

CLINTON COUNTY  
EMPLOYEE HANDBOOK

EFFECTIVE DATE

September 5, 2017

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## INTRODUCTION

### INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with Clinton County and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Clinton County to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. Additionally, the variation in the functions performed by the many offices and departments of County government necessitate variations in working conditions, policies, and in the administration of some of the non-compensation benefits.

The contents of this handbook apply to all employees of the Clinton County with the exception of the Merit Officers of the Clinton County Sheriff's Office. Section One of this Handbook outlines the policies and practices that affect all employees. Subsequent sections of this handbook outline the policies and practices that affect employees of various departments as stated at the beginning of each section.

Finally, changes in circumstances and requirements may arise. The Board of Commissioners reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time, as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or Clinton County to end our relationship for any reason at any time. Employees will be notified of such changes to the handbook as they occur.

*Clinton County Board of Commissioners*

EMPLOYEE ACKNOWLEDGEMENT FORM

I acknowledge that I have received, read, and understand the policies outlined in the Clinton County Employee Handbook and Personnel Manual. I agree to conform to the rules and regulations of Clinton County as described in the handbook which is intended as a guide to human resource policies and procedures. I understand that the company has the right to change the handbook without notice. It is understood that future changes in policies and procedures will supersede or eliminate those found in this book, and that employees will be notified of such changes through normal communication channels.

I also understand and agree that the information contained in these materials does not constitute an employment contract between Clinton County and me, and that either I or Clinton County may terminate our employment relationship at any time, with or without cause. I understand that no Elected Official or Department Head of Clinton County, other than the President of the Board of Commissioners, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
County Representative



## **SECTION ONE – GENERAL POLICIES**

### **EMPLOYMENT PRACTICES**

#### **EQUAL EMPLOYMENT OPPORTUNITY**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Clinton County will be based on merit, qualifications, and abilities. Clinton County does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, age, disability, genetic disposition, income disposition, limited English proficiency, or any other characteristic protected by law.

This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, access to benefits and training.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of their Department Head or Elected Official. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

#### **PERSONS WITH DISABILITIES**

It is the policy of Clinton County to employ, advance and otherwise treat qualified individuals without regard to their disability in all employment practices. Clinton County will attempt to accommodate disabled employees and job applicants to enable them to perform the essential functions of their jobs in a safe and efficient manner.

Clinton County will afford reasonable accommodation to qualified applicants and employees with a known disability, provided that the accommodation does not cause undue hardship to Clinton County, or, irrespective of the accommodation, that such individuals do not pose a direct threat to the health and safety of themselves or others. Applicants may inform the Auditor's Payroll Clerk and employees may inform their Department Head or Elected Official of the disability and may suggest, on a confidential basis, how Clinton County may reasonably accommodate them.

#### **NATURE OF EMPLOYMENT**

Employment with Clinton County is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, Clinton County may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

The policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the County and any of its employees. The provisions of the handbook have been developed at the discretion of the Board of Commissioners and,

except for its policy of employment-at-will, may be amended or canceled at any time, at the Board of Commissioners' sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to by any department or office of county government without the express written approval of the Board of Commissioners.

### NEPOTISM

Employees who are relatives of an Elected Official or Department Head may not be employed by the County in a position that results in one (1) relative being in the direct line of supervision of the other relative.

Direct line of supervision means an Elected Official or Department Head who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of the County, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the County.

Employed means an individual who is employed by the County on a full-time, part-time, temporary, intermittent, or hourly basis. The term does not include an individual who holds only an elected office. The term includes an employee who is a party to an employment contract with the County.

Relative means any of the following: (1) A spouse, (2) A parent or stepparent, (3) A child or stepchild, (4) A brother, sister, half-brother, half-sister, stepbrother, or stepsister, (5) A niece or nephew, (6) An aunt or uncle, (7) A daughter-in-law or son-in-law. An adopted child is considered the same as natural child of the individual.

This policy does not apply to employees in their current position as of June 30, 2012 unless the employee has a break in employment.

If an employee is absent from workplace while on paid or unpaid leave, including vacation, sick or family medical leave, or worker's compensation or employment with the County is terminated followed by immediate reemployment by the County, without loss of payroll time then they are not considered to have a break in employment.

### IMMIGRATION LAW COMPLIANCE

Clinton County is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form, I-9, and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have

not completed an I-9 with the County within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Board of Commissioners. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

### OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with the County. All employees will be judged by the same performance standards and will be subject to the County's scheduling demands, regardless of any existing outside work requirements.

If a Department Head or Elected Official determines that an employee's outside work interferes with performance or the ability to meet the requirements of the County as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the County.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the County for materials produced or services rendered while performing their jobs.

### EMPLOYMENT CATEGORIES

It is the intent of the County to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and the Department Head or Elected Official.

Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. The County Commissioners may change an employee's exempt or non-exempt classification only upon written notification.

**ESSENTIAL EMPLOYEES:** At the time of hire, employees will be advised if they are in a position that has been designated as "Essential" by the Elected Official or Department Head. These positions are those deemed necessary to maintain critical operations of the County in emergency situations such as severe weather, power failures or other situations where it is necessary to close certain offices of the County yet maintain essential services to the County.

In addition to the above categories, each employee will belong to one other employment category:

**REGULAR FULL TIME:** Employees who are not in a temporary or seasonal status and who are hired to work a regular schedule of at least thirty (30) hours per week. These employees are eligible for the County's benefit package, subject to the terms, conditions, and limitations of each benefit program.

Part time employees who average thirty (30) hours or more per week or 130 hours in a month during the County's designated measurement period are also eligible for the County's health insurance plan beginning January 1st of the year following the designated measurement period. Hours worked include all hours worked and all hours for which payment is made or due for vacation, illness, holidays, incapacity, layoff, jury duty, military duty or leave of absence.

**REGULAR PART-TIME:** Employees are those who are not assigned to a temporary status and who are regularly scheduled to work no more than twenty-eight (28) hours per week and have a specific work schedule. Elected Officials and Department Heads must have prior approval of the Board of Commissioners to schedule a part time employee for more than 28 hours per week. While they do receive all legally mandated benefits (such as Social Security and Workers' Compensation Insurance), they are eligible for only those benefits outlined on page 17.

**INTRODUCTORY:** Employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the County is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification.

**TEMPORARY:** Employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration.

**CONTRACTUAL:** Employees are those person(s) who enter into an agreement designated as a Contractual Agreement by the Board of Commissioners wherein said Agreement lists the person(s) as a contractual employee to provide a specific set of services to the County

Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status until notified of a change to another status. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are not eligible for all of Clinton County's other benefit programs.

#### ACCESS TO PERSONNEL FILES

Clinton County maintains a personnel and medical file in the Auditor's office on each employee. All confidential information regarding the employee will be kept in these files.

Personnel files are the property of Clinton County, and access to the information they contain is restricted. Generally, only individual employees, Auditor's Payroll Clerk, members of the County Council and the Board of Commissioners have a legitimate reason to review information in a file.

Department Heads and Elected Officials may review the personnel files of employees under their direct supervision and employees who have posted for a position in their department or office.

With reasonable advance notice, employees may review their own personnel files in Clinton County's offices in the presence of the Auditor's Payroll Clerk.

### EMPLOYMENT REFERENCE AND BACKGROUND CHECKS

To ensure that individuals who join Clinton County are well qualified and have a strong potential to be productive and successful, it is the policy of Clinton County to conduct background checks and verify the employment references of those applicants who may be extended an offer of employment. At the time of hire, a criminal history check will also be conducted. Clinton County will respond to all reference check inquiries from other employers.

Responses to such inquiries will be limited to inclusive dates of employment, positions held, and whether or not the employee's last Department Head or Elected Official would re-hire the employee under any circumstances. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry

### PERSONNEL DATA CHANGES

It is the responsibility of each employee to notify promptly the Auditor's Payroll Clerk of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Auditor's Payroll Clerk.

### RESIDENCY REQUIREMENTS

The County is committed to hiring residents of Clinton County whenever possible. Therefore, when applicants are similarly qualified and in keeping with the County's EEO policy, Clinton County residents shall be given preference over non-residents at the time of employment. The County may also require employees within various departments to maintain their principal residence within the County pursuant to state law.

### EMPLOYMENT APPLICATIONS

Clinton County relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. The original copy

of the employment application will be kept in the employee's personnel file in the Auditor's office.

### PERFORMANCE EVALUATIONS

Department Heads, Elected Officials and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations should be conducted at the end of an employee's introductory period in any new position. This allows the Department Head, Elected Official and the employee to discuss the job responsibilities, standards, and performance requirements of the new position.

Additional formal performance evaluations should be conducted on an annual basis to provide Department Heads, Elected Officials and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

## PAY AND HOURS OF WORK

### PAYDAYS

All employees are paid bi-weekly on every other Friday. Each pay will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation.

### DIRECT DEPOSIT

Direct Deposit is a safe and convenient check handling system which automatically deposits your payroll check into your personal checking or savings account. The County offers a direct deposit program with most financial institutions. Contact payroll in the Auditor's office for a list of approved institutions.

To set up direct deposit: (1) obtain a Direct Deposit Authorization Form, (2) complete your portion of the form, (3) attach a voided check or take the authorization form to your financial institution and obtain from them the necessary authorization information, and finally, (4) return the completed Direct Deposit Authorization form to payroll.

Direct deposits should go into effect for the pay date following the date that the Auditor's Office receives the authorization form. On payday employees will receive a check stub detailing all payroll information and indicating the check was directly deposited.

Employees may request a waiver of the direct deposit requirement if he/she meets one of the following criteria. A waiver may be granted for one of the following reasons:

- The employee does not currently have a savings or checking account and is unable to establish such an account without payment of a service fee. Submitted with the waiver request should be a written statement from a financial institution of the inability to establish an account without payment of a service fee.
- The employee's financial institution is unable to accept an electronic deposit or withdrawal. The employee must submit with the waiver a written statement by your financial institution of the inability to accept electronic deposit or withdrawal.

Submission of a waiver does not guarantee that the waiver will be granted. All waivers will be considered and approved by the Auditor.

### ADMINISTRATIVE PAY CORRECTIONS

The County takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Auditor's Payroll Clerk so that corrections can be made.

### PAY DEDUCTIONS

The law requires that Clinton County make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes.

The County also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." County matches the amount of Social Security taxes paid by each employee.

Other taxes, such as property taxes, may be deducted from employee compensation. Under Indiana Code 6-1.1-22-14, the County's payroll list must be given to the County Treasurer bi-annually. The County Treasurer then certifies any delinquent property taxes owed by a County employee. The code further instructs the Auditor's Office to make periodic deductions from money due the employee and direct payment to the Treasurer's Office.

Clinton County offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs that have been authorized by the Commissioners.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your Department Head or Elected Official can assist in having your questions answered.

### COMPENSATORY TIME OFF (Non-Exempt Employees)

If an Elected Official or Department Head elects to use compensatory time off (comp time) in lieu of extra hours and overtime compensation for non-exempt employees, the

employee will be compensated at the rate of one (1) hour of comp time off for every hour worked up to forty (40) hours per week and one and one-half (1 1/2) hours of comp time off for every hour worked over forty (40) hours per week.

If the department elects to give comp time off, an employee will be required to sign a Compensatory Time Off Agreement upon initial employment in the department or prior to the pay period in which the comp time is earned.

Employees will not be allowed to earn more than two (2) times the number of hours they are regularly scheduled per week. (e.g. an employee who is scheduled to 32 hours cannot earn more than 64 hours of comp time). Extra hours and overtime worked after an employee earns the maximum amount of comp time will be paid as monetary compensation.

When an employee is promoted or transferred from a non-exempt to an exempt position, the employee may be paid the earned comp time or continue to use the comp time. In either case, an accurate record must be kept to ensure that the employee uses the comp time or receives monetary compensation at the time of separation from County employment.

Elected Officials and Department Heads will be responsible for maintaining a record of comp time earned and used by each employee. Comp time that is earned and used should be recorded on the employee's time record.

#### COMPENSATORY TIME OFF- (Exempt Employees)

Compensatory time off (comp time) may be granted to Clinton County employees who are classified as exempt under the Fair Labor Standards Act (FLSA). There is no legal requirement or obligation of Clinton County to grant comp time off to exempt employees.

The Board of Commissioners may choose to grant comp time off to exempt employees who are required to work in excess of their regular weekly schedule for special projects, during weekends or in an emergency situation. Comp time may be granted on an hour-for-hour basis or as a fixed amount as determined by the Board of Commissioners.

Employees may make a request for comp time to the Board of Commissioners indicating the amount of time worked and the reason for the work. This request must be made within fifteen (15) days of the event requiring the extra work.

Comp time earned by an exempt employee in any pay period should be taken during the two-month period following the end of the pay period during which the comp time was earned. The Board may deny the request if the use of comp time that will "unduly disrupt" the department's operations. The Board may require an employee to take comp time off in order to manage the earned limitation.



An exempt employee should record the appropriate comp time taken on a timesheet and report the time to the Auditors' Payroll Clerk.

An exempt employee cannot earn compensatory hours in excess of 40 hours in a twelve (12) month period. An exempt employee will not be paid for any unused compensatory when he or she terminates employment.

### BUSINESS TRAVEL EXPENSES

Clinton County will reimburse employees for expenses incurred while traveling on official county business. Copies of the policy and filing procedures are available from the Auditor's office.

## EMPLOYEE BENEFITS

### EMPLOYEE BENEFITS

Eligible employees of Clinton County are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Details of all benefit programs are available at the Auditor's office.

The following benefit programs are available to eligible employees:

#### REGULAR FULL TIME

Business Travel Expense  
Bereavement Leave  
Family Leave  
Jury Duty Leave  
Holidays  
Witness Duty Leave  
Parking  
Military Leave  
Military Family Leave (State)  
Voting Time Off  
Parking  
Vacation Benefits  
Personal Leave  
Life Insurance  
Medical Insurance  
Dental Insurance  
Vision Care Insurance  
Personal Leave  
Sick Leave Benefits

#### REGULAR PART TIME

Business Travel Expense  
Jury Duty Leave  
Witness Duty Leave  
Voting Time Off  
Parking  
Holidays that fall on a scheduled work day

Medical, dental, life insurance and vision care insurance, and retirement programs require contributions from the employee, but the rest are fully paid by the County.

#### PUBLIC EMPLOYEES RETIREMENT FUND (PERF)

Regular full-time employees are eligible to participate in PERF. An employee must enroll in the plan on their first day of employment. A designated percentage of pay, as defined by the state code, will automatically be deducted as the employee's contribution. The County contributes a designated percentage to the plan as defined by state code.

#### WORKERS COMPENSATION INSURANCE

Clinton County provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. Work-related injuries should be reported to the Auditor's office within 48 hours of the occurrence so the claim can be filed on a timely basis and the benefit process initiated. Claims submitted on an untimely basis may be subject to denial by the insurance carrier.

Neither Clinton County nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the County.

Employees may supplement the amount of benefits received from Workers Compensation with sick days or vacation days. The combination of any such disability payments, sick leave benefits and vacation days cannot exceed the employee's normal weekly earnings.

#### FAMILY MEDICAL LEAVE

Clinton County complies with all applicable federal and state labor and employment laws, including the federal Family and Medical Leave Act of 1993 (FMLA). Under the FMLA, eligible employees are entitled to certain rights, and have certain obligations, with respect to unpaid leave for certain family and medical reasons.

#### FMLA Leave Eligibility

An eligible employee under the FMLA is an employee who has been employed by the County for at least 12 months, who has worked at least 1,250 hours in the past 12 months, and who works at a facility in which at least 50 employees are employed by the County, either at that facility or within 75 miles of that facility.

The 12 months that an employee must have been employed by the County to be eligible for FMLA leave need not be consecutive. Except in certain limited circumstances relating to military leave, any period of employment with the County prior to a break in service of seven years or more will not be counted in computing the 12 months' service requirement

### Reasons for FMLA Leave

An eligible employee may take FMLA leave for one of five different reasons.

Specifically, an eligible employee may take FMLA leave of:

1. up to 12 weeks per Leave Year to care for a newborn child or a child newly placed in the employee's custody through adoption or foster care for a period of up to one year after such birth or placement;
2. up to 12 weeks per Leave Year to care for the employee's spouse, child or parent who has a Serious Health Condition;
3. up to 12 weeks per Leave Year because of the employee's own Serious Health Condition, if that condition renders the employee unable to perform his or her job functions;
4. up to 12 weeks per Leave Year because of a Qualifying Exigency arising from the fact that the employee's spouse, son, daughter or parent is on Covered Active Duty; or
5. up to 26 weeks within a Single 12-Month Period to care for a Covered Servicemember who is the employee's spouse, daughter, son, parent, or next of kin who is:
  - a member of the armed forces (including National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list for a Serious Injury or Illness suffered in the line of duty; or
  - a veteran who is undergoing medical treatment, recuperation or therapy for a Serious Injury or Illness suffered in the line of duty and who was a member of the armed forces (including National Guard or Reserves) at any time during the five years preceding the date of treatment, recuperation or therapy.

Any leave taken by an eligible employee for one or more of these reasons will be counted against that employee's annual FMLA leave entitlement. An employee may not combine forms of leave to exceed the maximum entitlement under the law. In other words, an employee is only eligible for a total of 12 or 26 weeks of FMLA leave a year, as applicable, depending on the reason for the leave.

### Limits on Spousal Leave

Spouses who both work for the County will be limited to a combined total of 12 weeks of FMLA leave per Leave Year for the birth, adoption, or foster placement of a child, or to care for a parent with a Serious Health Condition. Spouses who both work for the County will likewise be limited to a combined total of 26 weeks of FMLA leave during the Single 12-Month Period to care for a Covered Servicemember.

## DEFINITIONS

### Covered Active Duty

For current active duty members of the armed forces, “covered active duty” means duty during deployment to a foreign country.

For members of a reserve component of the Armed Forces, “covered active duty” means:

- duty during service in a foreign country as part of any operation designated by the Secretary of Defense as one in which members of the Armed Forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force;
- an operation that results in a call to duty of certain members of the Armed Forces from retirement, the reserves, the National Guard, or state militias; or
- any other operation which is the result of a national emergency declared by the President or Congress.

### Covered Servicemember

Means:

1. a current member of the Armed Forces (including National Guard or Reserves) who has suffered a Serious Injury or Illness incurred in the line of duty for which he or she is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is on the Temporary Disability Retired List; or
2. a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including National Guard or Reserves) at any time during the five years preceding the date of treatment, recuperation, or therapy.

### Leave Year

For the purpose of this policy (with the exception of leave to care for a Covered Servicemember), the leave year within which an eligible employee may take his or her 12 or 26 weeks of FMLA protected leave means a rolling 12-month period measured backwards from the date the employee first takes leave for any of the reasons set forth previously.

### Next of Kin

Means the nearest blood relative of the injured Covered Servicemember as defined by applicable law and regulation.

### Qualifying Exigency

Qualifying Exigencies include the following related to the Covered Active Duty of a Covered Servicemember:

- Issues arising from the short-notice (i.e., seven days or fewer) deployment of the employee’s spouse, daughter, son, parent, or Next of Kin in the military (“Servicemember”) for a period of seven days from the date of notification
- Military events and related activities
- Certain childcare and related activities

- Making and updating financial and/or legal arrangements
- Attending counseling for the Covered Servicemember or the child of the Covered Servicemember
- Taking up to 15 days of leave to spend time with a Covered Servicemember who is on short-term temporary rest and recuperation leave during deployment
- Care of a Covered Servicemember's parent (including directly caring for the parent, arranging for care of the parent by another, admitting or transferring the parent to a care facility, or attending meetings with care providers for a parent at a care facility) who is incapable of performing self-care in three or more daily living activities (e.g., grooming, hygiene, bathing, dressing, or eating) or instrumental activities of daily living (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using a telephone, or using a post office, etc.)
- Attending certain post-deployment activities
- Any other event that the County and the employee agree is a Qualifying Exigency and agree as to both the timing and duration of the leave

### Serious Health Condition

Means an illness, injury, impairment, or physical or mental condition that involves either:

- inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
- continuing treatment by a health care provider, which includes:
  - a period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also includes:
    - treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within seven days and the second within 30 days of the first day of incapacity unless extenuating circumstances exist for the latter); or
    - one treatment by a health care provider (i.e., an in-person visit within seven days of the first day of incapacity) with a continuing regimen of treatment under the supervision of a healthcare provider. or
  - any period of incapacity related to pregnancy or for prenatal care; or
  - any period of incapacity or treatment for a chronic Serious Health Condition that:
    - continues over an extended period of time;
    - requires periodic visits (at least twice a year) to a health care provider; and
    - may involve occasional episodes of incapacity rather than a continuing period of incapacity.

- any period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. (Only supervision by a health care provider is required, rather than active treatment.); or
- any absences to receive multiple treatments (and recovery from such treatment) for restorative surgery or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days if not treated.

#### Serious Illness or Injury

For members of the Armed Forces (including National Guard or Reserves), an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

For veterans of the Armed Forces (including National Guard or Reserves) who were members of the Armed Forces (including National Guard or Reserves) at any time in the five years immediately preceding the treatment or therapy, an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces).

#### Single 12-month Period

The Single 12-Month Period pertaining to leave to care for a Covered Servicemember begins the first day the employee takes FMLA leave to care for the Covered Servicemember and ends 12 months after that, regardless of the Leave Year used by the County for other types of FMLA leave.

#### Veteran

Means a person who served in the active military, naval or air service, and who was discharged or released therefrom under conditions other than dishonorable.

#### Requesting FMLA Leave

The County will provide the necessary forms for employees to request FMLA leave. Employees must give the County at least 30 days' notice of their intent to leave under the FMLA if the leave is foreseeable. If the leave is not foreseeable, employees must make a good faith effort to provide notice as soon as practicable and must generally comply with the County's customary call-in requirements. Any employee who fails to give the requisite notice may be delayed in receiving authorization for leave.

Employees must provide information sufficient to enable the County to determine whether the leave may be FMLA-qualifying and the anticipated timing and duration of the leave. The County may require information showing that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need

for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. If the leave is for a condition for which the County has previously approved FMLA leave, the employee must specifically reference that qualifying reason for the leave or the need for FMLA leave.

#### Notification of Designation

Absent extenuating circumstances, the County will notify employees whether their leave has been approved as FMLA-qualifying no later than five business days after receiving sufficient information to make this designation. If known at the time of the designation, the County will notify the employee of the amount of leave that will be counted against the employee's FMLA entitlement. If this information is not known at the time of the designation, the County will provide such information, upon the employee's request, once every 30 days if leave is taken within that time period. If an employee is not eligible for FMLA leave, the County will advise the employee why that is the case.

#### Compensation for FMLA Leave

Employees going on FMLA, whether continuous or intermittent, will be required to use (1) unused sick leave benefits, (2) personal leave, (3) compensatory time off and (4) one half of their vacation time in that order before taking unpaid leave.

For FMLA related to job protected reasons one (1) and two (2) in Reasons for FMLA Leave, the mother or father will be eligible for two (2) weeks at full pay. Following that, the parent(s) will then be required to use (1) unused sick leave benefits, (2) personal leave, (3) compensatory time off and (4) one half of their vacation time in that order before taking unpaid leave.

Workers' compensation, to the extent that it qualifies, will be designated as FMLA leave and will run concurrently with FMLA.

An employee who is using military FMLA leave for a qualifying exigency will be required to use (1) unused sick leave benefits, (2) personal leave (3) compensatory time off and (4) one half of their vacation time in that order before taking unpaid leave. An employee using FMLA military caregiver leave must also use (1) unused sick leave benefits, (2) personal leave (3) compensatory time off and (4) one half of their vacation time in that order before taking unpaid family leave.

#### Intermittent or Reduced Hours Leave

In the case of leave taken:

1. to care for a seriously ill spouse, child, or parent;
2. due to the employee's own Serious Health Condition;
3. due to a Qualifying Exigency; or
4. to care for a Covered Servicemember,

An employee may take leave intermittently (i.e., periodically) or on a reduced hours schedule (i.e., reduced number of working hours per day or per week) only when such leave is medically necessary and certified as such. Otherwise, such leave is not permitted except at the sole discretion of the County. An employee who takes leave

intermittently or on a reduced leave schedule may be temporarily transferred to another position for which the employee is qualified to better accommodate that leave.

#### Job and Benefits Security

An eligible employee who takes leave under the FMLA and who returns to work before his or her annual FMLA entitlement has expired will be restored to the position he or she held when the leave commenced, or to an otherwise equivalent position with respect to pay, benefits, and other terms and conditions of employment, unless the employee would no longer have been employed in such a position had the employee not taken such leave. Additionally, any unused employment benefits that had accrued to an eligible employee prior to the commencement of leave will be restored upon return from FMLA leave.

