

CASSIA COUNTY
PERSONNEL POLICY HANDBOOK

Effective Date: August 17, 2008

Amended September 15, 2008

Amended April 19, 2010

Amended May 26, 2015

Amended May 31, 2016

TABLE OF CONTENTS

	Page
1. The Organization in Which You Work	6
2. Employee Selection	7
3. Equal Employment Opportunity Statement	7
4. ADA Policy and County Intent to Comply	7
5. Veteran's Preference.....	7
6. Nepotism/Hiring of Relative	8
7. Hiring Practices: Receiving Applications	9
8. Employee Selection Procedures.....	10
9. Employment Commencement	11
10. General Rules for Employee Conduct	12
11. Rules for Workplace Conduct.....	18
12. Conduct regarding Public Communications, Cellular Telephones, Computers, Internet, Electronic Communications and Monitoring	20
13. Prohibited Workplace Conduct	26
14. Prohibited Discriminatory Harassment Policy	28
15. Employee Classification	32
16. Compensation Policies	33
17. Employee Benefits.....	40

TABLE OF CONTENTS (Cont.)

18. Employee Evaluation 51

19. Personnel Files Regarding Employees 52

20. Employee Performance and Discipline..... 53

21. Separation from Employment 56

22. Savings Clause 57

PERSONNEL POLICY HANDBOOK

THIS MANUAL REFLECTS THE POLICIES AND PROCEDURES OF CASSIA COUNTY, IDAHO. THE PURPOSES OF THIS MANUAL ARE:

- TO PROVIDE ELECTED OFFICIALS AND ADMINISTRATION OFFICIALS THE INFORMATION NECESSARY TO FULFILL THEIR RESPONSIBILITIES TO EMPLOYEES;
- TO PROVIDE CASSIA COUNTY EMPLOYEES WITH THE FRAMEWORK OF COUNTY REGULATIONS, EXPECTATIONS AND OPERATIONS IN THE WORKPLACE; AND
- TO PROVIDE FOR FAIRNESS AND EQUITY IN TREATMENT OF EMPLOYEES.

IT IS EXPECTED THAT ELECTED OFFICIALS, ADMINISTRATIVE OFFICIALS AND ALL COUNTY EMPLOYEES WILL BECOME FAMILIAR WITH THE CONTENTS OF THIS MANUAL SO THAT THEY WILL BE ABLE TO DETERMINE ANSWERS TO EMPLOYMENT QUESTIONS AS THEY ARISE, AND TO APPLY THE APPROPRIATE POLICIES AND PROCEDURES AS THE OCCASION REQUIRES. ELECTED OFFICIALS AND ADMINISTRATIVE OFFICIALS ARE ALSO RESPONSIBLE FOR ENSURING THAT THE EMPLOYEES THAT WORK FOR THEM ARE INFORMED OF THESE POLICIES AND PROCEDURES, UNDERSTAND THEM, AND ABIDE BY THEM.

QUESTIONS ABOUT APPLICATION, INTERPRETATION, OR CLARIFICATION REGARDING ANY SPECIFIC POLICIES OR PROCEDURES ARE TO BE DIRECTED TO THE OFFICE OF THE COUNTY ADMINISTRATOR, COURTHOUSE ROOM 210, 1459 OVERLAND AVENUE, BURLEY, IDAHO 83318, OR BY TELEPHONE AT (208) 878-7302.

EMPLOYMENT AT WILL

THIS HANDBOOK IS NOT A CONTRACT. NOTHING CONTAINED IN THIS POLICY MANUAL OR IN ANY OTHER MATERIALS OR INFORMATION DISTRIBUTED BY CASSIA COUNTY CREATES A CONTRACT OF EMPLOYMENT BETWEEN THE EMPLOYEE AND CASSIA COUNTY. EMPLOYMENT IS ON AN AT-WILL BASIS. THIS MEANS THAT EMPLOYEES ARE FREE TO RESIGN THEIR EMPLOYMENT AT ANY TIME, FOR ANY REASON, AND CASSIA COUNTY RETAINS THE SAME RIGHT. NO STATEMENT TO THE CONTRARY, WRITTEN OR ORAL MADE EITHER BEFORE OR DURING AN INDIVIDUAL'S EMPLOYMENT CAN CHANGE THIS. NO INDIVIDUAL SUPERVISOR, MANAGER OR OFFICER CAN MAKE A CONTRARY AGREEMENT, EXCEPT FOR THE BOARD OF COUNTY COMMISSIONERS, AND EVEN THEN, SUCH AN AGREEMENT MUST BE SET FORTH IN A WRITTEN EMPLOYMENT CONTRACT WITH THE EMPLOYEE, SIGNED BY THE CHAIRMAN OF THE BOARD, AND ONLY AFTER SUCH CONTRACT IS PROPERLY PROCESSED AND EXECUTED UPON MOTION MADE, SECONDED AND PASSED BY A MAJORITY OF THAT BOARD OF COUNTY COMMISSIONERS.

THE PLANS, POLICIES, PROGRAMS, PRACTICES, BENEFIT OFFERINGS, RULES AND REGULATIONS OUTLINED IN THIS HANDBOOK ARE SUBJECT TO CHANGE AT ANY TIME, WITHOUT NOTICE. CHANGES MAY BE MADE IN THE SOLE DISCRETION OF THE BOARD OF COUNTY COMMISSIONERS. ANY CHANGES THERETO SUPERSEDE ANY PRIOR WRITTEN, VERBAL OR IMPLIED POLICIES.

1. THE ORGANIZATION IN WHICH YOU WORK

Working for Cassia County may be somewhat different from any employer for which you may have worked in the past. Cassia County is a political subdivision of the State of Idaho, though it is not a part of state government. Three elected commissioners serve as the governing body for the County, carrying out local legislative duties and fulfilling obligations as the chief executives of the County. The Board of Commissioners is responsible for setting general policy for the County, and as such has primary authority to establish terms and conditions of employment with Cassia County. The Board also appoints personnel to help carry out its administrative responsibilities.

As with all elected public officials, the Commissioners are ultimately responsible to the voters of Cassia County. The terms set forth in this handbook reflect County policy at the time of its printing, but they are subject to change at any time, without prior notice, and at the sole discretion of the Board of Commissioners.

Only the Board of Commissioners has authority to establish general policy for County employees. Each employee should recognize that although he or she may serve as a deputy or employee in the office of an elected County official, he or she remains an employee of Cassia County, not of the elected official who supervises his or her work. The terms and conditions set forth in this booklet, and in the resolutions and policy statements which support it, cannot be superseded by any elected official's statement or commitment, without the express written agreement of the Board of Commissioners. That is particularly true for terms or conditions that would establish a financial obligation for Cassia County, now or in the future.

Six other Cassia County officials are elected by the County's voters to carry out specific public functions. These include the Sheriff (chief law enforcement officer), Prosecutor (prosecutes crimes and provides legal counsel), Assessor (determines property values and administers property taxation system), Treasurer (tax collector, etc.), Clerk/Auditor (maintains fiscal accounts, budget officer, recorder, clerk of the district court), and Coroner (determines causes of deaths in County). These elected officials have full authority to carry out the duties established for their offices by law. They can appoint deputies to assist them in carrying out their responsibilities, and they establish office policies that govern the conduct of workers in their respective departments. These policies must not conflict with general County policy or, if they do, the Board of Commissioners must approve the differences. It is important that all employees understand the relationship between County policy adopted by the Board of Commissioners and department policy implemented by other elected officials.

For purposes related to this policy and its function, the terms "Elected Official" or "Department Head" shall also mean and allow for action to be performed by the Chief Deputy or authorized supervisor as delegated and authorized by the elected official or department head.

2. EMPLOYEE SELECTION

Employees of Cassia County are to be selected in order to accomplish the legal and operational duties established by statute and by the policy choices of the County's elected officials. Although the Board of County Commissioners is responsible for setting general County employment policy, individual elected officials have authority to choose their deputies based upon considerations deemed appropriate to accomplish the public goals for which they were elected.

3. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

Selection of County employees and all employment decisions, including classification, transfer, discipline, and discharge, will be made without regard to race, color religion, sex, national origin, age or disability, as defined and prohibited in Idaho Code Section 67-5909. No job, or class of jobs will be closed to any individual except where a mental or physical attribute, sex, or age is a bona fide occupational qualification. All objections to the application of County policy in this regard shall be brought to the attention of the office of the Board of County Commissioners, or in the case of objection to Commission action, to the office of the Prosecuting Attorney.

4. ADA POLICY AND COUNTY INTENT TO COMPLY

Cassia County does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. The County Administrator has been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the County Administration Office, Room 210, of the Cassia County Courthouse located at 1459 Overland Avenue, Burley, Idaho.

5. VETERAN'S PREFERENCE

Cassia County will accord a preference to employment of veterans of the U.S. Armed Services in accord with provisions of Idaho Code §65-502. In the event of equal qualifications for an available position, a veteran who qualifies for preference pursuant to Idaho Code § 65-502 will be employed.

6. NEPOTISM / HIRING OF RELATIVE

a. No person shall be employed by Cassia County when said employment would result in a violation of provisions found in Idaho Code, including but not limited to I.C.§74-401 et seq., I.C.§18-1359 and their successors. Any such employment made in violation of these sections may be void. The appointment or employment of the following persons is prohibited:

1. No person related to a County Commissioner by blood or marriage within the second degree will be appointed to any compensated office, position employment or duty; and
2. No public servant, including Elected Officials and employees, will appoint or vote for the appointment of any person related to him/her by blood or marriage within the second degree to any compensated office, position, employment or duty. This means no one related within the second degree to anyone involved in any way in the hiring process can be hired and/or that no one related to an applicant within the second degree can take part in the hiring process.
3. An employee whose relative is subsequently elected may be eligible to retain his/her position and pay increases as allowed by relevant provisions of Idaho law, including Idaho Code § 18-1359(5).

b. Personal relationships are a vital part of most people's lives. When personal relationships intersect with employment, an employer may become entangled with the consequences of the choices that employees make. The County has no desire to become involved in such matters. Accordingly, these rules serve as a basic guide to family and romantic relationships within the County's workplace:

1. No person related to a County Commissioner by blood or marriage within the second degree may be hired as a paid employee of the County.
2. No employee of the County will hire, supervise or otherwise exercise discretion concerning a paid employee who is related to the supervisor by blood or marriage within the second degree.
3. Any supervisor involved in a romantic relationship with a subordinate must immediately notify his/her superior of the existence of any such relationship. Efforts should be made to eliminate supervisory responsibility for one who is romantically involved with a subordinate. Employees involved in such relationship bear a responsibility to the County to cooperate in any effort to avoid the potential conflicts that can arise from such personal relationships in the workplace. Such relationship may result in a change of employment duties.

4. No person should be hired for a position when to do so would violate this policy. If such a situation is created through promotion, transfer, marriage, or other changes, the County reserves the right to transfer one or both of the affected employees.

