

# COUNTY OF STOKES



## PERSONNEL POLICIES HANDBOOK



# Table of Contents

| <u>Category</u>   | <u>Page</u> |
|---|-------------|
| Applicability of Resolution (Article I)   | 1           |
| Affirmative Action (Article II)   | 1           |
| Employment Category (Article III)   | 1-2         |
| Conflicting Policies Repealed (Article IV)  | 2           |
| Employee Benefits (Article V)   |             |
| • Holidays  | 3           |
| • Annual Leave (Vacation)   | 3-4         |
| • Sick and Personal Leave   | 4-5         |
| • Authorized Absences with Pay  | 5           |
| • Authorized Absences without Pay   | 6           |
| • Family Medical Leave  | 6           |
| • Sick Leave Donation   | 6-7         |
| • Workers' Compensation   | 7           |
| • Health and Dental Insurance   | 7           |
| • Continuation of Health Insurance Benefits   | 8           |
| • Retirees' Health Insurance  | 8           |
| • Retirement  | 8-9         |
| • Supplemental Retirement Programs  | 9           |
| • Jury Leave  | 9           |
| • Military Leave  | 10          |
| • Medical Leave Without Pay   | 10          |
| • Supplemental Benefits   | 11          |
| • Flexible Benefits Plan  | 11          |
| • Credit Union  | 11          |
| • Direct Deposit  | 11          |
| Salary, Position Classification, Salary Computation, Employment Offer<br>Longevity Plan and Workweek (Article VI) |             |
| • Salary & Position Classification Schedule   | 12          |
| • Salary Computation for New Hires  | 12          |
| • Longevity Plan  | 12          |
| • Workweek  | 12          |
| • Pay Periods   | 13          |
| • Payroll Deductions  | 13          |
| • Attendance  | 13          |

|  |       |
|--|-------|
| <b>Overtime Provisions (Article VII)</b>   |       |
| • Non-exempt Employees   | 13-14 |
| • Exempt Employees   | 14    |
| • Law Enforcement Personnel  | 14    |
| • EMS Personnel  | 15    |
| • Communications Personnel   | 15    |
| • Employee Notification  | 15    |
| <b>Employment Procedures, Requirements, Incentives,<br/>Performance Evaluations (Article VIII)</b> |       |
| • Employment Offer   | 15    |
| • Appointments   | 15-16 |
| • Recruitment Incentives   | 17    |
| • Promotion/Reclassification or Grade Change   | 17    |
| • Transfer/Involuntary/voluntary and Demotion  | 17-18 |
| • Performance Evaluations  | 18    |
| <b>Separation and Disciplinary Action (Article IX)</b>   |       |
| • Types of Separation  | 18    |
| • Resignation  | 18    |
| • Reduction in Force   | 18-19 |
| • Disability   | 19    |
| • Disciplinary Actions   | 19    |
| • Failure in Performance of Duties   | 19    |
| • Failure in Personal Conduct  | 19-20 |
| • Dismissal  | 20    |
| <b>Employee Appeal Process (Article X)</b>   |       |
| • Appeal Procedure - Disciplinary  | 20-21 |
| • Appeal Procedure - Discrimination  | 21    |
| • Sexual Harassment  | 21    |
| • Open Door Policy   | 21    |
| <b>Supplemental Policies (Article XI)</b>  |       |
| • Political Activity   | 22    |
| • Gifts & Favors   | 22    |
| • Outside Employment   | 22-23 |
| • Inclement Weather  | 23    |
| • Reporting Injuries and Accidents   | 23-24 |
| • Solicitations  | 24    |
| • Physical Examination   | 24    |
| • Testing for Illegal Drugs/Alcohol/Misuse of Prescription Drugs                                   | 24-25 |
| • Tuition Reimbursement  | 25    |
| • Time and Attendance Record   | 25-26 |
| • Vehicle Use  | 26    |
| • Out-of-County Travel   | 27    |
| • Uniforms   | 27-28 |
| • Professional Dress Code  | 28    |
| • Possession of Firearms, Explosive Devices, or Weapons  | 28    |
| • Searches   | 28-29 |
| • Information Technology/Internet Policy   | 29    |
| • Personnel Records  | 29    |
| • Work Place Violence  | 29    |
| • Drug Free Workplace  | 29    |

- Unemployment Insurance 29
- Smoking in County Owned or Leased Facilities 29

|   |       |
|---|-------|
| <b>Non-Discrimination on the Basis of Disability and<br/>ADA Grievance Procedures (Article XII)</b> | 29-30 |
| <b>Administration of Personnel Policies (Article XIII)</b>  | 30    |
| <b>Effective Date (Article XIV)</b>   | 31    |

|   |       |
|---|-------|
| <b>Appendix A: Stokes County Leave Accrual Schedule</b> | 32    |
| <b>Appendix B: Compensatory Time Agreement</b>          | 33    |
| <b>Appendix C: Family and Medical Leave Policy</b>      | 34-36 |
| <b>Appendix D: Operation of County Motor Vehicle</b>    | 37-38 |
| <b>Appendix E: Vehicle Accidents</b>                    | 39    |
| <b>Appendix F: Accident Review Board</b>                | 40    |
| <b>Appendix G: Light Duty Program /Return to Work</b>   | 41    |



# COUNTY OF STOKES

## PERSONNEL POLICY

Be it resolved by the Stokes County Board of Commissioners that the following rules and regulations shall govern the appointment, classification, salary, promotion, demotion, dismissal, and conditions of employment of the employees of Stokes County, North Carolina.

### Article I. Applicability of Resolution

The provisions of this resolution shall apply to all employees except where designated otherwise. Elected officials are exempt except where designated. The State Personnel Act and other such General Statutes of North Carolina shall take precedence where applicable.

### Article II. Affirmative Action

The Stokes County Board of Commissioners has established that equal employment opportunity is the policy of Stokes County; affirmative action shall be provided in personnel administration. Discrimination shall be prohibited in personnel administration on the basis of age, sex, physical disability (except where age, sex, or physical requirements constitute a bona fide occupational qualification necessary for job performance), race, color, creed, religion, political affiliation (except elected officials), or national origin.

### Article III. Employment Category

There are three (3) categories of employment with Stokes County: 1) Probationary, 2) Permanent, and 3) Temporary. A position may be either full-time or part-time within each category. Each category is defined as follows:

#### A. Probationary

Each employee hired or promoted to a permanent position shall serve a probationary period of six months. Probationary period may be extended up to nine months, but under no circumstances may a probationary period exceed a total of nine months. Satisfactory completion of a probationary period with regard to job performance is a requirement before any employee shall be considered a "regular" permanent employee. An employee serving a probationary period may be dismissed at any time during the probationary period without following the dismissal stipulations allowed in this policy. Further, a dismissed probationary employee shall have no rights under the disciplinary, appeal or grievance procedures. Health Department, Social Services, and Emergency Services Director are subject to the rules and regulations of the Office of State Personnel.

**B. Permanent**

Each employee in this category, after successfully completing a probationary period, is considered a permanent employee of the County. Health Department, Social Services, and Emergency Services Director are subject to the rules and regulations of the Office of State Personnel.

**C. Temporary**

Each employee in this category is employed with the County on a temporary basis. Employees in this category do not serve a probationary period. All employees not classified as probationary or permanent are considered temporary, and may be dismissed at any time without following the dismissal stipulations allowed in this ordinance. Temporary employees shall have no rights under the disciplinary, appeal, or grievance procedures.

The use of the word permanent in this article and throughout the resolution shall not be construed or interpreted to mean guaranteed or indefinite. The use of the word permanent infers the County's intent to have the need on an on-going basis of an employee or a position. However, should it be determined that a position is no longer needed, or an employee violates the provisions of the resolution, appropriate action may be taken.

**D. Equal Opportunity**

Stokes County provides equal employment opportunity for all applicants and employees. The County does not discriminate on the basis of race, color, religion, gender, national origin, ancestry, marital status, sexual orientation, age, physical or mental disability, medical condition, or veteran status. The County also makes reasonable accommodations for disabled and disabled veteran employees and for employee's religious observances and practices.

**E. Proof of Right to Work in the United States**

When an offer of employment is made to an applicant, the applicant shall be informed that proof of identity and eligibility to work in the United States will be required upon hire. A list of acceptable documents will also be described to the candidate. The Human Resources Department will ensure that the candidate's documents are verified no later than three working days after the commencement of employment. All new employees hired by the County will be required to complete INS Form I-9. These forms will be maintained in the Human Resources Department. Employment is contingent upon satisfactory completion of the verification requirement.

**Article IV. Conflicting Policies Repealed**

All policies or resolution in conflict with the provisions of this resolution are hereby repealed.

**Article V. Employee Benefits**

The provisions of this article shall not apply to temporary employees with the exception of Section 7 (Workers' Compensation), Section II (Retirement), and Section 12 (Supplemental Retirement) as they are governed by State or Federal law.

## **Section 1.     Holidays**

The County observes twelve (12) holidays, plus other days which the County Board of Commissioners may so designate.

**New Year's Day**  
**Martin Luther King Birthday**  
**Good Friday**  
**Memorial Day**  
**Independence Day**

**Labor Day**  
**Veteran's Day**  
**Thanksgiving (2)**  
**Christmas (2)**

Employees are given one (1) Floating Holiday each year, employees must be employed by December 1<sup>st</sup> in order to be eligible for the Floating Holiday. The Floating Holiday must be taken by December 31<sup>st</sup> of each year.

When a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on Sunday, the following Monday shall be observed.

If the Department Head or County Manager determines that it is necessary for an employee to work on a holiday, compensatory hours shall be awarded for the hours worked. Employees who are subject to work holidays because the department continues to operate as usual shall receive an accrual of holiday hours which will be taken at the direction of the Department Head and prior to the use of all other leave time. These departments are: Sheriff's Department, Emergency Communications, Jail, and EMS. Solid Waste employees who must work on holidays will accrue compensatory time. Accumulated holiday hours are compensable if the employee terminates. Employees will be required to use accrued holiday hours before using any other type of leave with the exception of the "Floating Holiday".

Holiday pay will be granted only when an employee works the day before and the day after the holiday, or has a sufficient earned leave balance to use. (The use of "day before" and "day after" represents the entire scheduled workday before and after the holiday.)

Permanent, part-time employees earn holiday pay only when the holiday falls on a regular scheduled workday and only earn the number of hours normally scheduled.

## **Section 2.     Annual Leave (Vacation)**

The County provides annual leave benefits to all part/full time permanent County Employees. However, only employees that have attained permanent employee status may request to take annual leave. Employees that have not attained permanent employee status will not be allowed to take annual leave unless authorized by their Department Head and the County Manager.

To take annual leave, an authorized employee should first make a request to their supervisor at least three working days in advance of the date they wish to start their leave period and receive approval from their supervisory before taking the requested annual leave. Approval/denial of annual leave request is based on the needs of the employer. Department Heads are authorized to extend the minimum 3-working day advanced notice as needed for the proper operation of their department.

The rate at which annual leave is accrued is based on years of service. The following scale demonstrates the annual leave granted to an employee who works 37.50 hours per week:

| <u>Years of Employment</u> | <u>Earned Annual Leave</u> |
|----------------------------|----------------------------|
| 0-2 years                  | 10 days                    |
| 2-5 years                  | 12 days                    |
| 5-10 years                 | 15 days                    |
| 10-15 years                | 18 days                    |
| 15-20 years                | 21 days                    |
| 20 or more years           | 24 days                    |

All other work schedules will be accrued and calculated in a proportional manner.  
(See Appendix A: Leave Accrual Schedule)

At the end of a calendar year, all annual leave accrued and available to an employee that exceeds the maximum carry-over limit for their position will automatically be converted to sick leave. The annual leave carry-over limits are as follows:

|                                |              |
|--------------------------------|--------------|
| 37.50 hours workweek employees | 180 hours    |
| 40 hour workweek employees     | 192.60 hours |
| Law enforcement/jail employees | 216 hours    |
| EMS employees                  | 240 hours    |

Employees retiring, resigning or terminated from County Service shall be paid for accrued annual leave at the wage rate in effect for the employee at the time of separation as long as required resignation notice is given. A minimum of two (2) weeks' notice is required for all resigning, non-exempt employees. A minimum of three (3) weeks' notice is required for all resigning, exempt personnel.