#### Continuation of Group Health Plan Coverage

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Under current County policy, the employee pays a portion of the health care premium. While on paid leave, the County will continue to make payroll deductions to collect the employee's share of the premium.

While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Auditor's office by the 20th day of each month.

If the employee is unable to pay their portion of benefit costs, the employee will be required to reimburse the County for all payments made on the employee's behalf either through payroll deduction or direct payment.

If the employee fails to return to work, the County will recover from the employee its share of all premiums paid on the employee's behalf during the leave. Arrangements for repayment can be made with the approval of the Board of Commissioners.

If the employee contributes to any other benefit plans, the County will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the County may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the County may discontinue coverage during the leave.

If the County maintains coverage, the County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

#### Certification of the Need for Leave

In cases of leave to be taken to care for a family member with a Serious Health Condition, a Covered Servicemember who has suffered a Serious Injury or Illness in the line of military duty, or due to the employee's own Serious Health Condition, an eligible



employee must provide the County with a completed and signed health care provider certification indicating that the employee requires FMLA leave. The County will provide the appropriate forms for such certification.

In cases of leave due to a Qualifying Exigency arising out of the active duty or call to active duty of a Covered Servicemember, the County requires that an employee's request for leave be supported by appropriate documentation as required by applicable law and regulation.

In all cases, the forms certifying and supporting the need for FMLA leave must be returned within 15 calendar days after the employee gives notice of intent to take FMLA leave unless not practicable. Failure to return this certification in a timely manner may result in delays in securing authorization for leave and the County may deny FMLA coverage until the required certification is provided.

Failure to return the certification at all will preclude the employee from taking leave. The County also may require, at its own expense, a second and third health care provider opinion (except with respect to leave to care for a Covered Servicemember) if there is a question as to the validity of the certification provided by the employee for leave relating to a Serious Health Condition.

An eligible employee also may be asked to furnish the County with subsequent health care provider certifications on a reasonable basis during the employee's leave period except if the employee is on leave to care for a Covered Servicemember. An eligible employee's failure to furnish subsequent certifications may result in termination of the employee's right to leave.

The County may seek recertification of the need for leave as permitted by statute and regulation.

#### Genetic Information Non-Discrimination Act (GINA)

The Genetic Information Nondiscrimination Act (GINA) prohibits employers from requesting or requiring genetic information of employees or their family members. In order to comply with this law, the County asks that in applying for FMLA leave, employees not provide any genetic information when responding to any request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

When an employee is applying for FMLA leave for the care of a family member with a serious health condition, it is obviously necessary to provide some medical information regarding the sick family member to support the need for leave. However, any family medical history information is only required to the extent necessary to make the FMLA

medical certification complete and sufficient under the FMLA and should not otherwise be provided.

### Return to Work

An employee returning to work from an FMLA leave of absence must be able to perform the essential functions of his or her job, with or without reasonable accommodation. If a reasonable accommodation is required, the employee must notify Human Resources. An eligible employee on FMLA leave must submit to the County a medical release (i.e., fitness for duty certification) indicating that the employee is able to return to work and perform the essential functions of the employee's position. The County will furnish the employee with a list of essential functions to facilitate this process. Failure to submit a medical release will preclude the employee from being restored to his or her employment with the County.

### Non-Discrimination/Non-Retaliation Policy Statement

The County will not:

1. interfere with, restrain, or deny the exercise of any right provided under the FMLA;
2. discharge or discriminate against any person for opposing any practice made unlawful by the FMLA; or
3. discharge or discriminate against any person for his or her involvement in any proceeding under or relating to the FMLA.

### MILITARY LEAVE

Regular full-time employees are entitled to a leave of absence from their respective positions without loss of pay for the time they are performing service in the uniform services for a period not to exceed fifteen calendar days within one calendar year.

Employees will be paid the difference between their military pay and their regular pay based on the number of hours they would have been scheduled to work during their period of absence. Employees will have the option of using the total number of days either for annual summer camp or weekend drills

Uniformed services mean the Armed Forces of the United States, a ready reserve component of the Armed Forces, Indiana National Guard Units, the commissioned core of the public health service, and any other service designated by the President of the United States in time of war or emergency.

An employee on leave under this provision shall suffer no loss of seniority or benefits during the fifteen-day leave period.

An employee on military leave for a period in excess of fifteen calendar days in one calendar year shall receive all benefits provided under the Uniform Services and Reemployment Act of 1994 (38 U.S.C. Chapter 43).

Employees absent from their respective positions because of service in the uniformed services are, if honorably discharged, entitled to reinstatement, provided that the period of absence does not exceed five (5) years. If an absence exceeds five (5) years, reinstatement shall be available only under the exceptions set forth in 38 U.S.C. §4312(c). An employee is entitled to reinstatement only if the employee had, prior to the time of commencing uniformed service, given notice to the County of the anticipated service, and has at the conclusion of the military service reported for work, or made application for reinstatement as follows: if uniformed service is for thirty (30) days or less the employee must report for work by the next regularly scheduled workday after allowing eight (8) hours for travel;

- (1) if uniformed service is for more than thirty (30) days but less than 181 days, the employee must submit an application for reinstatement not later than 14 days after completion of uniformed service;
- (2) if uniformed service is for more than 180 days, the employee must submit an application for reinstatement within the ninety (90) day period following completion of uniformed service.

Exceptions to these reinstatement time periods will be made when, because of a disability or hospitalization caused by uniformed service, or because of events beyond the control of the employee, the employee was unable to report or make application within the prescribed period of time.

Reinstatement shall be to the position last held by the employee, unless such position no longer exists, or the requirements of such position has so substantially changed that reasonable training will not qualify the employee for such position. In such circumstances, reinstatement shall be to a position similar in pay and duties.

Reinstatement shall not be available, if during the period of military service, the employee would have been laid off from such position had the employee remained in public employment, and recall has not yet occurred.

An employee reinstated pursuant to these provisions shall be entitled to placement on the salary schedule at the level the employee would have attained had the employee not been absent for uniformed service.

Reinstated employees shall be entitled to benefit levels that escalate with length of service as if there had been no absence for uniformed service.

#### MILITARY FAMILY LEAVE (STATE)

Under Indiana's Military Family Leave Act (IMFLA), eligible employees are entitled to an unpaid leave of absence to spend time with certain family members who are engaged in or called to active military service.

### IMFLA Eligibility

An eligible employee under IMFLA is an employee who has been employed by the County for at least 12 months, who has worked at least 1,500 hours during the 12-month period immediately preceding the leave, and who is the spouse, parent, grandparent, sibling, or court-appointed guardian or custodian (all as construed according to the statute) of a person who is ordered to active duty.

The term “active duty” means full-time service on active duty orders in the armed forces of the United States or the National Guard for a period that exceeds 89 consecutive calendar days.

### Reasons for IMFLA Leave

An eligible employee may take IMFLA leave of up to 10 cumulative working days per calendar year during one or more of the following periods:

- Within the 30-day period before a spouse, son, daughter, grandson, granddaughter or sibling (“military family member”) begins active duty
- During a period when the military family member is on leave
- During the 30-day period after a military family member’s active duty orders are terminated

### Compensation for IMFLA Leave

Employees will be required to first use unused personal days and one half of their vacation time before taking unpaid leave. Such paid leave will be counted toward the employee’s 10 days of IMFLA leave granted per year.

### Job and Benefits Security

An eligible employee who takes leave under the IMFLA and who returns to work before his or her IMFLA leave entitlement has expired will be restored to the position the employee held when the leave commenced or to an otherwise equivalent position with respect to seniority, pay, benefits, and other terms and conditions of employment.

### Employee Notice and Leave Request Requirements

An eligible employee must give the County at least 30 days’ written notice of his or her intent to take leave under the IMFLA unless the military family member’s active duty orders are issued less than 30 days prior to the requested leave. An eligible employee must also provide a copy of the active duty orders, if available, along with the leave request.

The County reserves the right to require verification of the employee’s eligibility for IMFLA leave. If an employee fails to provide such verification, then his or her absence will be considered unexcused.

### Continuation of Group Health Plan Coverage

During the leave, the employee will retain all benefits. If the employee is not receiving a check, the employee must pay the employee’s portion of all benefits to the Clinton County Auditor in advance on or before the first day of each month.

### Non-Discrimination/Non-Retaliation Policy Statement

The County will not interfere with, restrain, or deny an employee's exercise of right under the IMFLA.

### BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her Department Head or Elected Official immediately.

Subject to the Department Head's or Elected Official's approval, up to three days of paid bereavement leave will be provided to Regular Full-Time employees.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the Department Head or Elected Official's approval, use any available paid leave for additional time off as necessary. Bereavement pay is calculated based on the base pay rate at the time of absence.

Clinton County defines "immediate family" as the employee's spouse, parent, child, and sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Documentation of the appropriate circumstances may be required of the employee, e.g. death certificate or article.

### JURY DUTY

Clinton County encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Employees must show the jury duty summons to their Department Head or Elected Official as soon as possible so that the supervisor may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits. The amount of per diem paid to an employee for jury duty shall be paid to the County or deducted from the employee's pay if kept by the employee. Mileage compensation shall be kept by the employee.

Either Clinton County or the employee may request an excuse from jury duty if, in County's judgment, the employee's absence would create serious operational difficulties.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Regular Full Time, Regular Part Time and Introductory Employees are eligible for paid jury duty leave.

Clinton County will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits, will continue to accrue during unpaid jury duty leave.

#### WITNESS DUTY

Clinton County encourages employees to appear in court for witness duty when subpoenaed to do so. Regular Full Time, Regular Part Time and Introductory Employees are eligible for paid witness duty leave.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the County, they will receive paid time off for the entire period of witness duty.

Employees will be granted a maximum of eight hours of paid time off to appear in court as a witness at the request of a party other than the County.

Employees will be paid at their base pay rate and are free to use any remaining paid leave benefits (e.g. vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the Department Head or Elected Official immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

#### BENEFITS CONTINUATION (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the County's health plan when a "qualifying event" would normally result in the loss of eligibility.

Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at County's group rates plus an administration fee. The County provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under County's health insurance plan. The notice contains important information about the employee's rights and obligations.

## STANDARDS OF CONDUCT

### ANTI-HARASSMENT

It is the policy of Clinton County to provide a productive work environment and to prohibit all verbal or physical conduct by any employee, visitor or vendor that improperly harasses, disrupts or interferes with another's work performance or creates an intimidating, offensive or hostile work environment. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated.

While all forms of improper harassment are prohibited, special attention should be paid to the meaning of and prohibition of sexual harassment. This zero-tolerance policy prohibits not only conduct and language that constitute unlawful sexual harassment as defined by the law and the courts, but all inappropriate behavior having sexual content.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that has the purpose or effect of creating a hostile, intimidating or offensive work environment is prohibited and will not be tolerated.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her Department Head or Elected Official.

If the Department Head or Elected Official is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Auditor's office, the Board of Commissioners or any member of the Complaint Resolution Team. Employees can raise concerns and make reports without fear of reprisal.

Any Department Head or Elected Official who becomes aware of possible sexual or other unlawful harassment should promptly advise the Board of Commissioners.

All complaints of violations of this policy will be promptly referred to a Complaint Resolution Team appointed by the Board of Commissioners for investigation, findings and recommendation of sanctions, whenever warranted.

All complaints under this policy will be handled as discretely as possible. However, due to the fact that employers are required by law to thoroughly investigate all complaints of harassment, anonymity and secrecy cannot be guaranteed to any party or witness in the course of an investigation. The law requires, and Clinton County does reserve the right to investigate complaints as appropriate and to inform individuals who have a legitimate right to know.

Employees engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment, and counseling may be required in addition to or in lieu of other disciplinary action. Vendors will be subject to contractual remedies up to and including forfeiture.

## WORKPLACE VIOLENCE

The safety and security of Clinton County employees and customers is very important. It is the intent of the County to provide a workplace for all employees which is free of violence. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the organization's ability to execute its mission will not be tolerated.

Workplace violence includes, but is not limited to, intimidation, threats, physical attack or property damage. These terms are defined as follows:

A. "Intimidation" includes, but is not limited to, stalking or engaging in actions intended to frighten, coerce, or induce duress.

B. "Threat" is the expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the person communicating the threat has presented the ability to carry it out and without regard to whether expression is contingent, conditional, or future.

C. "Physical attack" is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, throwing objects, firing a weapon, causing an explosion of hazardous materials, or discharge of hazardous substances.

D. "Property damage" is intentional damage to property which includes property owned or leased by the County, employees, visitors, or vendors.

Any person who makes threats, exhibits threatening behavior, or engages in violent act on County-owned or leased property may be removed from the premises.

Threats, threatening behavior, or acts of violence executed off County-owned or leased property but directed at County employees or members of the public while conducting official County business, is a violation of this policy.

Off-site threats include threats made via the telephone, fax or electronic or conventional mail, or any other communication medium.

Violations of this policy may lead to disciplinary action that may include termination of employment, and may also result in arrest and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from County-owned or leased premises, termination of business relationships with the individual(s), arrest, and prosecution of the person(s) involved.

Employees are responsible for notifying their Department Head or Elected Official of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when the behavior is job related or might be carried out on County-owned or leased property or in connection with County employment.



Any employee who receives a protective or restraining order which lists County-owned or leased premises as a protected area is required to provide their Department Head or Elected Official with a copy of such order.

If an emergency exists, contact the police department at 911 and notify your Department Head or Elected Official.

If not an emergency, employees should inform their Elected Official/Department Head. If the Elected Official or Department Head is unavailable, or if the nature of the complaint is such that the employee does not believe he/she can discuss it with their Department Head or Elected Official, the employee may bring concerns to a County Commissioner

Employees who act in good faith by reporting real or implied violent behavior violations of this policy need not fear retaliation.

CONFIDENTIAL RECORDS:

All records of Clinton County and its agencies and departments are public records with the exception of the following:

1. Records declared confidential by state statute.
2. Records required to be kept confidential by Federal Law.
3. Records containing trade secrets.
4. Records declared confidential under rules of the Supreme Court of Indiana.
5. Patient medical records and patient health information, unless written consent is given by the patient or the patient's authorized representative.
6. Investigatory records of a law enforcement agency or officer of the Courts.
7. Work product of an attorney representing Clinton County, its governing bodies, agencies, departments or officers in their official capacity.
8. Records which are identified by governing bodies, agencies or departments of Clinton County as confidential under the Indiana Access to Public Records statutes.
9. Computer programs, computer codes, computer filing systems, and other software owned by Clinton County, its agencies or departments, or entrusted to any of them by their owners.
10. Personnel files of employees or appointees of Boone County or of its officers, boards and departments except for:
  - (a) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;
  - (b) information relating to the status of any formal charges against the employee; and

- (c) information concerning disciplinary actions in which final action has been taken and that resulted in the employee being disciplined or discharged.

However, all personnel file information shall be made available to the affected employee or his representative. The limitations upon disclosure of personnel file information do not apply to disclosure of personnel information generally on all employees or for groups of employees so long as information on a particular employee has not been requested.

No Clinton County or Clinton County related information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials, except in the ordinary course of performing duties on behalf of Clinton County may be removed from the courthouse without permission from the Department Head or Elected Official.

Employees who are unsure about the confidential nature of any particular record or information should ask their Department Head or Elected Official for clarification, who may refer the applicability of any of the foregoing exceptions to the attorney representing Clinton County. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly divulging or releasing information or records of a confidential nature.

#### CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Conflicts of interest are defined by Indiana law which may, under some circumstances, prohibit a transaction or require written disclosure and approval before a contract or transaction is entered. Employees may refer questions about actual or potential conflicts to the Auditor.

A County employee is considered to have resigned their position with the County if the employee assumes the elected executive office of the County or becomes an elected member of the County's legislative or fiscal body after January 1, 2013.

The County may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with: (1) an individual who is a relative of an elected official or; (2) a business entity that is wholly or partially owned by a relative of an elected official only if the elected official files a full disclosure which must:

- be in writing
- describes the contract or purchase
- describes the relationship of the official to the business
- affirmed under penalty of perjury
- submitted to the legislative body prior to final action
- filed (within 15 days of final action) with the State Board of Accounts (SBoA) and the County Clerk.

Each elected official shall, by December 31 of each year, certify in writing subject to the penalties of perjury, on forms provided by the County that the official is in compliance with the provisions of this policy.

### BUSINESS ETHICS AND CONDUCT

The successful operation and reputation of the Clinton County government is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

Our continued success is dependent upon our citizens' trust and we are dedicated to preserving that trust. Employees owe a duty to Clinton County government, its customers, and citizens to act in a way that will merit the continued trust and confidence of the public.

Clinton County will comply with all applicable laws and regulations and expects its Department Heads, Elected Officials and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your Department Head or Elected Official.

Compliance with this policy of business ethics and conduct is the responsibility of every Clinton County employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

### MATERIALITY

IC 5-1 I -1-27(i) requires erroneous or irregular material variances, losses, shortages, or thefts of County funds or property shall be reported immediately to the State Board of Accounts.

The County does not condone any erroneous or irregular material variances, losses, shortages, or thefts of County funds or property but recognizes that relatively small items may not justify the cost of the involvement of the State Board of Accounts.

All erroneous or irregular variances, losses, shortages, or thefts of County funds or property, or funds or property the County holds in trust, shall be reported to the Auditor or his/her designee promptly.

It will be the responsibility of the Auditor to report to the State Board of Accounts any erroneous or irregular variances, losses, shortages, or thefts of cash in excess of \$500, except for inadvertent clerical errors that are identified timely and promptly corrected with no loss to the County.

It will be the responsibility of the Auditor to report promptly to the State Board of Accounts any erroneous or irregular variances, losses, shortages, or thefts of non-cash items in excess of \$500, estimated market value, except for those resulting from inadvertent clerical errors or misplacements that are identified timely and promptly corrected with no loss.

The Auditor shall initiate the following steps following the report of any irregularity as noted above:

1. Log the report to a folder that is permanently maintained by the County.
2. Confirm the dollar amount of the variance, loss, shortage, or theft.
3. Investigate the cause of any variance, loss, shortage, or theft.
4. Implement corrective actions or internal control procedures to correct the cause(s) of the variance, loss, shortage, or theft.
5. Maintain copies of relevant documentation, resolution of incidents, and any report to the State Board of Accounts in a central folder.

#### WHISTLEBLOWER POLICY

A whistleblower as defined by this policy is an employee of Clinton County who reports an activity that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. The Board of Commissioners is charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee should submit those concerns in writing to the Compliance Officer appointed by the Board of Commissioners or any member of the Board of Commissioners.

The individual should exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing shall be subject to disciplinary action up to and including termination of employment.

Whistleblower protections are provided in two important areas -- confidentiality and no retaliatory actions. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

Clinton County will not retaliate against a whistleblower. This includes protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against should submit their concerns in writing to the Compliance Officer immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Compliance Officer who will be responsible for investigating and coordinating corrective action.

The Compliance Officer will be appointed by the Board of Commissioners and the name posted with the County's legal postings.

#### USE OF ELECTRONIC EQUIPMENT

All County electronic equipment is intended to be used for official County business only. Personal use of any item of County electronic equipment is not permitted, except in emergencies or with specific permission of the employee's Department Head or Elected Official. It shall be the responsibility of each Department Head, Elected Official and each person in a supervisory capacity to monitor compliance with this policy and to determine when exceptions shall be permitted.

Employees shall not use County electronic equipment to use the Internet for other than official County business without the authorization of the employee's Department Head or Elected Official. "Use of the Internet" includes logging on, viewing, uploading or downloading material to or from the Internet.

Employees are strictly prohibited from using the County's electronic equipment, e-mail, system or Internet access for any of the following:

1. Viewing, transmitting, retrieving or storing material which may in any way be considered abusive, obscene or offensive.
2. Transmitting any messages containing derogatory, harassing or inflammatory remarks about an ethnic group or an individual's race, color, religion, national origin, sex, age or disability.

3. Any use of the County's electronic equipment, e-mail system or Internet access that violates County policies against harassment or discrimination.
4. Transmitting any information which the employee knows or has reason to believe may be false, misleading or libelous.
5. Sending or posting any chain letters, jokes, cartoons, or any advertisements not necessary for official business.
6. Using the County's e-mail system or Internet access for personal or political gain, including, but not limited to, the solicitation of, or engagement in, any business, political activity or any other enterprise other than official business of Clinton County.
7. Transmitting, retrieving or storing any information that may violate applicable copyright laws, specifically including installing or downloading any software without prior approval of the County's Information Technology Administrator ("IT Administrator").

Employees utilizing County electronic equipment must be aware that communications that they believe to be private are not necessarily so.

To ensure compliance with policies or as part of a specific investigation, employee electronic communications may be monitored and/or recorded by the County's IT Administrator upon written specific authorization of a majority of the Board of Commissioners, or by law enforcement personnel upon a court warrant, or upon the request of the Judge of the Circuit or Superior Courts. Department Head's and Elected Officials' communications shall be subject to monitoring only by properly authorized law enforcement personnel.

Employees are cautioned as follows:

- Cellular phones use radio frequencies that can be intercepted by others.
- Computer entries can be retrieved or "undeleted" in some instances, even if the employee believes the entries have been deleted.
- Computer files that an employee believes to be secure could be accessed by others if the employee's password is disclosed to another, or system security is otherwise breached.
- Faxes and e-mail messages intended for a particular recipient may be seen by others without your knowledge.
- Communications may be subject to the Public Records Law even if the only record of communication is in a computer file.

Employees should have no expectation of privacy in the use of County electronic equipment. The use of County electronic equipment by an employee constitutes consent by the employee to have such use monitored, and is a waiver by the employee of all privacy expectations in such use.

Employees may be authorized to use passwords to access certain electronic media, such as the computer network, voice mail, or Internet. Department

Heads and Elected Officials shall be allowed access to employees' passwords. Employees should never give their passwords or codes to other employees or any other person except to the County's IT Administrator, Department Head, or Elected Official or law enforcement personnel upon proper authority.

The County's IT Administrator shall not divulge employees', Department Head's or Elected Officials' codes to anyone except law enforcement or to the head of the employee's particular department.

Computer viruses pose a serious threat to the integrity of the County's computer software and electronic files. Strict precautions must be observed, including:

- Only software obtained from or approved by the County's IT Administrator may be used.
- Each new piece of software shall be tested for virus contamination at installation and periodically thereafter. The County's IT Administrator will assist all departments with virus detection procedures.
- All signs or suspicions of virus contamination shall be immediately reported to the County's IT Administrator to isolate and control any contamination.

No employee-owned or non-County purchased software is to be installed on County-owned equipment, whether intended for legitimate business matters or for personal purposes or amusement. At no time should a new County software program be loaded on the County's network, file server, or on an individual computer without the prior approval of the County's IT Administrator. Any new programs that are loaded and detected without such approval may be deleted without prior notice.

Violation of software licensing agreements is a serious matter which places the violator and the County at risk of copyright infringement claims. It is County policy to pay all proper software licensing fees and to prohibit the use of copies of "bootlegged" software. Unauthorized software will be deleted upon discovery by the County IT Administrator and reported to the employee's Department Head or Elected Official and to the Board of Commissioners.

Each software product purchased has a license agreement that:

- a. Gives the buyer the legal permission to use the software package, and
- b. Specifies the conditions under which the program can be used.

Software license agreements generally prohibit users from "sharing" software. Giving copies of software that the County has purchased, or that one has purchased personally, to others would be in violation of most software licenses. Because the County's software has been transferred onto the Network File Server, taking the original disks, or copies of the software, home for private use would be in violation of most license agreements.

Employees in violation of this policy shall be subject to appropriate disciplinary action up to and including termination.

#### USE OF PHONE AND MAIL

Employees should practice discretion in using company telephones when making local personal calls and will be required to reimburse the County for any charges resulting from their personal use of the telephone. The use of County-paid postage equipment for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always use the appropriate greeting and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

#### USE OF EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using County equipment and vehicles, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees should notify the Department Head or Elected Official if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Department Head or Elected Official can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

Employees operating or riding in any County vehicle are required to wear a seat belt at all times while the vehicle is in motion. In addition, employees are prohibited from utilizing cell phones or similar hand-held electronic devices while operating a vehicle or other motorized equipment.

If an employee must use a cell phone or similar electronic device for business purposes while driving, the County requires that the following precautions be taken:

- Drivers must not text, use hand-held cell phones, or similar electronic devices while a vehicle is in motion.
- When it is necessary to utilize a phone on the road, it must be either Bluetooth or other hands-free type.



