work the appropriate notice period (See Resignation, section 14.A) in order to be paid for accrued annual leave upon separation from employment.

Employees terminated for disciplinary reasons are not entitled to payment for accrued annual leave. Rather, it will be forfeited and not paid out.

**11.B SICK LEAVE**

The County provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Sick leave is a privilege and not a right that an employee may demand.

**Eligibility**

All regular full-time employees are eligible for accrual of sick leave. Sick leave accrual begins on the employee’s date of hire; however, sick leave cannot be used until the employee completes ninety (90) days of employment. Temporary employees and part-time employees are not eligible for sick leave with pay.

**Accrual**

Eligible employees accrue sick leave with pay according to the number of hours they are regularly scheduled to work up to 12 hours. Examples:

<b>MAXIMUM CARRY OVER IS 90 DAYS</b>							
	<b>8 Hour Schedule</b>	<b>8.5 Hour Schedule</b>	<b>9 Hour Schedule</b>	<b>10 Hour Schedule</b>	<b>Equivalent Days Per Year</b>	<b>12 or 24 Hour Schedule</b>	<b>Equivalent Days per Year</b>
<b>Sick Leave Per Month</b>	8	8.5	9	10	12	12	12
<b>Maximum Carry Over</b>	720	765	810	900	12	1080	12

Sick leave is not considered as hours worked in the computation of overtime.

## **Authorized Uses of Sick Leave**

Authorized uses of sick leave are as follows:

Personal illness, injury, or service-connected injury or illness, medical appointments of the employee to see a medical professional (doctor, dentists, medical tests, etc.); or, if an employee has been exposed to a quarantinable disease.

Illness, injury, or medical appointments of a member of the employee's immediate family to see a medical professional (doctor, dentist, medical tests, etc.). Immediate family for the purposes of this policy is defined as the employee's spouse, child(ren), parent(s).

## **General Information**

In order to be eligible for sick leave with pay, an employee must:

- Report to his or her supervisor within thirty (30) minutes of the scheduled starting time providing the reason for the absence. An employee who fails to so notify his or her supervisor may not be paid for the time taken prior to notification.
- Keep his or her supervisor advised as to his or her condition and anticipated date of return for any absences that extend beyond one (1) day. In the case of extended illness or injury, the employee will be responsible for keeping his or her supervisor informed, on a daily basis, of his or her progress.

Sick leave in excess of three (3) consecutive workdays may have to be certified by a licensed medical practitioner's written certificate certifying that the employee's condition prevented him or her from performing the duties of his or her position. Employees may also be required to file a sick leave statement. Sick absences of more than three (3) consecutive work days should be reported to Human Resources.

The Department Head may require medical certification, for any sick leave taken, stating that an employee is capable of returning to work.

If an employee cannot adequately perform his or her duties or may infect other employees due to an illness, the Department Head, with the concurrence of the Human Resources Director, may place the employee on sick leave with direction to obtain medical certification as to his or her ability to perform his or her duties in a safe and efficient manner.

During periods of sickness, after exhaustion of accrued sick leave, accrued annual leave must be used.

When sick leave has been exhausted and the employee has not requested to use his or her available annual leave, the affected employee may be placed on leave without pay. When an employee is on authorized sick leave without pay, the employee will be responsible for payment of any authorized payroll deductions; failure to submit prompt payment will result in termination of benefits.

## **Payment of Sick Leave Upon Separation From Employment**

Employees who retire from County employment, within the meaning of the S.C. Retirement Policy, may be paid for some portion of sick leave.

All other employees who terminate employment are not entitled to payment for accrued and unused sick leave.

**11.C BEREAVEMENT LEAVE**

All regular full-time employees may use a maximum of three (3) working days, per calendar year, for bereavement leave in the case of a death in the employee’s immediate family. The immediate family is defined as employee’s spouse, child(ren), (step)parent(s), parents-in-law, grandparent(s), (step)brother(s), or (step)sister(s), brothers-in-law, and sisters-in-law. All such leave must be approved in advance by the appropriate Department Head. Bereavement leave must be taken within seven (7) calendar days, one of which must include the day of the funeral.

If additional leave is needed, the employee may utilize annual (vacation) leave or leave without pay with approval of the County Administrator.

The Department Head may require proof of death be submitted before payment will be authorized. The employee’s supervisor is to obtain the full name of the deceased, relationship to the employee, the funeral home in charge of arrangements, and the time of the funeral.

<b>BEREAVEMENT LEAVE</b>							
	<b>8 Hour Schedule</b>	<b>8.5 Hour Schedule</b>	<b>9 Hour Schedule</b>	<b>10 Hour Schedule</b>	<b>12 Hour Schedule</b>	<b>24 Hour Schedule</b>	<b>Equivalent Days per Year</b>
<b>Hours Per Year</b>	24	25.5	27	30	36	72	3

**11.D CIVIL DUTY LEAVE - VOTE**

The County encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees should be able to find time to vote either before or after their regular work schedule. If an employee is unable to vote in an election during his or her non-working hours, the Department Head may grant up to one (1) hour of paid time off to vote. Employees are to request time off to vote at least one (1) working day prior to the election day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work day, whichever provides the least disruption to the normal work schedule.

**11.E JURY DUTY LEAVE**

The County encourages employees to fulfill their civic responsibilities by serving on jury duty when required. Time off for jury duty is excused and will be with pay for the time actually spent on jury duty, for a maximum of five (5) workdays, when the hours of jury duty conflict with hours of his or her work, provided that proof of duty is verified by the employee’s Department Head. Any period of time for which an employee is excused from jury duty because of illness will be charged to sick leave.

The employee is expected to report for work if within reasonable commuting distance and when it does not conflict with court obligations. It is the employee's responsibility to keep his or her

Department Head periodically informed about the amount of time required for jury duty. Employees are entitled to any compensation received from the court system for jury duty.

#### **11.F WITNESS DUTY LEAVE (COUNTY BUSINESS ONLY)**

The County encourages employees to fulfill their civic responsibilities when required. Employees subpoenaed to appear on behalf of the County are entitled to Witness Duty Leave with pay for such period(s) as his or her attendance is required when the hours of court duty conflicts with hours of work, provided that proof of appearance is verified by the employee's Department Head.

All employees, except law enforcement personnel acting in their official capacity, subpoenaed to make a statement regarding County business, are to notify their Department Head or the Human Resources Director.

The employee is expected to report for work if within reasonable commuting distance and when it does not conflict with court obligations. It is the employee's responsibility to keep his or her Department Head periodically informed about the amount of time required for court appearances. Official court attendance leave will not be charged to any other leaves.

Employees are entitled to any compensation received from the court system for official court attendance.

#### **11.G PRIVATE LITIGATION**

Absence of a County employee in order to appear in any capacity in private litigation will be charged to annual leave or to leave without pay, upon request of the employee and approval by the Department Head. All court fees received by an employee in private procedures may be retained by the employee.

#### **11.H ADMINISTRATIVE LEAVE**

Regular full-time employees may be granted administrative leave, with pay, for a reasonable length of time. Such instances include, but are not limited to, the following with the County Administrator's approval:

- Registration or physical examination for U.S. Armed Forces;
- Attendance at meetings, conventions, workshops, training sessions, etc., where the good of the County is served;
- Severe weather conditions or emergency conditions that would warrant a state of emergency by the Governor;
- Any other reason deemed necessary by the County.

#### **11.I OPERATIONAL SHUTDOWN LEAVE**

At times, emergencies such as severe weather, fire, power failure, etc., can disrupt County operations. In extreme cases, these circumstances may require the closing of a work facility. In

the event the County directs the shutdown of offices, operational units, etc., safety sensitive employees may use available annual leave unless otherwise directed by the County. Employees who are required to report to work during emergency closing situations will be notified by the County Administrator, or designee(s), and will be paid accordingly to the County's pay disaster plan.