Employees are cautioned not to retain excess accumulation of annual leave late in the calendar year due to the necessity to keep all County functions in operation.

An employee who transfers from one county department to another shall retain any accumulated vacation leave.

Employees that have access or supervisory control over cash money, checks, certified checks, bank drafts, financial records, or other types of incoming revenue must take at least one consecutive week (5 consecutive workdays) per calendar year using either annual, holiday, or comp. time leave.

Non exempt employees shall record/accrue and use Vacation/Holiday/Sick & Personal/Compensatory Leave in 15 minute increments. Exempt employees shall record the use Vacation/Holiday/Sick&Personal/Compensatory Leave in increments of full day/shift.

### **Section 3. Sick Leave and Personal Leave**

One of the most valuable benefits available to a permanent employee is sick leave and personal leave with pay. Sick/Personal leave is earned at the rate of twelve days per year for the basic workweek. Use of sick/personal leave is permitted during the initial probationary employment period with the County. The rate for all other work schedules will be accrued and calculated in a proportional manner. (See Appendix A: Stokes County Leave Accrual Schedule)

**Sick Leave may be used as follows:** Personal sickness, bodily injury, physical or dental examinations or treatment, exposure to a contagious disease when continued work may jeopardize the health of others, and incapacity due to pregnancy or childbirth.

**Personal Leave may be used as follows:** Illness in the employee's family (includes mother, father, legal guardian, grandmother, grandfather, spouse or child) which requires the care of the employee, or the funeral of a member of the employee's immediate family (see above with the addition of brother, sister, mother-in-law, and father-in-law).

Department Heads or the County Manager may require a physician's certificate as to the nature of an employee's illness and as to his/her physical capacity to resume duties for each occasion on which he/she uses sick leave. Failure to produce a physician's certificate as requested shall be considered just cause for disciplinary action.

Employees who retire, resign in good standing, or are dismissed from employment because of a reduction in force, and are reinstated in a permanent status within five (5) years shall be credited with their previously accumulated sick/personal leave if this leave has not been "cashed in" through the Local Government Employees Retirement System, or transferred for use by the employee to another employer. No employee shall be paid for accumulated sick/personal leave upon termination.

Sick/Personal leave shall be cumulative with no limit on maximum accumulation. An employee who transfers from one County department to another shall retain any accumulated sick leave.

Notification of the desire to use Sick/Personal leave shall be submitted to the employee's supervisor according to each individual department's guidelines. If department does not establish specific guidelines, employee's must notify the supervisor no later than two hours after the beginning of the scheduled workday.

Employees using more than five consecutive sick days will be considered out on Family Medical Leave (FMLA).

Sick/personnel leave is intended for use only under specific conditions as set forth in this policy.

Upon retirement from the County, an employee's unused sick leave is allowed as creditable service for members of the NC Local Governmental Employees' Retirement System. One month of credit is allowed for each twenty (20) days of unused sick leave when the employee retires, and an additional month for any part of twenty (20) days left over.

#### **Section 4. Authorized Absences With Pay**

An employee may be excused with pay at the discretion of the supervisor as follows:

1. To serve on jury duty.
2. For leave required for annual training as a member of the organized military reserves. Such leave shall not exceed two (2) calendar weeks in a calendar year. The County shall pay the difference between the employee's County pay and the military base pay during the two (2) week period.

Temporary employees are not eligible for military leave benefits.

## **Section 5. Authorized Absences Without Pay (Leave of Absence)**

Requests for authorized absences without pay may be granted for a maximum of two weeks. First, the employee will request leave via their Department Head in memorandum form. The Department Head shall forward the request with his/her recommendation to the County Manager. The County Manager shall approve or disapprove the request. Authorization for absences less than one day/shift per pay period, may be granted by the Department Head, not to exceed more than one absence per pay period. Absences during probationary period must be approved by the County Manager.

No leave without pay shall be granted if the employee has an unused balance of accrued leave hours that may not be used. Additionally, time spent on personal leave without pay will not apply toward credited service and does not accrue employee benefits.

## **Section 6. Family Medical Leave**

Eligible employees may take up to twelve (12) weeks of unpaid leave during any twelve-month period for the birth or adoption of a child; to care for a child, spouse, or parent with a serious health condition, for their own serious health condition that prevents them from performing their job. If an employee takes Family Medical Leave and returns to work within twelve weeks, he/she shall be returned to his/her same position, or an equivalent position. All employer-paid benefits shall cease when an employee begins Family Medical Leave with the exception of the employee's health/dental insurance benefits. Only employees who have been employed for at least **one (1) year** and work at least **twenty-five (25) hours per week** are eligible for Family Medical Leave. Time spent on Family Medical Leave without pay shall not apply toward credited service. See Appendix C for a detailed explanation of the Stokes County Family Medical Leave Policy.

Stokes County reserves the right in cases of medical hardship, at the discretion of the County Manager, to waive the requirement of the employee to repay the health insurance premiums paid by the County while the employee was taking Family Medical Leave in the event the employee does not return to work due to illness.

## **Section 7. Sick Leave Donation**

Permanent, part/full time employees who have been approved for Family Medical Leave may receive donations of sick leave from permanent, part/full time employees in cases where the employee has exhausted all available leave. This policy provides an opportunity for employees to voluntarily assist another employee affected by a medical condition that requires absence from duty for a prolonged period of time resulting in a loss of income due to lack of accumulated sick leave. Sick leave donation will carry the following guidelines:

1. Both the employee(s) making the sick leave donation and the employee(s) receiving the donation shall be permanent, part/full time employees
2. To be eligible to receive donated sick leave, the employee must have or will exhaust all leave accumulations prior to cessation of Family Medical Leave
3. This policy shall not preclude or enhance the absence thresholds stipulated in the Stokes County Family Medical Leave
4. Each approved medical condition shall stand alone and donated leave not used for each approved incident shall be returned to the donor(s).
5. This policy shall cover the transfer of unused, accumulated sick leave only
6. Leave transferred under this policy will be available for use on a current basis or may be retroactive for up to thirty (30) calendar days to substitute for leave without pay already granted to the leave recipient.

7. An employee may donate no less than one day/shift or no more than three hundred (300) hours to the leave recipient
8. Hours donated must be in full hours and may not be fractions of hours
9. Donated sick leave may not exceed 50% of the donor's total accumulated sick leave
10. The donor must present an "Application to Donate Sick Leave" to his/her department head which is approved by the Personnel Officer.

## **Section 8. Workers' Compensation**

Each employee is protected from injury or disability incurred while on duty under benefits of the North Carolina Workers' Compensation Law. All of the employee's medical bills shall be paid and the employee shall receive compensation at the rate of two-thirds of average weekly salary, or up to a maximum set by the North Carolina Workers' compensation Commission until the employee is able to return to work. Any employee eligible for wage compensation through Workers' Compensation benefits may use their accumulated leave to replace the difference in their normal weekly salary and compensable rate, but in no case may he/she receive compensation in excess of 100% of their normal weekly salary.

The employee shall notify his/her supervisor immediately of any accident or personal injury while on duty. Failure to report said incident shall result in forfeiture of rights to benefits. (See Article XI, section 5, #3) The County also reserves the right to enter an employee in a return-to-work program (See Appendix G: Stokes County Light Duty Program)

Note: On-the-job injuries are covered by Workers' Compensation. Off-the-job injuries are covered by the employee's medical insurance.

## **Section 9. Health and Dental Insurance**

The County of Stokes shall offer group health and dental insurance to all full-time, permanent County employees. The County shall pay the full premium of the individual employee's hospital, surgical and medical group health insurance along with dental insurance upon approval each budget year. Additional coverage for the employee's family, spouse or child shall be paid by the employee through payroll deduction. County Commissioners shall be eligible for coverage and paid for by the County upon approval each budget year, provided the insurance plan allows such eligibility.

Employee health and dental insurance benefits become effective the first of the month following the date of employment. Employee health and dental insurance benefits end on the last day worked when the employee terminates employment with the County.

The County offers continuation of health and dental insurance benefits for the employee and his/her dependents effective the following day after the date of termination. This benefit is available under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and the Tax Reform Act of 1986. To receive this benefit, under COBRA regulations, the employee must elect to do so within sixty (60) days from the date of termination, or other qualifying event, by completing and submitting a "continuation of coverage" application. Furthermore, the employee is responsible for paying the premium payment amount will be at the group rate for the coverage elected plus two percent (2%) for administrative handling. The coverage elected by the employee may be continued for a period of eighteen (18) months or thirty-six (36) months, whichever is applicable under COBRA.

## **Section 10. (COBRA) Health Benefits**

It is the policy of the County to comply with the provisions of the Consolidated Omnibus Reconciliation Act (COBRA). COBRA requires that employers sponsoring group health and dental coverage offer participants and their qualified beneficiaries the opportunity for a temporary extension of coverage at group rates in certain instances where coverage under the plan would otherwise end because of certain qualifying events. COBRA benefits are administered by the County's health insurance provider.

## **Section 11. Retirees' Health Insurance**

Employees retiring from employment with Stokes County shall be allowed to retain health insurance coverage (no dental) through the Stokes County Health Insurance Group Plan provided the employee is a member of and retires under the rules set forth by the NCLGERS and has worked his/her final **ten (10) years** prior to retirement with Stokes County. A retiring employee must follow both guidelines to be eligible for retiree health insurance coverage:

| <b>Minimum Years<br/>of Service</b> | <b>Minimum Stokes<br/>County Service</b> | <b>County<br/>Contributions</b> | <b>Employee<br/>Contribution</b> |
|-------------------------------------|--|---------------------------------|----------------------------------|
| 25 yrs+                             | 20 yrs+                                  | 100%                            | 0%                               |
| 25 yrs+                             | 10 yrs+                                  | 50%                             | 50%                              |
| 20 yrs+                             | 10 yrs+                                  | 0%                              | 100%                             |
| Less than 20 yrs                    | Less than 10 yrs                         | No coverage                     | No Coverage                      |

1. Retiring employees with less than 20 years of service in the Retirement System or less than 10 years of service with Stokes County shall not be eligible for retiree health insurance coverage with Stokes County. Sick leave transferred to the Retirement System does not count toward minimum years of service.
2. Retired employees shall be dropped from Stokes County health insurance upon reaching the age of 65. No dependents will be allowed to remain on the coverage if the employee's coverage has been terminated.
3. Any coverage paid less than 100% by the County shall be assessed a 2% administration fee.
4. Under no circumstances shall the County pay more than the individual premium. Coverage beyond the individual employee shall be totally the responsibility of the retired employee.
5. Retiring employees must elect to take or reject this coverage before their last day of work before their retirement date.
6. Retired employees paying any portion of their coverage or dependent coverage must be paid no later than the 25<sup>th</sup> of the month prior to coverage. For example, you must pay your March premium no later than February 25<sup>th</sup>.
7. Late payments are subject to immediate insurance cancellations.
8. Coverage may change depending on the County's insurance carrier. Coverage, costs, and insurance carriers are determined yearly.