- Employees should limit the use of cell phones while driving, except during emergencies. No telephone numbers should be dialed while driving.
- No text messages or e mails should be sent or reviewed while driving.

If it is necessary to hold an extended conversation while driving, employees should either pull over when and where it is safe to do so and continue the call or tell the caller that the driver will call back at a more convenient time.

Employees involved in an accident while operating a County-owned or County-leased vehicle should immediately notify their supervisor of the accident. The supervisor will in turn notify the Commissioner's office as soon as possible to determine if a claim needs to be filed. All claims will be reviewed by the Commissioner responsible for the department prior to submission to the insurance company.

In addition to reporting the accident immediately, the employee must:

1. Not move the vehicle unless ordered to do so by a law enforcement officer or their supervisor, if present:
2. Check for injuries to people on the scene.
2. Obtain all appropriate information from others involved in the accident and any witnesses.
3. Limit discussion of the vehicle crash to law enforcement personnel, the County's insurance carrier or its designee, and appropriate employees of the County on a need to know basis.

As soon as possible, the involved employees shall file a written report on the accident. Should the employee be incapable of completing the report, the employee's immediate supervisor shall submit the accident report to the Commissioner's office.

County employees are subject to a drug test following any accident with injury that occurs on the job or during a regular work day during which the employee is working.

Unless the employee is hospitalized as a result of injuries incurred, the employee will have two (2) hours from the time of the accident to arrive at the independent screening facility selected by the County.

If an employee should refuse to participate in the drug or alcohol test, the employee will be subject to disciplinary action up to and including immediate termination of

employment.

Employees assigned or using County-owned or County - leased vehicles will be subject to the following regulations:

- Vehicles titled to, or insured by or through, or leased by the County, and privately-owned vehicles operated on the County's behalf, will be subject to the regulations of the Board of Commissioners.
- Employees operating vehicles on the County's behalf are also subject to the regulations of the County. "Operated on the County's behalf" means operated by County employees in the course of their County employment.
- Employees using County vehicles for personal use will report their personal mileage to the Auditor' s Office at the end of each month.
- Employees using County vehicles for personal transportation outside of the County must have prior approval from the Board of Commissioners. The Commissioners may require the employee to reimburse the County for such use.
- Employees who use privately owned vehicles will be reimbursed on a mileage basis at the authorized rate set by the County Council.

Department Heads and Elected Officials may establish their own vehicle policies subject to the approval of the Board of Commissioners.

Any employee driving a County- owned or County-leased vehicle or any other vehicle for County business will be subject to having his or her license and driving record checked for accidents, violations, suspensions, revocations, assignment points, and any other job-related information deemed necessary by the County.

Each driver must have a current, valid Indiana driver's license that covers the type of vehicles to be operated. A copy of the employee's license must be on file with the Auditor's office.

All applicants applying for a position in which driving is a duty must have a valid Indiana driver's license that covers the type of vehicle to be operated. A copy of the license must be presented to the Department Head or Elected Official the time of hire.

The use of County owned or leased vehicles for personal reasons outside the County is prohibited without prior approval of the Department Head or Elected Official.

Vehicle assignments will be reviewed on an annual basis by the Board of Commissioners and the appropriate Department Head or Elected Official as part of the budget process.

## SAFETY

Clinton County provides information to employees about workplace safety and health issues through regular internal communication channels such as Department Head or Elected Official meetings with employees, bulletin board postings, memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their Department Head or Elected Official. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## NO SMOKING AND THE USE OF TOBACCO

State law (HEA #1149) prohibits smoking and Commissioners Order No. 2012-04 prohibits the use of any form of tobacco in any of the County's places of employment and within eight feet of any public entrance to the County's places of employment.

Employees have a responsibility to report violations by a member of the public or other employees to their Elected Official or Department Head. An employee may do so without fear of reprisal or retaliation. Employees who violate this policy are subject to disciplinary action up to and including termination. In addition, any person who smokes in a non-smoking area commits a Class B infraction and a Class A infraction if they have at least three (3) prior violations.

This policy applies to all Department Heads, Elected Officials, employees, customers, and visitors.

In addition to the potential infraction penalties applicable to violations of Indiana law on smoking, violation of this policy by an employee is subject to disciplinary action up to and including termination. Violations of this policy by others in the presence of employees shall be handled in accordance with the policies and procedures adopted by the Board of Commissioners for all premises under the control of the County.

## VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the County, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on the County's premises, employees should immediately notify their Department Head, Elected Official or, if necessary, direct the individual to the office of the Board of Commissioners.

This applies to Solicitors since the County has a No Soliciting policy and signs are posted at each entrance.

### DRUG AND ALCOHOL USE

It is Clinton County's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Clinton County premises and while conducting business-related activities off Clinton County premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

To inform employees about important provisions of this policy, the County has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees, and consequences for violations of this policy.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through the County's health insurance benefit coverage. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all County policies, rules and prohibitions relating to conduct in the workplace; and if granting the leave will not cause Clinton County any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the County of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their Department Head or Elected Official without fear of reprisal.

## DRUG TESTING

Clinton County is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks.

To help ensure a safe and healthful working environment, employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment.

Copies of the drug testing policy will be provided to all employees. Employees will be asked to sign an acknowledgment form indicating that they have received a copy of the drug testing policy. Questions concerning this policy or its administration should be directed to the Board of Commissioners.

Employees involved in an accident involving a County-Owned or Leased vehicle may be asked to submit to a drug test based on the following results of the accident:

- The employee or others involved in the accident require emergency treatment at the scene or are transported to a Hospital or other Emergency Care Facility for treatment.
- Any of the vehicles involved in the accident have to be towed away from the scene of the of the accident.
- If ordered by a law enforcement officer at the scene of the accident.

## REST AND MEAL PERIODS

Each workday, regular nonexempt employees are provided with two rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be away from their workstations beyond the allotted rest period time.

All regular employees are provided with one meal period of one hour in length each workday. Department Heads and Elected Officials will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal period and will not be compensated for that time.

## PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image Clinton County presents to members of the community and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Consult your Department Head or Elected Official if you have questions as to what constitutes appropriate attire and appearance.

### SECURITY INSPECTIONS

Clinton County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, Clinton County prohibits the possession, transfer, sale, or use of such materials on premises owned or leased by Clinton County or while engaged in County business.

The County requires the cooperation of all employees in administering this policy. Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of the County. Accordingly, any agent or representative of the County can inspect them, as well as any articles found within them, at any time, either with or without prior notice.

### NO SOLICITATION

In an effort to assure a productive and harmonious work environment, persons not employed by Clinton County may not solicit or distribute literature in the workplace at any time for any purpose.

Clinton County recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.

If employees have a message of interest to the workplace they may submit it to the Board of Commissioners for approval. The Board will post all approved messages.

### LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Clinton County supports these endeavors as long as employees are able to meet acceptable performance standards.

Medical information on all employees is treated confidentially. Clinton County will take reasonable precautions to protect such information from inappropriate disclosure. All employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

## EMPLOYEE AND PROBLEM RESOLUTION

### EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, the County expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property.
- Fighting or threatening violence in the workplace.
- Boisterous or disruptive activity in the workplace.
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property.
- Insubordination or other disrespectful conduct.
- Violation of safety or health rules.
- Smoking in prohibited areas.
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notices.
- Unauthorized disclosure of business “secrets” or confidential information.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.
- Unnecessary visits by employees to other offices

Employment with the County is at the mutual consent of the County and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

### PROGRESSIVE DISCIPLINE

Clinton County’s own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

The following four steps are recommended to all Department Heads and Elected Officials:

- Step 1-- verbal warning
- Step 2 -- written warning
- Step 3-- suspension without pay
- Step 4-- termination of employment

Depending on the severity of the problem and the number of occurrences, there may be circumstances when one or more steps listed above are bypassed.

A copy of all written disciplinary actions will be forwarded to the Auditor's office and filed in the employee's personnel file. Department Heads and Elected Officials are encouraged to maintain their own records of disciplinary action.

Clinton County recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps. Such action is within the discretion of each Department Head or Elected Official.

### PROBLEM RESOLUTION

Clinton County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the employee's Department Head or Elected Official.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. Employee presents written problem to the Department Head or Elected Official within 30 calendar days after the incident occurs.
2. The Department Head or Elected Official should respond to the problem during its initial discussion or orally within 15 calendar days, after consulting with appropriate offices, when necessary. Such discussions should be documented.
3. If, after the oral discussion, the employee feels the issue is still not resolved, the employee may request that the matter be reviewed informally by the County Commissioners. The issue must be presented, in writing, to the County Commissioners within 15 calendar days of the oral response from the Department Head or Elected Official.
4. The County Commissioners will review the issue and respond, in writing, within 30 calendar days. The County Commissioners may make a non-binding recommendation to resolve the problem.
5. If the problem does not place the County at risk of non-compliance with any Federal or State law, the decision of the Department Head or Elected Official shall be final.

While not every problem can be resolved to everyone's total satisfaction, it is believed that discussion of problems will best assure a harmonious work environment.



## CODE OF ETHICS

### CODE OF ETHICS

All County personnel shall adhere to the highest of ethical standards. Any employee associated with the expenditure of public funds shall be held to the highest degree of public trust. No employee shall engage in or permit any illegal or improper purchasing practice. Further, any employee having knowledge of any questionable practices shall immediately report this knowledge to the Board of Commissioners or the Auditor.

The Board of Commissioners find that the proper operation of representative government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policies should be made in the proper channels of government structure; that public office should not be used for personal gains; and that the public should have confidence in the integrity of its government. Accordingly, it is the purpose of this policy to establish ethical standards of conduct for all officials and employees of the County whether elected or appointed, paid or unpaid.

This policy is not intended to impair the ability of employees to participate in the ceremonial, representational, or informational functions in furtherance of their County employment or official duties.

**Economic Interest:** An interest distinct from that of the general public in the County's purchase, sale, lease, contract, option or other transaction or arrangement involving property or service in which a public official or public employee may gain economic benefit of \$50 or more.

**Employee:** An individual, other than an official of the County, receiving compensation for service performed for the County, except individuals who perform service as independent contractors.

**Relative:** Relative means any of the following: (1) A spouse, (2) A parent or stepparent, (3) A child or stepchild, (4) A brother, sister, half-brother, half-sister, stepbrother, or stepsister, (5) A niece or nephew, (6) An aunt or uncle, (7) A daughter-in-law or son-in-law. An adopted child is considered the same as natural child of the individual.

**Gift:** Money or other property having economic value which is transferred to an official or employee without consideration in money or worth other than a contribution pursuant the Indiana Campaign Finance laws. The term includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the general public without regard to that person's status as an official, employee, candidate or consultant. The term does not include the following:

- Printed informational promotional material. Free printed material which can be distributed for the public awareness or public education, that is brochures, safety manuals and the like;

- A gift that is not used and not later than 30 days after receipt, is returned to the donor or delivered to a charitable organization and is not claimed as a charitable contribution for federal income tax purposes;
- Food or drink consumed by an official or employee or a member of his or her immediate family, during the conduct of official public business or attendance at public ceremonies as a public official or employee;
- Mementos or souvenirs of nominal value received at public ceremonies or commemorating official business;
- Invitations or tickets to political fund-raising dinners or public charitable benefits when used by an officer or employee or member of his or her immediate family;
- Food or drink consumed by an official or department head during attendance in connection with his or her official duties at a convention if consumed at a reception or gathering with other public officials.

Employees are to be impartial in the discharge of their duties. Decisions and policies are not to be made outside the proper channels of local, state, and federal laws and procedures.

Employees shall not use their positions with the County as a means for influencing others for personal gain. Except when used by officials and employees in the performance of the assigned responsibilities of their positions, items imprinted with the County's name, logo, or letterhead shall not be used as a means for influencing others for any purpose without the authorization of the County Council.

Employees may not use information of a confidential nature gained through positions with the County to benefit themselves or a family member financially.

Employees may not accept a gift, favor, service, entertainment, food or drink that has more than a nominal value or that could create the public perception that it is intended to influence the employee's action. Employees may not solicit or accept outside payments for the performance of County duties or for any activity related to their service to the County.

Payment for an appearance, a speech, or article may not be accepted if the appearance, speech, or article could be considered part of the employee's duties. An employee may not accept outside payment of expenses for travel, conventions, conferences, or similar activities that could create the public perception that it is intended to influence the employee's action.

Employees may not solicit political contributions from other employees or from persons or entities that have a business relationship with the County.

## SEPARATION FROM EMPLOYMENT

### EMPLOYMENT TERMINATION

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

**RESIGNATION** – voluntary employment termination initiated by an employee. The employee will be required to complete a Resignation Form, which can be obtained from the Auditor's office. Although advance notice is not required, Clinton County requests at least two (2) weeks written notice of resignation from non-exempt employees and four (4) weeks' notice from exempt employees. If an employee does not provide advance notice as requested above, the employee will be considered ineligible for rehire.

**DISCHARGE** – involuntary employment termination initiated by the County.

**REDUCTION IN FORCE/LAYOFF** - Involuntary employment termination initiated on behalf of the County by the Appointed or Elected Official due to lack of work, lack of funds or projected lack of funds, job elimination, or reorganization.

Whenever a reduction is necessary, the County will determine the classification(s) in which the layoff(s) will occur and the number of employees to be laid off in each department.

Employees will be laid off with consideration of length of continuous service and the operational needs of the County. Employees may displace less senior employees in other departments provided they possess the minimum qualifications and licenses required for the position. Length of service is one factor in the layoff/displacement decision. The operational needs of the County may require the retention of less senior employees over a more senior employee. Attendance and punctuality may also be a factor in determining who shall be retained and who shall be laid off.

A recall list will be established for each classification affected by the layoff listing each laid off employee in order of layoff.

A laid off employee will be eligible for recall for a period of two (2) years following the date of layoff. An employee who is laid off retains reinstatement rights in the agency from which he or she was laid off. Reinstatement rights continue for two (2) years from the date of layoff.

During this two (2) year period, the County will not hire or promote anyone into that classification until all persons on a layoff list for that classification are reinstated or decline the position when it is offered.

The employee will be responsible for keeping a current address on file with the Auditor's Office. Failure to do so may result in the inability to notify the employee of his or her eligibility for reinstatement.

Each recalled employee will be allowed fourteen (14) calendar days from the date of receipt of the certified letter to return to work. The County will consider extenuating circumstances submitted in writing by the laid off employee.

Any employee who declines reinstatement to the same classification from which the layoff occurred will no longer be eligible for recall and will be considered terminated from employment.

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid.

RETIREMENT – voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the County.

#### EXIT INTERVIEWS

Department Heads and Elected Officials will schedule exit interviews for their employees with the Auditor's office at the time of employment termination.

The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the County, or return of County-owned property. Suggestions, complaints, and questions can also be voiced.

Since employment with Clinton County is based on mutual consent, both the employee and the County have the right to terminate employment at will, with or without cause, at any time. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid.

#### PAYROLL NOTIFICATION

Department Heads and Elected Officials must notify the Auditor's Payroll Clerk that an employee is terminating employment as soon as notice is given by the employee. This includes part time and seasonal employees. This will facilitate the proper payment of time worked in compliance with state law.

#### RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees on or before their last day of work must return all Clinton County property.

## **SECTION TWO - COURTHOUSE**

### **INTRODUCTORY STATEMENT**

The contents of this Section apply to employees of the Clinton County Courthouse, Clinton County Board of Health, Area Plan Commission, Community Corrections, EMA, County employees of the Purdue University Co-operative Extension Service, EMS Administrative Staff, and the County employees of the Clinton County Soil and Water Conservation District.

### **EMPLOYMENT**

#### **INTRODUCTORY PERIOD**

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Department Heads and Elected Officials use this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the County may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first ninety (90) calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence.

If the Department Head or Elected Official determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a period specified by the Department Head or Elected Official.

In cases of promotions or transfers within the County, an employee who, in the sole judgment of the Department Head or Elected Official, is not successful in the new position can be removed from that position at any time during the secondary introductory period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job, for which the employee is qualified, depending on the availability of such positions and Clinton County's needs.

Upon satisfactory completion of the initial introductory period, employees enter the Regular Full Time or Regular Part Time employment classification.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other County-provided benefits, subject to the terms and conditions of each benefits program. Benefits eligibility and employment status is not changed during the secondary introductory period that result from a promotion or transfer within the County.

## PAY AND HOURS OF WORK

### TIMEKEEPING

Accurate recording time worked is the responsibility of every employee. Federal and state laws require Clinton County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All non-exempt employees must accurately record the time they begin and end work each day. They also must record the hours of any departure or absence from work for personal reasons. Overtime work must always be approved before it is performed and an unencumbered balance must exist in the budget for that department for overtime purposes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to approve his or her time sheet to certify the accuracy of all time recorded. The Department Head or Elected Official will review and then sign the time record before submitting it for payroll processing.

In addition, if corrections or modifications are made to the time record, both the employee and the Department Head or Elected Official must verify the accuracy of the changes by initialing the time record.

Each office may utilize employees' time differently within the framework of the standard hourly workweek. For this reason, the Department Head or Elected Official will have the discretion to permit individual employees to arrive or depart earlier or later, or to work through part of a lunch period and otherwise adjust their employees' schedules to meet demands of the office while adhering to the standard hourly workweek.

In every case, however, it is a legal necessity and a requirement of continued employment that the employee's timesheet accurately reflect the beginning and ending time of each period of work and each day worked.

### WORK SCHEDULES

The standard work week begins at 12:01 am Saturday and ends at 12:00 midnight on the following Friday. The open hours for the Courthouse are 8:00 AM to 4:00 PM on Monday, Tuesday, Wednesday and Friday; 8:00 AM to 12:00 PM on Thursday, unless otherwise ordered by the Board of Commissioners.

Department Heads or Elected Officials will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Work schedules for employees vary throughout the County.

## OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime is defined as over 40 hours/week. Time worked up to 40 hours will be paid at regular pay. Time worked over 40 hours per week will be paid at time and one half.

Time off for Jury Duty, Witness Duty and scheduled Holidays will be considered as hours worked for purposes of calculating overtime. Vacation time or other leave time will not be considered as hours worked. When possible, advance notification of these mandatory assignments will be provided.

All overtime work must receive the Department Head's or Elected Official's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Employees who perform work in two different jobs with different rates of pay will be paid overtime at the rate of pay for the job that takes them over forty (40) hours in a work week.

Failure to work scheduled overtime or overtime worked without prior authorization from the Department Head or Elected Official may result in disciplinary action, up to and including termination of employment.

## COMPENSATORY TIME OFF (Non-Exempt Employees)

If an Elected Official or Department Head elects to use compensatory time off (comp time) in lieu of extra hours and overtime compensation for non-exempt employees, the employee will be compensated at the rate of one (1) hour of comp time off for every hour worked up to forty (40) hours per week and one and one-half (1 1/2) hours of comp time off for every hour worked over forty (40) hours per week.

If the department elects to give comp time off, an employee will be required to sign a Compensatory Time Off Agreement upon initial employment in the department or prior to the pay period in which the comp time is earned.

Employees will not be allowed to earn more than two (2) times the number of hours they are regularly scheduled per week. (e.g. an employee who is scheduled to 32 hours cannot earn more than 64 hours of comp time). Extra hours and overtime worked after an employee earns the maximum amount of comp time will be paid as monetary compensation.

When an employee is promoted or transferred from a non-exempt to an exempt position, the employee may be paid the earned comp time or continue to use the comp time. In either case, an accurate record must be kept to ensure that the employee uses the comp time or receives monetary compensation at the time of separation from County employment.

Elected Officials and Department Heads will be responsible for maintaining a record

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of comp time earned and used by each employee. Comp time that is earned and used should be recorded on the employee's time record.

## EMPLOYEE BENEFITS

### VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular Full-Time employees are eligible to earn and use vacation time as described in this policy.

New employees shall earn vacation for the year in which they are hired based on the schedule below.

<u>MONTH HIRED</u>	<u>HOURS OF VACATION EARNED</u>
January	32
February	32
March	28
April	28
May	21
June	21
July	14
August	14
September	7
October	0
November	0
December	0

Once employees enter an eligible employment classification, they begin to earn paid vacation time based on their length of service for the upcoming year and the schedule below. However, before vacation time can be used, the Introductory Period of 90 calendar days must be completed.

An employee who is terminated during his or her Introductory Period will not be entitled to pay for accrued vacation. An employee whose Introductory Period is extended will be entitled to vacation unless terminated during the extended Introductory Period.

Any Regular Part Time or Temporary employee hired as Regular Full Time who has accumulated 3 months or more of employment in said calendar year, (not necessarily consecutive days), may have the Introductory Period waived by the Department Head or Elected Official into which that individual enters as a regular employee.

Vacation benefits are evenly accrued throughout the year. The following is a summary of maximum accrued vacation benefits based on the employee's length of service.



## VACATION EARNING SCHEDULE

<u>Length of service</u>	<u>Vacation hours each year</u>
1 <sup>st</sup> Year through 9 <sup>th</sup> year	64 hours
10 <sup>th</sup> Year through 19 <sup>th</sup> year	96 hours
20 <sup>th</sup> Year and subsequent years	128 hours

Paid vacation time can be used in increments of one hour or more. To take vacation, employees must request advance approval from their Department Head or Elected Official. Requests will be reviewed based on a number of factors, including departmental needs and staffing requirements.

An employee must take any portion or all of the allowed vacation during the calendar year subject to the approval of the Department Head or Elected Official.

Department Heads and Elected Officials are responsible for recording vacation time used by non-exempt employees in their department. Exempt employees are required to report vacation time used to the Auditor's Payroll Clerk upon returning from vacation.

No accrued but unused vacation balance will be carried forward to the next calendar year. Therefore, vacation is either used or lost. No compensation will be paid for vacation not used.

Vacation can be used immediately at the beginning of the year with Department Head or Elected Official approval. If the employee voluntarily or involuntarily terminates employment during the year and has taken more of their vacation time than they have accrued, the amount taken above the accrual will be deducted, to the extent possible, from their final paycheck. This provision will not apply to employees who are subject to Layoff.

Employees who have earned twenty (20) or more years of service and leave their employment on a voluntary basis will be paid for all unused vacation time upon termination of employment. Eligible employees who have served in an Elected Official position with the County will not have those years of service counted in the calculation of their service for this payment.

If the employee has taken less than the vacation time they have accrued, payment will be made for the balance of accrued but unused vacation.

### HOLIDAYS

The Board of Commissioners will establish a holiday schedule each year and post it prior to the beginning of the upcoming year. Regular Full Time and Introductory employees are eligible for holiday time off. Part Time employees are eligible for holiday pay when the holiday falls on a regularly scheduled work day. Temporary employees are not eligible for holiday under any circumstances

Holiday pay will be based on the employee's base pay rate, as of the date of the holiday times the number of hours the employee would otherwise have worked on that day. Employees shall receive monetary compensation for holiday pay and shall not be credited with compensatory time-off credit in lieu of monetary compensation. Employees may not substitute another day off instead of the designated day off.

Holidays that fall during an eligible employee's paid absence (e.g. vacation, annual leave), holiday pay will be provided instead of the paid time off benefit that would otherwise be applied. Employees on an approved leave, including FMLA, for the entire week in which a holiday occurs will not be eligible for holiday pay.

If a full-time non-exempt employee works on a holiday, he/she will receive their regular holiday pay and will receive personal time equal to the number of hours worked on the holiday.

To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday unless excused by the Department Head or Elected Official.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. If the holiday falls on a Sunday will be observed on the following Monday.

### SICK LEAVE BENEFITS

Clinton County provides paid sick leave benefits to all Regular Full-Time employees for periods of temporary absence due to illnesses or injuries. New employees will accrue sick leave benefits at the rate of 1 day (7 hours) of leave for each 2 full months worked. At the beginning of each year, eligible employees will be credited with 49 hours of sick leave benefits. Effective January 1 following their first year of employment, new employees will be credited with 49 hours of paid sick leave.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 490 hours of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit. Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence.

Paid sick leave can be used in minimum increments of one hour. Employees may use sick leave benefits for an absence due to personal illness or injury or for illness or injury to a family member.

Clinton County defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Department Heads and Elected Officials are responsible for recording the use of sick leave benefits used by non-exempt employees in their department. Exempt employees are required to report the amount of sick leave benefits used to the Auditor's Payroll Clerk upon returning to work.

Before returning to work from a personal sick leave absence of three calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits can be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or County-provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

### PERSONAL TIME

Regular Full Time Employees are eligible for paid personal time to provide them the opportunity to take time off from work for personal reasons without necessarily scheduling the time off as far in advance as for vacation time off as described in this policy.

