

LAWRENCE COUNTY EMPLOYEE HANDBOOK



LIMESTONE CAPITAL OF THE WORLD

ADOPTED BY THE
LAWRENCE COUNTY COMMISSIONERS

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1. PERSONNEL ADMINISTRATION

1.1 USE AND REVISION OF LAWRENCE COUNTY EMPLOYEE HANDBOOK

The Lawrence County Employee Handbook is designed to provide employees with information about working conditions, employee benefits, and some of the policies affecting employment. Elected officials, department heads, and employees should read, understand, and follow all provisions of the Employee Handbook. These policies describe many employee responsibilities and outline the programs developed by Lawrence County to benefit our employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

Nothing in this policy is intended to, in any sense, constitute a contract of employment or an expectation of continued employment. Lawrence County is an AT- WILL employer, which means the employee may resign at any time and the employer, Lawrence County, may termination an employee at any time with or without cause. This employee handbook is not a contract of employment. Exception for sheriff's office merit deputies who shall adhere to the merit board rules and regulations.

No employee handbook can anticipate every circumstance or question about policy. As Lawrence County continues to grow, the need may arise to change policies. Lawrence County, therefore, reserves the right to revise, supplement, or rescind any policies or portion of the Employee Handbook from time to time as it deems appropriate, at its sole and absolute discretion. Employees will, of course, be notified of such changes as they occur.

Although we believe the descriptive materials contained in the employee handbook are accurate, some sections, such as the section regarding insurance, are only summaries. Any discrepancies between these summaries and the terms of the actual plans will be governed by the terms of the underlying, more detailed policies and procedures. Any questions regarding summaries, their underlying policies and procedures, if applicable, and any discrepancies between them should be directed to your elected official, department head, or the Human Resources Department.

1.2 EXCEPTIONS AND SPECIAL CONDITIONS

These policies and procedures apply to all employees, except when in conflict with special employment conditions set forth for elected officials, when in conflict with various statutes governing employment relationships, or when in conflict with specific provisions of employment contracts entered into by the Lawrence County Commissioners.

*Elected officials are excluded from the provisions of the Employee Handbook, unless specifically noted.

*Sheriff's office employees will refer to the sheriff's office policy and procedures manual in certain circumstances.

*Highway Dept. employees will refer to DOT for specific drug testing policies and procedures.

1.3 EMPLOYEE ADMINISTRATION

A committee comprised of representatives of the Lawrence County Board of Commissioners, and the Human Resources Department, shall be convened at least bi-annually to review the personnel policies and make recommendations for modifications.

It shall be the responsibility of the following three overseeing authorities: Lawrence County Commissioners, Lawrence County Commissioners Attorney, and the Human Resources Department to interpret these policies and procedures, to ensure that they are administered in a consistent and impartial manner, and to provide oversight and approval as required.

1.4 MANAGEMENT RIGHTS

Lawrence County, as a public employer, retains the sole and exclusive responsibility and authority to manage and direct its workforce on behalf of the public, and to conduct the operations and activities of Lawrence County to the full extent authorized by law. Elected officials/department heads have responsibility for the day-to-day supervision and operation of their respective offices as prescribed by statute.

1.5 DEFINITIONS

The following definitions apply throughout the text of the Employee Handbook. Any questions about the interpretation of these definitions should be directed to the Human Resources Department.

“Anniversary Date” refers to the date an employee becomes a full-time employee.

“At Will” refers to the nature of the employment relationship, which means that the employee may resign at any time and the County may termination the employee at any time with or without cause.

“Circuit Court” refers to the Lawrence Circuit Court, a court of general jurisdiction administered in accordance with I.C. 33-4-10, et. seq.

“Continuous County Employment” refers to a term of employment with the County which has been uninterrupted and during which the employee has not ceased employment with the County for any period of time.

“County” or “Lawrence County” refers to all divisions of Lawrence County government as well as the Circuit Court. The term includes the offices of the Auditor, Commissioners, Courts, Clerk, Coroner, Assessor, Council, Public Defender, Prosecutor, Recorder, Sheriff, Surveyor, Treasurer, and all other County offices, boards and departments.

“Date of Termination” refers to the last date the employee actually worked for the County. PTO leave may not be used towards determination of an employee’s date of termination.