## **Section 12. Retirement**

Employees of Stokes County are enrolled in the North Carolina local Government Employee's Retirement System (NCLGERS). The employee shall contribute a percentage of his/her salary, which shall be deducted from the employee's paycheck each pay period according to requirements set forth by the NCLGERS. The County shall contribute an employer's share, which is based on the calculations prepared by an actuary. (Different provisions in the NCLGERS apply to Law Enforcement Personnel. For more information on the retirement system, reference the retirement system handbook.)

The employee may retire from government service with unreduced benefits after:

1. You reach age 65 and complete 5 years of creditable service, or
2. You reach age 60 and complete 25 years of creditable service, or
3. You complete 30 years of creditable service at any age.

Law enforcement personnel may be eligible to retire with an additional retirement benefit provided by the County called the "Separation Allowance". To qualify for this benefit, the following guidelines apply:

1. Either accrue 30 years of creditable service, regardless of age, or have attained 55 years of age with a minimum of 5 years of creditable service.
2. Complete a minimum of 5 years of continuous service as a law enforcement officer immediately preceding retirement.

**Amount of Allowance:** The annual allowance to an eligible retired law enforcement officer, which is payable monthly, is equal to 0.85% of his/her annual base rate of compensation multiplied by his/her total creditable service.

**Cessation of Allowance:** The Separation Allowance for law enforcement officers payable at retirement ceases at age 62, at death, or upon re-employment by a State department, agency, or institution.

**Contributions:** All law enforcement officers who are members of the North Carolina Governmental Employee's Retirement System are covered and no member contributions are required. The full cost of the allowance is paid by Stokes County.

### **Section 13. Supplemental Retirement Programs**

The County offers three (3) supplemental retirement programs – the 401K Plan, the Deferred Compensation Program (457) and the North Carolina Deferred Compensation Plan (457). The County shall contribute 1% of the employee's base pay period salary (law enforcement officers do not apply) to the 401(k) Plan if the employee matches the 1% contribution. Employees may contribute to either, or both plans through payroll deduction, and contributions can be deducted pretax or after tax basis. The employee may contribute more than 1% to the 401(k) plan, but the County will only match 1%.

Law enforcement officers are provided a contribution by the County into the 401K Plan at a rate of five percent (5%) of the employee's gross pay per pay period. This benefit is provided whether or not the employee contributes to the Plan. To qualify for this benefit, the employee must be: 1) a certified law enforcement officer with the power of arrest, and perform these duties for the majority of the time on the job, and 2) be a member of the NCLGERS.

### **Section 14. Jury Leave**

Employees summoned to duty either as a juror or witness shall notify his/her supervisor immediately. Employees shall be granted leave with regular pay for the period served. No charge shall be made against the employee's annual leave and the employee shall retain any juror's pay received.

Should an employee appear as a plaintiff, defendant, or volunteer to appear as a witness in court (other than at the request or behalf of Stokes County), the absence from work must be approved by employee's supervisor. Either annual leave, compensatory leave, holiday leave or leave without pay may be used for the aforementioned court appearance. Sick/personal leave cannot be used for this purpose.

## **Section 15. Military Leave**

Permanent employees entering active duty with any branch of the United States Armed Forces are entitled to re-employment rights under the law. An employee who is entering military service is granted a leave of absence without pay up to the maximum period of time during which re-employment is available under Federal law. The employee must apply for re-employment within ninety (90) calendar days after release from active duty to be placed in a former job, if available, or to one of equal pay and status, unless there has been a change in circumstances which would make it impractical.

Employees must present their Department Head with a copy of their orders prior to their departure on leave, unless precluded by military necessity or circumstances that make notice unreasonable or impossible. Upon the presentation of an order for active duty, the Department Head will place the employee on Military Leave.

A permanent employee who is a member of a Reserve Unit or National Guard Unit, and who is called to active duty of not less than three consecutive months may apply for re-employment within thirty-one (31) calendar days following release from active duty or be reinstated.

If the compensation received while on military leave is less than the salary that would have been earned during this same period as an active employee, the employee shall receive the difference not to exceed his normal salary.

Employees who are called to active duty will be allowed to accrue the following leave as if the employee was working:

- General employees will accrue vacation and sick leave
- Sheriff's Department, EMS, Jail, and Communication employees will accrue vacation, sick, and holiday leave

Employees covered by the County health and dental plans prior to leaving for the uniformed services, are entitled to continue the "employee only" portion of their health and dental insurance benefits if so desired. Coverage of family members is still at the expense of the employee to be paid monthly to the County prior to the first day of the coverage month.

Employees working in "temporary" positions are not eligible for military leave benefits.

## **Section 16. Medical Leave Without Pay**

An employee may be granted a leave of absence from work due to an approved leave as allowed under the Family Medical Leave Act without pay for up to (6) six months after the latter of 12 approved weeks of family medical leave or the exhaustion of earned accumulated leave time. The employee must provide the County with sufficient medical information regarding the need for the extended leave. Medical leave without pay must be approved by the County Manager. Employee will be granted medical leave without pay in two months increments, not to exceed six months. An employee on approved medical leave without pay shall not accrue vacation, sick, or holiday leave and will be responsible of timely paying the employee portion of any insurance premiums. Failure to pay premiums within 30 days of the due date will result in termination of insurance coverage. Failure to return to work at the end of the granted leave will be considered a voluntary resignation.

**Section 17. Left For Future Amendments**

**Section 18. Left For Future Amendments**

**Section 19. Supplemental Benefits**

The County offers other supplemental benefits to full-time employees. These policies are optional to each employee and the premiums for each employee's selection are paid by the employee through payroll deduction. The County makes no contribution for these benefits.

Supplement Benefits included but not limited to:

1. AFLAC\*
2. AFLAC Unreimbursed Medical/Day Care
3. Community Eye Care
4. Whole Life Insurance
5. Disability Policy
6. Life Insurance

\*Part time employees can participate in the AFLAC program, but payments will be the responsibility of the part time employee and will not be allowed to be payroll deducted.

**Section 20. Flexible Benefits Plan**

Section 125 of the Internal Revenue Code allows the County to offer a plan to employees where certain expenses of the employee may be deducted from their salary on a pre-tax basis. The County offers this plan as Stokes County Flexible Benefits Plan. Qualified expenses in the plan are: health and dental insurance premiums, supplemental benefits premiums (disability, intensive care, cancer benefits policies), dependent child care expenses, and unreimbursed medical expenses. This benefit will be offered to each employee when they start work, and once a year thereafter on the anniversary of the Plan – July 1. Unless there is a family status change in the employee's family during the year, these are the only times the benefit is offered for participation.

**Section 21. Credit Union**

All employees of the County are eligible to join the North Carolina Local Government Employees' Credit Union. Employees under the State Personnel Act are eligible to join the North Carolina State Employees' Credit Union. The Credit Union offers full service banking to its members while offering very competitive rates and charges. Employees are encouraged to take advantage of the services of the Credit Union.

**Section 22. Direct Deposit**

All employees of the County are eligible to participate in payroll direct deposit to any banking or credit institution.

## **Article VI.        Salary, Position Classification, Salary Computation, Employment Offer, Longevity Plan and Workweek**

### **Section 1.        Salary & Position Classification Schedule**

The salaries of Stokes County employees are set and maintained through a detailed position classification grade and salary schedule. Each position contains a detailed list of job requirements and is assigned a salary grade with a minimum and maximum salary. Each grade is assigned 50 steps (for example 1A, 1B, 2A, 2B, 3A, 3B, etc.).

### **Section 2.        Salary Computation for New Hires**

Salaries for candidates being considered for employment will be computed as follows:

1. One (1) step will be given for every two years of relevant outside work experience.
2. One (1) step will be given for every year of prior Stokes County experience as a full time employee.
3. One (1) step will be given for Associate Degree over High School Diploma if not required for the position if the education is relevant to the job.
4. Two (2) steps will be given for Bachelor Degree over Associate Degree if not required for the position if the education is relevant to the job.
5. Two (2) steps will be given for Masters Degree over Bachelor Degree if not required for the position if the education is relevant to the job.

### **Section 3.        Longevity Plan**

Permanent Employees will be given credit for service time with Stokes County on their anniversary date as follows: (Anniversary date is the date the employee is classified as a full time employee eligible for benefits)

- One (1) step will be given at the end of 6 months
- One (1) step will be given for every year of service on the employee's anniversary date
- One (1) additional step will be given on anniversary years of 4, 6, 8
- Two (2) additional steps will be given on anniversary years of 10, 15, 20, 25

Salary computation for new hires and longevity plan are based on annual approval by the Board of Commissioners.

### **Section 4.        Workweek**

The workweek for general County employees is thirty-seven and one-half (37 ½) hours per week unless otherwise designated according to their job requirements. The schedule of some departments vary from the basic schedule. For example, law enforcement personnel normally work 168, or 170, or 180 hours in a 28 day cycle, Communications personnel normally works 168 hours in a 28 day cycle, and EMS works either 218.25 or 242.25 in a 28 day cycle. The basic workweek begins at 12:01 a.m. on Saturday and ends at 12:00 a.m. on the following Saturday for all county employees.

Flex schedules must be approved by the Board of Commissioners.

Employees who work a 37.5 or 40.0 hour work week will be required to take a one hour lunch break unless a change is approved by their immediate supervisor.

## **Section 5.     Pay Periods**

The County's pay period shall be based on a twenty-eight (28) day cycle. There shall be thirteen (13) pay periods within a year. Paychecks shall be issued eleven (11) calendar days following the last day of the pay period. Pay date will be on Tuesdays.

## **Section 6.     Payroll Deductions**

Normal deductions shall be made from each employee's paycheck each pay period for:

- Federal Income Tax
- State Income Tax
- Social Security (FICA) and Medicare
- Retirement (Permanent employees)

## **Section 7.     Attendance**

Attendance and punctuality are very important responsibilities of a County employee. When an employee is unable to report for work, it is his/her responsibility to notify his/her supervisor. An employee should contact the supervisor as soon as it is apparent the employee will be unable to report to work.

Excessive tardiness may affect promotion and continued employment. An employee absent without an excuse shall be subject to suspension. Continued or repeated unexcused absences shall result in dismissal. An employee absent from work for three consecutive days without notification to the supervisor may be terminated as a voluntary resignation.

## **Article VII.     Overtime Provisions**

From time to time, it becomes necessary for employees to work additional hours beyond the normal work period amount. Compensatory time will be given in lieu of overtime pay, except for personnel working in EMS and Communications and temporary employees. Compensatory Time must be approved by an employee's direct supervisor. If circumstances arise and the employee is not able to obtain approval such as having to work after the end of the workday/shift due to an emergency, the employee should notify their direct supervisor as soon as possible. As of 08-24-2009, exempt employees no longer accumulate compensatory time.

### **Section 1.     Non-Exempt Employees**

This class of employee shall receive one hour of compensatory time for each hour worked over their standard work schedule up to forty (40) hours in a seven day workweek. Compensatory time will be awarded at a rate of 1.5 hours for each hour physically worked in excess of forty (40) hours in a seven day workweek. For example, if an employee's standard work schedule is 37.5 hours per week, and he/she works 42 hours in a week, he/she will receive 5.5 hours of compensatory time and pay for 37.5 hours.

Law enforcement personnel who are classified as 207 (K) non-exempt shall receive compensatory hours at a rate of 1.5 hours for each hour physically worked in excess of 171 hours in each 28 day work period.

All overtime worked must be properly documented and must receive approval of the supervisor before it is worked. Compensatory time shall be awarded at the end of each pay period as outlined above, but may be used as paid time off any time after it is earned, with the approval of the supervisor. Each

supervisor has discretion in allowing or directing an employee to use compensatory time. No compensatory time shall be allowed for work during an employee's lunch hour unless such work is of an emergency nature. In the event of a voluntary or involuntary termination of a non-exempt employee, compensatory time shall be eligible for monetary reimbursement.