Paid personal time is not to be regarded as "earned" time off, or being "vested" at any time, nor as an additional form of compensation.

New employees will accrue personal time at the rate of 1 day (7 hours) of leave for each 2 full months worked. At the beginning of each year, eligible employees will be credited with 3 days of personal time. Effective January 1 following their first year of employment, new employees will be credited with 3 days paid personal time.

Regular Full-Time employees shall have available 3 days of paid personal time each calendar year after the first year of service.

Paid personal time may not be carried forward from one year to another, and no payment of cash equivalent shall be due for any unused paid personal time.

Payment for personal time shall be made with payment for the payroll period in which the leave was taken. Paid personal time may not be taken to extend the length of vacation (either at the beginning or end) unless it is requested and approved in advance by the Department Head or Elected Official.

Department Heads and Elected Officials are responsible for recording the use of personal time used by non-exempt employees in their department. Exempt employees are required to report the amount of personal time used to the Auditor's Payroll Clerk upon returning to work.

The work requirements of each Department must take priority in scheduling paid personal time. The Department Head or Elected Official may cancel previously scheduled paid personal time if the Department Head or Elected Official determines that performance of essential public functions of the department is jeopardized by the employee's scheduled absence on paid personal time.

If an employee is absent, without advanced approval by the Department Head or Elected Official, the employee will generally not be permitted to charge the time against available but unused paid personal time and will be subject to disciplinary action up to and including termination of employment. The Department Head or Elected Official may, however, allow time off that was not scheduled in advance to be charged against available but unused paid personal time if the Department Head or Elected Official, in his or her discretion, judges the circumstances to have constituted an emergency.

No employee shall be entitled to payment of the cash equivalence of any unused paid personal time upon termination of employment.

## STANDARDS OF CONDUCT

### ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Clinton County.

In the instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head or Elected Official as soon as possible in advance of the anticipated tardiness or absence.

Unacceptable attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

### EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt governmental operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When facilities are officially closed due to a Level 1 emergency declared by the Board of Commissioners, the time off from scheduled work for full time exempt and non-exempt employees will be paid.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive their regular pay for all hours worked.

In County declared weather-related emergencies, employees who can safely travel to and from work may be asked by their Department Head or Elected Official to report for work due to the office workload or time-sensitive nature of the work to be performed

When operations are not officially closed, but some employees are unable to get to report for work, employees may use compensatory time, personal time, vacation days, or unpaid time off.

For the purposes of timekeeping and attendance, an emergency refers to states of emergency declared by the Board of Commissioners or by authorities of the State or Federal Governments. Regular Full Time, Regular Part Time and Introductory Employees who are prohibited by declared emergencies from traveling to work will be excused for the duration of the declared emergency.

In County declared weather-related emergencies, employees who can safely travel to and from work may be asked by their Department Head or Elected Official to report for work due to the office workload or time-sensitive nature of the work to be performed. In all such cases, first consideration shall be given to employee safety.

#### VEHICLE PARKING

County employees are required to park in the designated parking lot provided by the County. Elected Officials are strongly encouraged to also utilize the County parking lot. (Order # 200906)

Employees and Elected Officials who possess a valid and current Indiana Handicap parking permit are exempt from this policy. Individuals who have physical limitations or infirmities may submit a request, in writing, to the Board of Commissioners for an exception to this policy. These individuals will be given a permit which will allow them to park near the Courthouse. This permit must be displayed at all times. Employees who violate this policy will be subject to disciplinary action up to and including termination.

### **SECTION THREE- HIGHWAY DEPARTMENT**

#### INTRODUCTORY STATEMENT

The contents of this Section apply to employees of the Clinton County Highway Department.

## EMPLOYMENT

### EMPLOYMENT STATUS

All employees, with the exception of administrative employees, are required to have and maintain a Class B Commercial Driver's License as a condition of employment. New hires who do not have Class B license will be required to obtain one within 60 days of employment.

All employees are required to comply with the CDL physical requirements and the Clinton County Substance Abuse Policy For Employees With Commercial Driver's License for compliance with 49 CFR Part 382.601 and CFR Part 40.

## PAY AND HOURS OF WORK

### WORK SCHEDULES

The standard work week begins at 12:01 am Saturday and ends at 12:00 midnight on the following Friday. Work schedules for employees vary throughout our department. The work schedule for Clinton County Highway Department is 7:30 AM to 4:00 PM.

The Department Head will advise employees of their individual work schedules. Staffing needs, operational demands and seasons of the year may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

### OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime is defined as over 40 hours/week. Time worked up to 40 hours will be paid at regular pay. Time worked over 40 hours per week will be paid at time and one half. Time off for Jury Duty, Witness Duty and scheduled Holidays will be considered as hours worked for purposes of calculating overtime. Vacation time or other leave time will also be considered as hours worked for calculating overtime. When possible, advance notification of these mandatory assignments will be provided.

An emergency call-out will be considered overtime. An emergency call-out will carry a minimum of 2 hours per call.

In cases of inclement weather or other emergencies requiring work by Highway Department employees, the Department Head may require all or any part of the Department's employees to report to work at earlier hours. The Department Head shall exercise discretion in establishing a reasonable policy for calling employees to work early or to work overtime. In establishing such policy, seniority of service shall be given first consideration when only a limited number of employees are needed to work.

When the operation of the equipment to which operators are assigned require safety

and economy of operation that place a premium on the operator's skills and experience, then operators may be assigned by the Department Head notwithstanding seniority. The assignments will be dependent upon the equipment needs for the nature of the weather or emergency on any given day.

Highway Department non-exempt employees who work on any day or days which have been designated by the Board of Commissioners as holidays for county employees shall receive regular holiday pay plus time and one-half for all hours worked on the holiday.

When Highway Department employees are called to work at an hour earlier than the normal workday hour, the Department Head shall have the discretion to either dismiss all employees after eight (8) hours of work (plus one-half hour for lunch) and to assign employees for overtime, if needed, or to extend employee's working to the normal hour of dismissal if, in the opinion of the Department Head, there exists sufficient work or training to actively engage the employees.

Failure to work scheduled overtime or overtime worked without prior authorization from the Department Head may result in disciplinary action, up to and including possible termination of employment.

#### COMPENSATORY TIME OFF (Non-Exempt Employees)

If an Elected Official or Department Head elects to use compensatory time off (comp time) in lieu of extra hours and overtime compensation for non-exempt employees, the employee will be compensated at the rate of one (1) hour of comp time off for every hour worked up to forty (40) hours per week and one and one-half (1 1/2) hours of comp time off for every hour worked over forty (40) hours per week.

If the department elects to give comp time off, an employee will be required to sign a Compensatory Time Off Agreement upon initial employment in the department or prior to the pay period in which the comp time is earned.

Employees will not be allowed to earn more than 40 hours of comp time. Extra hours and overtime worked after an employee earns the maximum amount of comp time will be paid as monetary compensation.

When an employee is promoted or transferred from a non-exempt to an exempt position, the employee may be paid the earned comp time or continue to use the comp time. In either case, an accurate record must be kept to ensure that the employee uses the comp time or receives monetary compensation at the time of separation from County employment.

Department Heads will be responsible for maintaining a record of comp time earned and used by each employee. Comp time that is earned and used should be recorded on the employee's time record.

EMPLOYEE BENEFITS

VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular full-time employees are eligible to earn and use vacation time as described in this policy.

New employees shall earn vacation for the year in which they are hired based on the schedule below.

<u>MONTH HIRED</u>	<u>HOURS OF VACATION EARNED</u>
January	40
February	40
March	32
April	32
May	24
June	24
July	16
August	16
September	8
October	0
November	0
December	0

An employee who is terminated during his introductory period shall not be entitled to pay for accrued vacation. An employee whose introductory period is extended will be entitled to vacation unless terminated during such extended introductory period.

Any regular part time or temporary employee hired as a regular full-time, who has accumulated 3 months or more of employment in said calendar year, (not necessarily consecutive days), may have the introductory period waived by the Department Head into which said person enters as a regular employee.

Vacation benefits are evenly accrued throughout the year. The following is a summary of maximum accrued vacation benefits based on the employee's length of service.

VACATION EARNING SCHEDULE

<u>Years of eligible service</u>	<u>Vacation hours each year</u>
1 <sup>st</sup> Year through 9 <sup>th</sup> year	80 hours
10 <sup>th</sup> Year through 19 <sup>th</sup> year	120 hours
20 <sup>th</sup> Year and subsequent years	160 hours

However, before vacation time can be used, a waiting period of ninety (90) calendar days must be completed. Paid vacation time can be used in increments of 4 hours, up



to 40 hours, the remaining balance to be used in weeks. To take vacation, the Department Head should be notified no less than 1 week prior to vacation. Requests will be reviewed based on a number of factors, including department needs and staffing requirements.

The Department Head is responsible for recording vacation time used by non-exempt employees in their department. Exempt employees are required to report vacation time used to the Auditor's Payroll Clerk upon returning from vacation.

No accrued but unused vacation balance will be carried forward to the next calendar year. Therefore, vacation is either used or lost. No compensation will be paid for vacation not used.

Vacation can be used immediately at the beginning of the year with Department Head approval. If the employee voluntarily or involuntarily terminates employment during the year and has taken more of their vacation time than they have accrued, the amount taken above the accrual will be deducted, to the extent possible, from their final paycheck. This provision will not apply to employees who are subject to Layoff.

Employees who have earned twenty (20) or more years of service and leave their employment on a voluntary basis will be paid for all unused vacation time upon termination of employment. Eligible employees who have served in an Elected Official position with the County will not have those years of service counted in the calculation of their service for this payment.

If the employee has taken less than the vacation time they have accrued, payment will be made for the balance of accrued but unused vacation.

### SICK LEAVE BENEFITS

Clinton County provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illness or injury. New employees will accrue sick leave benefits at the rate of one 8 hours of leave for each full two full months worked. At the beginning of each year, eligible employees will be credited with 56 hours of sick leave benefits. Effective January 1 following their first year of employment, new employees will be credited with 56 hours of paid sick leave.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 560 hours of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Any employee who is unable to report to work due to illness or injury should notify his or her Department Head before the scheduled start of their workday if possible.

The Department Head must also be contacted on each additional day of absence.

Paid sick leave can be used in minimum increments of one-half day. Employees may use sick leave benefits for an absence due to personal illness or injury or for illness or injury to a family member.

Clinton County defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

The Department Head is responsible for recording the use of sick leave benefits used by non-exempt employees in their department. Exempt employees are required to report the amount of sick leave benefits used to the Auditor's Payroll Clerk upon returning to work.

Before returning to work from a personal sick leave absence of three calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits can be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or County-provided disability insurance programs.

The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

#### PERSONAL TIME

Regular Full Time Employees are eligible for paid personal time to provide them the opportunity to take time off from work for personal reasons without necessarily scheduling the time off as far in advance as for vacation time off as described in this policy.

Paid personal time is not to be regarded as "earned" time off, or being "vested" at any time, nor as an additional form of compensation.

New employees will accrue personal time off at the rate of (8 hours) of leave for each 2 full months worked. At the beginning of each year, eligible employees will be credited with 24

hours of personal leave benefits. Effective January 1 following their first year of employment, new employees will be credited with 24 hours of paid personal leave.

Paid personal time may not be carried forward from one year to another, and no payment of cash equivalent shall be due for any unused paid personal time.

Payment for personal time shall be made with payment for the payroll period in which the leave was taken. Paid personal time may not be taken to extend the length of vacation (either at the beginning or end) unless it is requested and approved in advance by the Department Head.

Department Heads are responsible for recording the use of personal time used by non-exempt employees in their department. Exempt employees are required to report the amount of personal time used to the Auditor's Payroll Clerk upon returning to work.

The work requirements of each Department must take priority in scheduling paid personal time. The Department Head may cancel previously scheduled paid personal time if the Department Head determines that performance of essential public functions of the department is jeopardized by the employee's scheduled absence on paid personal time.

If an employee is absent without advanced approval by the Department Head, the employee will generally not be permitted to charge the time against available but unused paid personal time and will be subject to disciplinary action up to and including termination of employment. The Department Head, however, allow time off that was not scheduled in advance to be charged against available but unused paid personal time if the Department Head, in his or her discretion, judges the circumstances to have constituted an emergency.

No employee shall be entitled to payment of the cash equivalence of any unused paid personal time upon termination of employment.

#### ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Clinton County.

In the instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head or Elected Official as soon as possible in advance of the anticipated tardiness or absence.

Unacceptable attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

## **SECTION FOUR - PARKVIEW HOME**

### **INTRODUCTORY STATEMENT**

The contents of this Section apply to employees of Parkview Home.

### **PAY AND HOURS OF WORK**

#### **TIMEKEEPING**

Accurately recording time worked is the responsibility of every employee. Federal and state laws require Clinton County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All employees must accurately record the time they begin and end work each day. They also must record the hours of any departure or absence from work for personal reasons. Overtime work must always be approved before it is performed and an unencumbered balance must exist in the budget for that department for overtime purposes.

Overtime means hours worked in excess of 40 hours in any workweek and for which compensation at 1 1/2 times the employee's regular base pay rate is payable. In addition, employees may not work in excess of 40 hours per workweek without Department Head approval, and an unencumbered balance must exist in the budget for that department for such purposes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

In addition, if corrections or modifications are made to the time record, both the employee and the Department Head must verify the accuracy of the changes by initialing the time record.

To function properly each office will necessarily utilize employees' time differently within the framework of the 40-hour workweek. For this reason, the Department Head will have the discretion to permit individual employees to arrive or depart earlier or later, or to work through part of a lunch period and otherwise adjust their employees' schedules to meet demands of the department while adhering to the 40 hours workweek.

#### **WORK SCHEDULES**

The standard work week begins at 12:01 am Saturday and ends at 12:00 midnight on the following Friday. The standard work schedules for Clinton County Parkview Home are 6:00 am to 2:00 pm; 2:00 pm to 10:00 pm; and 10:00 pm to 6:00 am.

The Department Head will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and

ending times, as well as variations in the total hours that may be scheduled each day and week.

### OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime is defined as over 40 hours/week. Time worked up to 40 hours will be paid at regular pay. Time worked over 40 hours per week will be paid at time and one half. Time off for Jury Duty, Witness Duty and scheduled Holidays will be considered as hours worked for purposes of calculating overtime. Vacation time or other leave time will also be considered as hours worked for calculating overtime. When possible, advance notification of these mandatory assignments will be provided.

In cases of inclement weather or other emergencies requiring work by Parkview Home employees, the Department Head may require all or any part of the Department's employees to report to work at earlier hours. The Department Head shall exercise discretion in establishing a reasonable policy for calling employees to work early or to work overtime. In establishing such policy, seniority of service shall be given first consideration when only a limited number of employees are needed to work.

When Parkview Home employees are called to work at an hour earlier than the normal workday hour, the Department Head shall have the discretion to either dismiss all employees after eight (8) hours of work (plus one-half hour for lunch) and to assign employees for overtime, if needed, or to extend employee's working to the normal hour of dismissal if, in the opinion of the Department Head, there exists sufficient work or training to actively engage the employees.

Failure to work scheduled overtime or overtime worked without prior authorization from the Department Head may result in disciplinary action, up to and including possible termination of employment.

### COMPENSATORY TIME OFF (Non-Exempt Employees)

If the Department Head elects to use compensatory time off (comp time) in lieu of extra hours and overtime compensation for non-exempt employees, the employee will be compensated at the rate of one (1) hour of comp time off for every hour worked up to forty (40) hours per week and one and one-half (1 1/2) hours of comp time off for every hour worked over forty (40) hours per week.

If the department elects to give comp time off, an employee will be required to sign a Compensatory Time Off Agreement upon initial employment in the department or prior to the pay period in which the comp time is earned.

Employees will not be allowed to earn more than two (2) times the number of hours they are regularly scheduled per week. (e.g. an employee who is scheduled to 40 hours cannot earn more than 80 hours of comp time). Extra hours and overtime worked after

an employee earns the maximum amount of comp time will be paid as monetary compensation.

When an employee is promoted or transferred from a non-exempt to an exempt position, the employee may be paid the earned comp time or continue to use the comp time. In either case, an accurate record must be kept to ensure that the employee uses the comp time or receives monetary compensation at the time of separation from County employment.

The Department Head will be responsible for maintaining a record of comp time earned and used by each employee. Comp time that is earned and used should be recorded on the employee's time record.

## EMPLOYEE BENEFITS

### VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular full-time employees are eligible to earn and use vacation time as described in this policy.

New employees shall earn vacation for the year in which they are hired based on the schedule below.

<u>MONTH HIRED</u>	<u>DAYS OF VACATION EARNED</u>
January	5
February	5
March	4
April	4
May	3
June	3
July	2
August	2
September	1
October	1
November	0
December	0

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. However, before vacation time can be used, a waiting period of ninety (90) calendar days must be completed. After that time, employees can request use of earned vacation time including that accrued during the waiting period.

An employee who is terminated during his introductory period shall not be entitled to pay for accrued vacation. An employee whose introductory period is extended will be entitled to vacation unless terminated during such extended introductory period.

Any regular part time or temporary employee hired as a regular full-time, who has accumulated 3 months or more of employment in said calendar year, (not necessarily consecutive days), may have the introductory period waived by the Department Head into which said person enters as a regular employee.

Vacation benefits are evenly accrued throughout the year. The following is a summary of maximum accrued vacation benefits based on the employee's length of service.

### VACATION EARNING SCHEDULE

<u>Years of eligible service</u>	<u>Vacation days each year</u>
1 <sup>st</sup> Year through 9 <sup>th</sup> year	10 days
10 <sup>th</sup> Year through 19 <sup>th</sup> year	15 days
20 <sup>th</sup> Year and subsequent years	20 days

Paid vacation time can be used in increments of 1 day, up to 5 days, the remaining balance to be used in weeks. To take vacation, the Department Head should be notified no less than 1 week prior to vacation. Requests will be reviewed based on a number of factors, including department needs and staffing requirements.

The Department Head is responsible for recording vacation time used by non-exempt employees in their department. Exempt employees are required to report vacation time used to the Auditor's Payroll Clerk upon returning from vacation.

No accrued but unused vacation balance will be carried forward to the next calendar year. Therefore, vacation is either used or lost. No compensation will be paid for vacation not used.

Vacation can be used immediately at the beginning of the year with Department Head approval. If the employee voluntarily or involuntarily terminates employment during the year and has taken more of their vacation time than they have accrued, the amount taken above the accrual will be deducted, to the extent possible, from their final paycheck. This provision will not apply to employees who are subject to Layoff.

Employees who have earned twenty (20) or more years of service and leave their employment on a voluntary basis will be paid for all unused vacation time upon termination of employment. Eligible employees who have served in an Elected Official position with the County will not have those years of service counted in the calculation of their service for this payment.

If the employee has taken less than the vacation time they have accrued, payment will be made for the balance of accrued but unused vacation.

### HOLIDAYS

The Board of Commissioners will establish a holiday schedule each year and post it prior to the beginning of the upcoming year. Regular Full Time and Introductory employees are eligible for holiday time off. Part Time employees are eligible for holiday pay when the holiday falls on a regularly scheduled work day. Temporary employees are not eligible for holiday pay under any circumstances. Holiday pay will be based on the employee's base pay rate, as of the date of the holiday times the number of hours the employee would otherwise have worked on that day.

Employees shall receive monetary compensation for holiday pay and shall not be credited with compensatory time-off credit in lieu of monetary compensation. Employees may not substitute another day off instead of the designated day off.

If the recognized holiday falls during an eligible employee's paid absence, (e.g. vacation, annual leave), holiday pay will be provided instead of the paid time off benefit that would otherwise be applied. Employees on an approved leave, including FMLA, for the entire week in which a holiday occurs will not be eligible for holiday pay.

If a full-time non-exempt employee works on a holiday, he/she will receive their regular holiday pay and will receive personal time equal to the number of hours worked on the holiday.

To be eligible for holiday pay, employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday unless excused by the Department Head.

Unless otherwise designated by federal or state regulation, a recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

### SICK LEAVE BENEFITS

Clinton County provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illness or injury. New employees will accrue sick leave benefits at the rate of one (1) day of leave for each full two full months worked. At the beginning of each year, eligible employees will be credited with seven (7) days of sick leave benefits. Effective January 1 following their first year of employment, new employees will be credited with seven (7) days of paid sick leave.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 70 days of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Any employee who is unable to report to work due to illness or injury should notify his or her Department Head before the scheduled start of their workday if possible. The Department Head must also be contacted on each additional day of absence.



Paid sick leave can be used in minimum increments of one hour. Employees may use sick leave benefits for an absence due to personal illness or injury or for illness or injury to a family member.

Clinton County defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

The Department Head is responsible for recording the use of sick leave benefits used by non-exempt employees in their department. Exempt employees are required to report the amount of sick leave benefits used to the Auditor's Payroll Clerk upon returning to work.

Before returning to work from a personal sick leave absence of three calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits can be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or County-provided disability insurance programs.

The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

### PERSONAL TIME

Regular Full Time Employees are eligible for paid personal time to provide them the opportunity to take time off from work for personal reasons without necessarily scheduling the time off as far in advance as for vacation time off as described in this policy. Paid personal time is not to be regarded as "earned" time off, or being "vested" at any time, nor as an additional form of compensation.

Regular Full-Time employees shall have available twenty-four (24) hours of paid personal time each calendar year after the first year of service. During the first full or part year of service each eligible employee shall have eight (8) hours available.

An additional eight (8) hours of paid personal time will be available for each successive period of three (3) months' service during the first full or part year of service.

Paid personal time may not be carried forward from one year to another, and no payment of cash equivalent shall be due for any unused paid personal time.

Payment for personal time shall be made with payment for the payroll period in which the leave was taken. Paid personal time may not be taken to extend the length of vacation (either at the beginning or end) unless it is requested and approved in advance by the Department Head. Paid Personal Leave can be used in minimum increments of one hour

Department Heads and Elected Officials are responsible for recording the use of personal time used by non-exempt employees in their department. Exempt employees are required to report the amount of personal time used to the Auditor's Payroll Clerk upon returning to work.

The work requirements of each Department must take priority in scheduling paid personal time. The Department Head may cancel previously scheduled paid personal time if the Department Head determines that performance of essential public functions of the department is jeopardized by the employee's scheduled absence on paid personal time.

An employee who is absent without advanced approval by the Department Head will generally not be permitted to charge the time against available but unused paid personal time and will be subject to disciplinary action up to and including termination of employment. The Department Head may, however, allow time off that was not scheduled in advance to be charged against available but unused paid personal time if the Department Head, in his or her discretion, judges the circumstances to have constituted an emergency.

No employee shall be entitled to payment of the cash equivalence of any unused paid personal time upon termination of employment.

#### ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Clinton County.

In the instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head or Elected Official as soon as possible in advance of the anticipated tardiness or absence. Unacceptable attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

## **SECTION FIVE – SHERIFF’S OFFICE**

### **INTRODUCTION**

#### **INTRODUCTORY STATEMENT**

The contents of this handbook apply to the Corrections, Kitchen, Transport, Dispatch and Administrative employees of the Clinton County Sheriff’s Office. The County Sheriff may modify certain policies, subject to the approval of the Board of Commissioners.

Employees will be required to sign the Receipt and Acknowledgement Form located on page 123.

*Sheriff of Clinton County*

### **EMPLOYMENT**

#### **PERSONS WITH DISABILITIES**

It is the policy of Clinton County to employ, advance and otherwise treat qualified individuals without regard to their disability in all employment practices.

Clinton County will attempt to accommodate disabled employees and job applicants to enable them to perform the essential functions of their jobs in a safe and efficient manner.

Clinton County will afford reasonable accommodation to qualified applicants and employees with a known disability, provided that the accommodation does not cause undue hardship to Clinton County, or, irrespective of the accommodation, that such individuals do not pose a direct threat to the health and safety of themselves or others.

Applicants may inform the Matron and employees may inform their Division Supervisor or the County Sheriff of the disability and may suggest, on a confidential basis, how Clinton County may reasonably accommodate them.

If an employee is absent while on paid or unpaid leave, including vacation, sick or family medical leave, or worker’s compensation or employment with the County is terminated followed by immediate reemployment by the County, without loss of payroll time then they are not considered to have a break in employment.

#### **OUTSIDE EMPLOYMENT**

Employees who wish to hold an outside job must have prior approval of the County Sheriff. Employees may hold outside jobs as long as they meet the performance standards of their job with the Sheriff’s Office. Additionally, each employee will be required to complete and keep up-to-date the Clinton County Sheriff’s Office Indemnification Agreement. All employees will be judged by the same performance standards and will be subject to the Sheriff’s Office scheduling demands, regardless of any existing outside work requirements.