“Dependent” refers to the employee’s spouse, child, step-child, or parent if the parent resides with the employee and requires the employee’s care.

“Elected Officials” refers to those individuals elected to the following offices: Auditor, Commissioners, Judges, County Clerk, Coroner, Assessor, Council, Prosecutor, Recorder, Sheriff, Surveyor, and Treasurer.

“Employee” refers to a person employed by the County including appointed department heads and supervisors. The term does not include elected officials.

“Exempt” employees are excluded from specific overtime provisions of Federal and State law. Exempt employees are not entitled to overtime compensation or compensatory time off.

“Full-Time Employees” * are those not assigned to part-time or temporary statuses, who work a minimum of sixty (60) hours during a two (2) week pay period, or 130 hours of service per month. Full-time employees work throughout the year and not on a seasonal basis. Full-time employees are eligible for the County’s benefit package, subject to the terms, conditions, and limitations of each benefit program. A **full-time employee** is, for a calendar month, an **employee** employed on average at least 30 hours of service per week, or 130 hours of service per month.

“Non-Exempt” employees are entitled to overtime compensation/compensatory time off under specific provisions of Federal and State laws.

“Part-Time Employees” * are those not assigned to full-time or temporary statuses, who regularly work less than thirty (30) hours per work week. Part-time employees work throughout the year and not on a seasonal basis. Part-time employees may occasionally work additional hours based on staffing and business needs of the County. Part-time employees retain that status until expressly notified of a change. Part-time employees receive all legally-mandated benefits (such as worker’s compensation and social security benefits), but they are not eligible for the County’s other benefit programs. See Addendum A.

“Temporary Employees” * are hired as interim replacements to temporarily supplement the workforce, assist in the completion of a specific project, or work on an hourly basis averaging usually less than twenty (20) hours of work per week annually depending upon staffing and business needs of the County. Employment assignments in this category are of a limited duration usually of ninety (90) days or less depending upon staffing and business needs of the County. Temporary employees retain that status until notified of a change. Temporary employees receive all legally-mandated benefits (such as worker’s compensation and social security), but are not eligible for the County’s other benefit programs.

- If a department hires an individual to stand-in for a full-time employee on a leave of absence, the department head shall contact the Human Resources Department to confirm the individual’s employment status and eligibility for benefits.

“Public Safety Employees” *are those employees in the highway department, sheriff’s office, and central dispatch.

2. EQUAL EMPLOYMENT OPPORTUNITY and NON-DISCRIMINATION

2.1 EQUAL EMPLOYMENT OPPORTUNITY

Lawrence County is an equal opportunity employer. It is the County’s policy to treat all employees and applicants for employment equally according to their individual qualifications, abilities, experience, and other employment standards. The County does not discriminate on the basis of age, color, disability, ethnicity, gender, national origin, race, religion, veteran status, genetic information, or any other legally-protected classification. This policy of non-discrimination applies to all terms and conditions of employment, including but not limited to recruiting, hiring, promotion, training, transfer, compensation and termination. It is the County’s policy to comply with all applicable federal, state and local laws governing employment. All position vacancy notices, postings, advertisements, and recruiting literature shall contain the phrase “An Equal Opportunity Employer.” Any employee with questions or concerns about any type of discrimination in the workplace shall bring these issues to the attention of their elected official, department head, and/or the Human Resources Department.

Employees may raise concerns and make reports without fear of retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

2.2 AMERICANS WITH DISABILITIES ACT

It is the intent and policy of the County that qualified individuals with disabilities participate in and receive the benefit of the services, programs or activities of the County. It is the policy of the County not to discriminate against a qualified individual with a disability in: job application process; the hiring, advancement or termination of employees; employee compensation; job training, and other terms, conditions and privileges of employment. It is the intent of the County to comply with all applicable requirements of the Americans with Disabilities Act (ADA).

Lawrence County will reasonably accommodate persons with a disability on a case-by-case basis, which may include making facilities readily accessible to individuals with a disability, restructuring jobs, modifying work schedules, modifying equipment, or similar accommodations. Employees who wish to request an accommodation are advised to contact the Human Resources Department to obtain ADA forms for processing. Completed forms will be returned to the Human Resources Department with a copy forwarded to the employee's supervisor. Any employee who believes he or she has received treatment inconsistent with this policy or with any requirement of the ADA may file a complaint within one hundred eighty (180) days of the date of the alleged discriminatory act or practice with the Human Resources Department, the Lawrence County Commissioners, or the Equal Employment Opportunity Commission.