Employee Category	SC State and/or Local Disaster Declaration	County Offices and Facilities Closed
<p>Essential Employee, excluding Department Heads and Directors.</p> <ul style="list-style-type: none"> <li>• Exempt</li> <li>• Non-Exempt</li> </ul>	<p>Paid at employee's straight time pay rate until hours meet overtime threshold.</p> <p>Hours worked that exceed the overtime threshold are paid at one and a half times the employee's straight time pay rate and are designated as Disaster Inservice Overtime Hours (DIS.)</p>	<p>Paid at one and a half times the employee's straight time pay rate for all hours worked. Hours worked are designated Disaster Inservice Overtime Hours (DIS.)</p> <p>Hours spent at County facilities, hotels or other facilities approved by the County Administrator, as a requirement of the job duty and for which the employee would not normally be compensated are paid at a straight time. These hours are designated as Disaster Overtime Regular Hourly Rate (DRH).</p>

Employee Category	SC State and/or Local Disaster Declaration	County Offices and Facilities Closed
<p>Non-Essential Employee, excluding Department Heads and Directors.</p> <ul style="list-style-type: none"> <li>• Exempt</li> <li>• Non-Exempt</li> </ul>	<p>Paid per non-disaster County policy.</p> <p>Hours worked in an emergency service capacity, i.e. at the Emergency Operations Center, are paid at one and half times the employee's straight time rate. Hours are designated as Disaster Inservice Hours (DIS.)</p>	<p>Paid straight time pay rate for normally scheduled work hours while offices and facilities are closed. Vacation and sick leave will be paid per non-disaster County policy.</p> <p>Hours worked in an emergency service capacity, i.e. at the Emergency Operations Center, are designated as Disaster Inservice Overtime Hours (DIS) and are paid at one and a half times the employee's straight time rate.</p> <p>Hours spent at County facilities, hotels or other facilities approved by the County Administrator, as a requirement of the job duty and for which the employee would not normally be compensated are paid at a straight time. These hours are designated as Disaster Overtime at Regular Hourly Rate (DRH).</p>
<p>Department Heads and Directors</p>	<p>Paid per non-disaster County policy.</p>	<p>Paid regular salary for normally scheduled work hours while offices and facilities are closed. Vacation and sick leave will be paid per non-disaster County policy.</p>



## **11.J DISABILITY AND PERSONAL LEAVE**

The following applies to employees who have been employed for less than twelve (12) months, to employees who have worked fewer than twelve hundred fifty (1,250) hours in the preceding twelve (12) months, and to employees whose reasons for leave are not covered by the Family and Medical Leave Act (FMLA).

1. An employee who has completed his/her initial probation (and any extension thereof) is eligible to apply for a leave of absence for up to six (6) months when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Leaves are granted only in the discretion of the County Administrator upon recommendation by the employee's Department Head.
2. Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.
3. Disability leaves begin on the first day of absence.
4. After the employee has exhausted his/her vacation and/or sick leave, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits and does not accrue fringe benefits. Certain exceptions may be established by law.
5. Employees on leave of absence may not engage in other employment.
6. Employees desiring to return to work from an unpaid leave of absence should notify the Human Resources Director in writing at least ten (10) days prior to their desired date of return. If the County finds that the employee is fit to resume his or her duties, the employee may be placed in his or her former job if a vacancy exists that is to be filled. If no such vacancy exists, the employee may be placed in any job in which there is a vacancy that is to be filled and for which he or she is best suited. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. Any employee who has not been reinstated within six (6) months following the commencement of a leave of absence is terminated. This action does not affect the employee's eligibility to be considered for hire as a new employee at some future time.

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

The following applies to employees who have been employed with the County for twelve (12) months or longer and who have worked twelve hundred fifty (1,250) hours or more in the preceding twelve (12) months, both prior to the commencement of leave.

#### **General**

Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act (FMLA). As a general rule, employees must request leaves of absence under this law and policy, but in appropriate situations, employees may be placed on leave status without application.

### **Reason for Leave of Absence**

An eligible employee is granted a leave of absence under this law if a serious health condition (including disability resulting from an on-the-job injury) prevents the employee from being able to perform his or her job; if the employee's spouse, child, or parent has a serious health condition and the employee must be absent from work in order to care for that relative; or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household ends twelve (12) months after a natural child is born or twelve (12) months after an adopted or foster child is received in the employee's household.

Employees may also qualify for several types of service member leave under the FMLA as further discussed below.

Proof of need for the leave of absence may be required.

### **Length of Leave**

An eligible employee may take the equivalent of twelve (12) work weeks of leave during any twelve (12) consecutive months. The County uses a rolling twelve (12) months for determining leave availability. Leave to care for a newly born or newly received child is to be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.

Service member leave under the FMLA may be for up to twelve (12) weeks of twenty six (26) weeks, depending on the circumstances, as further discussed below.

### **Maintenance of Health Insurance Benefits**

Subject to certain exceptions, the County will maintain group health insurance coverage for employees on FMLA leave whenever such insurance is provided before the leave was taken and on the same terms as if the employee had continued to work. Employees are responsible for making arrangements to pay their share of health insurance premiums while on leave. Failure to timely pay the employee's share of premiums may result in a loss of insurance coverage.

If an employee elected not to return to work for at least thirty (30) days at the end of the leave period, the employee will be required to reimburse the County for the cost of any premiums paid by the County, for maintaining coverage during the unpaid leave unless the employee's failure to return to work was because of an ongoing serious health condition or other circumstances beyond the employee's control.

### **Effect of Leave on Paid Time Off**

An employee who must be absent due to his or her own serious health condition must use their accrued sick leave and then their accrued annual leave, until exhausted. Any remaining FMLA leave is unpaid.

### **Effect of Leave on Accrual of Fringe Benefits**

1. Health benefit plan. Employees taking leave under this policy continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employees' wages.
2. Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

### **Employee Responsibility**

In order to request FMLA leave, the employee should contact Human Resources and specifically discuss: (1) the need for FMLA leave, and (2) the reason(s) FMLA leave is being requested. Merely calling in sick or calling a manager to request time off will not trigger FMLA coverage. Employees have a duty to actively and clearly communicate their need for FMLA leave to Human Resources.

Employees who request leave under this policy are to give thirty (30) days advance notice or such lesser amount of notice as is possible in the particular circumstances.

Employees may not engage in any type of employment while on FMLA leave of absence.

Upon request for FMLA leave, the County will require employees to provide:

- a. Medical certification supporting the need for leave due to a serious health condition affecting the employee or an immediate family member (the County may also require a second (2nd), or third (3rd), medical opinion at the County's expense).
- b. periodic recertification
- c. periodic reports during FMLA leave regarding the employee's status and intent to return to work; and
- d. a fitness for duty certification at the end of any FMLA leave

Any failure by the employee to provide the required notice of the need for FMLA leave or the required certification documentation, or to check in with the County periodically as required during the leave, may result in a delay in certifying the leave, a denial of leave, or termination of previously-approved FMLA leave.

### **Light Duty**

Employees who accept a light duty assignment because of a condition that qualifies them for FMLA leave will have a right to restoration to their regular positions for only twelve (12) weeks counting both FMLA leave and time spent on light duty.

### **Termination of Leave of Absence**

A leave of absence under this policy ends when the need for the leave of absence ends or when the maximum leave described above has been taken, whichever occurs sooner.

## **Reinstatement**

At or before the conclusion of the FMLA leave of absence (or twelve (12) week combination of leave of absence and time spent on light duty), the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee is to demonstrate that he or she is fit for duty and is to give reasonable notice of intent to return to work.

## **Extension of Leave Without Benefits**

An employee who is unable to perform the duties of his/her position due to his/her own serious health condition and who has exhausted his entitlement to leave under the Family and Medical Leave Act by taking twelve (12) weeks of leave may, upon written application, be granted up to an additional fourteen (14) weeks of non-FMLA leave. This additional leave of absence does not entitle the employee to reinstatement nor to payment of any portion of his or her health benefit plan premiums. If the employee is able to return to work prior to the exhaustion of his or her extended leave, he or she may be returned to his or her previous position if there is a vacancy that is to be filled, or to some other position of equal or lesser compensation for which he or she is best suited and in which there exists a vacancy that is to be filled. If the employee is not returned to active employment, he or she may be continued on extended leave of absence status until he or she is returned to active duty status or his or her extended leave of absence expires, whichever occurs sooner.

Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave that would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended non-FMLA leave of absence for personal reasons for up to fourteen (14) weeks. Such extended leaves are granted only in the discretion of the County Administrator and upon recommendation of the employee's Department Head.

## **Special Situations**

1. Spouses - When both spouses are employed by the County, their combined right to a leave of absence to care for a child or parent is twelve (12) weeks in a twelve (12) month period.
2. Key Employees (salaried employee in highest paid ten percent (10%) of all employees) - Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

## **Miscellaneous FMLA Provisions**

- When planning medical treatment, employees must consult with their management and make a reasonable effort to schedule the absence so as not to disrupt unduly County operations, subject to the approval of the health care provider. This notice is necessary prior to the scheduling in order to work out a treatment schedule that best suits the needs of both the employee and the County.
- Days absent while on FMLA leave for FMLA-qualifying reasons, which are properly documented pursuant to this policy, are not coupled in an employee's absenteeism rate.

- Employees who fail to timely return from FMLA leave at or before the time that has been scheduled for return to work, or upon the use of all of their eligible FMLA leave, whichever occurs first, shall be deemed to have resigned from their employment with the County unless the County provides advance written consent to additional, approved non-FMLA leave.
- The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right provided under the FMLA, discharge or discriminate against any person for opposing any practice made unlawful by the FMLA; or discharge or discriminate against any person because of involvement in any proceeding under or related to the FMLA. If you have any concerns about the handling of your FMLA situation, please immediately contact Human Resources or Management.

### **Service Member and Family Medical Leave Act**

In the National Defense Authorization Act For Fiscal year 2008 (“NDAA”), Congress amended the FMLA to add a new category of protected leave for military families (“Service Member FMLA”).

This policy supplements the County’s existing FMLA policy. Except for the special provisions described below, an employee’s eligibility requirements, rights and obligations with respect to the Service Member FMLA are covered by the existing FMLA policy set forth above.

### **Leave Entitlement**

Service Member FMLA provides eligible employees with unpaid leave under the following circumstances:

- **Military Caregiver Leave:** This is leave to care for a covered family member (defined as a spouse, son, daughter, parent or next of kin) who is a current member of the armed forces including the National Guard or Reserves (hereinafter “Armed Forces”) and who has incurred or aggravated any injury or illness in the line of active duty in the Armed Forces if such injury or illness may render the family member medically unfit to perform the duties of his/her office, grade, rank or rating. This would include service members who are undergoing medical treatment, recuperation, or therapy, are in outpatient status, or who otherwise are on the temporary disability retired list. This type of leave is also available to veterans who are undergoing medical treatment for a serious injury or illness sustained or aggravated in the line of the duty and who were members of the Armed Forces within five (5) years preceding the need for such treatment.
- **Qualifying Exigency Leave:** This is leave for any “qualifying exigency” situation arising out of the fact that the eligible employee’s spouse, son, daughter or parent is on, or has been notified of an impending call or order to “covered active duty” in the Armed Forces. “Covered active duty” includes deployment of an active duty Armed Services member to a foreign country and any deployment of an Armed Services reservist to a foreign country under a call or order to active duty. Qualifying Exigency Leave does not apply to domestic military service. There are eight types of “qualifying exigencies”: (1) short-

notice deployment; (2) military events and related activities; (3) child-care and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities (8) additional activities not encompassed in the other categories but related to the covered service member's covered active duty which the employee and the County agree shall qualify as an "exigency" for purposes of this policy provided they agree as to the timing and duration of such leave.

### **Duration of Service Member FMLA**

When leave is to care for an injured or ill family service member or veteran, the eligible employee may take up to twenty six (26) weeks of leave during a single twelve (12) month period to care for the service member or veteran. Leave to care for an injured or ill family service member or veteran, when combined with other FMLA leave, may not exceed twenty six (26) weeks in a single twelve (12) month period. This type of leave begins on the first day the eligible employee takes FMLA leave to care for the covered service member or veteran and ends twelve (12) months later regardless of the method used by the County to determine their FMLA period for other FMLA-qualifying reasons. If the employee does not use the full twenty six (26) weeks during the "single twelve (12) month period," the balance of the twenty six (26) weeks is forfeited.

Employees may take more than one (1) period of twenty six (26) work weeks of leave during their employment with the County if the leave is to care for a different covered service member or veteran or to care for the same service member or veteran with a subsequent serious injury or illness, except no more than twenty six (26) weeks of leave may be taken in any single twelve (12) month period.

Up to twelve (12) of the twenty six (26) weeks may be for an FMLA-qualifying reason other than military caregiver leave. For example, if an employee uses ten (10) weeks of FMLA leave for his or her own serious health condition during the single twelve (12) month period, the employee has up to sixteen (16) weeks of FMLA leave left for military caregiver leave during that twelve (12) month period.

When leave is due to a "qualifying exigency", the eligible employee may take up to twelve (12) week so leave during a leave year. Leave due to a qualifying exigency, either by itself or when combined with other FMLA leave, may not exceed twelve (12) weeks in a single leave year.

### **Other Service Member Leave Provisions**

Service Member FMLA runs concurrently with other leave entitlements provided under federal, state or local law or company policy (including worker's compensation leave, short and long disability leave, etc.). Service Member FMLA is subject to the same requirements, including concurrent use of PTO, as set forth in the County's FMLA policy.

Intermittent Service Member FMLA is available on the same terms as it is for all other FMLA leave under County policy or when necessary because of a qualifying exigency.

The County may require that a request for Service Member FMLA be supported by a written certification of the need for leave. The County may also request a copy of military documentation showing that the employee or family member is on active duty, has been called to active duty or was injured or became ill during active duty. Further, the County may seek confirmation of the employee's family

relationship with the service member who is ill or injured or is on active duty or has been called to active duty, Requests for medical certification would be directed to the health care provider of the ill or injured service member.

**NOTE: In no case will an employee have a greater right to a job than he or she would have had if he or she had not taken leave under this policy.**

## **11.K SHORT TERM DISABILITY LEAVE**

The County's Short-Term Disability Leave Plan is designed to provide eligible employee's with salary continuation in the event they are unable to work short periods of time due to personal illness or personal injury. The County pays the full cost of providing this benefit.

### **Eligibility**

All regularly scheduled, full-time and part-time (scheduled to work at least thirty (30) hours per week) paid employees who have successfully completed their initial six (6) months introductory period are eligible.

Employees are required to use all accrued unused sick leave hours prior to receiving Short-Term Disability benefits.

A doctor's statement must be provided to the Human Resources Director verifying the medical disability and its beginning and expected ending dates. In addition, the County reserves the right to request the employee be examined, at County expense, by a doctor of the County's choice.

Short-Term Disability Leave will begin after all sick leave days are taken or ten (10) working days have past.

As a joint protection to the employee and the County, employees who have been on approved Short-Term Disability Leave are required to obtain a doctor's release specifically stating that the employee is capable of performing his or her normal duties or assignments and if he or she has any restrictions.

When Short-Term Disability Leave ends, the employee will retain his or her original date of hire, and the employee will be reinstated to the same position, if it is available, or to a similar position for which the employee is qualified, at no decrease in salary.

If an employee fails to report to work promptly at the end of the approved Short-Term Disability Leave, the County will assume that the employee has resigned unless other arrangements have been approved by the Department Head or Human Resources in writing in advance.

### **Benefit**

Benefits are payable for up to thirteen (13) weeks at either eight percent (80%) or sixty (60%) of the employee's salary at time of disability, depending on his or her length of service with the County.

## **Definitions**

1. Pay – Retiree’s normal annual salary, excluding overtime and any other extra pay.
2. Length of Service – Retiree’s months or years of employment beginning with the date of hire with the County.

## **Enrollment Procedures**

Employees are automatically enrolled as soon as they become eligible to participate (see Eligibility above).