If a Division Supervisor or the County Sheriff determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Sheriff's Office as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Sheriff's Office.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Sheriff's Office for materials produced or services rendered while performing their jobs.

### ACCESS TO PERSONNEL FILES

Clinton County maintains a personnel file in the Auditor's office on each employee. All confidential information regarding the employee, including medical and payroll information shall be kept in the employee's personnel file.

Personnel files are the property of Clinton County, and access to the information they contain is restricted. Generally, only Division Supervisors, the County Sheriff, the Auditor's Payroll Clerk, the Matron and the Commissioners of Clinton County have a legitimate reason to review information in a file.

With reasonable advance notice, employees may review their own personnel files in Clinton County's offices in the presence of the Division Supervisor, the County Sheriff or the Matron.

### PERSONNEL DATA CHANGES

It is the responsibility of each employee to notify promptly the Matron and the Sheriff's Office of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed notify the Auditor's Payroll Clerk and the Sheriff's Office.

### INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Division Supervisors and the County Sheriff use this period to evaluate employee capabilities, work habits, and overall performance.

Either the employee or the County may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first one hundred eighty (180) calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the Division Supervisor or the County Sheriff determines that the designated introductory period does not allow sufficient

time to thoroughly evaluate the employee's performance, the introductory period may be extended for a period specified by the Division Supervisor or the County Sheriff.

In cases of promotions or transfers within the County, an employee who, in the sole judgment of the Division Supervisor or the County Sheriff, is not successful in the new position can be removed from that position at any time during the secondary introductory period.

If this occurs, the employee may be allowed to return to his or her former job or to a comparable job, for which the employee is qualified, depending on the availability of such positions and Clinton County's needs.

Upon satisfactory completion of the initial introductory period, employees enter the Regular Full Time or Regular Part Time employment classification.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other County-provided benefits, subject to the terms and conditions of each benefits program.

Benefits eligibility and employment status are not changed during the secondary introductory period that result from a promotion or transfer within the County.

## PAY AND HOURS OF WORK

### TIMEKEEPING

Accurately recording time worked is the responsibility of every employee. Federal and state laws require Clinton County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All employees must accurately record the time they begin and end work each day. They also must record the hours of any departure or absence from work for personal reasons. Overtime work must always be approved before it is performed and an unencumbered balance must exist in the budget for that department for overtime purposes.

Overtime means hours worked in excess of 40 hours in any workweek for administrative employees or 171 hours in a 28-day period for Corrections Officers, and for which compensation at 1 1/2 times the employee's regular base pay rate is payable. In addition, employees may not work in excess of 40 hours per workweek or their regular weekly scheduled hours without the Division Supervisor's or the County Sheriff's approval. An unencumbered balance must exist in the budget for that department for such purposes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign his or her time sheet to certify the accuracy of all time recorded. The Division Supervisor or the County Sheriff will review and then sign the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the Division Supervisor or County Sheriff must verify the accuracy of the changes by initialing the time record.

To properly function each office will necessarily utilize employees' time differently within the framework of the employee's regular scheduled workweek. For this reason, the Division Supervisor or the County Sheriff will have the discretion to permit individual employees to arrive or depart earlier or later, or to work through their lunch period and otherwise adjust their employees' schedules to meet demands of the office while adhering to the regular scheduled workweek.

In every case, however, it is a legal necessity and a requirement of continued employment that the employee's timesheet accurately reflect the beginning and ending time of each period of work and each day worked.

### WORK SCHEDULES

The standard work week begins at 12:01 am Saturday and ends at 12:00 midnight on the following Friday. Work schedules for employees vary throughout the Sheriff's Office. Corrections Officers will be scheduled to work twelve (12) hour shifts.

Dispatch and Administrative employees will generally be scheduled to work eight (8) hour shifts. Division Supervisors or the County Sheriff will advise employees of their individual work schedules. Employees may not alter or trade schedules without prior approval of the Sheriff. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

### OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. When possible, advance notification of these mandatory assignments will be provided. Overtime is defined as over 40 hours/week 171 hours/month. Time worked up to 40 hours or 171 hours will be paid at regular pay. Time worked over 40 hours per week or 171 hours per month will be paid at time and one half.

Time off for Jury Duty, Witness Duty, and scheduled Holidays worked will be considered as hours worked for purposes of calculating overtime. Vacation time, holidays that fall on a scheduled day off or other leave time will not be considered as hours worked.

All overtime work must receive the Division Supervisor's or the County Sheriff's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Failure to work scheduled overtime or overtime worked without prior authorization from the Division Supervisor or the County Sheriff may result in disciplinary action, up to and including termination of employment.

#### COMPENSATORY TIME OFF (Non-Exempt Employees)

If an Elected Official or Department Head elects to use compensatory time off (comp time) in lieu of extra hours and overtime compensation for non-exempt employees, the employee will be compensated at the rate of one (1) hour of comp time off for every hour worked up to forty (40) hours per week or 171 hours/month and one and one-half (1 1/2) hours of comp time off for every hour worked over forty (40) hours per week or 171 hours/month.

If the department elects to give comp time off, an employee will be required to sign a Compensatory Time Off Agreement upon initial employment in the department or prior to the pay period in which the comp time is earned.

Employees will not be allowed to earn more than two (2) times the number of hours they are regularly scheduled per week. (e.g. an employee who is scheduled to 40 hours cannot earn more than 80 hours of comp time). Extra hours and overtime worked after an employee earns the maximum amount of comp time will be paid as monetary compensation.

When an employee is promoted or transferred from a non-exempt to an exempt position, the employee may be paid the earned comp time or continue to use the comp time. In either case, an accurate record must be kept to ensure that the employee uses the comp time or receives monetary compensation at the time of separation from County employment.

The Sheriff's Office will be responsible for maintaining a record of comp time earned and used by each employee. Comp time that is earned and used should be recorded on the employee's time record.

### EMPLOYEE BENEFITS

#### VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular Full-Time employees are eligible to earn and use vacation time as described in this policy.

New employees shall earn vacation for the year in which they are hired based on the schedule below.

<u>MONTH HIRED</u>	<u>DAYS OF VACATION EARNED</u>
January	5
February	5
March	4
April	4
May	3
June	3
July	2
August	2
September	1
October	0
November	0
December	0

Once employees enter an eligible employment classification, they begin to earn paid vacation time based on their length of service and the schedule below. However, before vacation time can be used, the Introductory Period of 180 calendar days must be completed.

As of January 1, of the year following employment, an employee shall receive 5 days of vacation and on January 1 of the following year the employee will receive vacation based on the schedule that follows.

An employee who is terminated during his or her Introductory Period will not be entitled to pay for accrued vacation. An employee whose Introductory Period is extended will be entitled to vacation unless terminated during the extended Introductory Period.

Any Regular Part Time or Temporary employee hired as Regular Full Time who has accumulated 3 months or more of employment in said calendar year, (not necessarily consecutive days), may have the Introductory Period waived by the Division Supervisor or the County Sheriff into which that individual enters as a regular employee.

Vacation benefits are evenly accrued throughout the year. The following is a summary of maximum accrued vacation benefits based on the employee's length of service.

VACATION EARNING SCHEDULE

(Employees hired prior to 12/1/2003)

<u>Length of service</u>	<u>Vacation days each year</u>
2 <sup>nd</sup> Year through 5 <sup>th</sup> year	10
6 <sup>th</sup> Year through 9 <sup>th</sup> year	15
10 <sup>th</sup> Year and subsequent years	20



## VACATION EARNING SCHEDULE

(Employees hired after 12/1/2003)

<u>Length of service</u>	<u>Vacation days each year</u>
1 <sup>st</sup> Year through 9 <sup>th</sup> year	10
10 <sup>th</sup> Year through 19 <sup>th</sup> year	15
20 <sup>th</sup> Year and subsequent years	20

Paid vacation time can be used only in increments of one day or more. Employees must use a minimum of three (3) days for vacation that is scheduled in conjunction with a designated holiday. To schedule vacation, employees must request approval two (2) weeks in advance from their Division Supervisor or the County Sheriff. Requests will be reviewed based on a number of factors, including departmental needs and staffing requirements.

An employee must take any portion or all of the allowed vacation during the calendar year subject to the approval of the Division Supervisor or the County Sheriff. No accrued but unused vacation balance will be carried forward to the next calendar year. No compensation will be paid for vacation not used.

The Sheriff is responsible for recording vacation time used by non-exempt employees in their department. Exempt employees are required to report vacation time used to the Matron upon returning from vacation.

Vacation can be used immediately at the beginning of the year with Division Supervisor or the County Sheriff approval. If the employee voluntarily or involuntarily terminates employment during the year and has taken more of their vacation time than they have accrued, the amount taken above the accrual will be deducted, to the extent possible, from their final paycheck. If the employee has taken less than the vacation time they have accrued, payment will be made for the balance of accrued but unused vacation.

Employees who have earned twenty (20) or more years of service and leave their employment on a voluntary basis will be paid for all unused vacation time upon termination of employment. Eligible employees who have served in an Elected Official position with the County will not have those years of service counted in the calculation of their service for this payment.

If the employee has taken less than the vacation time they have accrued, payment will be made for the balance of accrued but unused vacation.

### HOLIDAYS

The Board of Commissioners will establish a holiday schedule each year and post it prior to the beginning of the upcoming year. Employees of the Sheriff's Office are eligible for holiday pay or personal time off based on the categories listed below. Part time employees are eligible for holiday pay when the holiday falls on a regularly schedule work day that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

### Administrative Employees

Holiday pay will be based on the Administrative employee's base pay rate, as of the date of the holiday times the number of hours the employee would otherwise have worked on that day. Administrative employees shall receive monetary compensation for holiday pay and shall not be credited with compensatory time-off credit in lieu of monetary compensation. Administrative employees may not substitute another day off instead of the designated day off.

Holidays that fall during an eligible Administrative employee's paid absence (e.g. vacation, annual leave), holiday pay will be provided instead of the paid time off benefit that would otherwise be applied. Employees on an approved leave, including FMLA, for the entire week in which a holiday occurs will not be eligible for holiday pay.

If a full-time non-exempt Administrative employee works on a holiday, he/she will receive his/her regular holiday pay and will receive personal time equal to the number of hours worked on the holiday.

To be eligible for holiday pay, Administrative employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday unless excused by the Division Supervisor or the County Sheriff. Temporary employees are not eligible for holiday pay under any circumstances

### Corrections Officers and Kitchen Staff

Corrections Officers and Kitchen employees will receive of personal time equal to the number of scheduled holidays each year. Regular Full Time and Introductory employees who have completed 180 days of employment are eligible for this time off.

Temporary employees are not eligible for holiday pay under any circumstances

Pay will be based on the employee's base pay rate, as of the date of the personal time is taken. No additional pay or time off will be granted if an employee works on County scheduled holiday. This personal time can only be used in increments of a full shift.

Requests for personal time must be made at least 24 hours in advance. Requests for personal time that short a shift of proper staffing may be denied by the Sheriff or his designee.

The Sheriff reserves the right to deny approved personal time based on staffing needs or operational requirements.

The use of personal time will be tracked based on the holiday schedule of days off. If an employee voluntarily or involuntarily terminates employment during the year and has taken personal time in excess of the number of holidays scheduled off at the time of termination, the excess days will be considered as an overpayment of wages. The County will give the

employee two (2) weeks' notice prior to any deduction from the employee's paycheck. This provision will not apply to employees who are subject to layoff.

EXAMPLE: An employee voluntarily quits on July 30 and has taken 6 days of personal time. Since 4 holidays have been scheduled off at the time of termination, an overpayment of two (2) days wages has occurred and will be deducted from the employee's pay.

### SICK LEAVE BENEFITS

Clinton County provides paid sick leave benefits to all Regular Full-Time employees for periods of temporary absence due to illnesses or injuries.

New employees will accrue sick leave benefits at the rate of 1 day of leave for each 2 full months worked. At the beginning of each year, eligible employees will be credited with 7 days of sick leave benefits. Effective January 1 following their first year of employment, new employees will be credited with 7 days of paid sick leave.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 70 days of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Paid sick leave can be used in minimum increments of one-half day. Employees may use sick leave benefits for an absence due to personal illness or injury or for illness or injury to a family member.

Clinton County defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

The Sheriff is responsible for recording sick time used by non-exempt employees in their department. Exempt employees are required to report sick time used to the Matron upon returning to work.

Before returning to work from a personal sick leave absence of three calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any

payments that an employee is eligible to receive from state disability insurance, workers' compensation or County-provided disability insurance programs.

The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

### PERSONAL TIME

Regular Full Time Employees are eligible for paid personal time to provide them the opportunity to take time off from work for personal reasons without necessarily scheduling the time off as far in advance as for vacation time off as described in this policy. Paid personal time benefits are not to be regarded as "earned" time off, or being "vested" at any time, nor as an additional form of compensation.

Regular Full Time non-exempt employees shall have available 3 days of paid personal time each calendar year. During the first full or partial year of service each eligible employee shall have one (1) day available after successful completion of their Introductory Period. An additional day of paid personal time will be available for each successive period of three (3) months' service during the first full or partial year of service. Employees are not eligible for any personal time during their Introductory Period.

Following their first partial year of employment, employees will be credited with their three (3) personal days at the beginning of the year.

Paid personal time may not be accumulated from one year to another, and no payment shall be due for any unused personal time. Payment for personal time shall be made with payment for the payroll period in which the time was taken.

Paid personal time may not be taken to extend the length of vacation (either at the beginning or end) unless it is requested and approved in advance by the Division Supervisor or the County Sheriff.

The Sheriff is responsible for recording personal time used by non-exempt employees in their department. Exempt employees are required to report personal time used to the Matron upon returning to work

The work requirements of each Department must take priority in scheduling paid personal time. The Division Supervisor or the County Sheriff may cancel previously scheduled paid personal time if the Division Supervisor or the County Sheriff determines that performance of essential public functions of the department is jeopardized by the employee's scheduled absence on paid personal time.

An employee who is absent without advanced approval by the Division Supervisor or the County Sheriff will generally not be permitted to charge the time against available but unused paid personal time and will be subject to disciplinary action up to and including termination of employment.

The Division Supervisor or the County Sheriff may, however, allow time off that was not scheduled in advance to be charged against available but unused paid personal time if the Division Supervisor or the County Sheriff, in his or her discretion, judges the circumstances to have constituted an emergency. No employee shall be entitled to payment of the cash equivalence of any unused personal time upon termination of employment.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

#### MILITARY FAMILY LEAVE (STATE)

Under Indiana's Military Family Leave Act (IMFLA), eligible employees are entitled to an unpaid leave of absence to spend time with certain family members who are engaged in or called to active military service.

#### IMFLA Eligibility

An eligible employee under IMFLA is an employee who has been employed by the County for at least 12 months, who has worked at least 1,500 hours during the 12-month period immediately preceding the leave, and who is the spouse, parent, grandparent, sibling, or court-appointed guardian or custodian (all as construed according to the statute) of a person who is ordered to active duty.

The term "active duty" means full-time service on active duty orders in the armed forces of the United States or the National Guard for a period that exceeds 89 consecutive calendar days.

#### Reasons for IMFLA Leave

An eligible employee may take IMFLA leave of up to 10 cumulative working days per calendar year during one or more of the following periods:

- Within the 30-day period before a spouse, son, daughter, grandson, granddaughter or sibling ("military family member") begins active duty
- During a period when the military family member is on leave
- During the 30-day period after a military family member's active duty orders are terminated

#### Compensation for IMFLA Leave

Employees will be required to first use unused personal days and one half of their vacation time before taking unpaid leave. Such paid leave will be counted toward the employee's 10 days of IMFLA leave granted per year.

#### Job and Benefits Security

An eligible employee who takes leave under the IMFLA and who returns to work before his or her IMFLA leave entitlement has expired will be restored to the position the employee held when the leave commenced or to an otherwise equivalent position with respect to seniority, pay, benefits, and other terms and conditions of employment.

#### Employee Notice and Leave Request Requirements

An eligible employee must give their Division Supervisor or the Sheriff at least 30 days' written notice of his or her intent to take leave under the IMFLA unless the military family member's active duty orders are issued less than 30 days prior to the requested leave. An eligible employee must also provide a copy of the active duty orders, if available, along with the leave request.

The Sheriff's Office reserves the right to require verification of the employee's eligibility for IMFLA leave. If an employee fails to provide such verification, then his or her absence will be considered unexcused.

#### Continuation of Group Health Plan Coverage

During the leave, the employee will retain all benefits. If the employee is not receiving a check, the employee must pay the employee's portion of all benefits to the Clinton County Auditor in advance on or before the first day of each month.

#### Non-Discrimination/Non-Retaliation Policy Statement

The Sheriff's Office will not interfere with, restrain, or deny an employee's exercise of right under the IMFLA.

#### BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her Division Supervisor or the County Sheriff immediately.

Subject to the Division Supervisor's or the County Sheriff's approval, up to three days of paid bereavement leave will be provided to Regular Full-Time employees.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the Division Supervisor's or the County Sheriff's approval, use any available paid leave for additional time off as necessary. Bereavement pay is calculated based on the base pay rate at the time of absence.

Clinton County defines "immediate family" as the employee's spouse, parent, child, and sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

#### JURY DUTY

Clinton County encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Employees must show the jury duty summons to their Division Supervisor or the County Sheriff as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits. The amount of per diem paid to an employee for jury duty shall be paid to the County or deducted from the employee's pay if kept by the employee. Mileage compensation shall be kept by the employee.

Either the Sheriff's Office or the employee may request an excuse from jury duty if, in Sheriff's Office judgment, the employee's absence would create serious operational difficulties.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Regular Full Time, Regular Part Time and Introductory Employees are eligible for paid jury duty leave.

Clinton County will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits, will continue to accrue during unpaid jury duty leave.

#### WITNESS DUTY

Clinton County encourages employees to appear in court for witness duty when subpoenaed to do so. Regular Full Time, Regular Part Time and Introductory Employees are eligible for paid witness duty leave.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the County, they will receive paid time off for the entire period of witness duty. Employees will be granted a maximum of eight hours of paid time off to appear in court as a witness at the request of a party other than the County. Employees will be paid at their base pay rate and are free to use any remaining paid leave benefits (e.g. vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the Division Supervisor or the County Sheriff immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

### STANDARDS OF CONDUCT

#### VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the Sheriff's Office facility, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

During normal daily operations, all visitors must report to the Receptionist and register. All visitors to the facility will be escorted to their destination. Visitors to the jail area must have prior approval of the Division Supervisor or the County Sheriff.

If an unauthorized individual is observed on the Sheriff's Office premises, employees should immediately notify their Division Supervisor or the County Sheriff.

This applies to SOLICITORS since the County has a NO SOLICITING policy and signs are posted at each entrance.

### REST AND MEAL PERIODS

Under normal operating circumstances, employees will be provided with two rest periods of 15 minutes in length and one meal period of forty-five (45) minutes in length each day. These times may be scheduled by the Division Supervisor. During these scheduled times employees will remain in an on-call status. This time is not to be used to arrive late or leave early from your scheduled work time.

Any time that an employee spends away from their work station to smoke or attend to other personal business is considered break time.

### ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the Sheriff's Office employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Sheriff's Office.

In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Division Supervisor or the County Sheriff Office as soon as possible in advance of the anticipated tardiness or absence.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided. The purpose of this policy is to promote the efficient operation of the Sheriff's Office and minimize unscheduled absences.

Prescheduled times away from work using vacation time are not considered occurrences for the purpose of this policy.

Excused Absence occurs when all four of the following conditions are met:

- The employee provides sufficient notice to the Division Supervisor.
- The reason is found credible or acceptable by the Division Supervisor.
- The absence request is approved by the Division Supervisor.
- The employee has sufficient accrued vacation, sick or personal time to cover the absence.



Sufficient Notice – To be considered an excused absence as defined above, sufficient notices must be given to the Director or Shift Supervisor. Sufficient notice is:

- For a scheduled absence of 8 hours or more, employees must give a notice of one week (7 days).
- For a scheduled absence of less than 8 hours, employees must give a notice of two working days.
- For an emergency absence occurring a) at the beginning of the employee's shift, employees must notify the Division Supervisor within 60 minutes prior to the beginning of their shift and b) during the employee's shift, employees must notify the Division Supervisor prior to leaving the premises.

Employees are expected to report to work on time. Employees, who can't report to work as scheduled, should notify the Division Supervisor no later than 60 minutes prior to the regular starting time. This notification does not excuse the tardiness but simply notifies the Division Supervisor that a schedule change may be necessary.

The Division Supervisor must approve any exceptions to this provision or any conflicts in scheduling.

Unexcused Absence occurs when one of the four conditions in (1) above is not met. If it is necessary for an employee to be absent or late for work because of illness or an emergency, employees must notify the Division Supervisor no later than 60 minutes before the scheduled starting time on that same day. Employees who are unable to call may have someone make the call for them.

Sixteen (16) hours of unexcused absence may subject you to immediate termination. Progressive discipline will be administered according to the table in Section E. Hours are counted in a rolling six-month period. Unexcused hours expire six months from the date of the incident.

Although hours will roll off an employee's record after six months, habitual offenders (those who have established a pattern of absences, or routinely call off on Mondays and/or Fridays) may trigger step discipline even though six-month old hours have fallen off, if the employee continues to incur occurrences.

Employees who have three (3) consecutive days of excused absences must give the Sheriff's office proof of physician's care. If an illness or injury prevents an employee from performing their regularly scheduled duties, a physician's statement must be provided verifying (a) the nature of the illness or injury; (b) if and when the employee will be able to return to work, if applicable; and (c) whether the employee is capable of performing their regularly scheduled duties, and if not, what duties the employee is capable of performing.

The employee is responsible for providing the Sheriff's Office with the above-described physician's proof of physician's care. Without an acceptable excuse, the employee may be subject to immediate termination.

Any employee who fails to report to work without notification to his or her supervisor for a period of three days or more will be considered to have voluntarily terminated their employment relationship.

#### Progressive Discipline for Unexcused Absences

First Instance	Verbal Warning
Second & All Future Instances Totaling Fewer Than 16 hours	Written Warning
At 16 Hours of Accumulated Unexcused Absences	Subject to Termination

#### PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Sheriff's Office presents to customers and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

Consult your Division Supervisor or the County Sheriff if you have questions as to what constitutes appropriate attire and appearance.

#### EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt governmental operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When facilities are officially closed due to a Level 1 emergency declared by the Board of Commissioners, the time off from scheduled work for full time exempt and non-exempt employees will be paid.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive their regular pay for all hours worked.

In County declared weather-related emergencies, employees who can safely travel to and from work may be asked by their Department Head or Elected Official to report for work due to the office workload or time-sensitive nature of the work to be performed

When operations are not officially closed, but some employees are unable to get to report for work, employees may use compensatory time, personal time, vacation days, or unpaid time off.

For the purposes of timekeeping and attendance, an emergency refers to states of emergency declared by the Board of Commissioners or by authorities of the State or Federal Governments.

Regular Full Time, Regular Part Time and Introductory Employees who are prohibited by declared emergencies from traveling to work will be excused for the duration of the declared emergency.

## EMPLOYEE CONDUCT AND PROBLEM RESOLUTION

### DRUG TESTING

See Addendum A.

### PROGRESSIVE DISCIPLINE

The Sheriff's Office own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial.

The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

The following four steps are recommended to all Division Supervisors and the County Sheriff:

- Step 1-- verbal warning
- Step 2 -- written warning
- Step 3-- suspension without pay
- Step 4-- termination of employment

Depending on the severity of the problem and the number of occurrences, there may be circumstances when one or more steps are bypassed.

A copy of all written disciplinary actions will be forwarded to the Auditor's office and filed in the employee's personnel file. Division Supervisors and the County Sheriff are encouraged to maintain their own records of disciplinary action.

The Sheriff's Office recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps. Such action is within the discretion of each Division Supervisors or the County Sheriff.

## PROBLEM RESOLUTION

The Sheriff's Office is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the employee's Division Supervisors or the County Sheriff.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

6. Employee presents written problem to their Division Supervisor within 30 calendar days after the incident occurs.
7. The Division Supervisor should respond to the problem during its initial discussion or orally within 15 calendar days, after consulting with appropriate offices, when necessary. Such discussions should be documented.
8. If, after the oral discussion, the employee feels the issue is still not resolved, the employee may request that the matter be reviewed informally by the County Sheriff. The issue must be presented, in writing, to the County Sheriff within 15 calendar days of the oral response from the Division Supervisor.
9. The County Sheriff will review the issue and respond, in writing, within 30 calendar days. The County Sheriff may make a non-binding recommendation to resolve the problem.
10. If the problem does not place the County at risk of non-compliance with any Federal or State law, the decision of the County Sheriff shall be final.