5. Transfer opportunities must be fully investigated for all affected employees, and all available options must be presented. All affected employees have the right to accept or reject any proposed transfer. Termination is a last resort. No employee who meets current standards of performance and behavior should be terminated if a transfer is possible.

7. HIRING PRACTICES: RECEIVING APPLICATIONS

a. Administration of the Hiring Process

1. Each elected official is responsible for seeing that employment procedures established by this manual are followed. The requirements for hiring practices contained in this manual are directory only and may be varied if circumstances warrant, in order to achieve fair and equitable employment practices.

2. Employment applications will be accepted in the office of the elected official or department head that has solicited applications. Applications received at times other than when direct solicitations are made for a particular position, may be accepted and may be kept on file in the office of the County Auditor for a period of 6 months to be accessed by any County official who is seeking an employee at any time. Placement of a completed application in the County Auditor's file shall not constitute application for any specifically advertised position and shall not require further action by any elected official or department head.

3. Full-time regular employees will generally be hired to work Forty (40) hours of service per week. Any different schedule of hours of service per week shall be approved in advance by the Board of County Commissioners, and will be decided on a case by case basis considering the needs and demands of the particular job position. Any schedule for number of hours of service per week, other than Forty (40) hours, not receiving prior approval from the Board of Commissioners may be voided by the Board, if not voluntarily done so by the appointing official.

4. Qualified County employees may be given preference over outside applicants to fill vacancies in the work force without following the notice and selection procedures normally required for hiring new employees. If the internal preference process is used, it should be completed prior to seeking outside applicants for the position.

b. Notice of Vacancies

1. All vacancies in Cassia County employment shall be announced in the following manner:

- i. Registration with the local Job Service Office.
- ii. Posting on a bulletin board at the courthouse.

2. Solicitations for applications may be made through those reasonable means and methods, and in such venues as the hiring department determines will effectively reach the appropriate pool of qualified applicants.

3. The employment application solicitation process may also include a recruiting effort that may extend beyond Cassia County when deemed necessary to obtain applications from individuals with necessary technical skills or other specialized qualifications.

c. Hiring Practices - Emergency or Temporary Employees

The requirements set forth for advertising, soliciting, and recruiting new employees may be abbreviated in the instance of hiring temporary or emergency employees as deemed appropriate by the elected official or department head responsible for any such hiring.

8. EMPLOYEE SELECTION PROCEDURES

a. Authority and Responsibility for Employee Selection

The authority to select Cassia County employees is vested with the elected official or department head that is responsible for supervision of that employee. Any selections shall be subject to establishment of the position and budgetary authority approved by the Board of County Commissioners and subject to policies and procedures for employee selection established for the County by the Board of Commissioners. Each applicant for a position shall complete a standard application form required of all Cassia County job applicants. Additional application information may be required by department heads or other elected officials subject to review by the Board of County Commissioners.

b. Testing of Applicants

Applicants for County positions may be subject to job-related testing to determine their competence or their abilities to perform certain tasks. Such tests are subject to approval by the Board of County Commissioners.

c. Interviews

The employing official, or his deputies, or his designees, may conduct interviews to determine the fitness of applicants for a certain position.

d. Final Responsibility for the Employment Decision

The decision to employ shall be made by the elected official or department head that will serve as the ultimate supervisor for that employee. No employment decision shall be deemed final or valid unless the position has previously been established and the County Commissioners shall first have approved the salary and budget authorization for that position.

e. Hiring of Temporary Employees

The hiring of temporary employees generally will not be approved, nor may funds be expended to compensate temporary employees until such employees or potential employees fill out a Cassia County Application form, have an appropriate background check conducted, fill out and file appropriate forms with the Auditor's Office, and have a Temporary Personnel Action Form filled out and approved by the Board of County Commissioners.

9. EMPLOYMENT COMMENCEMENT

a. Employment Forms to be Completed

The following pre-employment forms must be completed truthfully and accurately before the employee may begin work for Cassia County:

1. Employment application form.
2. All benefit forms necessary for employee and dependants.
3. Employment Eligibility Verification form (I-9).
4. W-4 Form
5. Acknowledgement of receipt of Personnel Policy Handbook.

b. Payroll Reporting System

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by the office of the County Auditor and approved by the Board of County Commissioners. Each report of employee time must be submitted on the computerized time sheet form or in instances approved by the affected department head and the Board of County Commissioners a time sheet may be used, but must be completed in ink. All time sheets must be signed in ink by both the supervisor and by the employee and shall contain a notation that it is a true and correct record of the employee's hours worked and/or accrued leave time used for the time period covered.

c. Orientation

1. At time of employment each employee shall receive a copy of the employee handbook and any applicable workplace rules in the office of the official for whom the employee works. It is the responsibility of the employee to read and gain an understanding of the employee handbook and work rules and to acknowledge receipt of both. A copy of such acknowledgment shall be retained in the personnel file maintained on each employee by the County. Receipt of periodic updates or changes to the handbook or rules shall also be acknowledged, with such receipt(s) also being placed in the personnel file maintained on each employee by the County.
2. Executed and dated Acknowledgment forms regarding reading of the handbook or handbook updates and changes shall be turned in by the employee to their supervisor within seven (7) days of receipt of the handbook or its updates. Failure to do so may result in discipline, up to and including termination.

10. GENERAL RULES FOR EMPLOYEE CONDUCT

Each employee of Cassia County is expected to conduct him or herself in a manner that reflects favorably upon the County. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of Cassia County as a public institution, each employee is expected to scrupulously avoid personal behaviors that would bring unfavorable public impressions of the County and its officials. In order to accomplish this, each employee:

- a. Shall be expected to report for work regularly and on time. Good attendance is a most important job requirement and an essential duty of every position. Failure to meet this requirement could result in disciplinary action.

1. Definition of absence. An employee is absent when he or she fails to report for and remain at work as scheduled. Lateness is a short absence at the beginning of the workday. Leaving early, even with permission, before the tour of duty ends, is also an absence. Absence, then, includes all time lost from the work schedule, whether avoidable or unavoidable, voluntary or involuntary.
2. Employees must clear planned absences in advance with their supervisor, allowing as much notice as they can. When an absence is unplanned, due to illness, an emergency, or some similar cause, employees must report the absence to their supervisor by the next scheduled work shift, or at such time as is set by the Department Head. In case of a long-distance absence of indefinite duration, they must report their status to their supervisor at least once every three working days.
3. Notification from another employee or relative is not acceptable, except under emergency conditions. An “excused” absence may include personal or family illness, jury duty, paid time off, or other reasons that would require an employee to miss all or part of a scheduled workday. Employees should be prepared to substantiate the reasons for their absences if asked. If an employee is absent frequently, he or she will be required to furnish documentation, including medical statements from his or her doctor. Employees may also be required to produce fitness for duty certificates to return from an absence.
4. A physician’s statement or a fitness for duty certificate may be required where absence is continuous for a period exceeding three (3) working days and after surgery or accident, regardless of the length of absence. A medical statement may also be requested at the discretion of the Department Head when the absence is less than three (3) days.
5. If an employee fails to give proper notification of his or her absence or if his or her supervisor considers the reason unacceptable, the employee will be charged with an unexcused absence.
6. Failing to report an absence properly can be grounds for disciplinary action, including dismissal. Excessive absences and lateness, even when reported, may also be grounds for discipline or dismissal. Unsatisfactory attendance will have an adverse effect on any promotion considerations.
7. Each employee’s record stands alone. An employee’s record of attendance is an individual record, a record he or she makes. What constitutes unsatisfactory attendance, therefore, must be determined on a case-by-case basis by the department head or designated supervisor. For example, if an employee is absent only one day during the year, but this one-day absence was avoidable, this employee’s attendance record is less than satisfactory. On the other hand, if an employee is absent for several weeks because of a single incapacitating illness or injury, then such an absence, by itself, does not create an unsatisfactory attendance record.

8. Authorized absences are permitted as defined by County policies for vacation, paid time off, holidays, sick days, jury service, medical leave, or military service. Employees must provide timely notice of absence or receive prior approval for the absence as defined by each policy. The County reserves the right to require documentation in support of the absence.
9. Absence includes late arrival at work, as well as early departure. All lost time on the job for unexcused reasons is subject to disciplinary action. An employee who fails to call in for three (3) successive days, and fails to produce an acceptable excuse, will be considered terminated by job abandonment.
- b. Shall maintain good physical grooming and mental attitude. Clothing shall be appropriate for the functions performed and shall present a professional appearance to the public. Employees are expected to have a neat and clean appearance, appropriate to their particular job and department as well as a healthy, friendly, and positive attitude. An employee's ability to get along with people will influence his or her development. Employees should be sincere, friendly, and display a pleasant disposition to both customers and colleagues. Tolerance for other people's shortcomings, as well as an awareness of one's own, cannot but help to improve an employee's value to the County.
- c. Shall dedicate primary efforts to County employment with secondary employment subject to approval by the appointing official. Individual department rules may spell out permissible examples of "moonlighting" wherein employees may hold additional positions.
- d. Shall avoid nepotism in appointments and working relationships with other employees in the County and related agencies. No County employee shall engage in conduct that violates state ethics laws.
- e. Shall not accept gifts or gratuities in any personal or professional capacity that could even create the impression that the giver was seeking favor from the employee or official.
- f. Shall not serve on any County board or commission that regulates or otherwise affects the official duties or personal interests of said County official or County employee in a way that could create disadvantage for other members of the public or advantage for the employee.
- g. Shall not release or disclose personnel information or any other record or information obtained in the course of employment without the express written authority of the designated custodian of records for that particular record or the Board of County Commissioners or an order from a court of competent jurisdiction.

h. Shall not engage in any criminal conduct or conduct which, even though not criminal, may reflect adversely upon the County or its officials.

i. Shall not use, work under the influence of, possess, sell, or distribute illegal controlled substances. Cassia County is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any County employee illegally uses controlled substances on the job, comes to work under their influence, or possesses, distributes or sells controlled substances in the workplace. Therefore, Cassia County has established the following policy:

1. It is a violation of Cassia County policy for any employee to possess, sell, trade, or offer for sale illegal controlled substances or otherwise engage in the illegal use of controlled substances.
2. It is a violation of the County policy for anyone to report to work under the influence of illegal controlled substances and/or alcohol.
3. It is a violation of the County policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.) However, employees using prescription drugs according to a physician's instructions or using over-the-counter drugs for medicinal purposes should, in the event such drugs could impair their physical, mental, emotional or other faculties, notify their immediate supervisor of such impairment.
4. If a department head suspects that an individual whom they are supervising is at work and under the influence of alcohol and/or drugs, that supervisor shall test the employee. The supervisor shall test the employee if sufficient objective symptoms exist to indicate the employee may be under the influence of drugs and/or alcohol. Upon request, the employee shall be required to submit to intoxilyzer testing or urinalysis testing, or some such other suitable means of testing to determine that use or being under the influence of illegal controlled substances or alcohol has occurred. Any such test, as requested by a department head shall be paid for out of that department's budget.
5. The department head shall prepare a written report regarding the request for testing and the basis therefore, as such testing is set out in #4 above. A copy of that report shall be placed in the personnel file maintained by the County on the tested employee.
6. Refusal to submit to an appropriate drug and/or alcohol screen is grounds for immediate administrative suspension pending termination, and a hearing under Section 20(c.) of this policy shall be scheduled forthwith. Other violations of this policy are also subject to disciplinary action up to and including termination.