## **Schedule of Benefits**

Short-term disability benefits for absence due to personal illness or injury are payable according to the employee’s length of service as follows:

<b>Length of Service (Service years)</b>	<b>Weeks Per Service Year at 80% Pay</b>	<b>Weeks Per Service Year at 60% Pay</b>
0 up to 3 months	0	0
3 months up to 1 <sup>st</sup> year	1	1-1/2
1 <sup>st</sup> year up to 2 <sup>nd</sup> year	1	3-1/2
2 <sup>nd</sup> year up to 3 <sup>rd</sup> year	1	6-1/2
3 <sup>rd</sup> year up to 4 <sup>th</sup> year	1-1/2	11-1/2
4 <sup>th</sup> year up to 5 <sup>th</sup> year	2	11
5 <sup>th</sup> year up to 6 <sup>th</sup> year	2-1/2	10-1/2
6 <sup>th</sup> year up to 7 <sup>th</sup> year	3	10
7 <sup>th</sup> year up to 8 <sup>th</sup> year	3-1/2	9-1/2
8 <sup>th</sup> year up to 9 <sup>th</sup> year	4	9
9 <sup>th</sup> year up to 10 <sup>th</sup> year	4-1/2	8-1/2
10 <sup>th</sup> year up to 11 <sup>th</sup> year	5	8
11 <sup>th</sup> year up to 12 <sup>th</sup> year	5-1/2	7-1/2
12 <sup>th</sup> year up to 13 <sup>th</sup> year	6	7
13 <sup>th</sup> year up to 14 <sup>th</sup> year	6-1/2	6-1/2
14 <sup>th</sup> year up to 15 <sup>th</sup> year	7	6
15 <sup>th</sup> year up to 16 <sup>th</sup> year	7-1/2	5-1/2
16 <sup>th</sup> year up to 17 <sup>th</sup> year	8	5



<b>Length of Service (Service Years)</b>	<b>Weeks Per Service Year at 80% Pay</b>	<b>Weeks Per Service Year at 60% Pay</b>
17 <sup>th</sup> year up to the 18 <sup>th</sup> year	8-12	4-1/2
18 <sup>th</sup> year up to 19 <sup>th</sup> year	9	4
19 <sup>th</sup> year and over	9-1/2	3-1/2

### **Adjustment of other Benefits**

The short-term disability benefits equal the difference between the amount shown in the above chart and the benefits you are entitled to receive under programs such as the following:

- Workers' compensation, occupational disease, or similar laws;
- Any compulsory benefit act or law;
- Disability benefits or non-elected benefits received under the Retirement plan; or
- Primary and family Social Security benefits, including early retirement benefits.

### **Cumulative Absences**

Absences covered under this plan are cumulative during your service year. The total amount of short-term disability benefits available to you during the current service year is reduced by the number of days you are absent due to personal illness or injury during your current service year.

### **Holidays**

Holidays that occur while receiving this benefit are counted as disability days. The holiday will be paid at the same rate (sixty percent (60%) or eighty percent (80%), as the day after the holiday.

### **Vacations**

Employees being paid under this plan may not take vacation. If the disability continues after this benefit expires, a lump-sum payment will be made at that time for unused vacation accrued up to the date the disability began.

### **Absence of Effective Date of Coverage**

If absent from work due to personal illness or injury on the date you would otherwise be eligible for coverage, the effective date will be delayed until the day after you return to full-time work

### **Maximum Benefit For All Disabilities**

Total short-term disability benefits for all disabilities are limited to twenty-six (26) weeks in a five (5) year period if you have less than ten (10) years of service; or, twenty-six (26) weeks in a three (3) year period if you have more than ten (10) years of service.

In the even of a hardship, you may petition the County Council for additional short-term disability of benefits, not to exceed fifty-two (52) weeks in a five year period.

### **Maximum Benefit For A Single Disability**

Short-term disability benefits for a single disability are limited to the number of weeks to which you are entitled in the service year your disability begins.

**NOTE:** Two (2) periods of disability are treated as a single disability if they are due to the same personal illness or injury and are not separated by at least six (6) months of continuous, active employment.

### **Pregnancy**

An absence due to a disability associated with pregnancy is treated the same as an absence associated with a disability due to personal illness or injury.

### **Evidence of Disability**

The County may require you to provide a doctor's statement before benefits are payable under this plan. In addition, the County reserves the right to request that you be examined, at County expense, by a physician of the County's choice

### **Exclusion**

Benefits are not payable for any absences resulting from reasons other than an employee's own personal illness or injury.

### **Claims**

Short-term disability benefits will begin after all sick leave days/hours are taken or ten (10) working days have passed, whichever is the greater of the two. A doctor's statement of disability is required. Your supervisor will report your absence on the next time report. Your benefit payment will be included in the first pay check after the time report is submitted.

### **Termination of Benefit Payments**

Benefit payments automatically terminate on the earliest of the day an employee:

- Ceases to be disabled;
- Accepts other employment;
- Returns to work;
- Begins receiving retirement benefits under the S.C. Retirement Plan;
- Exhausts his or her short-term disability benefits; or
- Dies.

## **Termination of Coverage**

Coverage automatically terminates on the earliest of the date:

- The employee is no longer eligible for coverage;
- The employee terminates employment, except for reasons of disability; or
- This plan terminates.

**NOTE: Employees will not accrue sick leave or annual (vacation) leave while on Short Term Disability.**

### **11.L LONG TERM DISABILITY LEAVE**

When an employee becomes disabled and is projected to be out of work longer than thirty (30) days, the employee must notify his or her immediate supervisor and the Human Resources Director for proper guidance. On the ninety-first (91st) consecutive day, the employee is eligible for the Long Term Disability (LTD) Plan. (See Employee Annual Benefits for additional information. This is a guide issued by the Office of Employee Insurance.)

A physician's statement must be provided to the employee's Department Head verifying the medical disability and its beginning and expected ending dates. Any changes in this information should be promptly reported to the employee's Department Head.

Before returning to work, employees who have been on approved LTD are required to obtain a doctor's release specifically stating that the employee is capable of performing his or her normal duties or assignments, and if he or she has any restrictions.

When Long Term Disability Leave ends, the employee will retain his or her original date of hire and the employee may apply for any vacant and posted position that is available for which the employee is qualified to perform.

If an employee fails to report to work promptly at the end of the approved LTD, the County will assume that the employee has resigned unless other arrangements have been approved by the Department Head or Human Resources in writing in advance.

### **11.M MILITARY LEAVE**

Employees going on military leave are requested to give notice to the County as soon as possible and to give a copy of their order to Human Resources upon receipt. Employees are entitled to such benefits as may be required by state or federal law.

### **11.N EDUCATIONAL LEAVE - SHORT TERM**

The County encourages employees to continue their education in order to maintain and improve skills and knowledge useful in their current position or necessary for assuming additional responsibilities in the future. When an approved course cannot be scheduled during off-duty hours, an eligible employee may request time off from his or her regular work schedule in order to attend class.

All regular full-time employees are eligible for unpaid educational leave. Educational leave is granted on a case by case basis.

### **11.0 LEAVE WITHOUT PAY**

Employees who have no available paid leaves may be granted leave without pay upon the recommendation from the Department Head and approved by the Human Resources Director. No leave without pay will be granted if the employee has any appropriate accumulated leave available. The employee must submit reasons for leave and the probable duration of such leave. The maximum period of time an employee may be granted leave without pay will be three (3) months.

Employees on leave without pay do not continue to accrue annual (vacation) or sick leave time.

Prior to returning to work, the employee must give the Human Resources Director two (2) weeks notice. When approved leave without pay ends, the employee will retain his or her original date of hire, and the employee will be reinstated to the same position, if available, or to a similar position for which the employee is qualified; or, the employee may apply for any position being advertised.

If an employee fails to report to work within three (3) working days following the end of the approved leave without pay, the County will assume that the employee has resigned.

### **12. EMPLOYEE BENEFIT PROGRAMS**

**PLEASE NOTE: ALL BENEFITS ARE SUBJECT TO CHANGE WITHOUT NOTICE.**

The employee benefits, as herein described, are subject to change as required by the provision of benefits provided by the County. Employee will be informed as to the status of these benefits as they change.