Each non-exempt employee hired by the County, except EMS and Communications personnel and temporary personnel, shall be required to sign the Compensatory Time Agreement (Appendix B) stating compensatory time in lieu of overtime pay is acceptable. Agreeing to the compensatory time method of payment is not a condition of employment, however, if an employee disagrees with this form of payment, the employee shall be disallowed from working overtime or may be directed to take time off during the week overtime is worked. (Appendix B)

Non-exempt employees will be required to use compensatory time as soon as possible after accumulation at the direction of the Department Head and will be required to use compensatory time before the use of any other leave. Sheriff's Department and Jail employees who accrue both holiday time and compensatory time will use be required to use holiday time first.

## **Section 2. Exempt Employees**

Employees in this class are deemed to be exempt from the Fair Labor Standards Act minimum wage and overtime standards. Employees in this class fall into three categories: Executive, Administrative and Professional. The County shall follow either the short test or long test as set forth in the Fair Labor Standards Act, whichever is applicable, to determine the "exempt" status employees.

Employees classified as exempt will not maintain a timesheet unless they are reporting the use of sick/personal, annual, or holiday leave (floating holiday) in increments of full days/shifts. Exempt employees will be required to use leave when the office is closed requiring employees to follow the liberal leave policy for inclement weather. As of 08-24-2009, exempt employees no longer accumulate compensatory time.

Exempt Employees hired prior to 08-24-2009 served the county during a period of time that policy allowed them to accumulate and record compensatory time /comp-time.

Exempt Employees in this category will use recorded comp-time utilizing the same request and approval process established for annual / sick / holiday leave until the balance is exhausted and such recorded comp-time will be utilized before use of annual or sick leave.

In the event of voluntary or involuntary termination as an employee of Stokes County, exempt personnel shall not be eligible for monetary reimbursement for recorded or unrecorded comp-time.

## **Section 3. Law Enforcement Personnel**

According to the Fair Labor Standards Act, non-exempt law enforcement personnel fall under the 207(K) exemption which requires employers to compensate at an overtime rate for hours worked in excess of 171 hours in a 28 day period. Law enforcement personnel that are classified as non-exempt by the County normally work a "fluctuating" work schedule within the 28 day work period that ranges from 168 to 171 hours. In the event the employee is required to physically work in excess of 171 hours in the work period, compensatory time will be awarded at a rate of one and one-half hours for each hour physically worked in excess of 171 in the 28 day work period.

#### **Section 4.     EMS Personnel**

EMS personnel work a “fluctuating” work period. This class of employee earns half-time cash compensation for each hour of overtime physically worked in excess of 40 hours in a seven (7) day workweek.

#### **Section 5.     Communications Personnel**

Communications personnel work a “fluctuating” work period. This class of employee earns half-time cash compensation for each hour of overtime physically worked in excess of 40 hours in a seven (7) day workweek.

#### **Section 6.     Employee Notification**

Upon appointment, each employee shall be notified of his/her exempt/non-exempt status. Each non-exempt employee shall be required to sign the Compensatory Time Agreement (Appendix B), except EMS, Communication, and temporary personnel. (See Article VII, Section 1, paragraph 4)

### **Article VIII.     **Employment Procedures, Requirements, Incentives, Performance Evaluations****

The provisions of this article do not apply to temporary employees.

#### **Section 1.     Employment Offer**

Once the Department Head has selected a candidate for employment, the Department Head will calculate the salary according to Article VI.- Section 2 – Salary Computation and present the salary recommendation along with supporting documentation to the Personnel Officer for review. It will be the responsibility of the Department Head to verify dates of service with prior employers and determine if previous employment is relevant to the job. The Personnel Officer will review the salary recommendation with the Finance Director. Once the salary recommendation has been verified by the Personnel Officer and the Finance Director, the salary recommendation will be presented to the County Manager for final approval. Once the County Manager has approved the candidate, if applicable, along with the salary recommendation, the Personnel Officer will forward this information to the Department Head. All exceptions to the hiring salary for an employee must be approved by the Board of County Commissioners. Once the Department Head has received approval notification from the Personnel Officer, the Department Head will send the candidate an offer of employment letter for confirmation. The candidate will not be allowed to start employment with Stokes County until the offer of employment letter has been signed by the candidate and returned to the Department Head.

#### **Section 2.     Appointments**

It is the County’s policy to create career opportunities for its employees when possible. Therefore, when a current employee applying for a vacant position possesses the best qualifications of all applicants, that applicant shall be appointed to the vacant position. Departments subject to the State Personnel Act must verify that the employee is fully qualified for the position before such appointment.

Once a department head realizes a vacancy within the department, he/she shall notify the Personnel Officer or County Manager. The vacancy shall be advertised within existing County departments for a period of one week. County Manager has the authority to waive the one week internal posting for positions with mandatory requirements (for example – nurses, social workers, etc.). Should non-qualified applicants apply, the vacancy shall be advertised in a newspaper of general circulation, and posted

in the County Government Center for a period of no less than two weeks. A longer and more widely circulated vacancy advertisement may be approved by the Personnel Director or County Manager.

Before any commitment is made to an applicant, the Department Head, not subject to the State Personnel Act, shall forward an appointment recommendation and reasons for selecting the particular applicant to the Personnel Director or County Manager. The Personnel Director or County Manager, may request to interview the recommended applicants himself/herself. After investigating the qualifications and experience of the recommended applicant, the Personnel Officer, or County Manager, shall approve or reject the appointment. After approval, the Department Head may extend a conditional offer of employment to the selected applicant: employment shall be contingent upon an acceptable physical examination, drug test (See Article XI, Sections 7 & 8), driver's license and criminal history report.

It is the policy of Stokes County to provide a safe and secure working environment for all employees. Criminal convictions against an applicant for employment may have an impact upon qualifications for employment and will be considered in hiring decisions. Accordingly, candidates who have been requested to interview for a county position shall be required to submit a certified copy of a criminal record check from all counties in which they have lived for the previous five years. Criminal record check shall be submitted two business days prior to the scheduled interview date or before any offer of employment. Applicants shall be required to answer completely and accurately questions on their application with regard to previous criminal convictions. Failure to do so will subject the applicant to not being hired.

An applicant for employment will be rejected if the criminal record check reveals conviction of a crime that indicates the employee (1) poses a threat to the physical safety of county personnel, or (2) does not have the integrity or honesty to fulfill his or her duties as a county employee. Conviction of a crime, as used in this policy, includes the entry of (1) a plea of guilty, no contest, or the equivalent; or (2) a verdict of guilty in court of law or military tribunal.

If the county considers an applicant's criminal record in making a decision adverse to an applicant, the County Manager shall make written findings with regard to the reasons therefore.

The appointment by the Sheriff or Register of Deeds of a relative by blood or marriage or nearer kinship than first cousin, of a person who has been convicted of a crime involving moral turpitude is subject to approval by the Board of County Commissioners as required by **G.S. 153A-103**. The Board of County Commissioners shall advertise for interview, appoint, and evaluate the positions of County Manager, Clerk to the Board, County Attorney, Tax Administrator, and Finance Officer.

It shall be the following policy of Stokes County, excluding the Sheriff and Register of Deeds, relating to the hiring of relatives:

- a. Members of an immediate family shall not be employed at the same time if such employment would result in an employee directly or indirectly supervising a member of the immediate family.
- b. This policy shall not be retroactive, and no action will be taken concerning those members of the same family employed in conflict with (a) above prior to the adoption of this policy.
- c. Immediate family is defined for the purpose of this section as spouse, mother, father, guardian, children, sister, brother, aunt, uncle, niece, nephew, grandparents, grandchildren, plus the various combinations of half, step, in-law, and adopted relations that can be derived from those named

### **Section 3. Recruitment Incentives**

It is the County's policy to recruit the best qualified, most experienced personnel possible. Therefore, applicants hired within 6 months of their separation from other government agencies participating in the North Carolina Local/State/Federal Government Employees Retirement System shall be allowed to transfer accrued sick leave to Stokes County. Also, employees previously governmentally employed within 6 months of their separation and participating in the NC Local/State or Federal Employees Retirement System shall be allowed to transfer a maximum of five years of their accrued years of service. This benefit applies only to those formally employed in local government or related agencies, and previously enrolled in the Local and State Employees' Retirement System, including employees previously employed by Stokes County.

### **Section 4. Promotion/Reclassification or Grade Change**

Candidates for promotion shall be chosen on the basis of their qualifications, and their work records without regard to age, sex, race, color, creed, religion, political affiliation, national origin, or physical disability. Performance appraisals and work records for all personnel who meet the minimum qualifications and apply for the position shall be carefully examined when openings for positions in higher classifications occur.

As far as practicable, vacancies in positions shall be filled as far as practicable by the promotion of employees currently in the service of the County.

The employee will receive 4% added to the current salary and moved to the next highest step on the new salary grade or the minimum of the new grade, whichever is higher.

### **Section 5. Transfers, Involuntary/Voluntary Transfer and Demotion**

Transfers from one department to another require the approval of the department head in the employee's present position and the department head where the position exists. This type of action is referred to as a "lateral" transfer and is recommended only in rare instances where morale, job performance, and productivity can best be realized through such action. Final authority to approve or disapprove such transfers rest with the County Manager. Those departments under State Personnel Act must follow all rules and regulations pertaining to lateral transfers.

In the event of a lateral transfer, accrued fringe benefits shall accompany the employee to the new position. Any employee who has successfully completed a probationary period may be transferred to the same or similar class in a different department without serving another probationary period.

In the event of a lateral transfer, the employee shall be entitled to retain his/her current salary if the employee is transferring to a position with the same salary grade.

**Involuntary Transfer** – The employee will be frozen at the current salary and placed on the lower grade at the same step until the employee's experience catches up with his/her current salary.

**Voluntary Transfer and Demotion** – The employee will be placed at the same step in the lower grade that the employee is currently on.

**Work Against** – If the employee is placed in a work against, the employee will be placed at the minimum one (1) grade below the appropriate grade. Once the employee qualifies for the appropriate grade, the employee will be placed at the minimum of the appropriate grade. For example: if the employee was hired as a Social Worker II (Grade 66), the employee would be placed on Grade 65 at the minimum;

once the employee qualified for the Social Worker II position, the employee would be placed on grade 66 at the minimum.

If an employee who accrues holiday leave transfers to a position that does not require accrual of holiday leave, the employee will be compensated for the remaining balance of holiday leave at the employee's rate of pay prior to the transfer.

If an employee who is classified as non-exempt transfers to an exempt position, the employee will be compensated for the remaining balance of compensatory leave at the employee's rate of pay prior to the transfer.

## **Section 6: Performance Evaluations**

Supervisors and/or Department Heads shall conduct Performance Evaluation conferences with each employee at least once a year. These performance evaluations shall be documented in writing and placed in the employee's personnel file. New employees will be evaluated by the Supervisors and/or Department Head upon their completion of their six month probationary period. The evaluation will include recommendations or a plan for improvement if weaknesses are identified. Both the employee and the employer will sign the evaluation. If the employee's evaluation is unsatisfactory after the six-month evaluation period, the employee's supervisor shall recommend in writing whether or not the probationary period is extended or the employee is to be dismissed. The evaluation format for each department must be approved by the County Manager.

## **Article IX. Separation and Disciplinary Action**

### **Section 1. Type of Separation**

All separations of employees from positions in the service of the County shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force (RIF), disability, retirement, dismissal, or death.

### **Section 2. Resignation**

All permanent non-exempt employees must give a minimum of two (2) weeks' notice. All permanent exempt employees must give a minimum of three (3) weeks' notice. Such notice shall be given to the Department Head, or in case of a Department Head, to the County Manager or to the appropriate Board of Authority.

Should an employee resign with less than two (2) weeks' notice or three (3) weeks in the case of an exempt employee, the employee shall forfeit all payment(s) for accumulated annual leave. Sick leave will only be approved during the final two weeks of a notice with a physician's certification or comparable documentation.