2.3 HIPAA

Lawrence County is compliant with applicable requirements and standards of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and has established guidelines regarding the privacy of individually identifiable health information accordingly. Lawrence County has designated the Human Resources Department as the County's "privacy official" who is responsible for developing and implementing privacy policies and procedures; and the Human Resources Department is the contact person who is responsible for receiving complaints regarding compliance. All County HIPAA inquiries shall be directed to the Human Resources Department.

2.4 HARASSMENT

It is the policy of the County to provide all employees and volunteers with a workplace that is safe, comfortable, and free of harassment. It is the County's policy to prohibit all forms of harassment at work, including harassment based on age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, veteran status, or any other legally-protected classification. All employees are responsible for complying with the County policy prohibiting harassment.

1. **Harassment** means any unwelcome or offensive conduct, whether written, verbal or physical, which is:

A. directed at or to an employee because of the employee's age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, veteran status, or any other legally-protected classification.

B. directed toward any person concerning an individual, or a class of individuals, because of the age, color, disability, ethnicity, gender, sexual orientation, national origin, race, religion, or veteran status of the individual or class of individuals. For example, racial or ethnic slurs or derogatory epithets are prohibited in the workplace, regardless of whether a member of the racial or ethnic group is present when the statement is made.

Harassment does not refer to occasional compliments or other statements of a socially acceptable nature. Harassment refers to behavior which is unwelcome, offensive and/or persistent as to create, or have the potential of creating, an intimidating, hostile, or offensive working environment for any employee.

2. Sexual harassment may include the following:

A. Offensive or unwelcome sexual flirtations, advances or propositions, communicated verbally, by touch or in writing;

B. Obscene or sexually suggestive comments about a person's body or appearance;

C. The use of "off color" language or "dirty jokes";

D. Printed or electronic display or transmission of sexually explicit photographs, drawings, greeting cards, articles, books, magazines, messages, cartoons, or any other image; electronic messaging, including but not limited to, emails, blogs, chat rooms, etc.

E. Conduct with sexual implication that has the purpose or the effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment;

F. Unwelcome or unnecessary touching of any part of another's body;

G. Sexually degrading words to describe a person or a group of people;

H. Slurs, threats, repeated commands or other offensive verbal or physical conduct relating to a person's sex or sexual orientation.

3. This policy applies to all full-time, part-time, and temporary employees and to elected officials, department heads, and volunteers.

4. It is a violation of this policy to use an individual's submission to or rejection of harassing conduct as the basis for any employment decision affecting the individual. Retaliation towards an employee who reports harassment is strictly prohibited.

5. Employees who believe they have been subjected to harassment shall promptly report the harassment to their elected official, department head, and/or the Human Resources Department and complete a Harassment Complaint Form. The best time to register a complaint is immediately after the act occurs. Employees shall submit the completed Harassment Complaint Form to the Human Resources Department.

- A.** If the department head is the subject of the harassment complaint the employee shall submit the completed form to the elected official responsible for that department head or the Human Resources Department.
- B.** If the elected official is the subject of the harassment complaint, the employee shall submit the completed Harassment Complaint Form to the Human Resources Department, the Lawrence County Commissioners, or the Lawrence County Commissioners Attorney. The Human Resources Department must be provided a copy of each completed Harassment Complaint Form.
- 6.** All employees who observe or otherwise learn of or have reason to suspect any conduct which may violate this policy shall promptly report such facts to their elected official, department head, or the Human Resources Department, and shall cooperate fully in any investigation or disciplinary action undertaken pursuant to this policy. Failure to comply with this section shall be grounds for appropriate disciplinary action, up to and including termination.
- 7.** The Human Resources Department shall conduct a prompt and careful investigation. The investigation may include interviews with all persons having direct knowledge of the unwelcome behavior, including the person who made the complaint, the person accused of sexual or other harassment, and other potential witnesses.
- 8.** At the conclusion of the investigation, the Human Resources Department, or other investigator will review the findings with the person(s) who made the complaint. If the investigation reveals that the complaint is factual, appropriate corrective action will be taken to prevent the harassment from occurring again, up to and including suspension and/or termination of any employee believed to be guilty of harassment. In any case, particularly in situations where the facts uncovered during the investigation are inconclusive or unclear, the County will ensure that all parties are reacquainted with the policy prohibiting sexual or other harassment at work.
- 9.** Lawrence County will take reasonable steps to keep the complaint confidential and, to the extent possible, maintain the privacy of the persons involved. Lawrence County, however, cannot guarantee confidentiality.
- 10.** Lawrence County takes this harassment policy very seriously and will make all reasonable efforts to educate its employees about this policy. Every new employee will be provided a copy of the policy when hired, which may be reviewed during orientation. If the policy is amended, copies of the amendments will be given to all employees.
- 11.** Lawrence County also recognizes that careful consideration must be given to questions regarding whether a particular action or incident is purely personal or social without any discriminatory employment effect. False accusations of sexual harassment can have devastating effects on the lives and reputations of innocent women and men; therefore, the County may discipline, up to and including termination of employment, those employees who are proved to have intentionally, maliciously, and wrongly accused others of sexual or other forms of harassment.