7. As a condition of employment, every employee is required to abide by this drug-free workplace policy, and is further required by Federal law to notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

j. Shall not engage in conduct in the operation of a motor vehicle that impairs the ability of the employee to perform job functions even though the driving conduct does not occur during hours of employment.

k. Shall not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the official or department for whom he or she works.

l. Shall not use any County vehicles for personal use. County vehicles are to be used only for County business. No vehicle may be used after hours except on County business or for attending meetings as required by the position.

1. The County prohibits non-employees from driving County owned vehicles.

2. Every employee that drives a County owned vehicle is responsible for maintaining it as if it were their own personal vehicle, including checking all fluids, belts, tires, brakes, etc., on a regular basis. Necessary repairs should be reported to the County immediately so that repairs can be affected in a convenient and economical manner.

3. Employees that drive County owned vehicles must have and maintain a current, valid driver's license of appropriate class for the vehicle. While driving a County vehicle or driving on County business, employees must observe all traffic rules, obey speed limits, and wear safety belts. Employees are also required to report all traffic accidents and tickets. No employee shall consume alcohol or illegal drugs while driving a County vehicle or while on County business, nor shall any employee drive a County vehicle after having consumed alcohol or illegal drugs. Note that smoking is also prohibited in all County-owned vehicles.

4. The County also encourages employees to not use cellular telephones while driving a County vehicle or driving on County business. Employees are urged to only use cellular phones while their vehicles are stopped or in case of an emergency. Workers who need to use a cell phone are encouraged to park in a safe, legal space — not at the side of the road.

5. The County provides parking facilities for the use of all employees. Employees are to park only in designated areas. Automobiles parked for long periods of time will be towed at the owner's expense.

6. The County assumes no responsibility for damage to vehicles or theft of articles from vehicles while on County workplace premises. All vehicles parked on County premises are subject to random searches when there is reasonable suspicion of wrongdoing.

7. The Cassia County Sheriffs Policy and Procedures Manual shall govern Sheriff's department employees in the use of their vehicles.

m. Shall not make major office equipment purchases over \$1,000.00 without the approval of the Board of County Commissioners prior to the purchase.

n. Shall not allow any type of relationship with another County employee to adversely affect the performance of the employee's duties for the County. Also, shall not show any favoritism to any such person nor conduct themselves in any way so as to give other County employees the appearance of unfairness as a result of such relationship or to impede the efficient conduct of the County's business.

o. To protect the property and safety of our employees, supervisors have the authority to request that any employee open for inspection any package or other container brought onto, or taken from, County premises.

1. The term "County premises" includes, but is not limited to, County offices, all work areas, desks, rest areas, parking lots, driveways, loading docks, and any vehicle owned or leased by the County.

2. Random searches of County property, including desks and employee vehicles parked on County premises, can be conducted at any time when there is reasonable certainty that property has been taken. If possible, before conducting the search, the supervisor will ask the employee about the item in question, and will give the employee the opportunity to produce the item before conducting a search.

3. If an employee is found to be carrying County or other employees' property without authorization, he or she is subject to discipline, up to and including termination.

4. Prohibited items or substances will be turned over to law enforcement authorities when appropriate. Any employee found in possession of an item or substance prohibited by this policy will be sent home and will be subject to further discipline, up to and including discharge.

5. Any employee who refuses to comply with a search or investigation in accordance with this policy will be subject to discipline, up to and including discharge.

11. RULES FOR WORKPLACE CONDUCT

Each employee will be expected to conduct him or herself in the workplace in accordance with the following rules. These rules are not all inclusive of conduct expected of Cassia County employees. Each employee of Cassia County shall:

a. Give his or her best efforts to accomplish the work of Cassia County for public benefit in accordance with policies and procedures adopted by the Board of County Commissioners and elected officials. Each employee shall be subject to the administrative authority of the elected or appointed official who supervises the department where the employee works.

b. Adhere to the code of ethics in government act (Idaho Code Title 74, Chapter 4) and those of his or her profession and avoid conflicts of interest or using his public position for personal gain.

c. Follow all rules for care and use of County property to assure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.

d. Abide by all departmental rules whether they be written or issued orally by the supervisor, except that no employee shall be required to follow the directive of a supervisor that violates the laws of any local jurisdiction, the state, or of the United States.

e. Abide by County regulations and State Law concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the Board of County Commissioners and/or with the responsible elected or appointed official who has personal or official custody of that record. Each employee shall maintain the confidential nature of records that are not open to public scrutiny in accordance with the direction of the responsible elected or appointed official. Requests for disclosure of public records shall be taken in writing and reviewed by legal counsel for the County before the response is made.

f. Adhere to the defined work schedule and procedures for an exception from normal work schedules. Each such employee shall follow the rules regarding the reporting of work hours and the approval that must be given for pay record submittals. Failure to follow such rules may be grounds for imposition of appropriate disciplinary penalties.

g. Follow rules regarding lunch periods, including provisions granting supervisors authority to adjust them. Timing of lunch periods may be changed by supervisors to accommodate the completion of necessary work.

h. Follow all rules for reporting accidents on the job. All accidents on the job shall be reported directly to the employee's immediate supervisor as quickly as can be done. Furthermore, all such reports shall be forwarded immediately to the County Administrative Office. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated and that proper consideration can be accorded to injured workers and the public.

i. Report any accidents observed to have happened on County property or involving County property. Each employee shall provide as much information as he or she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's immediate supervisor and to the County Administrative Office as soon as physically possible and reasonable efforts should be made to assist those in need.

j. Follow all rules regarding safety in the workplace whether established formally by the County department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.

k. Maintain a current driver's license when necessary in the conduct of work for the County. Each such employee is obligated to report any state-imposed driving restrictions to his or her immediate supervisor and to notify his or her supervisor in the event that his or her driving abilities are impaired by other than state restrictions.

l. Perform such obligations as are necessary to carry out the work of the County in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.

12. CONDUCT REGARDING PUBLIC COMMUNICATIONS, CELLULAR TELEPHONES, COMPUTERS, INTERNET, ELECTRONIC COMMUNICATIONS AND MONITORING

a. Public Communications. Any public communications concerning the County must not violate the rules and guidelines set forth in this handbook.

1. Employees must include the following disclaimer on published public communications when they identify themselves as a County employee:

The opinions expressed here are the personal opinions of {employee's name}. Content published here is not reviewed or approved by the County before it is posted or published and does not necessarily represent the views and opinions of the County. {employee's name} assumes full responsibility and liability for any work-related content in this communication.

2. Employees may not communicate any material that violates the privacy rights of another. Similarly, employees may not disparage the County, its elected officials, supervisors, co-workers, customers, or vendors. Employees may disagree with the County and its elected or appointed officials, provided their tone is respectful and professional.
3. Employees are required to comply with the County's policies and applicable law protecting any sensitive, proprietary, confidential, or financial information about the County, or that the County may hold as a public record. Consult the County Administrator's Office or the County Prosecuting Attorney's office for guidance about what constitutes confidential or proprietary information.
4. Employees are prohibited from posting any material that is obscene, defamatory, profane, libelous, threatening, harassing, abusive, hateful, or embarrassing to another person or organization.
5. Failure to follow these policies may result in disciplinary action, up to and including termination.

b. Cellular Telephones. Cellular phones that are purchased by the County are the property of the County and must be returned upon the employee's termination or resignation.

1. The County encourages the safe use of cellular telephones and other wireless devices (e.g., Blackberries, PDAs) by employees when conducting business. No employee (excepting law enforcement personnel conducting official business) is to engage in the use of a cellular phone or device for business purposes while operating a car or other motor vehicle, unless it is equipped and used with a hands-free device. Even with a hands-free device, electronic communications use should be kept to minimum, conversations should be as brief as possible, and employees should refrain from making unnecessary calls. Where possible, even with a hands-free device, cellular phone calls should be made when the vehicle an employee is operating is not in motion. The only exception to this is when a phone call must be made in an emergency situation.

2. The use of cell phones with picture-taking capabilities is strictly prohibited without the elected official or appointed department head's prior consent. Camera phones are prohibited in areas where employees have an expectation of privacy, such as restrooms and locker rooms. Employees are required to turn off and put away cameras in restricted areas.

3. Use of personal cell phones must be kept to a minimum during work time. Elected Officials and appointed department heads may limit the use of personal cell phones during work time and in certain specified areas. Also, employees must keep personal cell phones on vibrate or turn the ringer off to limit disruptions to other employees.

4. Employees using cellular phones should remember not to discuss confidential issues with others present who do not need to know such information. Cellular phone "courtesy" should be practiced at all times. When other individuals are present, employees should refrain from talking loudly or in an offensive manner.

5. Text messaging is considered phone use and should not be done during work hours.

c. Computers. Computer systems and equipment, including laptop computers, printers, networks, software, electronic mail, and Internet access, are provided for business-related use only. It is the responsibility of all employees to see that these information systems are used in an efficient, ethical, and lawful manner.

1. All computers are considered to be County property and are to be used solely for business purposes. Violations of this policy may result in disciplinary action, up to and including termination. An employee's occasional use of County computers

for personal use, e.g., educational or charitable activities, is acceptable. However, in order to keep these uses to a reasonable level, approval to use the system in such a manner must be given by the employee's supervisor.

2. Employees are responsible for protecting their own passwords. Sharing user identifications, passwords, and access codes are discouraged. Employees may be held responsible for misuse that occurs through such unauthorized access. In order to provide the County with access to all computer information and data, no employee is permitted to use encryption devices on a County computer without express written authorization of the County Commissioners. Any employees authorized to use encryption coding devices and other security protecting devices must provide the applicable keys, codes, and passwords in a sealed envelope to the County Administrator.

3. Introducing or using software designed to destroy or corrupt the County's computer system with viruses or cause other harmful effects is prohibited. Employees are required to use the County-provided anti-virus software.

4. Fraudulent, harassing, threatening, discriminatory, sexually explicit, or obscene messages and/or materials are not to be transmitted, printed, or stored on the County computer system. Chain letters, solicitations, and other forms of mass mailings via County computer equipment are prohibited.

5. All information stored in the County computer system is to be treated as confidential, proprietary information. Only certain information printed out for public correspondence or the like may be considered non-proprietary or non-confidential.

6. To ensure that the use of computer systems and equipment is consistent with the County's legitimate business interests, authorized representatives of the County may monitor the use of such equipment from time to time.

d. Internet. Access to the Internet has been provided to employees for the benefit of the County and its customers. Therefore, every employee has a responsibility to maintain the County's image and to use the Internet in a productive and useful manner.