While not every problem can be resolved to everyone's total satisfaction, it is believed that discussion of problems will best assure a harmonious work environment.

## **SECTION SIX - CENTRAL DISPATCH**

### INTRODUCTORY STATEMENT

This section applies to employees of Clinton County Central Dispatch.

### EMPLOYMENT

#### INTRODUCTORY PERIOD

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

end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first one hundred eighty (180) calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the Director determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a period specified by the Director.

In cases of promotions or transfers within the County, an employee who, in the sole judgment of the Director, is not successful in the new position can be removed from that position at any time during the secondary introductory period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job, for which the employee is qualified, depending on the availability of such positions and Clinton County's needs.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. They may also be eligible for other County-provided benefits, subject to the terms and conditions of each benefits program. Upon satisfactory completion of the initial introductory period, employees enter the Regular Full Time or Regular Part Time employment classification.

Benefits eligibility and employment status are not changed during the secondary introductory period that result from a promotion or transfer within the County.

## PAY AND HOURS OF WORK

### TIMEKEEPING

Accurately recording time worked is the responsibility of every employee. Federal and state laws require Clinton County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All non-exempt employees must accurately record the time they begin and end work each day. They also must record the hours of any departure or absence from work for personal reasons. Overtime work must always be approved before it is performed and an unencumbered balance must exist in the budget for that department for overtime purposes.

Overtime means hours worked in excess of 40 hours in any workweek or 168 hours in a month, and for which compensation at 1 1/2 times the employee's regular base pay rate is payable. In addition, employees may not work in excess of 40 hours per workweek or their

regular weekly scheduled hours without the Director's approval. An unencumbered balance must exist in the budget for that department for such purposes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign his or her time sheet to certify the accuracy of all time recorded. The Director will review and then sign the time record before submitting it for payroll processing.

In addition, if corrections or modifications are made to the time record, both the employee and the Director must verify the accuracy of the changes by initialing the time record.

To function properly each office may necessarily utilize employees' time differently within the framework of the employee's regular scheduled workweek. For this reason, the Director will have the discretion to permit individual employees to arrive or depart earlier or later, or to work through their lunch period and otherwise adjust their employees' schedules to meet demands of the office while adhering to the regular scheduled workweek.

In every case, however, it is a legal necessity and a requirement of continued employment that the employee's timesheet accurately reflect the beginning and ending time of each period of work and each day worked.

### WORK SCHEDULES

The standard work week begins at 1:01 am Saturday and ends at 1:00 am on the following Saturday.

Central Dispatch employees will generally be scheduled to work twelve (12) hour shifts. Employees may not alter or trade schedules without prior approval of the Director. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

### OVERTIME

Overtime is defined as over 40 hours/week. Time worked up to 40 hours will be paid at regular pay. Time worked over 40 hours per week will be paid at time and one half.

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime. When possible, advance notification of these mandatory assignments will be provided. In the case of an unscheduled absence, an employee may be required to remain over for a portion of the following shift and another employee may be called in early prior to the beginning of their normal shift.

Time off for Jury Duty, Witness Duty, and scheduled Holidays worked will be considered as hours worked for purposes of calculating overtime. Vacation time, holidays that fall on a scheduled day off or other leave time will not be considered as hours worked.

All overtime work must receive the Director's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Employees who perform work in two different jobs with different rates of pay will be paid overtime at the rate of pay for the job that takes them over forty (40) hours in a work week.

Failure to work scheduled overtime or overtime worked without prior authorization from the Director may result in disciplinary action, up to and including termination of employment.

#### COMPENSATORY TIME OFF (Non-Exempt Employees)

If an Elected Official or Department Head elects to use compensatory time off (comp time) in lieu of extra hours and overtime compensation for non-exempt employees, the employee will be compensated at the rate of one (1) hour of comp time off for every hour worked up to forty (40) hours per week and one and one-half (1 ½) hours of comp time off for every hour worked over forty (40) hours per week.

If the department elects to give comp time off, an employee will be required to sign a Compensatory Time Off Agreement upon initial employment in the department or prior to the pay period in which the comp time is earned.

Employees will not be allowed to earn more than two (2) times the number of hours they are regularly scheduled per week. (e.g. an employee who is scheduled to work 40 hours cannot earn more than 80 hours of comp time). Extra hours and overtime worked after an employee earns the maximum amount of comp time will be paid as monetary compensation.

When an employee is promoted or transferred from a non-exempt to an exempt position, the employee may be paid the earned comp time or continue to use the comp time. In either case, an accurate record must be kept to ensure that the employee uses the comp time or receives monetary compensation at the time of separation from County employment.

Department Heads will be responsible for maintaining a record of comp time earned and used by each employee. Comp time that is earned and used should be recorded on the employee's time record.

## EMPLOYEE BENEFITS

### VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular Full-Time employees are eligible to earn and use vacation time as described in this policy.

New employees shall earn vacation for the year in which they are hired based on the schedule below. However, before vacation time can be used, the Introductory Period of 180 calendar days must be completed.

<u>MONTH HIRED</u>	<u>DAYS OF VACATION EARNED</u>
January	5
February	5
March	4
April	4
May	3
June	3
July	2
August	2
September	1
October	0
November	0
December	0

Once employees enter an eligible employment classification, they begin to earn paid vacation time based on their length of service.

As of January 1, of the year following employment, an employee shall receive 5 days of vacation and on January 1 of the following year the employee will receive vacation based on the schedule that follows.

An employee who is terminated during his or her Introductory Period will not be entitled to pay for accrued vacation. An employee whose Introductory Period is extended will be entitled to vacation unless terminated during the extended Introductory Period.

Any Regular Part Time or Temporary employee hired as Regular Full Time who has accumulated 3 months or more of employment in said calendar year, (not necessarily consecutive days), may have the Introductory Period waived by the Director.

Vacation benefits are evenly accrued throughout the year. The following is a summary of maximum accrued vacation benefits based on the employee's length of service.



VACATION EARNING SCHEDULE

(Employees hired prior to 12/1/2003)

<u>Length of service</u>	<u>Vacation days each year</u>
2 <sup>nd</sup> Year through 5 <sup>th</sup> year	10
6 <sup>th</sup> Year through 9 <sup>th</sup> year	15
10 <sup>th</sup> Year and subsequent years	20

VACATION EARNING SCHEDULE

(Employees hired after 12/1/2003)

<u>Length of service</u>	<u>Vacation days each year</u>
1 <sup>st</sup> Year through 9 <sup>th</sup> year	10
10 <sup>th</sup> Year through 19 <sup>th</sup> year	15
20 <sup>th</sup> Year and subsequent years	20

To schedule vacation, employees must request approval two (2) weeks in advance from the Director. Requests will be reviewed based on a number of factors, including departmental needs and staffing requirements.

An employee must take any portion or all of the allowed vacation during the calendar year subject to the approval of the Director. No accrued but unused vacation balance will be carried forward to the next calendar year. No compensation will be paid for vacation not used.

Vacation can be used immediately at the beginning of the year with the Director's approval. If the employee voluntarily or involuntarily terminates employment during the year and has taken more of their vacation time than they have accrued, the amount taken above the accrual will be deducted, to the extent possible, from their final paycheck. This provision will not apply to employees who are subject to layoff.

Employees who have earned twenty (20) or more years of service and leave their employment on a voluntary basis will be paid for all unused vacation time upon termination of employment. Eligible employees who have served in an Elected Official position with the County will not have those years of service counted in the calculation of their service for this payment. If the employee has taken less than the vacation time they have accrued, payment will be made for the balance of accrued but unused vacation.

HOLIDAYS

Employee will receive personal time equal to the number of scheduled holidays each year. Regular Full Time and Introductory employees who have completed 180 days of employment are eligible for this time off. Temporary employees are not eligible for holiday pay under any circumstances.

Pay will be based on the employee's base pay rate, as of the date of the personal time is taken. No additional pay or time off will be granted if an employee works on County scheduled holiday. This personal time can be used in minimum increments of 1 day.

Requests for personal time must be made at least 24 hours in advance. Requests for personal time that short a shift of proper staffing may be denied by the Director or his/her designee.

### SICK LEAVE BENEFITS

Clinton County provides paid sick leave benefits to all Regular Full-Time employees for periods of temporary absence due to illnesses or injuries.

New employees will accrue sick leave benefits at the rate of 1 day of leave for each 2 full months worked. At the beginning of each year, eligible employees will be credited with 7 days of sick leave benefits. Effective January 1 following their first year of employment, new employees will be credited with 7 days of paid sick leave.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 70 days of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit.

Paid sick leave can be used in minimum increments of one half day. Employees may use sick leave benefits for an absence due to personal illness or injury or for illness or injury to a family member.

Clinton County defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Before returning to work from a personal sick leave absence of three calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or County-provided disability insurance programs.

The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

### PERSONAL TIME

Regular Full Time Employees are eligible for paid personal time to provide them the opportunity to take time off from work for personal reasons without necessarily scheduling the time off as far in advance as for vacation time off as described in this policy.

Paid personal time benefits are not to be regarded as "earned" time off, or being "vested" at any time, nor as an additional form of compensation.

Regular Full-Time employees shall have available 3 days of paid personal time each calendar year. During the first full or partial year of service each eligible employee shall have 1 day available after successful completion of their Introductory Period. An additional day of paid personal time will be available for each successive period of three (3) months' service during the first full or partial year of service. Employees are not eligible for any personal time during their Introductory Period.

Following their first partial year of employment, employees will be credited with their 3 days at the beginning of the year. Personal time can be used in minimum increments of 2 hours.

Paid personal time may not be accumulated from one year to another, and no payment shall be due for any unused personal time. Payment for personal time shall be made with payment for the payroll period in which the time was taken.

Paid personal time may not be taken to extend the length of vacation (either at the beginning or end) unless it approved in advance by the Director.

The Director may cancel previously scheduled paid personal time if the Director determines that performance of essential public functions of the department is jeopardized by the employee's scheduled absence on paid personal time.

Employees who are absent without advanced approval by the Director, the employee will generally not be permitted to charge the time against available but unused paid personal time and will be subject to disciplinary action up to and including termination of employment.

The Director may, however, allow time off that was not scheduled in advance to be charged against available but unused paid personal time if the Director, in his or her discretion, judges the circumstances to have constituted an emergency. No employee

shall be entitled to payment of the cash equivalence of any unused personal time upon termination of employment.

### JURY DUTY

Clinton County encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Employees must show the jury duty summons to the Director as soon as possible so the Director may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits. The amount of per diem paid to an employee for jury duty shall be paid to the County or deducted from the employee's pay if kept by the employee. Mileage compensation shall be kept by the employee.

Either the Central Dispatch Office or the employee may request an excuse from jury duty if, in Central Dispatch Office judgment, the employee's absence would create serious operational difficulties.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Regular Full Time, Regular Part Time and Introductory Employees are eligible for paid jury duty leave.

Clinton County will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits, will continue to accrue during unpaid jury duty leave.

### WITNESS DUTY

Clinton County encourages employees to appear in court for witness duty when subpoenaed to do so. Regular Full Time, Regular Part Time and Introductory Employees are eligible for paid witness duty leave.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the County, they will receive paid time off for the entire period of witness duty. Employees will be granted a maximum of eight hours of paid time off to appear in court as a witness at the request of a party other than the County.

Employees will be paid at their base pay rate and are free to use any remaining paid leave benefits (e.g. vacation leave) to receive compensation for any period of witness duty absence that would otherwise be unpaid.

The subpoena should be shown to the Director immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

## STANDARDS OF CONDUCT

### VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the Central Dispatch Office facility, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

During normal daily operations, all visitors must report to the Receptionist and register. All visitors to the facility will be escorted to their destination. Visitors to the dispatch area must have prior approval of the Director.

If an unauthorized individual is observed on the Central Dispatch Office premises, employees should immediately notify the Director.

This policy applies to solicitors since the County has a no solicitation policy and signs are posted at each entrance.

### ATTENDANCE AND PUNCTUALITY

Punctual and regular attendance is an essential responsibility of each employee in the Central Dispatch Office. Any tardiness or absence causes problems for fellow employees and the Director. When an employee is absent, others must perform his or her work.

Employees are expected to report to work as scheduled, on time and prepared to start work. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided. The purpose of this policy is to promote the efficient operation of the Central Dispatch Office and minimize unscheduled absences.

Prescheduled times away from work using vacation time are not considered occurrences for the purpose of this policy.

Excused Absence occurs when all four of the following conditions are met:

- The employee provides sufficient notice to the Director.
- The reason is found credible or acceptable by the Director.
- The absence request is approved by the Director.
- The employee has sufficient accrued vacation, sick or personal time to cover the absence.

Sufficient Notice – To be considered an excused absence as defined above, sufficient notices must be given to the Director or Shift Supervisor. Sufficient notice is:

- For a scheduled absence of 8 hours or more, employees must give a notice of one week (7 days).
- For a scheduled absence of less than 8 hours, employees must give a notice of two working days.
- For an emergency absence occurring a) at the beginning of the employee's shift, employees must notify the Director or Shift Supervisor within 60 minutes prior to the beginning of their shift and b) during the employee's shift, employees must notify the Director or Shift Supervisor prior to leaving the premises.

Employees are expected to report to work on time. Employees, who can't report to work as scheduled, should notify the Director or Shift Supervisor no later than 60 minutes prior to the regular starting time. This notification does not excuse the tardiness but simply notifies the Director or Shift Supervisor that a schedule change may be necessary.

The Director must approve any exceptions to this provision or any conflicts in scheduling.

Unexcused Absence occurs when one of the four conditions in (1) above is not met. If it is necessary for an employee to be absent or late for work because of illness or an emergency, employees must notify the Director or Shift Supervisor no later than 60 minutes before the scheduled starting time on that same day. Employees who are unable to call may have someone make the call for them.

Sixteen (16) hours of unexcused absence may subject you to immediate termination. Progressive discipline will be administered according to the table in Section E.

Hours are counted in a rolling six-month period. Unexcused hours expire six months from the date of the incident.

Although hours will roll off an employee's record after six months, habitual offenders (those who have established a pattern of absences, or routinely call off on Mondays and/or Fridays) may trigger step discipline even though six-month old hours have fallen off, if the employee continues to incur occurrences.

Employees who have three (3) consecutive days of excused absences must give the Director's office proof of physician's care. If an illness or injury prevents an employee from performing their regularly scheduled duties, a physician's statement must be provided verifying (a) the nature of the illness or injury; (b) if and when the employee will be able to return to work, if applicable; and (c) whether the employee is capable of performing their regularly scheduled duties, and if not, what duties the employee is capable of performing.

The employee is responsible for providing the Director's Office with the above-described physician's proof of physician's care. Without an acceptable excuse, the employee may be subject to immediate termination.

Any employee who fails to report to work without notification to his or her supervisor for a period of three days or more will be considered to have voluntarily terminated their employment relationship.

Progressive Discipline for Unexcused Absences

First Instance	Verbal Warning
Second & All Future Instances Totaling Fewer Than 16 hours	Written Warning
At 16 Hours of Accumulated Unexcused Absences	Subject to Termination

PROBLEM RESOLUTION

The Central Dispatch Office is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the Director.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

Employee presents written problem to the Director within 30 calendar days after the incident occurs.

The Director should respond to the problem during its initial discussion or orally within 15 calendar days, after consulting with appropriate offices, when necessary. Such discussions should be documented.

If, after the oral discussion, the employee feels the issue is still not resolved, the employee may request that the matter be reviewed informally by the Central Dispatch Board. The issue must be presented, in writing, to the Board of Commissioners within 15 calendar days of the oral response from the Director.

The Board of Commissioners will review the issue and respond, in writing, within 30 calendar days. The Board of Commissioners may make a non-binding recommendation to resolve the problem.

If the problem does not place the County at risk of non-compliance with any Federal or State law, the decision of the Board of Commissioners shall be final.

While not every problem can be resolved to everyone's total satisfaction, it is believed that discussion of problems will best assure a harmonious work environment.

## **SECTION SEVEN- EMS OPERATIONS**

### **INTRODUCTORY STATEMENT**

This Section applies to Clinton County Emergency Medical Personnel and Transport employees.

### **EMPLOYMENT**

#### **PRE-EMPLOYMENT**

To be eligible to be an employee, Clinton County EMS has set forth requirements that shall be adhered to.

- A. The applicant shall be a citizen of the United States.
- B. The applicant shall not be under the age of 18.
- C. The applicant shall be free from any major impediment of the senses.
- D. The applicant shall be a high school graduate as evidence by a diploma issued by a high school accredited by the department or agency of a state institution authorized to accredit high schools. An equivalency diploma issued by such an accredited high school is also acceptable.
- E. The applicant shall possess a valid driver's license from the State of Indiana.
- F. The Director shall order a criminal background check on all applicants.
- G. All applicants shall apply for employment on the form provided by the Clinton County Auditor's office.
- H. The applicant shall be required to sign a release to allow for a criminal background check.
- I. The applicant shall be a nationally registered paramedic and or an Indiana State certified paramedic.
- J. The applicant shall be certified in advanced Cardiac Life Support.
- K. The applicant shall pass a pre-employment drug and alcohol screening.

#### **OUTSIDE EMPLOYMENT**

Employees may hold outside jobs as long as they meet the performance standards of their job with the County. All employees will be judged by the same performance standards and will be subject to the County's scheduling demands, regardless of any existing outside work requirements.

If the Department Head determines that an employee's outside work interferes with performance or the ability to meet the requirements of the County as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the County.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the County for materials produced or services rendered while performing their jobs.

#### **FURNISHING INFORMATION TO APPLICANTS**

Furnishing information to an applicant for appointment or promotion which gives that person an advantage over another applicant shall be considered a violation of the rules



of Clinton County EMS and may subject the person(s) involved to disciplinary action, up to and including dismissal, in accordance with the rules and procedures that have been established by Clinton County EMS and Indiana law.

### INTRODUCTORY PERIOD

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations.

The EMS director will use this period to evaluate employee capabilities, work habits, and overall performance. The shift officers in which the employees are stationed will assist with this evaluation. Either the employee or the County may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

The introductory period will be determined by the EMS Director based upon the initial performance of the new employee up to a maximum of 180 calendar days beginning on the date of hire. If Clinton County EMS determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specific period determined by the EMS director.

During the introductory period, a performance evaluation will take place every 90 days to help assist the new employee or re-hired employee in completing their introductory period. Upon satisfactory completion of the introductory period, employees enter into the "regular" employment classification.

## PAY AND HOURS OF WORK

### TIMEKEEPING

Accurate recording time worked is the responsibility of every employee. Federal and state laws require Clinton County to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All non-exempt employees must accurately record the time they begin and end work each day. They also must record the hours of any departure or absence from work for personal reasons. Overtime work must always be approved before it is performed and an unencumbered balance must exist in the budget for that department for overtime purposes.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to approve his or her time sheet to certify the accuracy of all time recorded. The Department Head will review and then sign the time record before submitting it for payroll processing.

In addition, if corrections or modifications are made to the time record, both the employee and the Department Head must verify the accuracy of the changes by initialing the time record.

Each office may utilize employees' time differently within the framework of the 48-hour workweek. For this reason, the Department Head will have the discretion to permit individual employees to arrive or depart earlier or later, or to work through part of a lunch period and otherwise adjust their employees' schedules to meet demands of the office while adhering to the 48-hour workweek.

In every case, however, it is a legal necessity and a requirement of continued employment that the employee's timesheet accurately reflect the beginning and ending time of each period of work and each day worked.

### WORK SCHEDULES

The standard work week begins at 12:01 am Saturday and ends at 12:00 midnight on the following Friday. The work schedule for EMS based on 24 hours a day, seven days a week. The Department Head will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Work schedules for employees vary throughout the County.

### SHIFT TRADING

Employees may exchange regular duty time off with other employees of the same certification after requesting a trade on trade form and obtaining approval from the EMS Director. All shift trades need to be paid back within the 14 day pay cycle.

### OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime is defined as over 48 hours/week. Time worked up to 40 hours will be paid at regular pay. Time worked over 40 hours per week will be paid at half time. Time worked over 48 hours will be paid at time and one half.

Time off for Jury Duty, Witness Duty and scheduled Holidays will be considered as hours worked for purposes of calculating overtime. Vacation time or other leave time will not be considered as hours worked. When possible, advance notification of these mandatory assignments will be provided.

All overtime work must receive the Department Head's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Employees who perform work in two different jobs with different rates of pay will be paid overtime at the rate of pay for the job that takes them over forty (40) hours in a work week.

Failure to work scheduled overtime or overtime worked without prior authorization from the Department Head may result in disciplinary action, up to and including termination of employment.

#### COMPENSATORY TIME OFF (Non-Exempt Employees)

If the Department Head elects to use compensatory time off (comp time) in lieu of extra hours and overtime compensation for non-exempt employees, the employee will be compensated at the rate of one half (1/2) hour of comp time off for every hour worked between 40 and 48 hours. Time worked over 48 hours per week will be compensated at one and one-half (1 1/2) hours.

If the department elects to give comp time off, an employee will be required to sign a Compensatory Time Off Agreement upon initial employment in the department or prior to the pay period in which the comp time is earned.

Employees will not be allowed to earn more than 96 hours of comp time. Extra hours and overtime worked after an employee earns the maximum amount of comp time will be paid as monetary compensation.

When an employee is promoted or transferred from a non-exempt to an exempt position, the employee may be paid the earned comp time or continue to use the comp time. In either case, an accurate record must be kept to ensure that the employee uses the comp time or receives monetary compensation at the time of separation from County employment.

Department Heads will be responsible for maintaining a record of comp time earned and used by each employee. Comp time that is earned and used should be recorded on the employee's time record.

### EMPLOYEE BENEFITS

#### VACATION BENEFITS

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular Full-Time employees are eligible to earn and use vacation time as described in this policy.

New employees shall earn vacation for the year in which they are hired based on the schedule below.

<u>MONTH HIRED</u>	<u>HOURS OF VACATION EARNED</u>
January	48
February	48
March	48
April	24
May	24
June	24
July	24
August	24
September	24
October	0
November	0
December	0

Once employees enter an eligible employment classification, they begin to earn paid vacation time based on their length of service for the upcoming year and the schedule below. However, before vacation time can be used, the Introductory Period of 90 calendar days must be completed.

An employee who is terminated during his or her Introductory Period will not be entitled to pay for accrued vacation. An employee whose Introductory Period is extended will be entitled to vacation unless terminated during the extended Introductory Period.

Any Regular Part Time or Temporary employee hired as Regular Full Time who has accumulated 3 months or more of employment in said calendar year, (not necessarily consecutive days), may have the Introductory Period waived by the Department Head into which that individual enters as a regular employee.

Vacation benefits are evenly accrued throughout the year. The following is a summary of maximum accrued vacation benefits based on the employee's length of service.

VACATION EARNING SCHEDULE

1 Day = 24 hours  
1 Week = 48 hours

<u>Length of service</u>	<u>Vacation hours each year</u>
1 <sup>st</sup> Year through 9 <sup>th</sup> year	96 hours
10 <sup>th</sup> Year through 19 <sup>th</sup> year	144 hours
20 <sup>th</sup> Year and subsequent years	192 hours

Paid vacation time must be used in increments of 8 hours or more. To take vacation, employees must request advance approval from their Department Head. Requests will be

reviewed based on a number of factors, including departmental needs and staffing requirements.

An employee must take any portion or all of the allowed vacation during the calendar year subject to the approval of the Department Head. The Department Head is responsible for recording vacation time used by non-exempt employees in their department.

All vacations may be postponed, split, or rescheduled by the EMS Director at any time, based on manpower levels are below the minimum acceptable standards and over-time funds are completely expended.

Exempt employees are required to report vacation time used to the Auditor's Payroll Clerk upon returning from vacation.

No accrued but unused vacation balance will be carried forward to the next calendar year. Therefore, vacation is either used or lost. No compensation will be paid for vacation not used.

Vacation can be used immediately at the beginning of the year with Department Head approval. If the employee voluntarily or involuntarily terminates employment during the year and has taken more of their vacation time than they have accrued, the amount taken above the accrual will be deducted, to the extent possible, from their final paycheck. This provision will not apply to employees who are subject to Layoff.

Employees who have earned twenty (20) or more years of service and leave their employment on a voluntary basis will be paid for all unused vacation time upon termination of employment. Eligible employees who have served in an Elected Official position with the County will not have those years of service counted in the calculation of their service for this payment.