12. Prevention is the best policy for the elimination of harassment. Employees shall be aware of this harassment policy at all times and seek to avoid creating conditions that encourage such activity.

13. Sexual and other forms of harassment by any employee may result in personal legal and financial responsibility for the employee offender.

2.5 ARRESTS AND CONVICTIONS

Employees are required to report to their dept. head or supervisor information within 24 hours of a:

1. disposition of criminal charges against the employee
2. misdemeanor or felony charges occurring while the employee is on duty
3. citation for an infraction occurring off duty that impacts the employee's ability to perform assigned duties (e.g., loss/suspension of driving privileges)
4. arrest for any misdemeanor or felony

Accrued, paid leave may not be used for any time an employee is incarcerated.

3. RECRUITMENT, SELECTION AND HIRING

3.1 RECRUITMENT/HIRING

Authorization to fill a vacancy in an existing or newly-created position rests solely with the elected officials and their designated department heads. Basic job qualifications of formal education, background, and experience shall be determined before recruiting begins. These qualifications shall be based on job requirements, as well as applicable federal, state, and local laws. The residency of the applicant/prospective employee shall be a criterion when making a hiring decision. A Lawrence County resident shall be preferred but the recruiting effort may reach outside of the County to find individuals with the required qualifications set forth in the job description. When a job vacancy occurs, the department may fill the position by promotion or transfer within the department without posting. The County encourages internal promotion and transfer whenever possible.

Unless a position will be filled by promotion or transfer from within the department, the Human Resources department shall distribute information regarding vacancies and new positions as follows:

1. Internal posting in each County government office for a minimum of three days.

If no qualified internal candidates apply or aren't selected the position will be posted externally through the County website and other sources of social media by the Human Resources Department. At the discretion of Human Resources in conjunction with the elected official/department head, newspaper and online advertising may be used as well in recruiting employees. Elected officials/department heads need to notify the Human Resources department when an opening has been approved by County Council to be filled so the opening can be posted. Advertisements shall describe the position, basic qualifications,

and state that the County is “An Equal Opportunity Employer.” An elected official/department head should utilize the Human Resources Department for recruiting, and screening applicants.

A notice of job vacancy should contain the following:

- A. The title of the available position;
- B. A brief summary of the duties and responsibilities;
- C. Minimum education and experience requirements;
- D. The pay range scales;
- E. The deadline, if any, and the place for submission of the resume and/or application; and,
- F. A statement that the County is an “Equal Opportunity Employer.”

3.2 RESUMÈS AND EMPLOYMENT APPLICATIONS

Lawrence County makes available employment applications upon request. The Human Resources department will collect all resumes and direct applicants to complete a County Application for Employment (“Application”), as well as any other forms required for statistical purposes or deemed necessary to process the Application. Résumés and Applications shall be forwarded to and maintained by the Human Resources Department. The Application requests only the information necessary for rational decision-making. Only questions specifically related to occupational standards are included in the application. Applications must be fully completed and must account for periods of employment and unemployment. Lawrence County relies on the accuracy of information on the application, on the submitted résumés as well as 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 the County’s exclusion of the individual from further consideration for employment, or, if the person has been hired, termination of employment may result.