The Human Resources Director will be the administrator for these benefits. Detailed information on benefits, as described herein, are available to all employees by contacting Human Resources during working hours.

### **12.A HOLIDAYS**

All regular full-time and regular part-time employees are eligible for holiday pay, from date of hire, for the following official paid holidays:

(1)	New Year's Day (January 1);
(2)	Martin Luther King, Jr.'s Birthday (Third Monday in January);
(3)	Presidents' Day (Third Monday in February);
(4)	Memorial Day (Last Monday in May);

(5)	Juneteenth (June 19);
(6)	Independence Day (July 4);
(7)	Labor Day (first Monday in September);
(8)	General Election Day (First Tuesday in November);
(9)	Veterans Day (November 11);
(10)	Thanksgiving Day (Fourth Thursday in November);
(11)	Day After Thanksgiving (Fourth Friday in November);
(12)	Day Before Christmas (December 24);
(13)	Christmas Day (December 25);
(14)	Day After Christmas (December 26); and
(15)	Any other day so designated by the County Council.

Recognized holidays that fall on a Saturday will be observed on the preceding Friday.

Recognized holidays that fall on a Sunday will be observed on the following Monday.

Non-exempt employees wishing to observe any other holiday(s) may utilize annual leave or leave without pay with appropriate notice and Department Head approval.

For each official paid holiday, employees will receive holiday pay based on the number of hours the employee is regularly scheduled to work.

Employees who, due to the requirements of their position, are required to work or works on an approved official County holiday will receive holiday pay equal to the number of hours worked and will be paid for the hours worked on the holiday, will equate to double time.

Note: Holiday leave is not considered as hours worked in the computation of overtime.

When a paid holiday is observed by the County during the period an employee is on annual leave or sick leave, the employee will receive only his or her regular holiday leave pay, and that day will not be charged against the employee's annual leave accrual or sick leave accrual.

To be paid for a holiday, employees must be on the active payroll (receiving pay) for the scheduled workday preceding and the scheduled workday following the holiday.

Exempt employees who are required to work on a holiday may receive compensatory time off at the discretion of the County Administrator.

## **12.B FRINGE BENEFITS**

### **Health Insurance**

The County pays all regular full-time employees' portions of the health and dental insurance premium for individual coverage only. If the employee elects dependent coverage (if available) the cost is borne by the employee and will be paid by payroll deduction. Health insurance benefits become effective the first (1<sup>st</sup>) of the month following date of hire.

### **COBRA**

Employees eligible for the County's health insurance may be eligible for COBRA coverage in the event they are no longer eligible for health insurance coverage because their work hours are reduced or their employment ends or other qualifying reasons; or, if there is a change in family status, birth/adoption, marriage/divorce, etc. It is the employee's responsibility to notify their Department Head or Human Resources.

### **Social Security**

All employees are automatically enrolled in the federal Social Security System. The amount paid by the employee into the Federal Social Security System is matched by the County.

### **Workers' Compensation Insurance**

The County will maintain workers' compensation insurance on all employees as prescribed by the South Carolina Workers' Compensation Law.

### **Credit Union**

All full-time and part-time employees and members of their immediate family are eligible for membership to and services from the City-County Credit Union upon application and payment of the required membership fee. Savings deposits and loan payments may be made through payroll deduction or directly to the Credit Union.

### **Retirement**

The County participates in the South Carolina Retirement System Program for all regular full-time and part-time employees; and, the South Carolina Police Officers Retirement System for employees of the Sheriff's Department, Detention Center, Fire Department, Coroner, Magistrate Judges and other positions qualified by PEBA.

## **12.C PAYROLL DEDUCTIONS**

The County makes deductions from an employee's pay for Social Security, federal income tax and South Carolina income tax, any retirement contribution, and for any other required purpose as well as employee authorized deductions.

Further, the County reserves the right to deduct from the wages of non-exempt employees (to the extent permitted by law), including final paycheck, for any debt or obligation to the County, including without limitation: loans, overpayment of wages, personal expenses charged to County accounts, lost or damaged equipment, replacement ID cards, theft, breakages, and County property not returned at termination or resignation.

It is County policy to comply with the requirements of the Fair Labor Standards Act ("FLSA"), which is the federal wage and hour law. The County prohibits improper deductions from the wages of exempt employees. The County wants employees to be aware of this policy and understand that the County does not permit deductions that violate the policy. If an employee believes that an improper wage deduction has been made to his or her salary, he or she should immediately report this information to Human Resources. Reports of improper wage deductions will be investigated. If an improper deduction is determined to have occurred, the employee will be properly reimbursed.

#### **12.D GARNISHMENT**

The County will comply with any court ordered child or spousal support order, tax levies, student loan, or court ordered garnishments.

#### **12.E WORKERS' COMPENSATION PROGRAM**

The County provides a comprehensive workers' compensation insurance program to provide for payment of employees' medical expenses and for partial salary continuation in the event of a work-related injury or illness. The amount of benefits payable and the duration of payment depend on the nature of the injury or illness. Subject to applicable legal requirements, workers' compensation insurance provides benefits to employees incapacitated and absent from work in excess of seven (7) calendar days because of an on-the-job bodily injury or illness.

Employees who sustain a work-related injury or illness should inform their Department Head immediately and complete a First Report of Injury (State Form 12-a) as soon as possible but no later than (8) eight hours. If he or she is unable to report for work within twenty-four (24) hours, his or her supervisor must contact the Human Resources Director and submit a completed First Report of Injury (State Form 12-a). No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. An Accident Investigation form must also be completed and turned into the Human Resources Department within two (2) weeks of the injury. The Department Head or his/her designee is responsible for timely receipt of this document.

When an employee is out of work due to a work-related injury or illness, an employee may request sick leave for scheduled work hours during the first seven (7) calendar days of job-related disability. Sick leave may be used for each work day the employee is unable to work. An employee may use annual (vacation) leave upon exhaustion of sick leave.

An employee who has been absent from work due to a workers' compensation injury or illness and desires to return to work, must present a doctor's release specifically stating that the employee is capable of performing his or her normal duties and if not, what restrictions may apply, and the duration of same.

Whenever possible the County will provide restricted duty for employees who have a temporary disability due to a work-related illness or injury when such light duty is available. Such restricted duty will be based on the attending physician's identified restrictions and the work requirements of the County. It is the Supervisors responsibility to make sure that the employee is adhering to restrictions.

The County will endeavor to hold an employee's position open for an injured employee for up to twelve (12) weeks. When the employee is able to return to full time work, with or without reasonable accommodations, the County will attempt to place the employee in an available vacant position for which he or she is suited and qualified in accordance with the County's hiring policy.

Upon the first working day an injured employee returns to work, his or her supervisor must report to the Department Head or Human Resources Director that the employee has returned.

Questions regarding workers' compensation should be directed to the Human Resources Director.

## **12.F EQUIPMENT AND SUPPLIES**

It is the policy of the County to provide good quality tools, equipment, personal protective equipment, vehicles, machines, facilities, materials, and supplies to complete official County business only. The County, like any other business, must control its costs and reduce waste and other abuse of tools, equipment, vehicles, facilities, materials, and supplies. Each employee's cooperation in controlling costs and reducing waste is expected. Non-exempt employees who lose or abuse County provided equipment and/or supplies may be responsible for payment of same through payroll deduction.

Defective equipment, vehicles, or machines should be promptly reported to the supervisor in order that appropriate corrective action may be taken.

Personal work or use of County equipment, tools, machines, vehicles, facilities, materials, and supplies for personal work at any time is prohibited.

## **12.G UNIFORMS**

The County will furnish uniforms and the appropriate safety equipment, i.e., goggles, hard hats, rain gear, etc., to designated employees. Upkeep of County furnished uniforms is the responsibility of the employee.

Any employee who reports for work out of uniform will be sent home and not paid for the time he or she is away from work. Shirts, pants, and shoes must be worn at all time. Uniforms are not to be worn in off duty hours.