The County Manager shall waive the provisions of this policy solely in the event of a catastrophic health event or family emergency.

### **Section 3. Reduction in Force**

In the event that a reduction in force becomes necessary consideration shall be given to the quality of each employee's past performance, organizational needs and seniority in determining those employees to be retained. Employees who are laid off because of reduction in force shall be given at least thirty (30) days notice of the anticipated layoff. No permanent employee shall be separated while there are

temporary employees serving in the same class in the department, unless the permanent employee is not willing to transfer to the position held by the temporary employee.

#### **Section 4.     Disability**

An employee may be separated for disability when the employee cannot perform the required duties because of physical or mental impairment. Action may be initiated by the employee of the County, But in all cases shall be supported by medical evidence as certified by a competent physician. The county may require an examination at its expense and performed by a physician of its choice.

#### **Section 5.     Held Vacant**

#### **Section 6.     Disciplinary Actions**

An employee may be suspended without pay, demoted, or dismissed because of failure in performance of duties or personal mis-conduct. Department Heads may be suspended without pay, demoted, or dismissed by the County Manager for failure in performance of duties or personal mis-conduct. Disciplinary actions involving the Clerk to the Board, Tax Supervisor, Finance Officer, County Attorney, and County Manager shall be taken by the Board of Commissioners. Disciplinary actions involving the Directors of Mental Health, Public Health and Social Services must be taken by the appropriate Board of Authority in accordance with the rules and regulations of the State Personnel Act.

#### **Section 7.     Failure in Performance of Duties**

A post-probationary employee whose work is unsatisfactory over a period of time shall be issued a written warning explaining the job deficiency and what must be done if the work is to be satisfactory. Second, a final written warning must be issued by the Supervisor or Department Head serving notice upon the employee that corrective action must be taken immediately in order to avoid dismissal. If after the final written warning the employee's job performance continues to be un-satisfactory, the employee shall be dismissed. Each step must be documented and filed in the employee's personnel file.

When a Department Head fails in the performance of duties, the Supervisor and Department Head actions described above are taken by the County Manager, or the appropriate Board of Authority.

The following are examples of failures in the performance of duties considered to be adequate grounds for suspension, emotion, or dismissal:

- Inefficiency, negligence or incompetence in the performance of duties;
- Absence without approved leave;
- Habitual improper use of leave privileges
- Careless, negligent or improper use of County property or equipment;
- Habitual pattern of failure to report for duty at the assigned time and place; and
- Failure to report personal injury received on-the-job.

#### **Section 8.     Failure in Personal Conduct**

A post-probationary employee may be suspended, demoted, or dismissed for personal conduct detrimental to County service. The following are examples of acts of personal mis-conduct that may result in immediate dismissal without warning either oral or written.

- Reporting to work under the influence of alcohol or illegal narcotic drugs, or partaking of such things while on duty, except medication prescribed by a physician taken within the

- prescribed limits;
- Fraud in securing appointment;
- Deliberate damage to County or private property or to the property of other employees while on duty;
- Willful insubordination;
- Stealing, embezzlement of funds, or misappropriation of County funds or property;
- Sexual harassment;
- Carrying concealed weapons with the exception of sworn law enforcement officers or other authorized personnel in the performance of their duties
- Falsification of County records for personal gain or to grant special privileges;
- Violation of political activity restrictions; and
- Unreported absence for three consecutive work days.

Failures of the types listed above are severe failures. Other severe failures of personal conduct may be considered adequate grounds for immediate suspension or termination.

## **Section 9.     Dismissal**

If a dismissal action is taken, a written summary giving the circumstances and facts leading to the dismissal shall be prepared and delivered to the employee in person, or by certified mail. A copy shall be filed in the employee's personnel file.

## **Article X.       Employee Appeal Process**

### **Section 1.     Appeal Procedure – Disciplinary**

Every permanent employee (including permanent part-time employees) shall have the right to appeal a disciplinary action taken against them by their supervisor. This process is to assure each employee that disciplinary decisions are administered fairly and uniformly.

**Step One:**     The employee shall present, in writing, his/her intention to appeal to his/her immediate supervisor within ten (10) working days of the time the employee is notified of the disciplinary action.

**Step Two:**     The supervisor shall file the notice of appeal with his/her Department Head. The Department Head shall arrange a date for the disciplinary hearing within ten (10) working days of receiving the notice of appeal.

**Step Three:**   The Department Head shall review all documents pertaining to the case and may hear from either party verbally. The Department Head may require the supervisor, the employee, or both be present when he/she renders a decision.

**Step Four:**    Should the employee disagree with the decision rendered by the Department Head, he/she may appeal the decision to the County Manager. The appeal must be filed with the County Manager within ten (10) working days of the formal decision by the Department Head. The County Manager shall render a decision within ten (10) working days of receiving the appeal. All decisions of the County Manager are final.

For employees in the Sheriff's Department and Register of Deeds, there shall be no appeal beyond the decision of the respective office holders.

Employees covered under the State Personnel Act shall follow guidelines/procedures set forth by the Office of State Personnel.

## **Section 2. Appeal Procedure – Discrimination**

Any applicant for County employment, County employee, or former County employee who has a reason to believe that employment, promotion, training or transfer was denied him/her or that demotion, layoff or termination of employment was forced upon him/her because of his/her age, sex, race, color, national origin, religion, creed, political affiliation, or physical disability, except where specified age, sex, or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration, shall have the right to file his/her appeal directly with the County Manager (in the case of a general County employee) or the State Personnel Commission (in the case of competitive service employees).

An employee or applicant must appeal an alleged act of discrimination with thirty (30) days of the alleged discriminatory action.

## **Section 3. Sexual Harassment**

The North Carolina State Personnel Sexual Harassment Policy adopted effective April 1, 1985 defines sexual harassment as *"deliberate and unwelcome verbal and/or physical conduct of a sexual nature or with sexual implications by a supervisor or co-worker which: 1) has or may have direct employment consequences resulting from the acceptance or rejection of such conduct; 2) creates an intimidating, hostile or offensive working environment; or 3) interferes with an individual's work performance."*

Employees are entitled to a work environment free from sexual harassment. No personnel decisions shall be made on the basis of the granting or denial of sexual favors. Neither shall the receipt of services offered by this County to the public be contingent upon the granting or denial of sexual favors.

Any applicant, general County employee, competitive service employee, or former employee of the County who believes that he/she has been sexually harassed by a County employee may file an appeal in accordance with Article X, Section 2.

## **Section 4. Open Door Policy**

The purpose of this policy is to provide full and open access to the County Manager should an employee desire to meet one-on-one. It is not the intent of this policy for employees to bring matters to the county manager that should be resolved within their supervisory chain of command. Such matters will be directed back to the employee's supervisor or department head.

Should an employee desire to meet with the county manager, he or she may schedule an appointment by contacting the Administrative Assistant to the Manager or the employee may contact the Manager directly.

## **Article XI. Supplemental Policies**

### **Section 1. Political Activity**

Stokes County employees have a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and Laws of the United States of America.

However, no employee shall:

1. Engage in partisan or political activity while on duty;
2. Use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
3. Be required as a duty of employment or as a condition for employment, promotion, or tenure of office to contribute funds for political or partisan purposes;
4. Coerce or compel contributions for political or partisan purposes from another employee, or serve as a fund raiser for a specific candidate or part; or
5. Use county funds, supplies or equipment for any political or partisan purpose.

County employees subject to the State Employees Act and employees in certain Federally-aided programs are subject to the Hatch Act as amended in 1975. This Federal act also prohibits candidacy for elective office in a partisan election. All county employees may be a candidate for and may serve in a nonpartisan elected or appointed public office, whether paid or not, including, but not limited to school boards, and city or town councils.

### **Section 2. Gifts and Favors**

No official or employee shall accept any gift, favor or object of value that may tend to influence the employee in the discharge of his/her duties.

This policy shall not prohibit:

1. Receipt of honorariums for officers' or employees' participation in meetings;
2. Advertising items or souvenirs of nominal value;
3. Meals furnished at banquets or business dinners;
4. Receipt or exchange of gifts or favors between employees/officers and their friends and/or relatives where it is clear that the motivating factor is a personal relationship rather than a business relationship.

### **Section 3. Outside Employment**

The work of the County shall take precedence over other occupational interests of an employee and secondary employment work not interfere with the employee's county duties, involve a potential conflict of interest, or in any way compromise the integrity or credibility of the Stokes County Government. All outside employment for salaries, wages, or commission, and all self-employment must be disclosed to the Department Head in writing and is subject to review for conformance to this policy by the

Department Head and County Manager. Conflicting outside employment will be grounds for disciplinary action up to and including dismissal.

#### **Section 4. Inclement Weather Policy**

From time to time, adverse weather conditions may cause a change in the County's work schedule. In times of adverse weather, the County Manager, after consultations with the Chairman of the Board of Commissioners, may order County offices closed, or institute the "Inclement Weather Schedule." Notification will be placed on the County website, WXII-Channel 12, WFMY -Channel 2 and WGHP-Fox 8.

The following are definitions of the above terms:

##### **Employee Code A**

**"Closed"** — The offices are closed and no one (citizens or county employees) should report to work without their Department Head's approval. Department Heads should have the County Manager's approval before working during a "closed" condition or authorizing any of their employees to work during a "closed" condition. Pre-approval to work during a "closed" condition is granted to those Department Heads performing a public safety function, which includes the Sheriff's Department, Jail, Emergency Communications, Emergency Medical Services, Fire Marshal, Vehicle Maintenance, Public Works, On Call Social Workers, and On Call Home Health Nurses. During a "closed condition", regular scheduled hours will not be charged against the employee. Departments that must operate on a 24/7 schedule, are exempt from receiving compensatory time if the offices are officially closed or delayed.

##### **Employee Code B**

**"Closed with Liberal Leave"** —The offices are closed to the public, but employees have the option to report to work at their discretion. If an employee chooses not to report to work at their regular scheduled time, the employee must take compensatory time, vacation, or holiday time. If the employee does not have any available compensatory time, vacation, or holiday time, the employee will not be paid for hours taken where no leave was available.

##### **Employee Code C**

**"Delayed Opening with Liberal Leave"** — The offices are delayed for the public, but employees have the option to report to work at their discretion. If an employee chooses not to report to work at their regular scheduled time, the employee must take compensatory time, vacation, or holiday time. If the employee does not have any available compensatory time, vacation, or holiday time, the employee will not be paid for hours taken where no leave was available. This is normally a two hour delay.

If the Office closes early, employees will be required to use some type of leave such as compensatory time, vacation or holiday time, the employee will not be paid for hours taken where no leave was available.

#### **Section 5. Reporting Injuries and Accidents**

If an employee is injured as a result of an accident while on duty, regardless of the severity of the injury, the employee is required to report the injury at once to his/her immediate supervisor so that proper medical attention can be provided. The injured employee and their direct supervisor are required to complete the county's incident reports with a copy forwarded to the Administrative Office as soon as possible following the incident.

Accidents involving County-owned equipment should also be reported immediately to the supervisor in order that the County Manager may be notified. (See Appendix E and F for Vehicle Accident Policy and Accident Review Board Policy)

Failure to report an accident or injury could possibly result in not only loss of Workers' Compensation benefits, but also needed medical attention. Failure to report an accident may also result in disciplinary action under Article IX, Section 7 of this policy.

## **Section 6.     Solicitations**

In order to protect employees from unwanted interruptions, it is the policy of Stokes County that solicitations by outsiders for any reason and solicitations by employees on County property are forbidden. (This provision does not apply to official campaigns such as United Fund of Stokes County)

## **Section 7.     Physical Examination**

Each selected applicant for County employment in a permanent position shall, as a condition of employment, submit to a physical examination at no cost to the applicant. The Supervisor shall schedule the applicant to be examined within 14 days or as soon as possible after the applicant begins his/her duties. The physician of the County's choice shall be used to perform the examination.