Submission of a résumé or placement of an application with the County does not mean that all applicants will be granted an interview by the elected official/department head, and/or Human Resources; however, equal consideration will be given to all applicants based on the qualifications listed for the job. Résumés and applications shall only be taken for open positions, with the exception of recruitment lists maintained by the Lawrence County Sheriff. Prior to a person being placed on the County payroll, the elected official/department head shall submit the person’s application and/or résumé to the Human Resources Department if not previously submitted.

3.3 APPLICANT TESTING

Applicant tests including, but not limited to, written tests for basic skills, mechanical or physical agility tests, and some psychological tests may be used by the County in the selection process. Such tests are to be related to the requirements of the position.

3.4 PRE-EMPLOYMENT INTERVIEWS

Pre-employment interviews may be used to gather information and screen applicants for County employment. Final interviews shall be conducted by the elected official/department and with the Human Resources department if the department head so chooses.

3.5 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who are employed by the County are well qualified and have a strong potential to be productive and successful, the County reserves the right to check the employment references of applicants. Information regarding this procedure is contained in the “Employment History and Work Experience” section of the County’s Employment Application. For employment reference checks requested by outside employers of past or current County employees, the County will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will be addressed on a case by case basis and will typically confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without written authorization and a release signed by the individual who is the subject of the inquiry unless required by federal, state, or local law. Requests by elected officials and department heads for reference checks on applicants may be directed to the Human Resources Department.

3.6 CRIMINAL BACKGROUND CHECKS

All post offer candidates will have background checks conducted. Background checks will be conducted on all pre/post offer candidates for positions at the sheriff’s office. At the discretion of department head/elected official, current employees are also subject to criminal background checks.

Any individual with a felony conviction within the previous seven years prior to application, or any felony conviction for a crime of dishonesty (e.g. embezzlement and fraud) shall be immediately removed from consideration for a position. Any other felony conviction occurring more than seven years prior to the application may be cause for removal from consideration at the elected official/department head and the Human Resources department discretion. All positions that require the handling of money will require the selected applicant to meet the criteria to be bonded.

3.7 CONDITIONAL OFFER OF EMPLOYMENT

Applicants may receive a conditional offer of employment conditioned on the successful completion of all established prerequisite requirements of the position, which may include passing medical, physical, and mental examinations or requirements, drug tests, and reference and criminal background checks. Applicants who receive a conditional offer of employment are not employees of the County unless they receive an official offer letter of employment. Lawrence County may withdraw the conditional offer of employment at any time for any reason, except as otherwise prohibited by law.

3.8 MEDICAL EXAMINATIONS

To help ensure that employees are able to perform their duties safely, medical examinations may be required of those positions responsible for public safety and health prior to hiring, or anytime during the course of employment with the County.

Applicants may be required to undergo a pre-employment medical examination by a health professional of the County's choice, at the County's expense. Employees shall be required to submit to fitness for duty medical or psychological evaluations prior to returning from military leave or employee illness or injury leave under the Family and Medical Leave Act (FMLA), or to meet terms and conditions associated with performing job duties. Applicants who receive a conditional offer of employment will be required to submit to a drug test prior to being hired by the County.

Information on an employee's medical condition or history shall be kept in a confidential medical file that is separate from other employee information. Medical information shall be maintained by the Human Resources Department such as return to work slips, restrictions, and etc.

Access to this information will be limited to the employee, elected official/department head of the employee, the Lawrence County Legal Department, the Human Resources Department, and, if necessary, the Auditor. The Court Administrator may also access this information for Court employees.

3.9 EMPLOYMENT ELIGIBILITY VERIFICATION

Lawrence County complies with all laws and regulations related to verifying employment eligibility. Verification of Employment Eligibility: All applicants must cooperate with the County in its compliance with the Immigration Reform and Control Act of 1986, as amended. Applicants who refuse to supply the documentation necessary to prove they are American citizens or aliens authorized to work in this country will not be considered for employment.

As an E-Verify employer, Lawrence County will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization. Employment eligibility verification through E-Verify will also be required for current employees who begin work on covered federal grants or contracts but who previously have not been entered into E-Verify.

The Human Resources Department shall ensure that the I-9 Form is properly completed and submitted to and retained as required by law. The Auditor cannot process payroll claims for any employee unless the appropriate forms are completed.