1. Although Internet access is for County business, brief and occasional personal use of the Internet is acceptable, as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in any expense to the County. Use is defined as "excessive" if it interferes with

employees' normal job functions or the ability of employees' to perform daily job activities.

2. Internet users must recognize that all messages created, sent, or retrieved over the Internet are the property of the County, and should be considered public information.

3. Employees who use County computers to access the Internet consent to having their Internet transmissions and retrievals accessed and monitored by the County.

4. Personal use of the Internet should in no way adversely affect County business. This includes, but is not limited to, the time spent surfing the Internet, the types of information accessed, and the resources expended downloading or printing files.

5. The County prohibits employees from accessing pornographic, gambling-related, and other inappropriate websites. While accessing the Internet on County-owned computers, employees may be monitored for misuse.

6. Employees are prohibited from sending, receiving, or accessing via the Internet any messages or graphics that may be considered threatening, offensive, discriminatory, or harassing to others. All policies pertaining to harassment or discrimination apply to employees' Internet use.

7. Internet access may be revoked at any time as the County sees fit. An employee caught misusing the Internet or violating policy in any way is subject to discipline, up to and including discharge.

e. Electronic Communications. All electronic and telephonic communication systems (including e-mail, voice mail, etc.), and all communication and information transmitted by, received from, or stored in County systems, are the property of the County and are to be used for job-related purposes, unless expressly permitted by the departmental supervisor. Personal use of any electronic or telephonic communication system or device should in no way adversely affect County business.

1. The use of any software and business equipment (including but not limited to facsimiles, telecopiers, computers, and copy machines) for private purposes is forbidden, unless expressly permitted by the departmental supervisor.

2. To prevent spreading viruses, violating licensing agreements, etc., employees are prohibited from installing any software, including computer games, on County-owned computers.

3. Employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from an authorized County representative. All pass codes are property of this County. No employee may use a pass code that has not been issued to that employee or that is unknown to County. Employees who violate this policy are subject to disciplinary action, up to and including discharge.

4. To ensure that the use of electronic and telephonic communication systems and business equipment is consistent with the County's legitimate business interests, authorized representatives of the County may monitor the use of such equipment from time to time. Foul, inappropriate, or offensive messages, such as racial, sexual, or religious slurs, are prohibited in voice mail. Defamatory remarks about others are also forbidden.

5. Violation of this policy will lead to discipline which may include termination.

f. **Electronic Mail.** Many County policies apply to the use of the electronic mail system, including those concerning courtesy, harassment, reporting absences, and solicitation. Employees who fail to comply with the Electronic Communications Policy or other County policies are subject to discipline, up to and including termination.

1. The County will not tolerate defamatory or threatening messages, or messages that will create a hostile work environment. Violation of this policy will lead to discipline, up to and including termination.

2. E-mail transmissions are County property; therefore, employees should have no expectation of privacy. The County reserves the right to monitor all e-mail messages, and may override any individual password in order to ensure compliance with County policy. The County permits employees to send and/or receive personal e-mail messages, within reason. Personal use of e-mail should not interfere with or conflict with business use. Employees should use their discretion when using the County e-mail system for personal use, since these messages will be treated the same as other messages, and may be subject to monitoring.

3. Misuse of e-mail can result in disciplinary action, up to and including termination. Examples of misuse include, but are not limited to:

- transmitting profane, obscene, or offensive material;
- sending messages or jokes that violate the Company’s harassment policy or otherwise create a hostile work environment;
- forwarding confidential information to unauthorized individuals;
- using an unauthorized password to break into the system;
- expressing political views; and
- soliciting or advertising matters unrelated to business.

4. E-mail users should draft messages with the awareness that they are a permanent record. “Deleted” messages may exist on a hard drive, in a backup system, etc., and may be discoverable in a lawsuit. For this reason, e-mail must be treated as any other final work product that could be read in the future by a third party.

5. E-mails should be treated with the same respect as telephone calls or delivered mail. It should be treated as a formal document with proper business standards being followed.

g. **Monitoring.** All communications systems and the information transmitted by, received from, or stored in these systems is the property of the County and are to be used for business purposes only. From time to time, the County may monitor the use of such equipment to ensure their proper use.

1. Although the County respects employees’ expectation of privacy, these privacy rights do not extend to County-owned equipment, such as, but not necessarily limited to, telephones, e-mail systems, computers, etc. The County reserves the right to periodically monitor this equipment for business purposes.

2. As a condition of initial employment and continued employment, employees are required to sign an acknowledgement form, recognizing and consenting to the County’s Public Communications, Cellular Telephone, Computers, Internet, Electronic Communications, and Electronic Mail Policies and the County’s right to monitor electronic equipment and electronic communications at its discretion.

13. PROHIBITED WORKPLACE CONDUCT

Within the workplace, employees of Cassia County shall not:

a. Be under the influence of drugs, alcohol, illegal substances or other substances that would impair the ability of the employee to perform his or her work competently or which would threaten the safety or well-being of the employee or other workers or the public. No worker should be absent from work on account of such conduct, even though such conduct does not occur during regular working hours.

b. Engage in threatening or abusive conduct to fellow employees or to the public or use abusive, threatening or demeaning language toward or in the presence of fellow employees or the public. Abusive language shall include but not be limited to profanity or loud or harassing speech, or demeaning another or his or her family members or ridiculing another.

c. Be sleeping, loafing or being absent from the employee's work station when on duty. Employees shall be attentive to their work at all times.

d. Engage in malicious gossip and/or spreading rumors; engaging in behavior designed to create discord and lack of harmony; willfully interfering with another employees work output or encouraging others to do the same.

e. Use work time for personal business including selling of goods or services to other employees or the general public or proselyting religious or political views to members of the public during the work day.

f. Engage in political activities while on duty in County service. This rule shall not apply to elected officials or chief deputies to an elected official. Employees shall enjoy full political rights when not carrying out their work obligations.

g. Provide false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.

h. Discriminate in the treatment of co-workers or members of the public on the basis of race, color, religion, sex, national origin, age, or disability, or create a hostile or threatening working environment by means of jokes, insults, ridicule or any other conduct or words for any person based upon such factors.

i. Smoke cigarettes, cigars, pipes, or use smokeless tobacco in any County buildings, facilities or vehicles.

j. Violate state statutes or County regulations regarding the inappropriate use, alteration, destruction, disclosure or removal of any public records required by law to be kept by the County or by other public officials.

k. Abuse employee benefit offerings by taking unjustified sick leave, unearned vacation, unearned paid time off or participate in any scheme or deception designed to create incorrect payroll or personnel records or to claim benefits which are not deserved in accordance with County policy.

l. No employee may clock in or out for another employee. Any employee found clocking in or out for another employee or having another employee clock in or out for them will be subject to disciplinary action. It is the responsibility of each employee to monitor their time clock entries and to advise their supervisor immediately of any problems with the time clock or their time card. If the supervisor determines there are problems, the supervisor should amend the employee's time on the time clock and card. Only authorized supervisors may alter information on a time clock and card, and such alterations should only be done to reflect actual hours worked for the County.

m. Violate rules governing non-exempt employees concerning absence from workplace without proper leave and/or not obtaining permission as required by County policy for use of vacation, sick, paid time off, or other types of leave granted by County policy.

n. Engage in prolonged or excessive visits with co-workers, children, friends, or family members that interfere with the course of work in the office or department in which the employee serves.

o. Engage in criminal conduct of any kind while on duty or off. County employees are expected to behave in a lawful and socially acceptable manner and failure to do so is a violation of the trust placed in such employees by the public and the appointing official.

p. Violate any department rule established by the appointing official to maintain order and productivity in the workplace.

q. Fail to perform job duties and carry out the obligations of work standards imposed by department heads, elected officials or ordinance or law, including inefficiency or neglect such that the employee for the County simply does not meet work needs.

r. Refuse to accept a reasonable and proper assignment from a department head, or supervisor; engage in gross insubordination or conduct which disrupts the work flow of the County, and/or serves to threaten the safety or health of employees or citizens of the County.

s. Violate the privacy or personal property rights of other employees including but not limited to going through the private areas of desks, purses, etc. or using their possessions without permission.

14. PROHIBITED DISCRIMINATORY HARASSMENT POLICY

Cassia County is committed to providing all of its employees with a work place free of discriminatory harassment. Cassia County maintains a strict policy prohibiting sexual harassment and harassment on the basis of race, color, religion, sex, national origin, age, or disability or any other characteristic protected by applicable law.

This prohibition applies to all employees, vendors, or customers of Cassia County. No employee of Cassia County is expected to tolerate any conduct prohibited by this policy from anyone while at work or engaged in Cassia County business.

This policy is not intended to protect anyone who makes false allegations of discriminatory harassment. Cassia County reserves the right to take appropriate disciplinary action against any employee who makes a false allegation of harassment.

a. Sexual Harassment Defined.

1. Sexual harassment prohibited by this policy includes any unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:

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

2. The following is a partial list of conduct, which would be considered sexual harassment:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening retaliation after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, comments about an employee's body or dress;
- Written communications of a sexual nature distributed in hard copy or via a computer network;
- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations;
- Physical conduct such as touching, assault, impeding or blocking normal movements;
- Retaliation for making harassment reports or threatening to report harassment.

3. This foregoing list is not all-inclusive. Any conduct which might be deemed offensive should be avoided. Sexual harassment can occur between employees of the same sex. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment will not be tolerated in the Cassia County work place.

b. Other Types of Unlawful Harassment

1. Cassia County also prohibits harassment on the basis of race, color, religion, sex, national origin, age, disability, veteran status or any other characteristic protected by applicable law. Such prohibited harassment includes but is not limited to the following examples of offensive conduct:

- Verbal conduct such as threats, epithets, derogatory comments or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings or gestures;

- Written communications containing statements, which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures;
- Physical conduct such as assault, unwanted touching or blocking normal movement;
- Retaliation for making or threatening to make harassment reports to Cassia County, or for participating in an investigation into harassment allegations.

2. This foregoing list is not all-inclusive. Any conduct which might be deemed offensive should be avoided. Harassment will not be tolerated in the Cassia County work place.

c. Complaint Procedures

1. Any employee who believes he or she has been subjected to unlawful harassment prohibited by this policy should immediately tell the harasser to stop his or her unwanted behavior and immediately report that behavior, preferably in writing to the office of the County Administrator, Room 210 of the Cassia County Courthouse, or by telephoning the County Administrator at 878-7302, or by contacting one of the County Commissioners directly.

2. If an employee becomes aware of harassing conduct engaged in or suffered by a Cassia County employee, regardless of whether such harassment directly affects that employee, the employee shall immediately report that information, preferably in writing, to the office of the County Administrator, Room 210, of the Cassia County Courthouse, or by telephoning the County Administrator at 878-7302, or by contacting one of the County Commissioners directly. Cassia County encourages each employee to use the procedures set forth in this policy to address any sexual harassment problems as quickly as possible.