A physical examination is completed to determine whether the selected applicant is physically capable of satisfactorily performing the duties of the position and without endangering the safety of himself/herself or others. Should the results of the physical examination indicate the applicant is unable to satisfactorily perform the duties of the position and without endangering the safety of himself/herself or others, the applicant shall not fill the position.

Any employee of the County may be required to submit to a physical examination if the Supervisor deems the employee unable to satisfactorily perform the duties of the position, and without endangering the safety of himself/herself or others. Should the results of the physical examination indicate the employee is unable to satisfactorily perform the duties of the position, and without endangering the safety of himself/herself or others, the employee may be transferred to a position suitable to his/her qualifications and capabilities, retired, or terminated.

In all cases, the cost of required physical examinations shall be paid for by the County, and the results of the examination shall be kept confidential.

Permanent employees are encouraged, but not required, to undergo regular physical examinations.

## **Section 8.     Testing For Illegal Drugs/Alcohol/Misuse of Prescription Drugs**

It is the policy of Stokes County to provide a drug-free workplace for its employees and citizens. Any employee that unlawfully manufactures, distributes, dispenses, possesses, or uses an illegal controlled substance or alcohol in the workplace, or otherwise, shall be subject to appropriate action as outlined under Article IX, Section 8, Failure in Personal Conduct.

Each selected applicant for County employment in a permanent position shall, as a condition of employment, submit to a test for the use of illegal drugs/alcohol or misuse of prescription drugs at no cost to the applicant. The test may or may not be part of the physical examination. If test results indicate positive for the use of illegal drugs/alcohol or misuse of prescription drugs, the applicant may not fill the position.

Each selected applicant to fill an appointed position by the Sheriff, whether permanent or temporary, shall, as a condition of employment, submit to a test for the use of illegal drugs at no cost to the employee. If the test results indicate positive for the use of illegal drugs, the applicant may not fill the position.

A Department Head or County Manager may require a drug/alcohol test of any employee if:

1. The Department Head or County Manager has evidence sufficient for "reasonable suspicion" of illegal drug/alcohol use or misuse of prescription drugs by an employee.

The drug/alcohol test shall be at no cost to the employee.

## **Section 9. Tuition Reimbursement Program**

The provisions of this section do not apply to temporary employees.

The County of Stokes shall provide up to a maximum of \$250.00 per employee per fiscal year for reimbursement of tuition costs for courses of study taken on the employee's own time at accredited learning institutions.

The following stipulations shall apply:

1. Reimbursement shall be made only for course work completed at accredited public, business, trade school, community college, college or university. Only semester or quarter-length courses are eligible. No workshops, seminars or conferences are eligible.
2. Applications for reimbursement shall be approved by the department head only for course work related to the employee's job area, or for course work allowing an employee to take on some greater task within his/her agency.
3. Upon application for reimbursement, the employee shall pledge a minimum of six (6) months service to the County after completion of the course or graduation from the chosen curriculum.

All applications for tuition reimbursement will be approved by the County Manager.

## **Section 10. Time and Attendance Record**

### **A. Non Exempt Employees**

Non-exempt employees are required to complete a Time and Attendance Record documenting the time worked each day of the pay period. The County provides an electronic attendance record system for employees. It is the responsibility of each employee to punch in and out each day in the Attendance Enterprise Software. The Attendance Software allows departments who do not have computer access/internet capability to be auto punch; therefore, the department head/supervisor can require the employee to submit a paper document to verify the time worked. This electronic attendance record is an official record of the time and attendance of each employee, and requires an employee and department head/supervisor to approve the attendance record electronically. Any misstatement or falsification of hours worked is grounds for disciplinary action.

Exempt employees will only complete a Time and Attendance Record for the purpose of documenting the use of leave (annual, sick/personal, holiday or compensatory time).

## **B. Exempt Employees**

Exempt employees will only complete a Time and Attendance Record using the electronic Attendance Record System for the purpose of documenting the use of leave (annual, sick/personal, holiday or compensatory time).

## **C. Leave Request**

Non exempt and exempt employees who have access to a computer/internet should request any leave (vacation, sick/personal, holiday or compensatory time) with the Attendance Software. It is the responsibility of the supervisor to approve/deny/change the request in order to document time taken on the Attendance Record.

# **Section 11. Vehicle Use**

## **A. County Provided Vehicles**

The County provides vehicles for use by the employees to conduct County business. Personal use of a County vehicle is prohibited except in a de minimis amount. (Example of de minimis personal use: a stop for lunch between two business appointments) No passenger is allowed in a County vehicle unless he/she is a County employee, the passenger is being transported as a direct function of the department, the passenger is a colleague traveling with the employee to some educational or business related function, or the passenger is in distress and the employee is acting as a "good Samaritan." Each employee that operates a County vehicle is cautioned to always obey all traffic laws of the State of North Carolina; failure to do so may result in disciplinary action. Any employee involved in an accident while operating a County vehicle should immediately notify his/her Supervisor. The accident shall be subject to review by the Safety Review Board. The findings of the Safety Review Board may result in disciplinary action.(Appendix F)

Cell phone use by the driver of a County vehicle while it is in motion is strictly prohibited. This includes the use of any type of "hands free" device, such as earphones or speakerphone. The stipulation is waived in the case of an emergency, which shall be determined by the employee's immediate supervisor and subject to Article X: Employee Appeal Process of the Stokes County Personnel Policy.

If a county employee is provided with a county vehicle for travel purposes related to their job and the employee chooses to drive their own vehicle; the county will not reimburse the employee for mileage.

## **B. Personal Vehicle**

The practice of using one's personal vehicle to conduct County business is discouraged, but occasionally the need arises to do so. In this case, the employee should request authorization from his/her Supervisor prior to using the personal vehicle, and may request reimbursement for the number of miles traveled. A record should be kept of the date, place traveled, and the number of miles traveled for each time an employee uses his/her personal vehicle. The employee shall be reimbursed by the County, with the Supervisor's approval, at a rate per mile as approved by the Stokes County Board of Commissioners. (Mileage reimbursement rates will be approved during the budget process by the Board of Commissioners)

## **Section 12. Out-of-County Travel**

From time to time, the need arises for an employee to travel out of the county to conduct County business, or to attend training or information functions. The following lists regulations regarding out-of-County travel:

### **Day Trip (Training/Seminars/Informational Meetings)**

- Employee shall request pre-approval to travel from the Department Head and the County Manager unless travel is in the normal scope of the employee's job duties
- The Department Head shall attempt to provide a County vehicle for the employee's use if practical and possible to do so
- Meal reimbursement for out of town travel will be reimbursed per the County's Out-of-Town Travel and Reimbursement Procedure Policy (Meal reimbursement rates will be approved during the budget process by the Board of Commissioners)

### **Overnight Trip**

- Employee shall request pre-approval to travel from the Department Head and the County Manager
- The Department Head shall attempt to provide a County vehicle for the employee's use if practical and possible to do so
- Lodging accommodations shall be provided
- Meal reimbursement for out of town travel will be reimbursed per the County's Out-of-Town Travel and Reimbursement Procedure Policy (Meal reimbursement rates will be approved during the budget process by the Board of Commissioners)
- The most cost favorable and practical mode of transportation shall be used
- Other customary expenses, such as parking (when free parking is not available), and taxi fees shall be reimbursed upon presentation of a valid receipt

### **Accompanying Spouse**

- Should the spouse of an employee accompany him/her on an overnight trip, the County shall only pay for those costs associated directly with the employee. (For example: If the cost of a single hotel room is \$50 and the cost for two people is \$60, the County will pay only the \$50)
- The spouse of an employee shall not accompany the employee in a County vehicle
- The employee will not be reimbursed for use of personal vehicle.

## **Section 13. Uniforms**

Some employees are required to wear a uniform on the job. The County shall provide these employees with the appropriate uniforms and necessary paraphernalia at no cost to the employee. The property issued shall remain the property of the County and the employee is responsible for returning all property issued if the employee terminates employment with the County. Should the employee fail to return the County-issued property, the County shall use all means at its disposal, including legal action, to regain the property or the value of the property monetarily.

Each Department Head shall be responsible for maintaining a record of the property issued for the personal use of the employee, and the collection of the property should the employee terminate employment with the County. If the Department Head is unsuccessful in collecting the property at termination, the County Manager shall be notified as soon as possible in writing, detailing the property not collected with an estimated value of the property.

The Sheriff shall have the discretion to provide a non-uniform clothing allowance for special needs of the department.

#### **Section 14. Professional Dress Code**

County employees are expected to represent the County to its citizens in an exemplary manner both in conduct and appearance. The attire worn by County employees is to be clean, neat, and in keeping with the nature of the duties performed. Employees should wear "business casual" attire or county issued uniforms. Inappropriate clothing for the workplace includes, but is not limited to the following: torn, ripped clothing, sweat suits, sweat shirts, shorts, halter-tops, mini skirts, shirts with spaghetti straps, observable underclothing, blue denim jeans, tennis shoes, and flip flops.

All employees should keep in mind that their clothing should bear a reasonable relationship to their work. For example, employees who routinely interact with the public will want to project a professional image at all times. Employees who work out in the field and are subject to unclean or squalid conditions should expect to wear more casual attire.

The immediate supervisor will be responsible for ensuring that the policy is followed and that employees are dressed appropriately for the workplace. It will be the responsibility of the supervisor to talk to the employee if the policy is not being followed. If this does not solve the problem, the Director or County Manager will be asked to intervene.

Stokes County reserves the right to advise any employee at any time that his or her grooming, attire or appearance is unacceptable.

Employees will be allowed to have "dress down days" on Fridays. Employees will be allowed to wear blue denim jeans and tennis shoes, but must follow the guidelines related to inappropriate clothing as previously stated in this section.

#### **Section 15. Possession of Firearms, Explosive Devices, or Weapons**

County employees, with the exception of sworn law enforcement officers, or other authorized personnel in the performance of their duties, may not at any time be in the possession of a firearm, ammunition, or an explosive device in a County building or on County property. Possession is defined as carrying on one's person, in a container of any type, or placement in a desk, office or personal vehicle. Violation of this policy may result in serious disciplinary action up to and including dismissal.

#### **Section 16. Searches**

Workplaces of County employees are considered an integral part of County property. Work areas, including but not limited to, offices, desks, lockers, and files are not to be considered private areas of individual employees with any expectation of privacy. Materials produced by County employees and produced on or stored on computer media within County facilities are not to be considered personal property of individual employees with any expectation of privacy. Searches of work areas including, but not limited to, offices, desks, lockers and files may be conducted without notice only upon the specific authorization either written or verbal, of the County Manager, and only for reasonable cause. Any such

search must be conducted by at least two persons, one of whom must be at the level of Department Head or above. Access to any material produced by County employees on or stored on computer media within County facilities is strictly controlled by security protocols established and promulgated by the Information Technology Department.

#### **Section 17. Information Technology/Internet Policy**

County employees with the exception of the Sheriff's Department who have access to the County computer system must sign an Information Technology Policy before any access is given.

#### **Section 18. Personnel Records**

Personnel records are maintained on all current and former employees and are considered property of the County. Employees may inspect their personnel files at reasonable times upon reasonable notice. The County will abide by the requirements set forth in G.S.153A-98 regarding the release of personnel information.

#### **Section 19. Work Place Violence**

It is the intent of the County to provide a safe workplace for all employees. Behavior that is physically or verbally threatening, either overtly or implicitly, as well as behavior that is coercive, intimidating, violent, or harassing will not be allowed or condoned.