3.10 NEPOTISM

Lawrence County's policy is to hire, promote, and transfer employees on the basis of individual merit and to avoid any hint of favoritism or discrimination in making such decisions.

Lawrence County prohibits its elected officials, department heads, and employees from hiring, for full-time, part-time, temporary, intermittent, or hourly employment, their relatives. Individuals who are relatives may not be employed in a position that results in one relative being in the direct line of supervision of the other relative.

A person may not be appointed to a Lawrence County Board or Commission if the person is a relative or domestic partner of any member of the appointing body.

For purposes of this policy, the term “relative” means any of the following:

- A. spouse;
- B. parent or stepparent;
- C. child or stepchild;
- D. brother, sister, stepbrother, or stepsister;
- E. niece or nephew;
- F. aunt or uncle;
- G. daughter-in-law or son-in-law
- H. domestic partner
- I. first cousin

An adopted child of an individual is treated as the natural child of the individual. The terms “brother” and “sister” include a brother or sister by the half blood. If the definition of “relative” in Indiana Code 36-1-20.2, or a successor statute to it, is changed, the definition of this term shall change accordingly.

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

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

For each person hired and for each employee who experiences a change of status, the elected official, department head, or employee who makes the hiring or change of status decision, shall complete the Nepotism Policy Compliance Form, and shall file the completed form with the Human Resources Director, within one (1) week of the hiring or change of status event.

It is the intent of this policy to fully comply with Indiana Code 36-1-20.2, the terms and provisions of which are incorporated into this policy by reference. Where a term or provision set forth above differs from the incorporated terms and provisions of Indiana Code 36-1-20.2, the more restrictive or limiting term or provision shall take precedence, which in this case the County handbook has adopted more stringent policies. **Therefore, there will be no exceptions made to allow for any such nepotism to take place in any department of Lawrence County including the Sheriff’s office matron position.**

There is a “Grandfathering clause” in the hiring nepotism law for current elected officials or employees with family relationships that would otherwise be in violation of the nepotism policy unless there is a break in the office holding or in employment. Grandfathered individuals may be promoted as they are not subject to the IC 36-1-20.2 chapter and its provisions. Employees hired after July 1, 2012 who in later years have relatives elected that are in the direct line of supervision will have no promotion possibilities unless the promotion

is within the merit ranks for police and fire departments. They do not have to be terminated unless the County deems this necessary. See, IC 36-1-20.2-11.

Annual Certification

IC 36-1-20.2-16 requires each elected officer of the unit to annually certify in writing, subject to the penalties of perjury, that the officer has not violated this chapter. An officer shall submit the certification to the executive of the unit not later than December 31 of each year.

This section does not apply to precinct election officers as identified in Indiana Code 3-6-6 or to other individuals hired on a temporary basis to work in the administration of an election held in Lawrence County with respect to their service as a precinct election officer or as another type of temporary election worker.

3.11 EMPLOYMENT STATUS

It is the intent of the County to clearly define employment status. **Any changes in employment status shall be conveyed in writing. No change in employment status is to be construed or inferred without written notification from the Human Resources department.** Employment beyond any initially stated period does not in any way imply a change in employment status. If a department hires an individual to stand-in for a full-time employee on a leave of absence, the department head shall contact the Human Resources Department to confirm the individual's employment status and eligibility for benefits.

3.12 PROBATIONARY STATUS

Probationary employees are those whose performance is being evaluated to determine whether further employment with the County is appropriate. The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The County uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or Lawrence County may end the employment relationship at any time and for any reason, other than as prohibited by law, during or after the probationary period. The employee remains an "at-will" (merit deputies excluded) employee after the expiration of the probationary period.

All employees will be on a probationary period the first three (3) months of employment. At the end of the employee's initial three (3) month probationary period, the elected official/department head may extend the employee's probationary status. Merit deputies have a one year probationary period. Such extensions of probationary status should be put in writing and provide to the Human Resources office.

3.13 PERSONNEL FILES

The process of selecting and hiring for each position of employment shall be documented with the information pertaining to the hired employee retained in that employee's personnel records. Information in personnel records may be kept on file for each employee for a period of not less than seventy-five (75) years. Information in personnel records may be relevant to and used in making decisions regarding a person's status as a County employee.