3. Whenever Cassia County is made aware of a situation that may violate this policy, Cassia County will conduct a prompt, thorough and objective investigation of harassment claims. A confidential investigation (to the extent that confidentiality is allowed by law) of any complaint will be undertaken promptly by an impartial person. If Cassia County determines that prohibited harassment has occurred, it will take appropriate action against a person found to have engaged in prohibited harassment to ensure that the conduct will not reoccur. A determination regarding the discriminatory harassment alleged will be made and communicated to the person claiming harassment as soon as is practical. The type of discipline administered will be dependent upon the severity of the conduct, as well as any other factors presented in the particular circumstances. Any employee found by the

County to have harassed another employee will be subject to appropriate disciplinary sanctions up to and including termination.

4. Cassia County strictly prohibits retaliation against any person by another employee or by Cassia County for using this complaint procedure, reporting harassment, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by Cassia County or a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

5. Cassia County recognizes that a factual determination, based upon all evidence bearing on the issue, is required to answer the question of whether or not harassment has occurred. False accusations of harassment can have serious effects upon those accused and others in the workplace. All employees are requested to strictly follow the reporting procedures set forth in this policy and required to maintain confidentiality in all matters pertaining to claims of harassment.

6. Cassia County does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of any employee, including elected officials and management employees.

7. The foregoing lists are not all-inclusive. Violation of any of the rules set forth above shall be grounds for disciplinary action, including possible dismissal. The rules contained in this personnel policy manual are subject to change at any time in the sole discretion of the Board of Commissioners for Cassia County, Idaho.

8. Potential penalties for violation of any such rules may include, but shall not be limited to:

- i. Leave with or without pay.
- ii. Suspension for a variable or fixed period.
- iii. Demotion to a position with lower compensation and / or authority.
- iv. Reprimand.
- v. Dismissal.

15. EMPLOYEE CLASSIFICATION

The classification of the position you hold with Cassia County may affect the status of obligations or benefits with your employment. The primary classes of employees and their respective status is outlined as follows:

a. Elected Officials

Elected Officials are not considered regular employees. Elected Officials receive employment benefits as identified in a resolution adopted by the Board of County Commissioners.

b. Full-Time Regular Employees

Employees whose employment is sustained and continuing and whose typical work week consists of at least Thirty (30) hours of service per week, or 130 hours of service per month are considered full-time regular employees. Full-time regular employees are eligible for employee benefits provided by the County.

c. Part-Time Regular Employees

Employees whose employment is sustained and continuing and whose typical work week consists of less than Thirty (30) hours of service per week on a regular basis are considered part-time regular employees. Part-time regular employees receive no benefits provided to full-time regular employees, except those approved by the Board of County Commissioners and those that are required by federal and state law.

d. Temporary Employees

Employees who work on an irregular, seasonal or temporary basis are temporary employees. Temporary employees receive no benefits provided to full-time regular employees, except those required by law or those approved by official action of the Board of County Commissioners.

e. Part-Time Regular employees and Temporary employees will not receive the benefits provided to full-time regular employees, except those required by law. Such employees are compensated only for the hours they work and are not entitled to sick leave, vacation pay, paid time off, or holiday pay. Personnel actions concerning any employees are subject to guidelines set forth herein unless the handbook provisions expressly provide otherwise.

f. Hourly Employees - Employees who provide services for Cassia County on an irregular or temporary basis or whose scheduled hours of employment for the County are typically fewer than 30 each week are classified as hourly employees. Hourly employees will not receive the benefits provided to regular employees, except those required by law. Hourly employees are compensated only for the hours they work and

are not entitled to sick leave, vacation pay, paid time off, or holiday pay. Personnel actions concerning part-time or casual employees are subject to guidelines set forth herein unless the handbook provisions expressly provide otherwise.

g. Employees who work on an irregular or temporary basis, even though they work more than 19 hours per week are classified as temporary or seasonal employees. Temporary or seasonal employment shall not extend beyond five (5) months in any 12 month period and are not expected to establish a continuity of service with the County. Temporary or seasonal employees will receive no benefits provided to regular employees, except those required by law or those approved by official action of the Board of County Commissioners. Temporary or seasonal employees may be terminated at any time and without any additional compensation, and are always considered to be “AT WILL EMPLOYEES.” Temporary employees may not be moved to a permanent position of County employment without the hiring department following County policy for “Hiring Practices” as contained in this handbook. A Personnel Action Form (PAF) must be completed by the hiring department head and signed by the Chair of the Board of Commissioners before any salary offer is valid for any potential temporary or seasonal employee.

16. COMPENSATION POLICIES

a. Establishment of Pay System

1. Cassia County compensates employees in accordance with decisions by the Board of County Commissioners as County budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or status quo maintenance for any time period. The supervising elected official or administrator may make suggestions about salary compensation and other pay system concerns but the final decision regarding compensation levels rests with the Board of County Commissioners. The Commissioners reserve the right to make budget adjustments, and consequently pay adjustments, during the course of the budget year in order to manage cash flow or to deal with other circumstances that they think justify changes in County expenditures.

2. Employees will participate in a performance evaluation system established by the Board or by an individual department with the approval of the Board. Such evaluation system(s) may be a basis for allocating changes in compensation in each budget year. Records of any such evaluations shall be kept in the personnel file of Cassia County that is maintained on each employee.

b. Compliance with State and Federal Pay Acts

Cassia County shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the County service.

c. Classification Plan

1. All employees of Cassia County shall be classified in the position they hold with Cassia County in the following manner:

- i. Elected Officials
- ii. Exempt employees
- iii. Non-exempt full-time regular employees
- iv. Non-exempt part-time and hourly employees

d. Right to Change Compensation

Cassia County reserves the right to change compensation for any reason deemed appropriate by the Board of County Commissioners. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent County budget.

e. Overtime Compensation - Compliance with Fair Labor Standards Act

In addition to the employee classifications set forth elsewhere in this handbook, all employees are classified as exempt or non-exempt for purposes of the Federal Fair Labor Standards Act (FLSA). The FLSA is the Federal wage and hour law that governs the obligation of employers to pay overtime compensation. Certain employees are exempt from operation of this law because they hold positions that are primarily professional, executive or administrative in nature and they are paid as salaried employees. As such, exempt employees do not receive premium pay for hours worked beyond the limits provided by the statute, nor is their salary subject to reduction or deductions for absences from work of less than a day's duration or for tardiness. Employees, who serve as sworn law enforcement officers and as field paramedics, will be subject to special exceptions found in the FLSA. Please contact your department supervisor or the office of the Board of County Commissioners for further clarification of your FLSA status.

f. Compensatory Time Policy

1. It is the policy of Cassia County, in agreement with its employees, that non-exempt employees may receive compensatory time off at a rate of not less than one

and one-half hours for each hour of employment for which overtime compensation is required under the Fair Labor Standards Act.

2. Covered employees, who work in public safety activities, emergency response activities, or seasonal activities, may accrue not more than 480 hours of compensatory time for overtime hours worked. Other covered employees may accrue not more than 40 hours of compensatory time, unless the accrual cap is set at an amount less than 40 hours by direction of the departmental supervisor.

3. Employees requesting to use accrued compensatory time must make a specific request in writing to their immediate supervisor. Use of such time will be allowed within a reasonable period following the request as long as the use does not unduly disrupt the operations of the affected department or the County.

g. Reporting and Verifying Time Records

It is the responsibility of each non-exempt employee to properly record the time that he or she has worked during a payroll period. Each time sheet shall bear the signature of the employee with a statement verifying its accuracy and counter signature by a supervisor indicating that the hours claimed were actually worked. These records shall be retained for at least five years following a pay period or the conclusion of an employee's service. Failure to carry out these duties may result in disciplinary action.

h. Work Periods

1. Each non-exempt employee is responsible for monitoring the status of hours worked in each work period. Overtime will be allowed only when authorized by an appropriate supervisor or when absolutely necessary in an emergency. The work week for all regular employees who are subject to the FLSA will begin at 12:00 (midnight) on Sunday of each week and concludes at 11:59 P.M. of the succeeding Saturday. For regular employees, if hours actually worked exceed 40 in a work week, premium compensation will be paid, or authorized compensatory time will be allowed to accrue.

2. Sworn law enforcement officers and field paramedics are subject to the special exception for their respective professions (§207(k)) that allows establishment of their work period at 28 days. Premium compensation is to be paid for qualifying law enforcement hours beyond 171 in a 28-day work period or for qualifying emergency medical hours beyond 212 in a 28-day work period. For these special exception employees, payment of premium compensation will be paid, or authorized compensatory time will accrue, on the paycheck that follows the conclusion of a 28-day work period by at least one week. Questions about overtime and compensatory time should be directed to your supervisor or the County Auditor's office.

i. Promotions and Compensation

Compensation for all County employees is established by action of the Board of County Commissioners. The annual budget of the County sets the funding available for compensation of employees in various departments. Promotions and changes in status shall be presented to, and approved by, the elected or appointed official for the particular department, who may then recommend the change of status to the Board of County Commissioners. Final authority regarding compensation rests with the Board of Commissioners.

j. Payroll procedures and Paydays

1. County employees are paid on a bi-weekly basis throughout the year. The office of the County Auditor issues paychecks. Paychecks are distributed on the Friday following the end of the pay period, and will be distributed prior to 5:00 P.M.
2. It is the obligation of each employee to monitor the accuracy of each paycheck received. Information shown on the employee's paycheck stub is provided for informational purposes only. Actual practices respecting the issuance of paychecks and allocation of employee benefits must be consistent with official policy of the County. In the event of disagreement between the computer-generated paycheck stub and official policy as interpreted by the Board of County Commissioners with the assistance of the County Auditor, the policy shall prevail.

k. Compensation while Serving on Jury Duty or as a Witness in Court Proceeding

Leave will be granted only to full-time regular employees called to jury duty or to serve as a court witness in accordance with Board-adopted policy. Full pay will be provided during the first ten days of such service. After the first ten days the employee may elect to use accrued vacation time, paid time off or unpaid leave of absence. Special allowance may be made by the Board of Commissioners upon a showing of inordinate hardship. Any employee that receives additional compensation for jury duty shall remit such compensation to the County Auditor.

l. Military Leave

1. Cassia County will abide by all the provisions of the Uniformed Services Employment and Re-Employment Act (USERRA) and will grant military leave to all eligible full-time and part-time employees. Military leave may be granted to full-time and part-time employees for a period of four (4) years plus a one-year voluntary extension of active duty (5 years total), if this is at the request and for the convenience of the United States Government.

2. As with any leave of absence, employee must provide advance notice to their supervisor of their intent to take military leave and must provide appropriate documentation.

3. An employee's salary will not continue during military leave unless required by law. However, employees may request to use vacation or personal leave time accrued during military leave. Benefit coverage will continue for thirty-one (31) days as long as employees pay their normal portion of the costs of benefits. For leaves lasting longer than thirty-one (31) days, employees will be eligible to continue health benefits under COBRA and will be required to pay full and total cost of their health benefits if they wish to continue benefits.

4. Upon return from military leave, employees will be reinstated with the same seniority, pay, status, and benefit rights that they would have had if they had worked continuously. Employees must apply for employment within ninety (90) days of their discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.