Employees are responsible for turning in all supplied County uniforms and safety equipment forty-eight (48) hours prior to the last day of work or as soon as possible. Terminated employees will be responsible for payment of any missing or damaged uniforms or equipment. Deductions may be made from an employee's final paycheck(s) for missing items.



## **12.H AUTO ALLOWANCE**

All employees designated to use their personal vehicles in the performance of their duties receive a monthly auto allowance as determined by the County. All other employees will be reimbursed for actual business mileage at the rate established by the Internal Revenue Service. Department Heads are responsible for monitoring the requirements set by the County for an employee to be authorized to use his or her privately owned vehicle in the performance of his or her duties.

## **12.I TRAVEL AND SUBSISTENCE ALLOWANCE**

When County employees are required to travel on official County business outside of the County limits, allowances for transportation will be regulated in the following manner and per the procedures outlined by the Finance Director.

### **Transportation**

Transportation may be accomplished by either common carrier, private carrier, or the County carrier, and in no instance will allowance for such travel exceed the cost of Common Air Carrier, Coach Fare. Upon proper authorization, employees utilizing their personally owned vehicles will be paid, per mile, at the rate established by the Internal Revenue Service. Such allowance will not exceed the cost of Common Air Carrier, Coach Fare. Employees will be properly reimbursed upon proper receipt for all bridge, road, ferry, and parking tolls. Receipts for taxis are not required; however, taxi expenses must be itemized.

### **Subsistence**

Subsistence for work outside of the County limits may be reimbursed under applicable conditions, as follows:

Breakfast:*	\$10.00 (Employee is required to leave before 7:30 a.m.)
Lunch:	\$18.00 (Travel between the hours of 11 a.m. - 1:30 p.m.)
Dinner:	\$32.00 (Travel after 5:45 p.m.)
*The time limitations for breakfast will not apply for overnight trips.	

The cost of meals will be reimbursed up to the maximum amount allowable. Receipts will be required if meal cost is not requested prior to travel.

Under no circumstances will the County reimburse for the cost of alcoholic beverages.

When lodging is required for official travel, the per diem allowance will be in accordance with approved rates as set by the County for meals and incidental expenses. Employees are expected to utilize standard, medium priced hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he or she may stay at the hotel or motel where the meeting is being held.

No reimbursement for overnight lodging will be permitted within fifty (50) miles of the employee's headquarters and/or residence unless, in the judgment of the County Administrator, such overnight lodging is required by extenuating circumstances. Receipts for all expenses, with the exception of per diem and/or meals, must be presented within thirty (30) days of return from the trip.

Employees will be reimbursed for all registration fees if not prepaid by the County.

**Advance Travel Expenses**

Prepayment for anticipated official travel expenses may be disbursed to authorized personnel.

**Out of State Travel**

Out of state travel must be approved, in advance, by the County Administrator.

**12.J TRAINING**

Employees in good standing may be considered for training opportunities. In-service training will be provided to aid employees to gain efficiency in their work. It is the responsibility of the County Administrator to foster and promote programs of employee development and training for the County workforce. The intent of this policy is to improve the quality of services provided and to prepare employees for advancement in County service. An employee who leaves Jasper County within one (1) year after completing course work needed for certifications will be responsible for reimbursing the County for the cost of training and/or fees for obtaining certifications. (See Reimbursement to the County, section 14.L)

**12.K TUITION ASSISTANCE**

The County encourages training and education of all employees within the restrictions established by the budget. The cost of any training or education that is successfully completed may be paid for by the County dependent upon budget conditions.

Prior to taking any training courses or general degree courses, employees must submit an application and receive approval to be eligible for reimbursement of eligible costs.

Employees, who are approved for taking approved course(s) during off-duty hours or while on duty, may be reimbursed for the assistance of tuition costs.

The cost of tuition;
Some course costs or fees may be eligible for reimbursement
Course dependent may receive partial reimbursement for books

Within ten (10) days after receiving his or her grades the employee is to submit an "Application for Tuition Reimbursement" to the Human Resources Director with the following attachments:

All related course fees;
the cost of any required book(s); and
Receipt(s) showing the amount(s) paid.

Employees will be reimbursed in accordance with the following:

“B” Grade or better in graduate/post graduate study;
“C” Grade or better for all other study; or
Passing grade with certificate or proof of completion for those courses for which grades are not given.

Employees leaving County employment within one (1) year following completion of any course(s), will be required to make arrangements for financial reimbursement to the County. Such costs will be deducted from an employee’s final paycheck(s).

**12.L REQUIRED COURSES**

From time to time it may be necessary for the County to require certain employees to take one or more courses. When this occurs, the County will pay all of the costs of the course, including tuition, course fees, books, and reasonable transportation costs.

**12.M DUES AND CERTIFICATIONS**

The County may pay all or any part of association dues, fees, etc., or operator certification or professional certification for employees when it is a requirement for his or her position or when it will benefit the County, as determined by the County Administrator. If an employee does not pass the certification examination after two (2) attempts, the employee will be responsible for all expenses of taking the examination until the certification is obtained.

The County Administrator will identify the various work-related professional organizations, and the employees authorized to participate, in the County budget.

**13. PERFORMANCE**

An employee will be evaluated periodically on his or her performance in meeting the defined standards established for his or her position set up by job descriptions to be provided to the employee by his or her respective Department Head.

### **13.A PURPOSE**

Employee performance evaluations reports will be used for, but not limited to the following:

- Developing and establishing realistic performance standards that provide a basis of understanding as to the level of performance expected of the employee.
- Allowing the individual to know where he or she stands in terms of performance.
- Providing an opportunity for discussion and counseling to further the employee's self-development and growth.
- Providing objective information in order to justify salary adjustments and upgrading opportunities.
- Maintaining a documented history of the employee's performance.

Generally, the work performance of each regular full-time or regular part-time employee will be evaluated annually, the end of the Introductory Period, one (1) month prior to their established anniversary date; or, prior to the end of the County's fiscal year, as determined and established by the County Administrator.

### **13.B TIME FRAMES**

#### **End of Introductory Period**

Prior to the end of the employee's initial six (6) month introductory period, the appropriate Department Head and the supervisor, where applicable, should review the employee's performance and complete a Performance Evaluation form. The Performance Evaluation form should be completed at least three (3) days prior to the end of the introductory period.

The appropriate Department Head and the County Administrator must approve for an employee to move from introductory to regular employment status and an employee's successful completion of any change of status introductory period.

#### **Annual Performance Evaluation**

A performance evaluation will be completed on an employee nine (9) months following the end of the employee's initial introductory period, and annually thereafter.

#### **Process**

All performance evaluations will be made by the employee's immediate supervisor and reviewed by the next higher level supervisor. The immediate supervisor's final evaluation will not be changed by a higher level supervisor. The higher level supervisor may attach additional comments to the evaluation and, in the attachment, may take exception to any of the immediate supervisor's evaluation points.

The rating will be discussed with the reviewer before it is discussed with the employee being rated.

The evaluation must bear the signature of the rater, the reviewer, and the employee. If the employee refuses to sign the appraisal, the reviewer is to make the appropriate note, sign and date the performance appraisal.

The appraisal will then be sent to the Human Resources Director for appropriate approval.

## **14. SEPARATION FROM EMPLOYMENT**

### **DISCLAIMER**

In accordance with the County's Employment-At-Will policy, the employee is free to terminate his or her employment-at-will at any time, with or without notice or cause, and the County may terminate the employment relationship with the employee at any time, with or without notice or cause.

### **14.A RESIGNATION**

An employee who voluntarily leaves employment with the County, for whatever reason, is considered to have resigned.

To resign in good standing, an employee is to give his or her supervisor at least two (2) weeks notice in writing except in the case of a Department Head where a four (4) week notice is required. Employees must work during the notice period. If an employee fails to give and work the appropriate notice, he or she forfeits his or her accrued leave.

Normally, failure to comply with this rule will result in denial of re-employment rights. However, the Department Head may recommend to the Human Resources Director that an employee be exempt from the above policy when exceptional circumstances warrant such exception.