#### **Section 20. Drug Free Workplace**

The County is committed to programs that promote safety in the workplace, employee health and well-being, and public confidence. The County maintains a zero tolerance policy when it comes to the use, possession, or distribution of drugs and alcohol on the job by employees. Employee abuse of drugs and alcohol adversely affects job performance and employee morale, jeopardizes employee safety, and undermines public confidence.

#### **Section 21. Unemployment Insurance**

County employees who are laid off, dismissed or resign from County service may apply for unemployment compensation through the local office of the Employment Security Commission. Eligibility for unemployment compensation will be determined by the Employment Security Commission.

#### **Section 22. Smoking in County Owned or Leased Facilities**

Stokes County employees are not allowed to smoke in any buildings owned or leased by the County of Stokes and used for governmental purposes. County employees will be required to smoke in designated smoking areas outside the buildings.

### **Article XII. Non-Discrimination on the Basis of Disability and ADA Grievance Procedures**

#### **Section 1. Policy of Non-Discrimination on the Basis of Disability**

The County of Stokes does not discriminate on the basis of disability in employment, personnel administration, in the admission or access to, or treatment in any of its programs or activities, or provision of services. Stokes County has adopted an internal grievance procedure providing for prompt and

equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the American with Disabilities Act (ADA). Information concerning the provisions of the ADA, and rights provided thereunder are available from the ADA Coordinator.

## **Section 2.     ADA Grievance Procedure**

Any person may file a complaint of non-compliance of the ADA with the Stokes County ADA Coordinator (the Personnel Officer or County Manager). The following procedures shall be followed to provide a prompt and equitable resolution of the complaint.

1. The complaint should be filed in writing, contain the name and address of the complainant, and briefly describe the alleged violation.
2. A complaint shall be filed with thirty (30) days of the alleged violation.
3. An investigation, as may be appropriate, shall be conducted by the ADA Coordinator affording all interested persons and their representatives, if any, an opportunity to submit relevant evidence.
4. A written determination shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than twenty-one (21) days after its filing outlining the findings of the investigation, the validity of the complaint, and a description of the resolution, if any.
5. The Department Head shall take the necessary appropriate action to resolve the complaint if possible, as well as initiate action to prevent further non-compliance if any exists.
6. A request for reconsideration of the case may be made in instances where the complainant is dissatisfied with the resolution. The request should be made within twenty-one (21) days of receiving the written determination of the Department Head. The reconsideration request shall be presented to the County Attorney. The County Attorney shall review the complaint and issue a decision with thirty (30) days of receiving the complaint. The decision of the County Attorney is final.
7. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as filing a complaint with the responsible Federal agency, and the use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. The procedures shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that Stokes County complies with the ADA.

## **Article XIII.     Administration of Personnel Policies**

The County Manager shall be responsible for the administration of the provisions of this personnel resolution.

## Article XIV. Effective Date

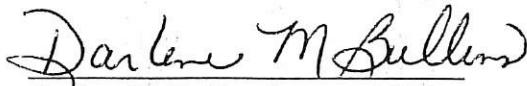
This Stokes County Personnel Policy Resolution was duly passed by a vote of the members of the Board of Commissioners this 5<sup>th</sup> day of April, 1993. Amendments included up to amendments enacted January 21, 1997.

The Stokes County Personnel Policy Resolution was revised and duly passed by unanimous vote of the Board of Commissioners this the 28<sup>th</sup> day of December 2010.

The Stokes County Personnel Policy Resolution was revised and duly passed by unanimous vote of the Board of Commissioners this the 24<sup>th</sup> day of January 2011.



Ernest Lankford, Chairman



Darlene M. Bullins, Personnel Officer

Amendments approved on December 28, 2010 and January 24, 2011 --Effective Feb. 1, 2011

# APPENDIX A

## STOKES COUNTY LEAVE ACCRUAL SCHEDULE

**Table 1: Annual Leave**

| Years of Employment | Workweek Schedule (hrs) | Annual Leave |                  | Max End of Yr. Carryover (hrs) |
|---------------------|-------------------------|--------------|------------------|--------------------------------|
|                     |                         | Year (Days)  | Pay Period (hrs) |                                |
| 0 to 2 Years        | 37.5                    | 10           | 5.77             | 180                            |
|                     | 40                      | 10           | 6.17             | 180                            |
|                     | 45                      | 10           | 6.92             | 180                            |
|                     | 50                      | 10           | 7.69             | 200                            |
| 2 to 5 Years        | 37.5                    | 12           | 6.92             | 180                            |
|                     | 40                      | 12           | 7.41             | 192.6                          |
|                     | 45                      | 12           | 8.31             | 216                            |
|                     | 50                      | 12           | 9.23             | 240                            |
| 5 to 10 years       | 37.5                    | 15           | 8.69             | 180                            |
|                     | 40                      | 15           | 9.3              | 192.6                          |
|                     | 45                      | 15           | 10.43            | 216                            |
|                     | 50                      | 15           | 11.54            | 240                            |
| 10 to 15 Years      | 37.5                    | 18           | 10.39            | 180                            |
|                     | 40                      | 18           | 11.11            | 192.6                          |
|                     | 45                      | 18           | 12.46            | 216                            |
|                     | 50                      | 18           | 13.85            | 240                            |
| 15 to 20 Years      | 37.5                    | 21           | 12.12            | 180                            |
|                     | 40                      | 21           | 12.96            | 192.6                          |
|                     | 45                      | 21           | 14.54            | 216                            |
|                     | 50                      | 21           | 16.11            | 240                            |
| 20 Years +          | 37.5                    | 24           | 13.85            | 180                            |
|                     | 40                      | 24           | 14.81            | 192.6                          |
|                     | 45                      | 24           | 16.61            | 216                            |
|                     | 50                      | 24           | 18.38            | 240                            |

**Table 2: Sick Leave/Holiday Leave**

| Years of Employment | Workweek Schedule | Sick Leave |            | Holiday Leave |         |
|---------------------|-------------------|------------|------------|---------------|---------|
|                     |                   | Year       | Pay Period | Year          | Per Day |
| Any number          | 37.5              | 12 days    | 6.92 hrs   | 12 days       | 7.5 hrs |
|                     |                   |            | 8.30 hrs   |               | 9 hrs   |
|                     |                   |            | 9.22 hrs   |               | 10 hrs  |

## APPENDIX B

### STOKES COUNTY COMPENSATORY TIME AGREEMENT

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Position: \_\_\_\_\_ Employment Date: \_\_\_\_\_

According to the Fair Labor Standards Act, non-exempt personnel shall be compensated for overtime hours worked at a rate of one and one-half hours for each hour physically worked in excess of 40 hours per week. Non-exempt Law Enforcement personnel shall be compensated for overtime hours worked at a rate of one and one-half hours for each hour physically worked in excess of 171 hours in a 28 day period.

You are hereby informed that the County of Stokes classifies your position as "non-exempt," which entitles you to overtime compensation at a rate of one and one-half hours.

#### **THE COUNTY OF STOKES ELECTS TO AWARD COMPENSATORY HOURS IN LIEU OF CASH OVERTIME HOURS WORKED.**

This agreement is your acknowledgement of understanding that the County shall award compensatory hours instead of cash payment for overtime hours worked. You have the opportunity to agree or disagree with this method of overtime reimbursement. Agreement to compensatory hours is not a condition of employment. However, disagreement to this method of overtime reimbursement will disqualify you from working overtime.

#### **Agreement**

I have read and understand that my position is considered a "non-exempt" position. I agree that any overtime hours worked will be compensated by awarding compensatory hours off.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

#### **Disagreement**

I have read and understand that my position is considered a "non-exempt" position. I disagree to compensatory hours off as an acceptable method of overtime payment.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

## APPENDIX C

### COUNTY OF STOKES

#### Family and Medical Leave Policy

Beginning April 5, 1993, and in keeping with the Federal Family and Medical Leave Act of 1993, Stokes County instituted the Family Medical Leave Policy to provide its employees with a means to take time off from work for certain medically-related circumstances with the guarantee to return to work under the same terms and conditions of employment.

#### What is Family and Medical Leave and what are you entitled to?

Family and Medical Leave entitles the employee to a total of 12 workweeks of leave without pay during any 12 month period for one or more of the circumstances listed below. In addition, your group health and dental benefits will be maintained for the duration of the leave. (If both husband and wife request leave, they are limited to a total of 12 weeks of leave between them within a 12 month period.)

#### You are eligible for Family and Medical Leave if:

- ⇒ You have worked for the County for at least 12 months; and
- ⇒ You have rendered at least 1,250 hours of service (25 hours per week) in the previous 12 months.

#### Circumstances that entitle you to Family and Medical Leave:

- ◆ Birth of a child of the employee, to care for the child;
- ◆ Placement of a child with the employee for adoption or foster care;
- ◆ A serious health condition of the employee's spouse, child, or parent that requires the care of the employee;
- ◆ A serious health condition of the employee that makes the employee unable to perform the functions of his/her job.

#### What is a serious health condition?

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves hospitalization or continuing treatment by a doctor.

#### Do I have to use my vacation, holiday, compensatory time or sick leave benefits if I take Family or Medical Leave?

Yes. It is the County's policy to require any employee to use their paid leave benefits (vacation, sick/personal, compensatory or holiday) before being out without pay.

What this means is if an employee is taking leave for the birth, child placement, or to care for a seriously ill family member, the employee must exhaust any accumulated vacation, personal, or compensatory time before being out without pay. Likewise, if an employee is taking leave for their own serious health condition, he/she must exhaust his/her vacation, sick, or compensatory time before being out without pay.

### **What about an intermittent or reduced time schedule?**

If an employee's entitlement to leave is for a serious health condition, when medically necessary, medical leave may be taken on an intermittent or reduced time schedule (a reduced workday or workweek).

### **What happens to my job and my benefits if I take Family or Medical Leave?**

Any employee who takes Family or Medical Leave is guaranteed the right to either return to the same position he/she left when the leave began, or to an equivalent position with the same pay and benefits.

While an employee is taking Family or Medical Leave, the employee's group health/dental benefits will continue to be paid by the County for the duration of the leave. However, if the employee fails to return to work, the employee will be required to repay the premiums paid by the County while taking Family or Medical Leave unless approved by the County Manager.

If the employee requests intermittent leave or a reduced time schedule that is foreseeable due to a planned medical treatment, the employee is required to give at least 30 days notice before the leave is to begin. In cases where 30 days notice is not possible, the employee is to provide notice as soon as practicable. The notice should contain the reason for the need to use Family or Medical Leave, the date the leave is to begin and end, and the timetable leave is needed (full or reduced time schedule). The supervisor should forward the notice to the Personnel Officer who will review it for approval and notify the employee in writing of his determination. (Family and Medical Leave Notice Forms Available)

### **Do I need a doctor's statement?**

Yes. If an employee is using leave for a serious medical condition of the employee or a family member, a physician's statement must be provided containing the following information as soon as practicable after notifying the supervisor of the need to take leave.

1. The date the serious health condition began;
2. The probable duration of the condition;
3. The appropriate medical facts known by the physician regarding the condition;
4. A certificate containing a statement that the employee is needed to provide care if the leave concerns care for a family member;
5. A certificate containing a statement that the employee is unable to perform the functions of his/her position if the leave request is due to the employee's own serious health condition;
6. If the leave is for planned medical treatment and the employee wants a reduced time schedule, a certificate stating the dates when the treatment is to begin and the duration of the treatment;
7. For an intermittent leave request because of a serious medical condition of the employee or a member of the family – the certificate must state the medical necessity for the intermittent leave and how long the leave will be needed.

If an employee issuing leave for their own serious medical condition, a physician's statement must be provided prior to returning to work stating the physician is authorizing or releasing the employee to return to work.