If the employee has taken less than the vacation time they have accrued, payment will be made for the balance of accrued but unused vacation.

### HOLIDAYS

The Board of Commissioners will establish a holiday schedule each year and post it prior to the beginning of the upcoming year. Regular Full-Time employees are eligible for holiday time off.

Holiday pay will be based on the employee's base pay rate, as of the date of the holiday times the number of hours the employee would otherwise have worked on that day.

Employees shall receive monetary compensation for holiday pay and shall not be credited with compensatory time-off credit in lieu of monetary compensation. Employees may not substitute another day off instead of the designated day off.

Holidays that fall during an eligible employee's paid absence (e.g. vacation, annual leave), holiday pay will be provided instead of the paid time off benefit that would otherwise be applied. Employees on an approved leave, including FMLA, for the entire week in which a holiday occurs will not be eligible for holiday pay.

If a full-time non-exempt employee works on a holiday, he/she will receive their regular pay and a \$300 holiday allowance. To be eligible for holiday allowance, employees must work the entire 24-hour shift. unless excused by the Department Head.

### SICK LEAVE BENEFITS

Clinton County provides paid sick leave benefits to all Regular Full-Time employees for periods of temporary absence due to illnesses or injuries.

New employees will accrue sick leave benefits at the rate of 1 day (24 hours) of leave for each 2 full months worked. Effective January 1 following their first year of employment, new employees will be credited with 96 hours of paid sick leave.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 960 hours of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit. Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence.

Paid sick leave can be used in minimum increments of eight hours. Employees may use sick leave benefits for an absence due to personal illness or injury or for illness or injury to a family member.

Clinton County defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

Before returning to work from a personal sick leave absence of three calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits may be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or County-provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

Employees who are unable to report to work due to illness or injury shall notify the Director before 0600 of their workday if possible. The Director must also be contacted on each additional day of absence. An employee who is absent for two or more consecutive shifts due to illness or injury a physician's written statement must be provided verifying the illness and its beginning and anticipated ending dates.

Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits. The EMS Director may request a second opinion on the employee's ability to return to regular full-time status without restrictions. The decision of the EMS Director on the return to work status of an employee will be final.

The Director may, at his/her discretion, investigate sick time off. Violations of sick leave benefits may be considered unexcused absences and may result in disciplinary action.

Sick leave benefits will be used to supplement any payments that an employee is eligible to receive for state disability insurance, worker's compensation or Clinton County provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

If the employee has exhausted their allotment of sick time and calls in sick, vacation, Comp, holiday, or personal time will be used to cover the absence under the same guidelines that sick time is used. If no vacation, Comp, holiday or personal time is available then leave time will be unpaid.

If during the course of the employee's recovery it is determined that the employee is working an off-duty job or may be able to do light duty, the employee will be required to return to duty and will be given appropriate responsibilities under the circumstances.

The EMS Director is responsible for recording the use of sick leave benefits used by non-exempt employees in the department. Exempt employees are required to report the amount of sick leave benefits used to the Auditor's Payroll Clerk upon returning to work.

#### PERSONAL TIME

Regular Full Time Employees are eligible for paid personal time to provide them the opportunity to take time off from work for personal reasons without necessarily scheduling the time off as far in advance as for vacation time off as described in this policy.

Paid personal time is not to be regarded as "earned" time off, or being "vested" at any time, nor as an additional form of compensation.

Regular Full-Time employees shall have 48 hours of paid personal time each calendar year after the first year of service. During the first full or part year of service each eligible employee shall have 24 hours available.

An additional 24 hours of paid personal time will be available following the completion of an additional period of three (3) months' service during the first full or part year of service.

Paid personal time may not be carried forward from one year to another, and no payment of cash equivalent shall be due for any unused paid personal time.

Payment for personal time shall be made with payment for the payroll period in which the leave was taken. Paid personal time may not be taken to extend the length of vacation (either at the beginning or end) unless it is requested and approved in advance by the Department Head.

The Department Head is responsible for recording the use of personal time used by non-exempt employees in their department. Exempt employees are required to report the amount of personal time used to the Auditor's Payroll Clerk upon returning to work.

The work requirements of each Department must take priority in scheduling paid personal time. The Department Head may cancel previously scheduled paid personal time if the Department Head determines that performance of essential public functions of the department is jeopardized by the employee's scheduled absence on paid personal time.

An employee who is absent without advanced approval by the Department Head will generally not be permitted to charge the time against available but unused paid personal time and will be subject to disciplinary action up to and including termination of employment. The Department Head may, however, allow time off that was not scheduled in advance to be charged against available but unused paid personal time if the Department Head, in his or her discretion, judges the circumstances to have constituted an emergency.

No employee shall be entitled to payment of the cash equivalence of any unused paid personal time upon termination of employment.

### BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify the Department Head.

Subject to the Department Head's approval, up to two (2) days of paid bereavement leave will be provided to Regular Full-Time employees.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the Department Head's approval, use any



available paid leave for additional time off as necessary. Bereavement pay is calculated based on the base pay rate at the time of absence.

Clinton County defines "immediate family" as the employee's spouse, parent, child, and sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships. Documentation of the appropriate circumstances may be required of the employee, e.g. death certificate or article.

#### LEAVE ACCOUNTING RECORDS

The EMS Director shall maintain accurate record of all earned, used, and unused leave days for each employee of Clinton County EMS. These records shall be provided to the Clinton County Auditor's Office on a periodic basis by the department head. These records shall be made available on the request of any member of the board of commissioners, the employees, department head, and/or the affected employee.

### STANDARDS OF CONDUCT

#### ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the County expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Clinton County.

In the instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Department Head or Elected Official as soon as possible in advance of the anticipated tardiness or absence.

Unacceptable attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

#### VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the County, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on the County's premises, employees should immediately notify their Department Head, if necessary, direct the individual to the office of the Board of Commissioners.

This applies to Solicitors since the County has a No Soliciting policy and signs are posted at each entrance.

## PROBLEM RESOLUTION

Clinton County is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from the employee's Department Head.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

Employee presents written problem to the Department Head within 30 calendar days after the incident occurs.

The Department Head should respond to the problem during its initial discussion or orally within 15 calendar days, after consulting with appropriate offices, when necessary. Such discussions should be documented.

If, after the oral discussion, the employee feels the issue is still not resolved, the employee may request that the matter be reviewed informally by the County Commissioners. The issue must be presented, in writing, to the County Commissioners within 15 calendar days of the oral response from the Department Head.

The County Commissioners will review the issue and respond, in writing, within 30 calendar days. The County Commissioners may make a non-binding recommendation to resolve the problem.

If the problem does not place the County at risk of non-compliance with any Federal or State law, the decision of the Department Head shall be final.

While not every problem can be resolved to everyone's total satisfaction, it is believed that discussion of problems will best assure a harmonious work environment.

## EMS OPERATIONS

### COMMAND STRUCTURE

All Employees of Clinton County EMS are ultimately accountable to the EMS Director. While on duty, employees will follow the rules and regulations of Clinton County EMS. The Paramedic on the scene will be the highest medical authority.

### MAINTENANCE AND USE OF STATION

- House duties are those tasks that are done on a daily basis. These tasks are generally centered on keeping the station clean and properly stocked along with detailing of apparatus. The OIC at the station will assign the house duties to

Clinton County EMS employees not to exceed what is expected by that department's employee. Duties will include but not limited to, mopping, sweeping and waxing floors as needed. Emptying waste baskets and other assigned duties by the OIC.

- At all reasonable hours, the commanding officer shall assign personnel to escort visitors through the station. Children shall not inspect apparatus unless accompanied by an adult.
- Social gatherings, parties, or groups shall not be permitted on the premises except with special permission of the EMS Director. Habitual lounging or visiting at the station by persons not members of the department is prohibited.
- Outside area should be policed daily. Lawns shall be cut, trimmed, and kept neat. Snow shall be removed from walks and driveways until 2100 hours.
- Heat will be turned off if the doors are to be left open.
- Regular work details will be assigned on specific days for the cleaning of the station house. This is to ensure that each shift will do their share of the station house duties.
- Personal vehicles shall not be parked on the approach of any station that will block the apparatus.
- After use mops, mop buckets, wash buckets, wash mittens shall be rung out, hung up and water dumped.
- Brooms, dust mops, squeegees, and snow shovels shall be put away after use.
- Personal vehicles may be washed inside the station but must be removed after they are washed. The apparatus or emergency medical vehicles shall not be placed outside in inclement weather.
- No personal vehicles shall be worked on inside any station without approval.
- Apparatus and emergency medical vehicles shall not be left setting on the station approach.
- No county equipment or supplies will be removed from the station or apparatus without the consent of the EMS Director.

### EMS OPERATING PROCEDURES

Clinton County EMS will operate on the following procedures and according to other procedures as may be posted from time to time in the department SOG manual.

1. **Commanding Officer:** each Clinton County employee ultimately shall be subject to the orders of the EMS Director or his designee, who shall be responsible for the discipline of the employees under his control.
2. **Reporting for duty:** at 0700 hours, the members of the off going shift will remove their gear from the ambulance and the on-coming shift will place their gear in position on the ambulance. The commanding officer will hold over members of the outgoing shift to cover for positions left open due to absenteeism or tardiness. Any member failing to report by 0700 hours without proper excuse shall be subject to disciplinary action. Repeated unexcused tardiness shall be deemed neglect off duty and may be cause for dismissal. Any tardiness or unexcused absence shall be reported to the EMS Director immediately.

3. **Availability of Members:** members shall remain on the station premises, near enough to hear and respond to telephones and/or alarms. Members must have permission of their shift officer before leaving the department premises. When a member leaves the station premises to go to the grocery store for daily food that member will have in his possession a portable radio, turned on and in an operable condition. Members off duty are subject to call in the event of emergency.

### OBSERVER RIDE-OUT/EMS STUDENTS

It is the practice of Clinton County EMS to allow certain authorized personnel not affiliated with Clinton County EMS to ride along on the ambulance or with the director as they respond to dispatched calls. observers are limited to the following classifications:

- EMS Observer – any member of an EMS service.
- EMS Student – student completing field internship for paramedic or EMT class.
- Preceptor – a Preceptor from a paramedic training institution who is cleared through the Clinton County EMS Medical Director to function as a Paramedic.
- Allied Health Student – any student who studies require them to ride along to gather information about the emergency services field. may ride 0800 – 2300

Observers, unless otherwise noted above, may ride out at any time during the 24-hour shift. Observers shall not have access to door codes or keys to any doors of any county property. Observers shall not disrupt the daily routines of personnel. observers shall not answer any station phones. Observers may assist in house duties as directed by the supervising officer. Observers are subject to policy and procedures of Clinton County EMS as well as established chain of command.

Observers must fill out and sign a release affidavit and information sheet and submit it to the director prior to beginning their shift. these must be approved and signed by the director before the observer can participate. the waiver will be valid for 1 year from the date of origination.

Observers will display uniforms of his/her respective agency or if a Clinton County EMS student, display a uniform that is provided with the class. if the observer has no “agency uniform” then they shall wear dark pants, navy blue shirt and appropriate footwear.

Observers will not be allowed to operate any Clinton County EMS apparatus, tools or equipment. students and preceptors will ride on the ambulance as follows.

- if the student or preceptor is affiliated with Clinton County EMS and IU Health hospital then the crew will consist of an EMT, Preceptor and Student.
- if the preceptor and student are not affiliated with Clinton County EMS and IU Health hospital then the crew will consist of EMT, Paramedic, Preceptor and Student.

- all patient care follow Clinton County EMS protocols, and final authority in patient care will be left to the Clinton County Paramedic.

All officers are responsible for the enforcement of the observer policy.

### CIVIL ACTION

No employee shall institute civil action arising from an occurrence while performing the duties of a Paramedic/EMT, without first notifying the EMS Director.

### APPARATUS CHECKS

At the start of each shift it shall be the responsibility of all personnel assigned to that apparatus to check that apparatus to make sure it is run-ready status.

The Primary technician (EMT) is responsible for checking all BLS medical supplies to make sure it is in a run-ready status. On Duty Paramedics will check all ALS supplies. All supplies shall be checked and made run-ready after every run regardless of the hour. A check sheet has been developed to assist in this process.

All apparatus shall be washed off daily up 2100 hours. This shall also include tires, wheels, and fenders.

Compartments in the apparatus shall be checked and cleaned weekly.

Trouble or difficulties with any equipment shall be reported to the shift coming on duty and to the OIC, who shall report to the EMS director immediately.

All Paramedics are required to account for narcotics at the beginning of each shift. The off-going paramedic will witness the count. Extra sock of narcotics will be kept in a dual lock box secured in the EMS station. One key will be in possession of the OIC and one in the possession of each of the paramedics. Keys and the narcotic box for medic 3 will be in a safe with a digital code, in the radio room. Paramedics will have the digital code to access the safe when staffing medic 3.

### PERFORMANCE OF DUTY

All employees shall respond to all emergencies to which they are dispatched or detailed and exert their best effort to perform to the best of their abilities under all circumstances. Neglectful inefficiency or indifference of employees is a sufficient cause for disciplinary action. Superiors shall properly supervise subordinates at all times and take prompt action when they observe wrongful, negligent, or improper behavior by any employee.

All employees shall become familiar with and adhere to the rules and regulations, general orders, special orders, policies, procedures, SOG's, and other directives of Clinton County EMS. Employees shall familiarize themselves with their district, streets, special hazards, and other information that would maintain or improve the efficiency of Clinton County EMS operations.

All employees are required to obey all laws and ordinances of the City of Frankfort, County of Clinton, State of Indiana and the United States of America.

No employee shall conduct themselves in any manner unbecoming to Clinton County EMS, either by word, action, or appearance. As representatives of the public trust, each employee is expected to conduct themselves in a credible manner under all conditions that may arise whether on or off duty.

Employees of Clinton County EMS shall accord respect and obedience to all superiors and to the orders issued by them. Insubordination will not be tolerated in any fashion. An employee who questions the propriety of any order shall obey the same and submit objections through the proper channels.

All employees shall adhere to the guidelines as set forth in the position descriptions for the position to which they are assigned and will be given their duty assignments by the Director or his designee in accordance with the policies of Clinton County EMS.

Every employee of Clinton County EMS while on-duty will devote his/her time to the business of Clinton County EMS.

#### GENERAL AND SPECIAL ORDERS

A general order is a written order issued by the EMS Director applicable to the entire department, shifts, or individuals of the department and Clinton County EMS which establishes a principle, policy or procedure concerning a subject and which is effective permanently or until revoked by a subsequent order. Such general orders shall be numbered numerically beginning with GO-1 and progressing.

A special order is a written order issued by the EMS Director applicable to the entire department, shifts, or individuals of the department and Clinton County EMS which establishes a temporary principle, policy or procedure concerning a given subject for a stated period of time. When the effective period of the special order is not stated, it becomes inoperative with the passing of the incident. Such special orders shall be numbered numerically beginning with SO-1 and progressing.

#### CRITICISMS

An employee while acting as a representative of Clinton County EMS, shall treat every employee of Clinton County EMS or other department with civility and respect and shall not publicly criticize any official act of any employee of this or any other department of the City, County, State or Federal government.

Employees of Clinton County EMS shall not maliciously speak critically or in a derogatory manner regarding orders or instructions issued by any Ranking Officer. NOTE: In a case where there is a sound reason that such orders or instructions are inconsistent or unjust, it is the right of any employee receiving said order to respectfully call the order to the attention of the ranking officer that ordered it. No Paramedic shall

be given orders regarding ALS patient care by a Ranking Officer that is not of equal certification.

Employees of Clinton County EMS shall not publicly criticize or slander fellow employees of Clinton County EMS by talking, writing or other expression in any manner where such talking, writing or other expression: (A) is defamatory, (B) obscene, (C) unlawful, (D) tends to impair the operation of Clinton County EMS by impairing its efficiency, interfering with the ability of the Director to Maintain discipline, or have been made with reckless disregard for truth or falsity.

### ILLEGAL ACTIVITIES

No employee shall participate in any illegal activity nor shall any illegal activity be allowed on property belonging to Clinton County.

Employees taking articles of any description or anything of value from any emergency scene. Clinton County property, public or private property with the intent of depriving the legal owner, will be immediately suspended from duty and charges preferred against them.

No employee shall accept a bribe or gratuity or solicit or accept any compensation or reward for services performed in the line of duty. If approached with any of the forgoing, the employee shall immediately notify the Director. Persons wishing to make a donation to Clinton County EMS shall be referred to the EMS Director.

### RECORDS AND REPORTING

All employees shall make truthful, accurate, and complete records and reports and shall not make misleading, humorous, or impertinent entries or statements on any Clinton County record, memo, book, paper, or document. No employee shall willfully falsify or mutilate any of the above.

- All run documentation shall be entered into the approved Clinton County EMS records software.
- All EMS responses shall have a run sheet, billing sheet, if applicable, and all appropriate times and run numbers.
- All documentation then shall be copied and both documents shall be placed in the EMS Director's mailbox at your assigned station.
- EMS run sheets do not need to be done for cancelled en-route or disregards not arriving at the scene with no patient contact.
- All Patient Contacts need to be documented

### PUBLISHING DEPARTMENT INFORMATION

Employees of Clinton County EMS shall not make statements, written or oral, for broadcast concerning any department activities, operations, policies, or cases without the permission of the EMS Director.

Employees shall however, cooperate with the news media representatives at the scene of any fire, accident disaster, or incident and shall in no way obstruct or impede their efforts to obtain unclassified information, as long as it does not interfere with personal safety, EMS duties, Fire duties and investigation.

#### RELEASING OFFICIAL DEPARTMENT INFORMATION

Employees shall not communicate to any person not entitled to information concerning any proposed department action or any other information concerning the department operations or activities which are of confidential nature, unless delegated to do so by the EMS director.

#### SPECIAL DUTY

Special duty is that service which employees re assigned to perform which is not part of their regular tour or routine duty. If any employees appear in public in uniform, they shall be considered on duty and subject to all rules and regulations of Clinton County EMS.

#### UNIFORMS

All Employees' shall wear the appropriate uniform as defined later in this section at all times while on-duty.

Shift employees shall maintain a change of uniform on station in the event a uniform is damaged, stained or soiled.

While employed with Clinton County EMS, employees will be provided with their uniforms, this is coordinated through the EMS director. You may be subject to a uniform inspection at any time. Any uniform found to be in need of repair or replacement will be taken care of immediately.

Upon employee's termination or resignation from Clinton County EMS, the employee must surrender all clothing, equipment, and accessories back to Clinton County EMS. Clinton County EMS retains ownership of all equipment, clothing, and accessories.

All full-time employees will be provided with the following:

- A. EMS pants (3 pair)
- B. T- shirts (3)
- C. Sweatshirts (2)
- D. Black boots (not to exceed \$150)
- E. EMS coat
- F. Extrication pants with thermal liner

All Part-time employees will be provided with the following:

- A. EMS pants (2 pair)
- B. T-shirts (3)
- C. Sweatshirts (2)



Extra sets of extrication gear and insulated gloves will be kept on station for use by part-time employees.

## UNIFORMS

The Official uniform will be either of the two classes listed below:

### Class "C" Uniform

- SHIRT – Navy blue undershirt with short sleeves, sweatshirt, Clinton County EMS insignia on left chest. Lettering on the back will be "Clinton County Paramedic" or "Clinton County EMT"
- PANTS – Navy trousers / EMS pants without cuffs
- BELT – Black leather or nylon belt.
- SOCKS – Dark blue or black socks.
- SHOES – Black shoes or boots.

### Uniform Selection Guidelines.

The uniform of the day will be Class "C", unless as ordered by a commanding officer. Uniforms will be worn while on duty. If an employee wears his uniform to and from work, it will be a complete uniform. Members may wear alternate work clothes while performing work duties at the station, if appropriate and with OIC approval.

### Funerals and Formal Functions.

- Employees shall wear Class C Uniform.

## PROFESSIONAL APPEARANCE, UNIFORMS AND PUBLIC APPEARANCE

All employees shall present a neat, clean and well-groomed appearance while on duty. Certain emergency incidents and routine work activities will prevent an employee from projecting a neat, clean and well-groomed appearance and will be considered the only justification for deviation from these policies.

For the purpose of neat and clean shall be defined as:

- Articles of clothing shall be free of excessive wrinkles and obvious stains, dirt, fading or discoloration.
- Articles of clothing shall be laundered at intervals sufficient to prevent offensive odors.
- Articles of clothing shall be free of holes, rips, or tears.
- Patches shall be securely attached and not excessively faded.
- Black boots shall be kept clean and free of any holes or tears. Boots shall be polished at intervals sufficient to keep their black appearance.
- Personal hygiene shall be maintained at a level that projects a clean well-groomed appearance, free of offensive body odors.

For Safety reasons hair shall not touch the shoulders or the imaginary plain across the shoulders. Hair normally worn longer than this policy shall be worn up in a ponytail

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during on-duty hours in order to be compliance. Hair shall not interfere with your regular duties and shall not draw attention.

- Hair shall be clean and neatly cut, trimmed or styled.

All employees will be clean shaven or facial hair will be neatly trimmed. If the employee chooses to wear facial hair the employee will be evaluated by the director and be at the Director's discretion as to the ability to wear facial hair while on duty.

- Sideburns shall not exceed below the lowest point of the ear lobe.
- All employees will be required to pass a HEPA mask fit test and a TB mask fit test. If facial hair causes interference with the fit test when performed by the wearer the employee must shave facial hair.
- No chin hair is allowed if not accompanied by a mustache that connects.

Personal jewelry may be worn in accordance with the following guidelines.

- Necklaces and chains worn around the neck must be worn inside the shirt at all time while on duty.
- For safety reasons, any type of ear or facial ornamentation is strictly prohibited while on duty.
- Bracelets shall not be worn on duty.
- If at the Directors discretion, it is felt that jewelry is a safety hazard, the employee may be instructed to remove said article.
- Clinton County EMS shall assume no liability for the loss, theft, or breakage of any personal items worn or maintained while on duty.

### TRAINING REQUESTS

Clinton County EMS recognizes that the skills and knowledge of its employees are critical to the success of the organization. This program encourages personal development through education and training so that employees can maintain and improve job related skills or enhance their ability to compete for reasonably attainable jobs within Clinton County EMS.

Employees that wish to attend any special schooling or training may request to do so. If the EMS director approves the request, tuition and actual schooling shall be paid for by the department. Clinton County EMS shall be reimbursed for any expenses incurred for tuition, registration, books and etc. by employees who have enrolled in said special training or schooling and fail to attend.

### SLEEPING QUARTERS

Sleeping will only be allowed in the bunkroom. Beds shall be used only by employees of Clinton County EMS. Beds shall not be used from 0700 hours until 1300 hours except with permission of the shift officer. No Clinton County EMS employee may sleep during any special details or tours of the building.

Clinton County EMS employees and overnight riders shall provide their own bed linens. All beds and linens shall be kept in a clean and sanitary condition.

SHERIFF'S OFFICE

*EMPLOYEE ACKNOWLEDGEMENT FORM*

The employee handbook describes important information about the Sheriff's Office and Clinton County Government, and I understand that I should consult the Auditor's Payroll Clerk, who may refer to the Sheriff's Office or the Board of Commissioners regarding any questions not answered in the handbook. I have entered into my employment relationship with the Sheriff's Office voluntarily and acknowledge that there is no specified length of employment. Accordingly, either the Sheriff's Office or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

\_\_\_\_\_SIGNATURE\_\_\_\_\_DATE

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EMPLOYEE NAME (TYPED OR PRINTED)

## COMPENSATORY TIME OFF AGREEMENT

The \_\_\_\_\_ (insert department here) utilizes compensatory time off (comp time) in lieu of monetary compensation for departmental employees. An employee will be compensated at the rate of one (1) hour of comp time off for every hour worked up to forty (40) hours per week and one and one-half (1 1/2) hours of comp time off for every hour worked over forty (40) hours per week.

An employee will be allowed to earn a maximum of \_\_\_\_ hours. After an employee reaches the maximum amount earned of comp time, they will be paid for any additional overtime worked at a rate of one and one-half (1 1/2) times his or her regular rate.

When requesting comp time off, an employee must give their Elected Official or Department Head five (5) days' notice in writing. Every effort will be made to grant requests for comp time off, unless the request will unduly disrupt the Department's operations. In the event that the initial request cannot be granted, the Elected Official or Department Head will arrange for an alternate, mutually acceptable time with the employee.