### **14.B COMPULSORY (INVOLUNTARY) RESIGNATION**

An employee, who without valid reason, fails to report to work for three (3) consecutive workdays without authorized leave will be separated from employment and will be reported as a resignation. Employees separating from employment as a compulsory (involuntary) resignation are not eligible for re-employment and forfeits his or her accrued (vacation) leave.

### **14.C RETIREMENT**

Retirement benefits are available for County employees who are members of the SC State Retirement Plan or the S.C. Police Officers Retirement Plan and have met eligibility requirements for benefit payment. Retirement applications must be in compliance with the rules of the South Carolina Retirement Systems Program.

#### **14.D LOSS OF LICENSE/JOB REQUIREMENT**

An employee who is unable to perform his or her duties due to the loss of a necessary license, or other similar requirement, may be terminated from employment. Such an employee may be transferred to another position for which he or she is qualified, if such a vacancy exists.

#### **14.E SUB-STANDARD PERFORMANCE**

An employee, who is unable to successfully complete his /her initial probationary period, or any extensions thereof, may be separated from employment.

A promoted employee who is unable to successfully complete his/her introductory period or any extensions thereof, and whose prior position is no longer available, may be separated from employment.

#### **14.F REDUCTION-IN-FORCE - LAYOFF**

When it becomes necessary to reduce the workforce in a department because of lack of funds, elimination of position(s), lack of work, or other causes, employees will be laid off based upon the needs of the County. Factors considered in making decisions include, but are not limited to:

- average performance for the last three (3) years of service or for the entire period of less than three (3) years;
- length of service in the employee's current job classification; and
- length of service with the County.

If a regular employee is scheduled to be laid off, he or she may be offered a demotion to a lower class, if qualified, and provided a suitable vacancy exists.

Prior to a reduction in force, the names and class titles of any and all regular employees scheduled for layoff will be submitted to the County Administrator for approval. Layoffs will not be effective until approved by the County Council. Regular employees will be notified in writing, by the County Administrator, at least fourteen (14) calendar days prior to the effective date of layoff or given two (2) weeks severance pay in lieu of notice.

#### **14.G DISCHARGE**

Discharge is an involuntary separation of an employee from employment with the County as a result of disciplinary action, unacceptable performance, failure to complete introductory period, misconduct, or failure to comply with the County's policies. Discharged employees are not eligible for payment of any accrued, unused annual leave. No employee may be discharged without the prior approval of the Human Resources Director or County Administrator. Employees who are discharged may be considered for reinstatement if return to duty occurs within the first ninety (90) days of departure. The rehire of a discharged employee must be approved by the County Administrator.

#### **14.H DEATH**

Upon the death of an employee of the County, any accrued compensation or benefits due the employee will be paid to that employee's designated beneficiary or otherwise specified individual designated as a result of probate proceedings.

#### **14.I EXIT INTERVIEW**

The Human Resources Director, or designee, will schedule exit interviews for separating employees. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges (COBRA), etc. Suggestions, complaints, and questions can also be voiced.

It is the policy of the County that all employees, regardless of the reason for leaving are to be interviewed. Exit interviews are to be scheduled as soon as possible after the employee has given written notice of termination.

#### **14.J SEPARATION PROVISIONS**

Employees will receive their final pay in accordance with applicable state law.

##### Separation Pay

All eligible regular full-time employees who separate from employment, in good standing, may be eligible for re-employment, re-instatement, or re-hire.

Employees who leave County employment, for any reason except misconduct or failure to complete the six (6) month Introductory Period, are paid for any accrued, unused annual leave hours at the employee's current straight-time rate of pay, provided the employee gives and works the appropriate notice period (see Resignation, section 14.A).

#### **14.K RETURN OF PROPERTY**

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all County property, materials, etc., immediately upon request or prior to the effective date of separation from employment. Any employee who does not adhere to this policy is considered terminated not in good standing and as such may not be eligible for re-employment. Additionally, the value of such items is considered an advance of wages, the value of which may be deducted from an employee's final pay. The County may take all action deemed appropriate to recover or protect its property.

#### **14.L REIMBURSEMENT TO THE COUNTY**

Any employee who leaves employment with the County within one (1) year of having taken, at the County's expense, any required certification training or any tuition reimbursement may have the cost of such training/examination(s) deducted from his or her final pay (See Training, section 12.J)

#### **14.M UNEMPLOYMENT COMPENSATION INSURANCE**

The County maintains unemployment insurance on all employees, which is administered through the South Carolina Employment Security Commission. The unemployment insurance program is available to pay claims for employees who are out of work through no fault of their own. Claims made for unemployment compensation by employees who are terminated may be appealed by the County.

#### **14.N HEALTH INSURANCE COVERAGE - COBRA**

Employees who participated in the County's health insurance plan and separated from employment, for any reason, are eligible to continue health and dental coverage. Employees and their eligible dependents may elect to continue benefits upon payment of the applicable premium plus any additional administrative charge. The premium payments are required to be paid, in advance, to the County's Human Resources Office.

#### **14.O HEALTH INSURANCE COVERAGE - RETIRED**

Employees who participated in the County's health insurance plan and who retire from County Service in accordance with the South Carolina Retirement System may have their health insurance coverage continued. Please contact the Human Resources Department for more details.

**Retired employees - Years of County Service:** Service Retirees and employees enrolled in the health plan on or before July 20, 2008, who (1) have participated in the County's health insurance plan for ten (10) or more consecutive years; and (2) have met the retirement age; and (3) at the time of retirement are active County employees, will have their health insurance premiums paid by the County. Employees enrolled in the health plan on or after July 21, 2008, and enrolled in the South Carolina Retirement System, at the time of retirement must be employed for twenty-eight (28) years and meet the second and third criteria to qualify for paid health insurance premiums after retirement. Employees enrolled in the health plan on or after July 21, 2008, and enrolled in the Police Officers Retirement System at the time of retirement must be employed for twenty-five (25) years and meet the second and third criteria to qualify for paid health insurance premiums after retirement.

### **15. EMPLOYEE CONDUCT**

#### **15.A INTRODUCTION**

As is the case with all organizations, instances arise when an employee must be reprimanded, suspended, or discharged. When this happens the supervisor should submit a memorandum in which he/she outlines the circumstances involved and the action being requested. The supervisor reviews the report (with the exception of oral warnings and terminations) with the employee for his/her signature with the understanding that this only acknowledges that the employee has seen the report. The employee's signature does not necessarily indicate agreement with the contents of the report or the action to be taken, nor does it prevent appealing the action. **The employee must sign the report.**



If the employee refuses to sign the report he or she is suspended from work without pay and, if he or she does not sign the form by 5:00 p.m. at the end of his or her second full scheduled work day, the employee will be presumed to have resigned.

#### **15.B TYPES OF DISCIPLINARY ACTION**

Disciplinary action that may be taken includes but is not limited to:

- a. Informal counseling;
- b. Oral reprimand;
- c. Written reprimand;
- d. Suspension without pay;
- e. Probation;
- f. Reduction of annual leave balance;
- g. Demotion; and/or
- h. Dismissal.

#### **15.C EXAMPLES OF CONDUCT WARRANTING DISCIPLINARY ACTION**

It is not possible to list all acts and omissions that may result in disciplinary action. The disciplinary action that is administered for any particular act or acts of misconduct rests in the sole discretion of the County. The following list is merely a **guideline** of some of the more obvious types of misconduct that may result in disciplinary action. **The disciplinary action that is administered for any particular act or acts of misconduct rests in the sole discretion of the County without regard for the way it has treated other employees and without regard to the way it has handled similar situations.**

- a. Conviction of, plea of guilty or no contest, or admission of any criminal charge to include: theft, violation of drug laws, sexual misconduct, offense involving moral turpitude, or offense that affects the County 's reputation or that reasonably could create concern on the part of fellow employees or the public.
- b. Incompetence.
- c. Unauthorized absence.
- d. Insubordination, including disrespect for authority, or other conduct that tends to undermine authority.
- e. Failure or refusal to carry out instructions.
- f. Unauthorized possession or removal, misappropriation, destruction, theft, or conversion of County property or the property of others.