Lawrence County shall maintain two separate sets of personnel records for each employee: the employee's personnel file, and confidential file.

- A. Personnel File. The employee's Personnel File shall contain the employee's title, salary information, *New Hire Payroll Information Form*, *Application for Employment* and/or résumé, retirement enrollment forms, *Information Changes Form* and beneficiary forms, records of training (kept in separate file for merit deputies), documentation of the employee's job performance, *Information Changes Form* for salary increases, and disciplinary records, including grievances, absences, tardiness, employee's job description, *Employee Handbook Acknowledgment Form*, and other related data. The Personnel File shall be maintained by the Human Resources Department.
- B. Confidential File. The employee's confidential file shall contain all medical information, including disability information, insurance enrollment forms, and other medically related information, and shall be maintained by the Human Resources Director. This file shall be kept confidential and separately from the Personnel File.

The employee's medical files, and portions of the employee's personnel files, shall be deemed confidential personnel records and exempt from public access to the extent allowed under the Indiana Access to Public Records Law. The information contained in an employee's personnel records shall be available to the employee and the elected official/department head under whom the employee works, the County Attorney, and employees designated as custodians of such records by elected official/department head, by this Employee, or by Indiana law. Employees must make a written request to Human Resources to view their personnel file by completing the *Request to Review Personnel File Form*.

3.14 PERSONAL INFORMATION CHANGES

Personal mailing addresses, and telephone numbers, contact information and names of dependents (including dates of birth), changes in marital status, emergency contact, educational accomplishment, and other such personal information should be accurate and current. Any unreported changes in personal status may impact eligibility under the County benefit plans. It is the employee's responsibility to convey accurate and up to date personal information in written form to the Human Resources Director and elected official/department head under whom he/she works.

4. ORIENTATION, PERFORMANCE EVALUATION AND EXIT INTERVIEW

4.1 ORIENTATION/EXIT INTERVIEWS

Elected officials/department heads are encouraged to conduct an informal orientation to familiarize a new employee with the County. All new employees will participate in a formal orientation with the Human Resources Department. Human Resources at that time will provide the employee with a copy of the Employee Handbook.

Upon termination of the employment relationship with an employee, the elected official/department head or the Human Resources Department shall make reasonable efforts to conduct an exit interview with the employee. Please see Section 11.1 for information regarding Employment Termination.

4.2 PERFORMANCE EVALUATION

The performance of all employees should be evaluated on an annual basis, using the form provided by the Human Resources Department or another evaluation form approved by the elected official/department head. This allows the elected official/department head and the employee the opportunity to discuss job responsibilities, standards, and performance requirements to correct deficiencies, to reinforce employee strengths, and to delineate goals.

Additional formal performance reviews may be conducted to provide both elected officials/department heads and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. Elected officials/department heads and employees are strongly encouraged to discuss the employee's job performance and the elected official's or department head's goals on an informal, regular basis.

Performance evaluations shall be confidential and shall be made available only to the employee evaluated, their elected official/department head and the Human Resources Department, and to a prospective elected official/department head if a transfer or promotion is being considered.

Performance evaluation forms are maintained by the elected official/department head, with a copy being provided to the Human Resources department annually.

5. EMPLOYMENT HOURS AND WAGE ADMINISTRATION

5.1 PAYROLL WEEK AND WORK WEEK

The new payroll week begins at 10 pm on Saturday and ends on the second Saturday following at 9:59 pm for the sheriff's office. The payroll week may be changed by the Lawrence County Commissioners. Such changes shall be communicated in writing to all employees. The normal work pattern for most employees, unless otherwise specified and except in designated departments, shall be Monday through Friday resulting in a 40 hour work week.

5.2 WORK HOURS

Lawrence County offices and departments shall observe the hours of work designated and established by the Lawrence County Commissioners. The regular work hours may be changed by the Lawrence County Commissioners. Certain departments may maintain varied work schedules under special employment conditions set forth by governing statutes. (For example, the Lawrence County Sheriff's Department shift schedules for the Sheriff's Department shall be determined by the Lawrence County Sheriff.

Lawrence County and Court offices shall be open to the public Monday through Friday from 8:30 a.m. to 4:30 p.m., except holidays, with employees required to work 40 hours per week. Certain offices may, due to the nature of their work, observe earlier opening hours and/or later closing hours, or additional Saturday hours as needed, and have a working lunch.