5. If employees are reservists in any branch of the Armed Forces or members of the National Guard, they will be granted time off for military training. Such time off will not be considered vacation or personal leave time. However, employees may elect to have their reserve duty period be considered as vacation time or personal leave time to the extent they have such time available.

m. Reduction in Force

Employee assignments may be affected by reductions in force due to economic conditions or to changes in staffing and workload. The Board of Commissioners reserves the right to make any changes in workforce or assignment of resources that it deems to be in the County's best interests. The Board may also specify at the time reductions in force are made what reinstatement preferences may accompany the reductions. Said reinstatement preferences may be tied to the classification of the employee or to specialized skill possessed by the employee.

n. Payroll Deductions

In accord with Idaho Code §45-609 no payroll deductions will be made from an employee paycheck unless authorized by the employee or required by law.

o. Travel Expense Reimbursement

1. An employee on County business shall be reimbursed for expenses incurred in completing his/her work-related assignment in accord with the policies established by the Board. Each employee is responsible for providing verified receipts for any

expenses for which reimbursement is requested in accord with Idaho Code §31-1506.

2. Authorized travel by private vehicle will be reimbursed at the rate per mile as established by resolution of the Board of County Commissioners, from time to time.

3. The County will reimburse employees for single occupancy motel rooms at actual cost as long as the cost is not unreasonable or exorbitant.

4. Complimentary meals, including continental breakfast provided by a hotel and meals provided by common carriers will not be deducted from the per diem allowance to be paid. If meals are provided for as part of a registration or program fee, then such shall be deducted, on a pro-rata basis, from the daily per diem.

5. Without supporting documentation, a per diem reimbursement shall be paid to the traveling employee not to exceed \$45/day where the employee is absent from the employee's official station for at least twenty-four (24) hours. Such per diem shall be pro-rated, for purposes of this policy, at \$15 per meal, i.e., breakfast, lunch or dinner. *(For example, employee travels to Boise for a two and one-half day seminar that includes one luncheon as part of the seminar fee, with employee driving to Boise the morning of the first day of the seminar and leaving the seminar at mid-day of the third day to travel home. Per diem for this event would be calculated as follows: 2 days X \$45 = \$90; Add third day's breakfast and lunch at \$15 each; subtract one paid luncheon at \$15 for total per diem to employee of \$105.)*

6. Where employees are absent from their official station for less than twenty-four (24) hours, or attending assignments not more than 100 miles from their official station, then reimbursement shall be paid only for actual verified receipts of expenditures related to that assignment, which must be provided for reimbursement to be paid. In no event will reimbursement exceed Fifteen Dollars (\$15.00) per meal.

7. Travel expenditures should be recorded and receipts collected. These receipts must be submitted at the end of each trip along with the employee's record of expenditures for issuance of payment and/or reimbursement. Employees are expected to utilize the least expensive and most convenient mode of travel.

8. Proposed Travel expense estimates must be included by the elected official in the annual budget for each department's anticipated travel expenses, as part of the budget process.

p. Inclement Weather

1. It is County policy to continue operations despite weather conditions unless an emergency threatens to make employee transportation to or from work

impossible or dangerous. Employees are expected to show up for work regularly and on time. Occasionally, however, weather may become a factor, and employees should not attempt to come to work in dangerous weather conditions.

2. In case of severe weather, employees must look out for their own safety. However, this does not mean a free day off. Unless the Commissioners have closed the County facility or facilities, employees are expected to come to work; otherwise, the employee will be charged one vacation day, paid time off day or one day of compensatory time.

3. If the County facility opens and is forced to close early because of the weather, all employees who reported to work will be paid for the day. Employees who made no effort to come in will not be paid, unless they use accrued vacation, paid time off or compensatory time. If the facility is closed prior to the start of the shift, employees will not be paid, unless they use accrued vacation, paid time off or compensatory time. All employees are urged to make every possible effort to get to work if the facility remains open. If the facility remains open and employees do not come to work, they may use a paid time off or vacation day, instead of losing pay, with their supervisor's approval.

4. No wage/salary decisions will transgress the requirements of federal and state regulations.

5. Since the County provides employees with an option to stay home during inclement weather, the County will not be responsible for any personal injury or property damage that occurs if employees attempt to arrive at work.

q. On-the-Job Injuries / Workers Compensation

1. All on-the-job injuries shall be reported to the County Administrator as soon as practicable to allow filing of worker's compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident he or she shall be eligible for worker's compensation and shall not be charged with any vacation, paid time off or sick leave time while away from his or her position. An employee that is receiving workers compensation benefits for temporary total disability (TTD) shall not be paid their County wage or salary while receiving such TTDs. Return to employment will be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund.

2. Workers' Compensation insurance provides benefits for job-related injuries. All employees are covered and the entire cost of this insurance is paid by the County. Our Workers' Compensation insurance costs are based on the number of injuries the County suffers, therefore, the lower our injury rate, the lower the County's costs for insurance. One way to keep our Workers' Compensation costs under control is to work safely and follow all rules and regulations. The County will

enforce all safety rules, and employees who violate them will be disciplined, up to and including termination.

3. Employees should report injuries immediately so that they can receive fast and effective treatment. If the employee is injured on the job, the employee must give the County written notice of the injury as soon as is practicable, but not later than sixty (60) days after the happening thereof, and unless a claim for compensation with respect thereto shall have been made within one (1) year after the date of the accident, or in case of death, then within one (1) year after such death to trigger the employee's right to Workers' Compensation benefits.

4. Forms for reporting injuries may be obtained in the County Administrative Office or from your department head. If the employee is unable to fill out an injury report due to the nature of the employee's injury, his or her supervisor should obtain a form and fill it out for the employee.

5. Questions about worker's compensation issues should be directed to the office of the County Auditor or County Administrator.

r. Exempt Employees

All employees who are exempt from the provisions of the FLSA as executive, administration, professional or licensed exempt employees shall not be subject to reduction in salary or deductions in pay as a result of absences from work of a duration of less than a day or tardiness in arriving at work, nor shall such employees be required to report or account for such short term absences. However, absences which result in impaired performance of job duties or responsibilities may result in employee disciplinary action under the provisions of this manual.

17. EMPLOYEE BENEFITS

Cassia County offers a number of employee benefits for full-time regular employees. These benefit offerings are subject to change or termination in the sole discretion of the Board of Commissioners. Each is subject to the specific terms of its respective insurance policy and/or official resolution of the Board.

Definition: Worked hours/straight time for accrual purposes.

The length of the regular work week for county employees varies; some are 37 ½ hours, others 40 hours. Thus, the regular work week is that number of hours an employee is

regularly scheduled to work. If paid vacation, paid time off, compensatory time, or holiday time is utilized to ensure that an employee's regular work week hours are met, such hours will accrue new vacation and paid time off at the appropriate rate.

Overtime hours will not be considered in computing vacation leave or paid time off. If an employee is off work pursuant to a worker's compensation claim that has been accepted by the County's workers compensation insurer, then such employee shall accrue vacation and paid time off as though filling the hours of their regular work week.

a. Vacation Leave

(1) Vacation leave is available to full-time regular employees who have completed the equivalent of 180 days of full-time County employment. Vacation accrues from the start of employment in the following manner:

<u>Length of Service</u>	<u>Hours Earned</u>	<u>Approximate # Days*</u>
180 days to 2555 days	0.0385	10
2556 days to 5475 days	0.0577	15
5476 days and over	0.0770	20

* Approximate days are shown for information and illustrative purposes only and are based upon an eight (8) hour per day, 40 hour per week employee. Actual accrual calculations will be based on hours worked and the hours earned rate as above scheduled.

2. The prior year's accrued vacation must be used within 180 days following the employee's anniversary date. Failure to use accrued vacation time within this prescribed time period will cause such accrued vacation time to first be applied to accumulated sick leave bank accrual to the maximum allowed hereunder. In the event of an employee's separation from employment for any reason before the 180 day period for use of accrued vacation time has run, then such accrued vacation leave shall be paid at the employee's regular rate of pay. Thereafter, unused, but accrued vacation time within this prescribed time period will cause such accrued vacation time to be paid at fifty percent (50%) of the total amount to the employee, and then such accrued time shall be deemed to be completely vacated and waived by the employee. This rule may be subject to an exception for one year's additional accrual upon written permission of both the responsible department head or elected official and the Board of Commissioners. If an employee has requested the use of vacation leave and the request has been denied because of departmental restrictions, the employee will be allowed to carry the prior year's vacation leave for an additional ninety (90) days with the written consent of both the responsible department head or elected official and the Board of Commissioners.

3. Vacation leave is to be scheduled with consent of the responsible elected official or department supervisor. Efforts will be made to accommodate the

preference of the employee in vacation scheduling, but first priority will be the orderly functioning of affected departments.

4. Vacation leave shall not accrue for any employee who takes time off without pay, is on any kind of leave of absence without pay, disciplinary suspension without pay, or layoff.

5. Any employee who voluntarily or involuntarily leaves County service and is later rehired, will be eligible for the vacation leave benefits as provided in this policy as if he or she were a new employee with no prior service or employment with the County, unless otherwise, specifically arranged and approved, in writing, by the Board of Commissioners before re-commencement of work by the affected employee. For purposes of this section, separation from employment is further defined to include any layoff, but shall not include any unpaid leave of absence.

b. Personal Time Off (PTO)

1. The Personal Time Off policy provides regular, full-time employees with days away from work with pay, in addition to vacation leave. PTO days may be used for personal time, illness or time off to care for dependents. PTO must be scheduled in advance and approved by the elected or appointed department head, except in cases of sudden illness or emergency. The PTO policy does not cover scheduled County holidays or vacation days. Questions about PTO earned and used should be referred to your elected official or appointed department head.

2. All full-time employees are eligible to request use of accrued PTO. New hires are eligible to use PTO upon completion of a 180 day introductory period. Any time taken by new hires in the first 180 days of employment will be unpaid, and any time taken by employees in excess of accrued PTO will be unpaid, unless it complies with scheduled vacation leave.

3. Hours for accrual of PTO leave will be based upon the number of straight time hours worked from the anniversary of the date of hire. The accrual rate will be three hundred eighty five ten thousandths (0.0385) per straight time hours worked.

4. The prior year's accrued PTO must be used within 180 days following the employee's anniversary date. Any accrued PTO time that is not used within this prescribed time period will cause such accrued PTO time to first be applied to accumulated sick leave bank accrual to the maximum allowed hereunder. . In the event of an employee's separation from employment for any reason before the 180 day period for use of accrued PTO time has run, then such accrued PTO leave shall be paid at the employee's regular rate of pay. Thereafter, once the maximum accrual amount is reached then and in such event the employee may utilize remaining accrued PTO from the previous year at fifty percent (50%) of the total amount remaining as either paid time off or as pay in lieu of time off. This rule may be subject to an exception for one year's additional accrual upon written permission of

both the responsible department head or elected official and the Board of Commissioners. If an employee has requested the use of PTO and the request has been denied because of departmental restrictions, the employee will be allowed to carry the prior year's PTO for an additional ninety (90) days with the written consent of both the responsible department head or elected official and the Board of Commissioners.