In the event that an employee separates employment from the County, all earned comp time remaining will be paid to the employee pursuant to the requirements of the Fair Labor Standards Act.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Elected Official/Department Head

\_\_\_\_\_  
Date

# **Clinton County Sheriff's Office**

## **SUBSTANCE ABUSE POLICY**

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## **STATEMENT OF PURPOSE AND POLICY**

The health and safety of the public and the employees of the Clinton County Sheriff's Office is a serious concern. Drug or alcohol use may pose a serious threat to employee and public health and safety. It is, therefore, the policy of the Clinton County Sheriff's Office (hereafter referred to as Sheriff's Office) to implement a drug free work environment and to prevent the use of illegal substances and abuse of drugs by Sheriff's Office employees.

The Sheriff's Office maintains that the work environment is safer and more productive without the presence of alcohol, illegal or inappropriate drugs in the body or on county property. Furthermore, employees have a right to work in an alcohol and drug-free environment and to work with employees free from the effects of alcohol and drugs. Employees who abuse alcohol or use drugs are a danger to themselves, their coworkers and to the public.

Specifically, it is the policy of the Sheriff's Office that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee is strictly prohibited.

The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis), conduct breath testing, and or search all employee applicants for alcohol and drug use. These procedures are designed not only to detect violations of this policy, but to ensure just treatment to each employee. Every effort will be made to maintain the dignity of employees or applicants involved. Disciplinary action will, however, be taken as necessary.

This policy is effective June 1, 2015 and will supersede all prior policies and statements relating to alcohol or drugs.

**Administration Guide to the Sheriff's Office Personnel**  
**Alcohol and Drug Testing Procedures**

I. **PURPOSE**

The purpose of this administrative guide is to set forth the procedures for the implementation of a policy for controlled substance and alcohol use and testing of applicants, current employees and volunteers (Reserve, Auxiliary, and Volunteers). These procedures are intended as a guide only, and are in no way intended to alter any existing relationship between the Sheriff's Office and any employee.

The Clinton County Sheriff's Office DER (Designated Employer Representative) designated to monitor, facilitate, and answer questions pertaining to these procedures is \_\_\_\_\_.

II. **Provisions**

A. **Applicability**

This policy applies to all employees and volunteers of the sheriff's office under the following guidelines:

Employees in safety sensitive positions: merit deputies, reserve deputies, corrections officers, transport, court security and special deputies who are armed will be subject to all provisions of this policy.

All remaining civilian employees and volunteers who are not in safety sensitive positions will not be subject to random drug and alcohol screening but will be subject to post accident and reasonable suspicion testing.

B. **Prohibited conduct**

The following shall be considered "prohibited conduct" for purposes of this policy:

1. No employee shall report for work or remain at work while having an alcoholic concentration of .00% or greater. disciplinary action will only be taken for a test result of .02% or greater, unless there is an odor of an alcoholic beverage emitting from the employee's breath.
2. No employee shall possess or use alcohol while on duty, except as required by the performance of their assigned duty. (e.g., undercover work or taking possession of alcohol during an investigation and with the approval of a supervisor)
3. No employee required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident test, whichever occurs first.



4. No employee shall use, sell, purchase, transfer, possess or have present in one's system any controlled substance or un-prescribed prescription drugs. this does not preclude an employee from taking possession of illegal substances or prescription drugs for law enforcement purposes.
5. No employee shall refuse to submit to a start-up, pre-employment, sensitive assignments, post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.

C. Prescription medication and/or other medication use:

1. An employee is prohibited from reporting to work or remaining at work when the employee uses any controlled substance (see definitions), except when the use is pursuant to the written instruction of a physician who has advised the employee that the substance will not adversely affect their ability to safely perform their duties. The employee must provide the sheriff's office with proof of such medical advice. The Sheriff's Office can decide if the employee can remain at work or on the Sheriff's Office premises and what work restrictions, if any, are deemed necessary.
2. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their direct supervisor. Employees should not, however, disclose to the Sheriff's Office the condition unless directed to do so.
3. Any employee who is using a prescribed drug or other medication, which is labeled as possibly affecting or impairing judgment, coordination or other senses, (including dizziness or drowsiness), or which may adversely affect the employee's ability to perform work in a safe and productive manner, must give at least a 2-hour notice to the Sheriff's Office prior to starting work or entering any Sheriff's Office premises. the sheriff's office will decide if the employee can remain at work or on the sheriff's office premises and what work restrictions, if any, are deemed necessary.
4. Ingestion of products that contain hemp will not be an acceptable explanation for testing positive for marijuana.

D. Refusal to test

Refusal to submit to the types of drug and alcohol tests employed by the sheriff's office will be grounds for refusal to hire employee/applicant(s) and to discipline existing employee(s). a refusal to test would include any of the following situations:

1. Failing to appear for a test or remain at the testing site until the testing process is completed.
2. Failure to provide a urine, breath or saliva specimen within a two-hour time frame may be considered a refusal. If an employee cannot provide a sufficient quantity of urine or breath, he/she will be directed to be evaluated by a physician of the Sheriff's Office choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance, the employee has violated the Sheriff's Office policy.
3. Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of a "shy bladder" or "insufficient breath" situation.
4. Failure to cooperate with any part of the testing process and/or conduct that would obstruct the proper administration of a test. (e.g., refusing to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).
5. A report from the MRO (medical review officer – see appendix) that the employee has a verified adulterated or substituted test result.

E. Types of tests for drug and alcohol testing

All employees subject to this policy will be tested for drugs and/or alcohol, if applicable, for the following reasons: pre-employment, sensitive assignment, random, post-accident, reasonable suspicion, return-to-duty and follow-up testing as follows:

1. Pre-employment (drug test only) - all applicants must submit to a urine drug test.
2. Sensitive assignment testing - the Sheriff's Office at the request of the Sheriff or his designee requires that persons in sensitive assignments submit to drug and/or alcohol testing each quarter. Sensitive assignments are persons assigned to the laboratory/property room/evidence collection, persons who conduct laboratory marijuana testing, persons assigned to drug investigations units and nursing staff.

3. Random testing - the Sheriff's Office conducts random drug testing. the Sheriff's Office will submit the names of all employees covered under this policy to a random selection system. The random selection system provides an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. Random selection, by its very nature, may result in employees being selected in successive selections more than once a calendar year.

If an employee is selected at random for drug testing, a sheriff's office official will notify the employee. The notification and testing for the random testing program shall be done whether the employee is either on or off duty. once notified, the employee must proceed to the designated collection site immediately. If the employee does not go to the collection site as soon as possible after notification, such conduct may be considered a refusal to test. If an employee has completed their tour of duty and are held over for the purpose of submitting to a random drug or alcohol test, they will be compensated by at the least two hours overtime. If the hold over is going to be for a period of time longer than two (2) hours, the employee will submit to a test upon their return to work at an offsite location and may be accompanied by a supervisor. If the period of time to take the test exceeds two (2) hours because of an employee related issue, section d (refusal to test) will then apply. Employees will not be contacted if they are on a day off or approved time off, other than the circumstances listed above or in accordance with paragraph 6 of section e, (regarding reasonable suspicion) and at the request of the Sheriff, but may be requested to submit to an alcohol breath and drug test upon their return to work.

4. Post-Accident Testing - following any accident/incident involving a County owned vehicle or while on duty, the employee must contact their supervisor as soon as possible. The employee may be required to submit to a drug and alcohol test any time he or she is involved in:

Any accident/incident involving injury or death;

Any accident/incident involving substantial property damage;

The incident results in a lost time injury.

The employee shall follow the instructions to complete required testing.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as practical. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for the purpose of post-accident drug testing within thirty-two (32) hours, attempts to make such collection shall cease. An employee is prohibited from consuming alcohol between the time of the accident and the alcohol test.

In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, employees must comply with law enforcement personnel requests. The Sheriff's Office may request testing documentation from such agencies, and may ask the employee to sign a release allowing the Sheriff's Office to obtain such test results.

In the event an employee is so seriously injured that the employee cannot provide a sample of urine, breath or saliva at the time of the accident, the employee must provide necessary authorization for the Sheriff's Office to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the employee's system at the time of the accident.

6. Reasonable Suspicion Testing - reasonable suspicion for requiring an employee to submit to drug and/or alcohol testing shall be deemed to exist when an employee manifests physical, behavioral, speech or performance symptoms or reactions commonly attributed to the use of controlled substances or alcohol. Such employee conduct must be witnessed by a supervisor who has received at least 2 hours of training in recognizing the signs and symptoms of alcohol and drug use.

Employees are subject to testing based on observations by supervision of apparent workplace use, possession or impairment. The Sheriff or Chief Deputy should be consulted before sending an employee for testing. All levels of supervision making this decision must use the Observation Checklist (Appendix C) to document specific observations and behaviors that create a reasonable suspicion that the person is under the influence of illegal drugs or alcohol. If the results of the Observation Checklist indicate further action is justified, the Direct Supervisor should confront the employee involved and keep them under direct observation until the situation is resolved and secure the DER's (Designated Employer Representative – See Appendix B) concurrence to observations. After discussing the circumstances with the DER, arrangements will be made for the DER to observe or talk with the employee. If the DER believes, after observing or talking to the employee, that the conduct or performance problem could be due

to substance abuse, the employee will be immediately required to submit to a breath test or urinalysis. If the employee refuses to submit to testing for any reason, the employee will be informed that continued refusal would result in disqualification for remaining on duty.

Employees will be asked to release any evidence relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline or suspension from driving duties. All confiscated evidence will be receipted for with signatures of both the receiving supervisor as well as the provider. The DER will document in writing the particular facts related to the behavior or performance problems that led to the suspicion test and maintain this documentation in appropriate files.

The DER shall remove or cause the removal of the employee from any County-owned vehicle, equipment, machinery, etc. and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence or, where appropriate, to a place of lodging. Under no circumstances will that employee be allowed to continue to drive a County vehicle.

F. Controlled Substance Testing Protocol

1. Urine collection procedures

- A. The testing procedure starts with the collection of a urine specimen.
- B. Collection procedures will follow the general guidelines and protocols set forth by the U.D. Department of Transportation (DOT).
- C. Employees will be directed to empty their pockets and display the contents to the collector.
- D. Employees will be allowed privacy during the collection process except as noted in item e. below.
- E. Observed collections are required if:
  - the specimen previously collected is determined invalid by the lab and there is no medical explanation.
  - the collector observes conduct clearly and unequivocally indicating an attempt to substitute or adulterate the sample.
  - the temperature of the specimen is out of normal range.
  - the lab reports a negative-dilute with a creatinine concentration greater than or equal to 2 mg/dl but less than or equal to 5 mg/dl and the MRO directs a second collection.
  - the specimen has characteristics or odors that are not consistent with human urine.
- F. Observed collections may be required on return-to-duty and follow-up tests.

- G. As part of the collection process, the specimen provided will be split into two portions if enough specimen available; a primary specimen and a secondary (split) specimen.
- H. If the employee is unable to provide an adequate sample, the Sheriff's Office policy and procedures are as follows: the employee will have up to 2 hours to provide an adequate sample, and may consume up to 40 ounces of fluids during this time period. the employee will be required to be monitored during the waiting period.
- I. After collection, the specimen will be submitted to a SAMHSA laboratory for testing.

2. Laboratory Procedures

All urine specimens will be tested in a SAMHSA laboratory certified by DHHS. Drug testing will be performed through urinalysis and will test, at a minimum, for the presence of drugs and/or metabolites of the following controlled substances: marijuana, cocaine, opiates, amphetamines (including methamphetamines), and phencyclidine (PCP). The Sheriff's Office reserves the right to test covered employees for additional substances of abuse under their own authority including but not limited to substances listed on schedule i through v of section 202 (21 U.S.C. 812) of the controlled substance act (examples include synthetic marijuana (k2/spice) or designer stimulants (bath salts)).

The laboratory will perform initial screenings on all primary specimens. in the event that the primary specimen tests positive, a confirmation test of that specimen will automatically be performed. If the confirmatory test is positive it will be reported to the medical review officer (MRO) as a positive.

3. Validity Testing

Validity testing will be performed on all specimens at the laboratory. the purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted. the following will be measured: creatinine level, specific gravity, and PH. In addition, all specimens will be tested for known adulterants. an initial validity test is performed first, followed by a confirmation test it required.

all laboratory results will be reported by the laboratory to a MRO designated by the Sheriff's Office or its agents.

4. MRO procedures

All test results will undergo a review process by the MRO.

Negative test results will be reported directly to the Sheriff's Office by the MRO.

Positive, adulterated or substituted results will be handled in the following manner by the MRO:

- a. Before reporting a positive, adulterated or substituted test result to the Sheriff's Office, the MRO will attempt to contact the employee to gather any pertinent medical information, if needed.
- b. The employee will be allowed to explain and present medical documentation to explain any permissible use of a drug.
- c. For adulterated or substituted results, the employee must demonstrate that he or she did produce or could have produced urine, through physiological means, a specimen meeting the creatinine and specific gravity criteria of a substituted or adulterated specimen.
- d. If the MRO is unable to contact the employee directly, the MRO will contact the DER, who shall, in turn, contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee is required to contact the MRO immediately if he/she desires to discuss the test result and/or provide pertinent medical information.
- e. In the MRO's sole discretion, a determination will be made as to whether a result is verified as positive, negative or considered a refusal.

5. Diluted Specimens

If a specimen is reported diluted by the laboratory, the MRO will report this information to the DER. The Sheriff's Office does not accept a diluted specimen as a valid specimen and will require another test. The DER or appropriate supervisor will explain the diluted result to the employee, instruct them on their fluid intake prior to re-testing, explain the consequences if the second test is diluted again and instruct the employee as to where and when the re-test will take place. A second diluted test will be considered a violation of this policy and the employee shall be referred for disciplinary action under section iii of this policy.

6. Medical Information Disclosure  
Pursuant to dot regulations, if, in the MRO's opinion, any information provided may mean a medical disqualification or represent a safety hazard, such as the use of certain prescription drugs, the MRO must disclose this to the employer. Individual test results for employee applicants and employees will be released to the County and will be kept strictly confidential unless consent for the release of the test result has been obtained. Any individual who has submitted to drug testing in compliance with this procedure is entitled to receive the results of such testing upon written request.
  
7. Safeguards for the integrity of the drug testing process.
  1. The collector must obtain photo identification from the employee or identification by supervisor prior to administering the test.
  2. The employee will be asked to wash their hands.
  3. The employee signs the chain of custody form signifying the correctness of data for test reporting.
  4. Electronic communication of test results from the laboratory into the MRO reporting system with no external human intervention.
  5. The specimen container and specimen bottles are individually wrapped and unwrapped in employee's presence.
  6. After the specimen is provided in a reasonable time, the collector inspects it for sufficient volume, temperature and signs of tampering. If a specimen is not provided, the employee will be referred to a MRO to determine whether there is a valid medical reason. If there is, the employee must still attempt to provide a specimen each time the employee is required to test under this program.
  7. After the specimen is given to the collector, the remaining collection procedures are conducted in employee's view.
  8. The specimen bottles and shipping container are sealed with tamper evident seals.
  9. The employee will be asked to sign the seals covering the specimen bottles identifying they were sealed in their presence.
  10. The specimen number on the bottle seals match the specimen number on the chain of custody form.
  11. The laboratory will check the specimen bottles upon receipt to ensure the seal has not been broken. If the seal has been broken the laboratory will report the test as cancelled.
  12. Blind sample submission through the laboratory for quality control.
  13. A collector who has completed the qualification training as mandated in CFR Part 40 as amended will perform the collection.



G. SPECIMEN RETEST PROTOCOL

If an employee is notified by the MRO that his/her test result was positive, adulterated or substituted, the employee may request that a retest be done on a split portion or a portion of the original specimen if no split was collected that tested positive. The retest will be at a different SAMHSA laboratory. The request must be made to the MRO within 72 hours of being notified of a verified positive, adulterated or substituted result, at the employee's expense.

h. Alcohol Testing Protocol

alcohol tests will be conducted by a trained breath alcohol technician (BAT) or screening test technician (STT). Screening tests may be done using an evidential breath testing device (EBT) or non-evidential screening device approved by the national highway traffic safety administration. Confirmatory tests will be done by a trained BAT using an evidential breath testing device. The employee shall report to the alcohol testing site as notified by the Sheriff's Office. The employee shall follow all instructions given by the alcohol technician.

If the result of a screening test is a breath alcohol concentration (BAC) of less than .02%, no further testing is authorized. Any initial test indicating a bac of .02% or greater will be confirmed on an EBT operated by a BAT. The confirmation test will be performed no sooner than fifteen (15) minutes and no later than thirty (30) minutes following the completion of the initial test. In the event the confirmation test indicates a bac of over .02% the employee shall be removed from duty for twenty-four (24) hours or until his/her next scheduled on-duty time, whichever is longer. employees with tests indicating a BAC of .02% or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed while the employee is on duty.

Alcohol Testing Safeguards For Employee's Protection

1. The BAT must obtain employee's photo identification prior to administering the test.
2. An individually wrapped mouthpiece will be opened and inserted into the EBT for the employee's test.
3. The National Highway Traffic Safety Administration approves the EBT that is used.
4. Calibration checks are frequently performed to insure the EBT is working efficiently.
5. If the screening test indicates a 0.02 or greater, a confirmation test will be administered.
6. An air blank will be administered prior to the confirmation test with a 0.000 reading.

7. An individually wrapped mouthpiece will be inserted for the confirmation test.
8. The BAT has completed the required training course in the correct operation of the EBT.

I. Educational Materials

the sheriff's office shall provide educational materials that explain the consequences of violating the sheriff's office's policies and procedures and information with respect to the use or possession of alcohol or controlled substances. materials will also be provided concerning the effects of alcohol and controlled substances use on an individual's health, work and personal life.

employees may be required to attend an educational meeting(s) to discuss the sheriff's office policies and procedures and to review all materials covered by this procedure. each employee is required to sign a statement (certificate of receipt) certifying that he or she has received a copy of these materials. the sheriff's office shall provide these materials to each employee prior to the start of alcohol and controlled substance testing and to each employee subsequently hired or transferred into a position covered under this policy.

Disciplinary Procedures

Any employee testing positive for alcohol (.02% bac or greater), or who has a positive drug test, or has refused to test, or has provided a second dilute specimen is considered in violation of this policy and will be immediately removed from duty and referred for appropriate disciplinary action conforming to applicable Sheriff's Office policy, Merit Board or County policy, up to and including termination.

IV. Confidentiality and Release of Information

Under no circumstances, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee.

The Sheriff's Office may release information as follows:

1. Copies of the results of alcohol or drug testing to an identified person provided the employee has provided written consent.
2. Copies of information requested and as required by law.
3. Legal proceedings to include:
  - a. Lawsuits (e.g., wrongful discharge action).

- b. Grievances (e.g., an arbitration concerning disciplinary action taken by the employer).
- c. Administrative proceedings (e.g., an unemployment compensation hearing) brought on by, or on behalf of, an employee and resulting from a positive drug test or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results).
- d. Criminal or civil actions – to the decision maker in the proceeding (e.g., the court in the lawsuit)

Employees are entitled, upon written request, to obtain copies of any records pertaining to their use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substance tests.

V. Responsibility

A. Employee - all Sheriff's Office employees that are described under the "applicability" section are responsible for abiding by this policy as a condition of their employment.

B. Management Officials and Supervisors

All supervisors and Sheriff's Office Officials are responsible for being alert to employee conduct that raises a reasonable suspicion that an employee is using or is under the influence of alcohol or controlled substances while on duty or otherwise performing Sheriff's Office business.

This policy is not intended nor should it be constructed as a contract between the Sheriff's Office and the employee. This policy may change at any time at the sole discretion of the Sheriff's Office and/or to comply with changes in Federal, State, or local laws.

## **APPENDIX A**

### **ABBREVIATIONS AND TERMS**

**BAT** Breath Alcohol Technician  
**EAP** Employee Assistance Program  
**EBT** Evidential Breath Testing Device  
**MRO** Medical Review Officer  
**DER** DESIGNATED EMPLOYER REPRESENTATIVE  
**SAP** SUBSTANCE ABUSE PROFESSIONAL  
**DHHS** Department of Health and Human Services  
**SAMHSA** Substance Abuse and Mental Health Services Administration

#### **Definitions**

##### **Adulterated Specimen**

A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

##### **Alcohol**

Intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

##### **Alcohol Concentration (or content)**

Alcohol in a volume of breath (shown as grams of alcohol/210 liters of breath) as indicated by an evidential breath test.

##### **Breath Alcohol Technician (BAT)**

An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing (EBT) device.

##### **Confirmation Test**

In alcohol testing: a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. In controlled substances testing: a second test to identify the presence of a specific drug or metabolite. In order to ensure reliability and accuracy, this test is separate from and uses a different technique and chemical principle from that of the screening test.

##### **Controlled Substances**

In this regulation, the term 'drugs' and 'controlled substances' are interchangeable and have the same meaning. Unless otherwise provided, these terms refer to: marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines (including methamphetamines) barbiturates, benzodiazepines and anabolic steroids.

##### **Designated Employer Representative (DER)**

An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing

and evaluation processes. The DER also receives test results and other communications for the employer. Should the appointed DER not be available the Sheriff shall appoint a temporary DER.

### **Dilute Specimen**

A specimen with creatinine and specific gravity values that are lower than expected for human urine.

### ***Evidential Breath Testing (EBT) Device***

An EBT approved by the National Highway Traffic Safety Association (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" (CPL).

### **Initial Drug Test**

The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

### ***Medical Review Officer (MRO)***

A licensed physician (medical doctor or doctor of osteopathy) who is responsible for receiving laboratory results generated by the Sheriff's Office drug testing program. The MRO must have knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an individual confirmed positive test, medical history and other relevant biomedical information.

### **Primary specimen**

The urine specimen bottle that is opened and tested first by the laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

### ***Screening Test (initial test)***

*In alcohol testing:* a procedure to determine if an employee has a prohibited concentration of alcohol in his or her system.

*In controlled substance testing:* a screen to eliminate 'negative' urine specimens from further consideration.

**Split Specimen** means a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

### **Substituted Specimen**

A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

**Substance Abuse Professional (SAP)**

A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional or certified addiction counselor with knowledge of any and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

**APPENDIX B**

**OBSERVATION CHECKLIST**

This form is to be used by Supervisory Personnel of the Sheriff's Office in conjunction with the Sheriff's Office Drug and Alcohol Policy regarding testing based upon reasonable suspicion of drug/alcohol abuse in the workplace. It is recommended that this form be completed as soon as possible when suspected violations are observed, that the Sheriff be contacted immediately, and that a copy of the form be submitted to the Sheriff.

Name of Supervisor preparing form: \_\_\_\_\_

Date and Time of Preparation: \_\_\_\_\_

Name of Member or Employee: \_\_\_\_\_

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

Date and Time of Observation: \_\_\_\_\_

Behavior or Incident creating reasonable suspicion of drug/alcohol abuse: \_\_\_\_\_

\_\_\_\_\_

Descriptions Of Areas Of Observation:

Appearance (eyes, grooming: \_\_\_\_\_

Odor on breath or clothes: \_\_\_\_\_

Speech and balance/walking abnormalities: \_\_\_\_\_

Supervisor's action: Request for Member or Employee to be tested: \_\_\_\_\_

Member's or Employee's Response and/or Comments: \_\_\_\_\_

\_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_

**APPENDIX C**

**Certificate of Receipt**

(Acknowledgement of receiving drug and alcohol testing materials, policies, & procedures)

Employee Name: \_\_\_\_\_ Social Security #: \_\_\_\_\_

This is to certify that I have been provided educational materials that explain the Clinton County Sheriff's Office policies and procedures with respect to drug and alcohol testing. This includes all items checked.

- ✓ The designated person to answer questions about the material.
  - ✓ The categories of Member's/Employees' subject to the Sheriff's Office policy.
  - ✓ Sufficient information about when the policy applies and the periods of the workday that compliance is required.
  - ✓ Specific information concerning prohibited employee conduct.
  - ✓ Circumstances under which an employee will be tested.
  - ✓ Test procedures, employee protection and integrity of the testing processes, and safeguarding the validity of the test.
  - ✓ An explanation of what will be considered a refusal to submit to a test and the consequences.
  - ✓ The consequences for violations, including removal from duty.
  - ✓ The consequences for employees found to have an alcohol concentration of .02% or greater.
  - ✓ Information on the effects of alcohol and controlled substances use on: an individual's health, work, personal life, signs and symptoms of a problem, and available methods of intervening when a problem is suspected.
  - ✓ A copy of the Clinton County Sheriff's Office substance abuse policy
- 

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Authorized Employer Representative: \_\_\_\_\_

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