- g. Violation of safety rules, neglect, or engaging in unsafe practices.
- h. Interference with the work of others.
- i. Threatening, coercing, or intimidating fellow employees, including "joking" threats.
- j. Dishonesty.
- k. Tardiness or absenteeism.
- l. Failure to provide information or falsification of information of County records.
- m. Failure to report personal injury or property damage.
- n. Neglect or carelessness; unsafe work practices.
- o. Introduction, possession, or use of illegal or unauthorized prescription drugs or intoxicating beverages on County property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; or the off-the-job illegal use or possession of drugs. For purposes of this policy, an employee shall be determined to be "under the influence" if he or she has any detectable amount of any such substance in his or her system.
- p. Unsatisfactory performance.
- q. Failure to keep required licenses and certifications current.
- r. Failure or refusal to cooperate in investigations.
- s. Violation of policies and procedures.
- t. Failure to complete First Report of Injury and Accident Investigation Form.
- u. Any other reason that, in the County's sole discretion, warrants disciplinary action.
- v. Misuse of County property.

## **16. GRIEVANCE PROCEDURE**

### **16.A DEFINITION/PURPOSE**

A grievance is defined as a complaint by an employee that he or she has been treated unlawfully or in violation of County policies with regard to matters pertaining to his employment by the County. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion, and demotion. An employee's level of compensation or classification is not the proper subject for a grievance except as it applies to alleged inequities within an agency or department of the County. However, if an employee believes that he or she has not received or been credited with or has otherwise lost wages or benefits to which he or she is entitled, his or her grievance is to be presented in accordance with this procedure or such wages or benefits may be forfeited.

## 16.B PROCEDURE

### General

This procedure is adopted in accordance with the County and Municipal Employees Grievance Procedure Act, Section 8-17-110, *et seq.*, Code of Laws of South Carolina, 1976, as amended.

An employee who feels that he or she has a grievance follows the following procedures:

Step 1 He or she discusses the grievance with his or her immediate supervisor within ten (10) calendar days of the event(s) giving rise to the grievance. If his or her supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee proceeds to Step 2.

Step 2 The employee is to follow the chain of command in his or her department, appealing to each successive level of supervision. All Step 1 and Step 2 appeals may be oral. At each level each supervisor has four (4) calendar days to render a decision. If no decision is made within this time, the grievance is considered denied. If a supervisor at a particular level is unavailable to consider the grievance, it is considered denied, and the employee is to appeal to the next level of supervision.

### Step 3

- a) If the head of the department in which the employee is employed denies the grievance, this decision is final as to any grievance brought by a probationary employee. A new employee is considered probationary until his or her probationary evaluation is completed and approved by his or her department head.
- b) Employees other than probationary employees may appeal the denial of their grievances by department heads to the Employee Grievance Committee by filing a written request for appeal with the County's Human Resources Department. This must be done within seven (7) calendar days of the department head's denial of the grievance. The written request for appeal is expected to include the following information:
  - (1) The purpose of the appeal and what recommendation is requested of the Grievance Committee; and
  - (2) Statement that the chain-of-command has been followed in the appeal process as is required by the grievance procedure.

Within ten (10) days of receipt of the employee's request, the Chairperson of the Employee Grievance Committee schedules the requested hearing and notifies the Employee Grievance Committee, the employee requesting the hearing, the affected department, and the Human Resources Department.

## **16.C EMPLOYEE GRIEVANCE COMMITTEE**

The County Administrator is authorized to appoint a Committee composed of five (5) members to serve staggered terms of office of three (3) years; two of the terms will expire each year. The Administrator may also appoint two (2) alternates who may serve when a member is not available. A member will continue to serve after the expiration of his or her term until a successor is appointed. Any interim appointment to fill a vacancy prior to the completion of a member's term will be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of the County Administrator. Members of the Committee employed in the same department as the grieving employee and members who have formed an opinion on the issues prior to the hearing may not participate.

The Employee Grievance Committee annually elects its own Chairperson from among its members. The Chairperson will serve as the presiding officer at all hearings that he or she attends but may designate some other member to serve as presiding officer in his or her absence. The Chairperson will have the responsibility to schedule and to re-schedule all hearings.

## **16.D GRIEVANCE HEARING**

The Chairperson will have control over the proceedings. In order to have a Grievance Hearing, there must be a quorum of four (4) members. The Chairperson will take whatever action is necessary to ensure an equitable, orderly, and expeditious hearing. Parties will abide by the Chairperson's decisions, except when a Committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee will govern.

The Committee has the authority to call for files, records, and papers that are pertinent to any hearing; to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses, to consider the results of polygraph examinations; and to secure the services of a recording secretary at its discretion. The Committee has no authority to subpoena witnesses, documents, or other evidence, nor will any County employee be compelled to attend any hearing. All proceedings are tape recorded. Witnesses, other than the grieving employee and the department representative, are sequestered when not testifying. All witnesses testify under oath.

All hearings will be conducted in executive session unless the grieving employee requests, at the beginning of the hearing, that the hearing be held in open session. The official tape recording and the official minutes of all hearings are subject to the control and disposition of the Employee Grievance Committee.

Neither the grieving employee nor the department head may be assisted by advisers or by attorneys during the hearing itself. However, the Committee may have an attorney available to it at any and all times it considers necessary. The County Administrator's designee will provide assistance in reading written materials to the Committee at the request of a grieving employee.

In disciplinary actions by Department Heads and their subordinate supervisors, the employee must receive in reasonable detail written notice of the nature of the acts or omissions that are the basis for the disciplinary action. This notice may be amended at any time twenty-four (24) hours or more before the commencement of the hearing. The Department Head must demonstrate that the disciplinary action is for the good of the County. The Department Head will make the first presentation.

In non-disciplinary grievance hearings, the employee must establish that a right existed and that it was denied him or her illegally or in violation of County policy. The employee will make the first presentation.

In all grievances, the grieving employee and the Department Head will each be limited to one (1) hour of initial presentation. The party required to make the first presentation will be entitled to a ten (10) minute rebuttal of the other party's presentation. The Chairperson will appoint himself or herself or another member of the Committee as timekeeper.

The Committee may base its findings and recommendations on any additional or different grounds developed from the presentations.

In all grievances, presentations may be oral, or in writing, or both and may be supported by affidavits or un-sworn signed statements from witnesses, by records, other documentary evidence, photographs, and other physical evidence. Presentations will be made by the grieving employee (with reading assistance from another if the employee desires) and by the Department Head of the affected department. Parties may request that the Committee call witnesses. A list of potential witnesses should be submitted to the Committee five (5) days prior to the hearing. However, neither party may call witnesses, question the other party, or question any witnesses called by the Committee.

#### **16.E FINDINGS AND RECOMMENDATIONS**

The Committee will make its findings and recommendation and will report such findings and recommendation to the County Administrator within twenty (20) days after the hearing.

#### **16.F COUNTY ADMINISTRATOR PROCEDURE**

Except as provided below, the Committee, within twenty (20) days after hearing an appeal, will make its findings and recommendation(s) and report such findings and recommendation(s) to the County Administrator. If the County Administrator approves the recommendation of the Committee, copies of the decision are transmitted to the employee and to the head of the particular department involved. If, however, the County Administrator rejects the recommendation(s) of the Committee, the County Administrator will make his or her own decision without further a hearing, and that decision is final. Copies of the decision are transmitted to the employee and to the head of the particular department involved.

In grievances involving the failure to promote or transfer or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official or an official appointed by an authority outside county government, the Committee, within twenty (20) days after hearing an appeal, will make its findings and recommendation(s) and report such findings and recommendation(s) to such official. If the official approves the recommendation(s) of the Committee, a copy of the decision is transmitted to the employee. If, however, the official rejects the recommendation(s) of the Committee, the official will make his or her own decision without a further hearing, and that decision is final. A copy of the decision is transmitted to the employee.