5. In case of hardship, the elected official or appointed department head and the Board of Commissioners may allow an employee to borrow PTO that will be added to their accrual for the current year of employment. [Current year of employment is that time beginning with the past employee anniversary date to present.] Any amount of borrowed time will be deducted from the employee's final paycheck upon termination of employment. In event of such hardship borrowing, approval by the elected official or appointed department head and the Board of Commissioners must be in writing.

c. Sick Leave Bank

1. General Purpose: Sick leave bank is extended to full-time employees to provide reasonable employment security during an illness or injury. It is incumbent, therefore, on all Department Heads and employees to guard this privilege zealously to insure it is not abused. The sick leave privilege shall be utilized solely by an employee in the event of an actual personal sickness or disability, or as a result of medical and dental treatment which necessitates that said employee be absent from the work site. Sick leave may also be used in limited instances when absence from work is due to illness or injury in the employee's immediate family. For purposes of this section immediate family shall mean spouse, dependent child, or under such circumstances as may be specifically granted, in writing, by the department head or elected official and the Board of County Commissioners. Cassia County reserves the right to require doctor verification of illness or appointments, and failure to provide requested verification may result in disciplinary action.

2. Leave accrual and capacities. Sick leave shall only be allowed to accrue from vacation or PTO carryover. Any sick leave banked for an employee at the time this policy is put into effect shall continue at that same amount held by the employee before the policy change, unless utilized hereunder. Unused sick leave may be accumulated to a maximum of two hundred eighty (280) hours for employees working the equivalent of a forty hour (40) work week; and to a maximum of two hundred sixty-two and one half (262.5) hours for employees working the equivalent of a thirty-seven and one-half (37½) hour work week. However, in the event of a serious illness or disabling injury to an employee, unused and accumulated sick leave up to a maximum of five hundred sixty (560) hours for forty (40) hour per week employees and a maximum of five hundred twenty-five (525) hours for thirty-seven and one-half (37½) hour per week employees may be used with the written consent and approval of the County Commissioners. Any unused current or

accumulated sick leave is automatically canceled, without monetary value, when the employment relationship between employee and county ends for any reason.

3. Sick Leave Procedures: Employees shall notify their Elected Official or Department Head, as appropriate, if the employee is unable to be at work due to an illness or injury prior to the commencement of the normal work day. Department Heads or Elected Officials, as appropriate, shall be notified at least one working day prior to an employee's scheduled medical or dental appointment. Illness in excess of three (3) successive days may require, at the discretion of the Elected Official or Department Head, documentation from the attending physician or dentist, or from a physician or dentist designated by the County, stipulating the nature of the illness or disability which required the employee to be away from the work site.

Further, a written release from the physician or dentist may be required. Any charge for documentation by doctor and dentist shall be at the County's expense. Failure to provide such documentation within five (5) working days of the date it is so requested shall:

- i. be cause for disciplinary action, and/or
- ii. be cause for loss of pay for the days the employee was absent from work.

5. Sick Leave Restrictions: Sick leave shall be approved by the Elected Official or Department Head, as appropriate. Accumulated sick leave shall be reduced by the actual time utilized. Sick leave shall not be granted under the following conditions:

- i. self-inflicted disability, sickness, or injury caused by the employee's willful misconduct.
- ii. A disability, sickness, or injury related to employment other than with Cassia County.

6. Abuse of County Sick Leave: Abuse of the County sick leave policy shall be grounds for employee discipline.

d. Family Medical Leave

Eligible employees of Cassia County may be authorized unpaid family/medical leave under the provisions of the Family and Medical Leave Act of 1993, as amended if they meet the following eligibility requirements.

1. “An eligible employee” is an employee of the county who has:
 - i. been employed by the county for at least 12 months, and
 - ii. has worked for at least 1,250 hours of service during the 12 month period immediately preceding the commencement of the leave.
 - iii. The Uniformed Services Employment and Reemployment Rights Act (USERRA) requires the following considerations in calculating FMLA eligibility for returning service members:
 - (a) a person reemployed by the County under provisions of USERRA must be given credit for any months he or she would have been employed but for the military service in determining eligibility for FMLA leave; and
 - (b) an employee returning to work for the County after military service should be credited with the hours-of-service that would have been performed but for the period of military service in determining FMLA eligibility.
2. Employees are entitled to leave under FMLA for the following:
 - i. for the birth and care of the newborn child of the employee;
 - ii. for placement with the employee of a son or daughter for adoption or foster care;
 - iii. to care for a sick child, spouse or parent who has a serious health condition;
 - iv. to take medical leave when the employee is unable to work because of his or her own serious health condition; or
 - v. for a qualifying exigency arising out of the fact that the spouse, child, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.
 - vi. An eligible employee is entitled to 12 weeks of leave in a 12 month period, according to the rolling method of calculating 12 months, for leave related to any of the above reasons.

vii. An employee who is the spouse, child, parent, or next of kin of a covered service member may be entitled to 26 weeks in a single 12 month period in order to care for the service member. During the single 12 month period in which leave is taken to care for a covered service member, if the employee needs FMLA leave for any other reason, the employee is entitled to a combined total of 26 weeks.

3. This policy does not address every instance where FMLA may be taken, other requests will be considered on a case by case basis in compliance with the provisions of the law. Should you have any questions about the FMLA, please contact the County Administrator or your Department Head.

4. If an employee meets the eligibility requirements, they may request up to 12 weeks or 26 weeks of unpaid leave, as set forth above. Cassia County will continue to pay employer portion only of the employee's benefits during the leave period. If the employee does not return to work after the 12 weeks, for reasons other than a continued serious health condition or circumstances beyond the employee's control, Cassia County will seek reimbursement for the premium(s) that were paid for the employee's medical coverage.

Your health care coverage will cease if your premium payment is more than 30 days late. If your payment is more than 15 days late, we will send you a letter to this effect. If we do not receive your co-payment within 15 days after the date of this letter, your coverage may cease. If you elect not to return to work for at least 30 calendar days at the end of the leave period, you will be required to reimburse the company for the cost of the premiums paid by the company for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

5. Group health plan benefits must be maintained on the same basis as coverage would have been provided if the employee had been continuously employed during the FMLA leave period. Therefore, any share of group health plan premiums which had been paid by the employee prior to FMLA leave must continue to be paid by the employee during the FMLA leave period. If premiums are raised or lowered, the employee would be required to pay the new premium rates. Maintenance of health insurance policies which are not a part of the employer's group health plan, as described in 29 CFR 825.209(a)(1), are the sole responsibility of the employee.

6. If the FMLA leave is substituted paid leave, the employee's share of premiums must be paid by the method normally used during any paid leave, presumably as a payroll deduction.

7. If FMLA leave is unpaid, Cassia County will require that employees pay their share of premium payments as such payment would be due if made by payroll deduction;

8. An employee is required to use any accrued paid vacation, PTO and applicable sick leave before utilizing leave without pay under this FMLA policy. If these leave accruals are less than 12 weeks, the employee may take the rest as unpaid leave. The substitution of paid leave time for unpaid leave time does not extend the 12-week leave period. Further, in no case can the substitution of paid leave time for unpaid leave time result in your receipt of more than 100 percent of your salary. Your family/medical leave runs concurrently with other types of leave, i.e., paid vacation, paid time off.

9. FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. When leave is taken because of birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced schedule with prior written approval from the Department Head. When FMLA leave is needed to care for a sick family member or for an employee's own serious health condition, leave may be taken intermittently or on a reduced leave schedule when medically necessary.

10. Leave for an employee and their spouse, who both work for Cassia County, is a total of 12 weeks if the leave is for reasons other than serious personal illness; and are entitled to a combined total of 26 weeks of leave to care for an injured service member as well as leave for other FMLA-qualifying reasons during the applicable 12 month period.

11. An employee may not work a secondary or other employment while on FMLA leave from the County.

12. If your need for family/medical leave is foreseeable, you must give the County at least 30 days' prior written notice. If this is not possible, you must at least give notice as soon as practicable (within one to two business days of learning of your need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delay of leave. Additionally, if you are planning a medical treatment, you must consult with the County first regarding the dates of such treatment. The County has Request for Family/Medical Leave forms available from the County Administration Office or from your department head. You should use these forms when requesting leave.

For family military leave, if the need for leave is foreseeable, the employee must provide such notice to the employer as is reasonable and practicable. The employer may require that a request for leave be supported by certification.

13. If you are requesting leave because of your own or a covered relation's serious health condition, you and the relevant health care provider must supply appropriate medical certification. You may obtain Medical Certification forms from your department head. When you request leave, the County will notify you of the requirement for medical certification and when it is due (no more than 15 days after you request leave). If you provide at least 30 days' notice of medical leave, you should also provide the medical certification before leave begins.

Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The County, at its expense, may require an examination by a second health care provider designated by the County, if it reasonably doubts the medical certification you initially provide. If the second health care provider's opinion conflicts with the original medical certification, the County, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion.

The County may require subsequent medical recertification. Failure to provide requested certification within 15 days, except in extraordinary circumstances, may result in delay of further leave until it is provided.

14. If you take leave because of your own serious health condition or to care for a covered relation, you must contact the County on the first and third Tuesday of each month regarding the status of the condition and your intention to return to work. In addition, you must give notice as soon as is practicable (within two business days if feasible) if the dates of the leave change or are extended or were unknown initially.

e. Holidays

1. Ten official holidays are provided for full-time regular County employees and part-time regular employees who work at least thirty (30) hours per week. Employees qualifying shall receive compensation for the holiday even though they do not work. Holidays which fall on Saturdays shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. The holiday schedule may be changed at any time by the Board of County Commissioners. Employees that are on unpaid leave status of any type, on the day immediately before or immediately after a recognized holiday, are disqualified from receiving compensation or credit for the holiday, unless otherwise required by law.

2. Employees who must be scheduled to work on holidays shall be scheduled to receive a substitute holiday with pay within sixty (60) days of the date of the holiday for which they were scheduled to work or shall be compensated at a rate of one and one-half (1.5) times the employee's regular rate of pay even though the work does not constitute overtime or two (2) times the regular rate if the work does constitute overtime.