# COUNTY OF STOKES

## FAMILY AND MEDICAL LEAVE REQUEST

|              |              |
|--------------|--------------|
| <b>Name:</b> | <b>Date:</b> |
|--------------|--------------|

|                    |                         |
|--------------------|-------------------------|
| <b>Department:</b> | <b>Employment Date:</b> |
|--------------------|-------------------------|

**Full/Part Time (Circle):**                      Full-Time                      Part-Time

Check the item listed below that applies to this request.

- ☐ Birth of a child of the employee to care for the child.
- ☐ Placement of a child with the employee for adoption or foster care.
- ☐ A serious health condition of the employee's spouse, child, or parent that requires the care of the employee.
- ☐ A serious health condition of the employee that makes the employee unable to perform the functions of his/her job.

|                                     |  |
|-------------------------------------|--|
| <b>Explanation of Leave Request</b> |  |
|-------------------------------------|--|

**Timetable for Leave Requested (Estimate if necessary):**

|                           |  |                         |  |
|---------------------------|--|-------------------------|--|
| <b>Date Leave Begins:</b> |  | <b>Date Leave Ends:</b> |  |
|---------------------------|--|-------------------------|--|

**Schedule Requested (Circle):**                      Continuous                      Intermittent                      Reduced Time

\*\*\*\*\*

By signing this request for Family or Medical Leave, the employee agrees that if he/she fails to return to work at the end of the leave, he/she shall repay Stokes County for the cost of the health insurance premiums the County paid for the employee while out on Family or Medical Leave.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

**Personnel Officer Comments:**

|  |
|--|
|  |
|--|

\_\_\_\_\_  
Personnel Officer

\_\_\_\_\_  
Date

## APPENDIX D

### OPERATION OF A COUNTY MOTOR VEHICLE

County vehicles are easily identified and are seen by many citizens. How we operate County vehicles can have a positive or negative impact on citizen perceptions. By courteous, considerate driving habits, and by applying the principles of defensive driving to avoid accidents, we seek to promote safety and a positive public image. To achieve this goal, the following safety procedures have been established.

#### I. Safety Checks

Each employee shall be responsible for a safety check each day of any vehicle or mobile equipment he/she is assigned to drive.

##### 1. Safety checks shall include:

- |                       |                   |
|-----------------------|-------------------|
| ♦ All gauges          | Windshield wipers |
| ♦ Lights              | Tires             |
| ♦ Horn                | Clutch            |
| ♦ Brakes/brake fluid  | Service Date      |
| ♦ Directional signals | Motor Oil         |

Brakes may be tested by putting the vehicle in gear and applying the brakes to bring it to a stop

#### II. Other Stipulations

1. Position all adjustments (seat, seat belt, mirrors) before operating
2. Drivers of County vehicles must possess a valid North Carolina Driver's License. An employee is not absolved from civil or criminal liability simply because the employee is operating a County vehicle.
3. Only materials and equipment necessary to further the performance of official duties will be transported in or on County vehicles.
4. Avoid the use of strong prescription medication before operating a County vehicle. The use of illegal drugs or alcohol while operating a County vehicle may lead to termination of employment.
5. All persons driving or riding in a County vehicle shall wear a seat belt.
6. No more than 3 persons shall be allowed to ride in the front seat of any County vehicle.
7. Never leave the vehicle unattended with the engine running.
8. Remove keys and lock doors when the vehicle is unattended.
9. Drivers are cautioned to be particularly careful and alert when operating a county vehicle around children.
10. Stay within the posted speed limit.
11. Do not assume the right-of-way. Use caution.
12. Avoid tailgating.
13. Signal turning intentions at least 100 feet from the turn. Signal lane changes and directional changes.
14. Use lights during periods of fog, storms and darkness.
15. When backing a vehicle, make sure the way is clear. Back up slowly and cautiously. If another employee is present, he/she should aid in directing the backing procedure.

16. When parking a vehicle, use caution. If parking on a downgrade, turn the front wheels toward the curb and set the parking brake. Avoid parking the vehicle facing traffic.
17. When fueling the vehicle, turn off the ignition, keep the nozzle against the edge of the filler pipe, avoid spilling fuel, and never smoke when fueling a vehicle.
18. There is to be no use of a cell phone by the driver of a County vehicle while it is in motion. This includes the use of any type of "hands free" device, such as earphones or speakerphone. The stipulation is waived in the case of an emergency, which shall be determined by the employee's immediate supervisor and subject to Article X: Employee Appeal Process of the Stokes County Personnel Policy.
19. If a county employee is provided with a county vehicle for travel purposes related to their job and the employee chooses to drive their own vehicle; the county will not reimburse the employee for mileage.

### **III. Accidents**

In the event of an accident involving a County-owned vehicle, the operator/employee should:

1. Render first aid if qualified to do so and arrange for medical care if necessary;
2. Notify law enforcement official immediately;
3. Never move the vehicle or leave the scene of the accident without law enforcement approval
4. Exchange drivers license numbers, insurance information and vehicle numbers with all parties involved. Obtain the names and addresses of any persons witnessing the accident. Offer no information regarding the responsibility for the accident or what should be have been done to avoid the accident. Stay calm. These stipulations are especially important if the accident occurs outside of Stokes County;
5. The operator shall report any accident to his/her immediate supervisor immediately;
6. The Safety Officer shall report the accident to the Accident Review Committee immediately;
7. All claims against County insurance policies will be forwarded to the County Risk Manager;
8. Operators/Employees shall not permit unauthorized persons to operate or ride in or on a County vehicle.

## APPENDIX E

### VEHICLE ACCIDENTS

When a County employee is involved in a vehicle accident involving a County-owned vehicle, the employee shall:

1. Notify his/her supervisor immediately.
2. The supervisor/director will immediately notify the County Vehicle Maintenance Supervisor of the accident.
3. The employee will complete and submit a Stokes County Vehicle Accident Report to their supervisor/director as soon as possible following the accident. The supervisor/director will forward a copy of the Accident Report to the Vehicle Maintenance Supervisor immediately after receipt of the completed form from the employee.

**Failure to follow the steps outlined may result in disciplinary action against the employee.**

## APPENDIX F

### COUNTY OF STOKES ACCIDENT REVIEW BOARD

Whenever an employee is involved in a vehicle accident while operating a County-owned vehicle, he/she shall appear before the Accident Review Board for a determination as to whether or not the accident was preventable or non-preventable.

#### Purpose of Accident Review Board

- A. To establish a fair and impartial review system for all accidents involving motorized equipment and operators with the primary objective being to improve the driving safety of County-owned motorized vehicles.
- B. To identify problem drivers, unsafe conditions, and pursue remedial steps to reduce damage to County-owned vehicles and prevent injury to County employees.
- C. To establish the responsibilities for each vehicle accident.

#### Composition of the Accident Review Board

- A. The Accident Review Board shall be comprised of the current Safety Committee.

#### Appearance Before the Board

Approximately five (5) working days prior to a regularly scheduled Board meeting, the Board Secretary shall notify all relevant County personnel to appear. Notification shall be directed through the appropriate department heads.

- A. All personnel shall appear before the Board at its regularly scheduled meeting.
  - Any employee unable to appear due to sickness, personal injury, or death to an immediate family member, must notify the Board Secretary twenty-four (24) hours in advance.
- B. Other than those cases which have been deferred, all vehicle accident cases scheduled shall be heard and action taken, whether or not the individual is present. Department heads shall be notified of the action taken by the Accident Review Board.

## APPENDIX G

### STOKES COUNTY LIGHT DUTY PROGRAM

#### Policy Statement

It is the policy of Stokes County to provide and establish procedures for uniform response and handling of a County-wide Light Duty/Return to Work Program for employees with work-related injuries and illnesses who are unable, temporarily, to return to their permanent job classification. Light duty work shall be provided to employees who have incurred temporary or permanent injuries in conformance with the American with Disabilities Act (ADA).

#### Basic Requirements

Employees may be assigned to light duty assignment when temporarily unable to perform their normal work due to industrial injury or illness, provided the following requirements are met:

- The assignment shall fulfill a meaningful job function(s) within limitations set by the treating physician.
- The assignment shall not create a new job, but may incorporate or modify a present position on a temporary basis.
- The assignments shall be handled on a case-by-case basis.

Employees shall be compensated at their regular salary. An employee who declines a light duty position which meets the treating physician's requirements shall be subject to disciplinary action up to and including termination in accordance with the Stokes County Personnel Policy.

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#### AMENDMENT #1 TO THE STOKES COUNTY PERSONNEL POLICY

This amendment modifies the current hiring process for filling vacant positions in Stokes County government. Department heads should now follow the steps listed below for filling vacancies.

1. When a vacancy occurs, the department head will immediately notify the county manager.
2. The county manager will then approve the advertising of the vacancy internally for one week.
3. If the filling of a vacancy results in a "domino type effect" causing additional vacancies, the department head will immediately notify the county manager of the additional vacancies, and request permission to also advertise these vacancies internally for one week.
4. Department heads will continue to repeat steps 1 through 3 above until all vacancies are filled.

The process described above applies if the hiring process remains internal. Should the need arise to fill positions externally, the position will be placed on the agenda of the Board of County Commissioners (BOCC) for consideration and approval.

The county manager will notify the BOCC of all vacancies, internal and external, and will follow-up to ensure the commissioners know what action was taken to fill each vacancy.

Adopted by BOCC at the August 22<sup>nd</sup> meeting.

## Temporary Reclassification

A temporary reclassification is the temporary reclassification of an employee to a higher graded position for a specified period of time, not to exceed one year, with the employee possibly returning to his/her original position upon the expiration of the temporary action. All temporary reclassifications, including any extension of the temporary reclassification and returning to his/her original position, must be approved by the Board of Commissioners.

In order for an employee to be temporarily reclassified, he/she must meet the same qualification requirements that are necessary for a permanent reclassification. The temporarily reclassified employee receives the higher graded salary for the period assigned according to the county's current reclassification policy. Once the employee returns to his/her original position, their salary will be adjusted to accommodate the grade and step of their original position including longevity.

Temporary reclassifications are intended for meeting temporary needs of the department when services cannot be provided by other means.

The initial temporary reclassification may be noncompetitive. Departments subject to State Personnel Act shall follow guidelines/requirements set forth by the Office of State Personnel.

Policy will be added to Article VIII as Section 4(a) of the Stokes County Personnel Policies Handbook

## **Breastfeeding Support Policy**

### **Policy:**

The County of Stokes will strive to allow breastfeeding employees to express milk while at work under the guidelines listed below.

### **Purpose:**

To support employees in providing their child with the healthiest food nature has to offer, their own mother's breast milk.

### **Guidelines:**

1. Any employee who wishes to express milk in the workplace shall make a request to her supervisor so that appropriate accommodations can be arranged.
2. Breastfeeding employees shall be allowed a flexible schedule for nursing or pumping. The time allowed will not exceed the normal time allowed for lunch and breaks. For time beyond normal lunch and breaks, sick/annual leave will be used. Employees required to use holiday/compensatory time before any other time, will be required to follow the county requirements.
3. A confidential area will be provided where the breastfeeding mother can nurse or express breast milk to be stored for later use.
4. Breastfeeding mothers will be allowed to store breast milk if properly stored and labeled in a county refrigerator if available, otherwise, employees will be responsible to provide their own refrigeration such as a cooler for storing breast milk. Stokes County will not be responsible for the mother's stored milk in a county refrigerator.



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TO: County Manager Rick Morris  
CC: Darlene Bullins, Clerk to Board  
FROM: County Attorney J. Tyrone Browder  
DATE: August 10, 2017  
RE: Proposed Breastfeeding Support Policy

This memorandum serves as documentation that the above referenced Policy has been approved as to Form and Legal Sufficiency.

J. Tyrone Browder  
County Attorney