3. Recognized Holidays:

New Year's Day	Labor Day
Martin Luther King, Jr. Day/ Human Rights Day	Columbus Day
President's Day	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

f. Disability Leave

Cassia County shall allow any employee who is disabled in such manner that his or her return to work is anticipated, a maximum of one hundred twenty (120) days unpaid leave for purposes of recovery from said disability. The employee may use vacation, PTO and/or sick leave and receive pay as long as such benefits are available in accordance with the FMLA of 1993. The employee shall bear the responsibility to show reasonable anticipation of returning to work and the time frame therefore.

g. Leaves of Absence

Up to thirty (30) days of unpaid leave can be granted by an Elected Official or Department Head for any justifiable purpose, and only after all accrued paid time for vacation, PTO, applicable sick leave or compensatory time is fully exhausted. Paid leave in any amount or unpaid leave in excess of thirty (30) days shall require written approval of the Board of Commissioners. The employee who is granted extended leave shall not be entitled to return to any specific job with the county or to any specific compensation for their work upon returning to county employ.

h. Reduction in Benefits

Cassia County, through its Board of Commissioners, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires.

i. Insurance Coverage Available to Employees

1. Cassia County offers health, vision and dental insurance coverage to employees working at least thirty (30) hours per week on a regular basis, and to the employee's family, all such coverage is at the employee's option and contribution for expense. Insurance coverage begins on the first day of the month following the first sixty (60) days of employment with the County. All coverage is subject to policy terms and to change at any time. Claims procedures are administered by the County Auditor. Continued health coverage is available to former employees at their own cost pursuant to federal law (COBRA). Information may be obtained from the County Auditor's office.

2. Limited life insurance coverage and limited disability programs are provided to full-time employees. The terms of these programs are contained in policies available for inspection in the office of the County Auditor.

j. Retirement

The retirement plan of Cassia County combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA). PERSI charges a percentage of an employee's gross salary, which is presently exempt from federal and state income taxes. Contact the County Auditor's Office for further information.

k. Transfer of Benefits with Employee Transfer

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one county department to another. Any such transfer will not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

18. EMPLOYEE EVALUATION

a. Standard Evaluation Procedures

Each employee may be evaluated to assess the performance of the employee in the job being performed for Cassia County. Each evaluation, if given, will be given on the basis of the direct supervisor's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity of work and the efforts expended by the employee on behalf of Cassia County. The evaluation may or may not be accompanied by an oral interview. Each supervisor is authorized to use necessary evaluative tools. At the same time, the supervisor may fill out a standard Cassia County evaluation form, as approved by the Board of County Commissioners, which shall be placed in the permanent record file, as maintained by the County Administrative Office regarding the employee.

b. Interview (Evaluation)

Each evaluation may be concluded with an interview between the evaluated employee and the immediate supervisor in which the findings of the employer's evaluations are discussed with the employee. Each employee will be given an opportunity to respond to the evaluation orally, in which case notes may be taken by the supervisor, or the employee may submit a written response to the employer's evaluation to be placed in the employee's personnel file, provided that it is filed with the employer within 10 days of the date of the oral presentation of the evaluation.

19. PERSONNEL FILES REGARDING EMPLOYEES

a. Personnel Records

The County's official employee records concerning payroll issues, financial matters, insurance and new hire information for Cassia County will be kept in the office of the County Auditor. The County's official employee records relative to personnel matters, evaluations, disciplinary actions and medical related information will be kept in the Office of the County Administrator, with private medical information as protected under the Health Insurance Portability and Accountability Act (HIPAA) being kept in a secured, separate filing system. Any supervisory personnel or the employee him or herself may contribute materials to the personnel files deemed relevant to the employee's performance and tenure. Each employee shall have the right to review materials placed in his or her personnel file at any reasonable time. Copies of materials in a personnel file are available to each employee without charge. Personnel files shall not be removed from the premises.

b. Access to Personnel Files

It is the policy of Cassia County to limit access to the personnel files concerning an employee. Those authorized to evaluate materials in a personnel file include supervisory personnel in the relevant operating department, clerical payroll personnel, members of Board of County Commissioners and their staff, and the employee himself or herself. Based upon the inherent confidentiality of personnel matters, access of others to personnel files shall be only with written authorization of the supervising official and the Board of County Commissioners. Information regarding personnel matters will be only provided to outside parties after receipt of a written release from the employee or in other circumstances where release is deemed appropriate or necessary with the concurrence of both the official supervising the records and the Board of County Commissioners.

c. Management of Information in Personnel Files

Each employee shall be provided an opportunity to contest the contents of a personnel file at any time. This is to be done by the filing of a written objection and explanation which will be included in the file along with the objectionable material. In the sole judgment of the supervising official, with the concurrence of the Board of County Commissioners, any offending material may be sealed in the County's employee file upon a showing by the employee that it is inaccurate or misleading

20. EMPLOYEE PERFORMANCE AND DISCIPLINE

a. Purpose Of Discipline/Performance Policy

This discipline/performance policy of Cassia County establishes a consistent procedure for maintaining suitable behavior and a productive working environment. These procedures are directory in nature and minor variations in the processes set forth herein will not affect the validity of any actions taken pursuant to this policy.

b. Disciplinary/Performance System Framework

The following framework guides the processes to be taken when an employee violates employment policies or fails to adequately perform his/her duties. Nothing contained herein is intended to change the at-will nature of the employee's employment or limit the reasons for which the employee may be disciplined, including termination of the employment. Progressive steps may be implemented in order to encourage improved performance or attitude, but are not required. The County may take any of the prescribed steps in any order when a supervisor deems an action of the employee to be serious enough to warrant a certain step.

c. Disciplinary Actions Available

1. The following actions are among the disciplinary actions that may be taken in response to personnel policy violations:
 - i. Oral warning
 - ii. Written warning or reprimand
 - iii. Suspension without pay
 - iv. Demotion
 - v. Dismissal

2. Conditions of maintaining employment that relate to particular performance/behavior issues, may be established in conjunction with any of these actions.

d. Opportunity to be Heard - Name Clearing Hearing

1. All employees are **AT-WILL** employees. A public employee who is being demoted with a reduction in pay or terminated from employment based upon allegations of dishonesty, immorality or criminal misconduct is constitutionally entitled to a name-clearing hearing when one is requested.
2. At-will employees may from time to time experience adverse consequences of unlawful discrimination or retaliation. Unlawful discrimination and retaliation address actions that are alleged to involve decisions based upon age, sex, race, religion, national origin or disability that are not bona fide occupational qualifications. The County does not condone discrimination or retaliation on the basis of the foregoing unlawful categories. Unlawful retaliation addresses actions that are taken against an employee for initiating a charge of discrimination or harassment, or for assisting in any way in an investigation of such charges. Employees claiming unlawful discrimination or retaliation may be afforded an opportunity to be heard if they state with particularity the basis of such claim.
3. Failure to pursue these opportunity to be heard or name-clearing hearing procedures constitutes a waiver of this opportunity.
4. Issues involving job performance or employee attitude, without allegations of discrimination, retaliation, dishonesty, immorality or criminal misconduct, are not the proper subject of this procedure and will not be heard.
5. The procedure for the opportunity to be heard or name-clearing hearing is as follows:
 - a. Within fourteen (14) days of his/her termination or demotion, the employee may submit a written allegation of unlawful discrimination or retaliation or the basis for entitlement to a name-clearing hearing, stating with particularity the basis for the requested hearing. Written allegations that are untimely submitted or that fail to state a particular, legally recognized basis will not be granted an opportunity to be heard. An employee will be promptly notified if a requested hearing is denied.
 - b. An employee alleging unlawful discrimination or retaliation, or who is legally entitled to a name-clearing hearing, will meet with the Board of County Commissioners. The hearing will not exceed one (1) hour in duration.
 - c. The employee may be represented by legal counsel at his/her own expense, and employee shall be responsible to ensure legal counsel's availability at, and notice of, all matters scheduled in regard to this hearing.

- d. Every such hearing shall take place as soon as it can be accommodated by the schedules of those involved. Continuances may be sought based upon good reason, with such continuance being in writing with reasons therefore set forth, but no continuance shall be automatic. If not expressly agreed to by all parties, then all parties shall appear at the set time for the hearing. Failure by the employee to appear at the place and time set for the hearing shall be considered a waiver of the opportunity for the hearing.
 - e. An audio recording of the hearing will be made and maintained as part of the personnel record.
 - f. The employee's supervisor may provide a brief written statement at least twenty-four (24) hours prior to the hearing in response to the charges. The Board of County Commissioners may require the employee's supervisor to participate in the hearing.
 - g. The employee will be provided an opportunity to present evidence upon which the claims are based.
 - h. The Board of County Commissioners may ask questions during this process.
 - i. The employee may question participants during this process. For purposes of this section, County Commissioners are not considered to be participants.
 - j. The Idaho Rules of Evidence do not apply to this opportunity to be heard or name-clearing hearing.
6. After the hearing, the Board of County Commissioners will consider the information submitted, and such other information as might be in the County's records, to arrive at a decision concerning the employee's allegations. The decision will set forth in writing the reasons for the Board of County Commissioner's determination.

21. SEPARATION FROM EMPLOYMENT

a. Reductions in Force (RIF)

When financial circumstances or changes of workload require, Cassia County, or any department within the County, reserves the right to reduce forces in such manner as it deems necessary to maintain the effective functioning of County services. Decisions about the functions to be reduced are not subject to the appeal hearing procedure established by Cassia County.

b. Retirement Policy

The retirement policy of Cassia County shall comply in all respects with federal and state requirements respecting mandatory retirement and the obligations established by the Idaho Public Employee Retirement System. No employee shall be compelled to retire except in compliance with said acts.

c. Benefits After Separation

All employees of Cassia County shall be entitled to the available employee benefits required by COBRA, at the employee's sole cost and expense. Each employee shall check with the County Auditor's office prior to final paycheck issue to determine what, if any, benefits the employee may wish to continue.

d. Exit Interviews

1. Each department in the County must notify the County Administrative Office, the County Prosecutor's Office and the County Auditor's Office immediately upon ascertaining that an employee is terminating his/her employment with the County. This applies to both voluntary and involuntary termination.
2. The departmental supervisor shall schedule two (2) separate exit interviews for the terminating employee, one with the County Administrator or designee, or with the County Prosecutor, and the other with the County Auditor or designee, prior to separation.
3. The exit interview with the County Administrator or County Prosecutor will involve, but not necessarily be limited to, discussion of reasons why the employee is leaving, employee's attitude toward his/her job, his/her supervision, suggestions and recommendations for improvement at the County, and to foster good relations with the departing employee.

4. An employee exit form will be completed at this point and will be retained in the personnel file maintained by the County for that employee. Additionally, the employee shall turn in the employee handbook, any other books, tools, equipment or uniforms to their appropriate department at the time of such exit interview.

5. The exit interview with the County Auditor will involve information and necessary forms related to leaving County employment, insurance matters, and payroll matters.

e. Resignation Policy

Voluntary resignations will only be accepted if made in writing. Any oral resignations will be treated as leave without approval, unless authorized by the supervising official. Under leave without approval, an employee may be terminated for “job abandonment” after three (3) days of leave that has not received prior written approval. If the employee wants the formal record maintained by the County to indicate “voluntary resignation”, they must do so in writing to their supervisor or elected official.

f. Abandonment

Employees who have an unexcused or unauthorized absence of three (3) working days or more may be terminated for job abandonment.

22. SAVINGS CLAUSE

Should any provision of the Personnel Policies and Procedures contained herein be held to be invalid or unlawful, all other provision herein shall remain in force and intact as established herein.