Elected officials or department heads will advise employees of the times their schedules will normally begin and end. 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 weeks stand alone for purposes of the Fair Labor Standards Act.; therefore, any non-exempt employee who works beyond forty (40) hours in one work week is entitled to overtime compensation at one and one-half times of the employees' standard hourly rate. Overtime/compensatory time, however, will only be allowed when authorized by the designated elected official/department head or in case of an emergency for specific departments.

While employee rest breaks may be considered a common employment practice, there is no general rule established by state or federal law that requires employees be provided rest break time. Due to the substantial variations in work responsibilities, conditions and management authority, the County does not have a specific employee provision providing for rest break time. Department heads may allow some rest break time for their employees, but are under no obligation to do so. Employees who take rest breaks without the permission of their department head or supervisor may be considered absent from work without authorization during that time.

5.2a MEAL PERIOD

Employees who work five (5) or more hours a day are provided a meal period. The meal period will not exceed one (1) hour. No less than a thirty (30) minute, but not greater than a (60) minute meal period will be paid in the public safety positions as they require a working lunch. The time that meal periods will be taken shall be dependent upon the department and day-to-day assignments and will be determined by the department head/elected official. Offices and departments shall remain open to the public during the meal period unless extenuating circumstances require closure, certain departments who have approval from their board may close down for their meal period.

5.3 ATTENDANCE POLICY

To maintain a safe and productive work environment, the County expects employees to be reliable and punctual in reporting for scheduled work. If an employee cannot avoid being late to work or is unable to work as scheduled, the employee shall notify their elected official/department head/supervisor/designee at least one (1) hour before the time the employee would normally begin their shift.

Supervisors are to keep accurate records of all employee absences, including information on whether the employee's supervisor was notified of their tardiness or absence.

In addition, any employee with frequent absences without approval may be subject to discipline up to termination, and shall be assigned attendance points. Poor attendance and excessive tardiness are disruptive to County operations.

Regular attendance and punctuality by all employees is important to maintain high levels of productivity and achieve County and department goals. However, we recognize that staff or their children may occasionally become ill, personal issues arise or are unavoidably late. The purpose of this policy is to ensure employees provide notice of such absences

"Absence" is defined as the failure of an employee to report for work when he or she is scheduled to work. The two types of absences are defined below:

Excused absence occurs when all the following conditions are met:

1. The employee provides to his or her supervisor sufficient notice of at least 12 hours in advance of the absence.
2. The absence request is approved in advance by the employee's supervisor.
3. The employee has sufficient accrued paid time off (PTO) to cover the absence.

Unexcused absence occurs when any of the above conditions are not met. If the employee is unable to call/text, he or she must have someone make the call/text. An unexcused absence is defined as “when the employee's supervisor/department head, or designee has not been properly notified that an employee will be tardy, late or absent. Points will be assessed for unauthorized absences, tardiness or late arrivals as described below.

Tardy – arriving between 5 - 60 minutes after the scheduled starting time.

Late – arriving between 61 minutes and 2 hours after the scheduled starting time.

Absent – missing one or more consecutive scheduled workdays or arriving more than two hours after the scheduled starting time.

Absence	Points	Explanation
5-60 minutes	1	Tardy
61 minutes- 2 hours	2	Late
More than 2 hours	3	Unexcused absence

***A Pattern of PTO requests with less than 12 hours’ notice may constitute additional assigned points or disciplinary measures.**

***Employees who are sent home by dept. head/supervisor due to lack of work, personal reasons, or for an approved emergency will not receive attendance points.**

Disciplinary Action

Employees will be subject to disciplinary action when the total points accumulated from unexcused absences, late arrivals, and tardiness reach the following levels during any 12-month period. If no attendance issues arise during the 12 month period after the most recent issue of attendance point(s), all previous accumulated points will be removed from employee personnel file and time records.

Points	Corrective Action
6	Verbal Warning
8	Written Warning
10	Final Warning
11	Termination

No-Call/No-Show

All employees must inform their department head of absences a minimum of 1 hour before the scheduled start of the shift. An employee who fails to notify his or her department head or designee of any absence in accordance with the department's policy will be subject to corrective action as follows:

- First failure to notify of absence—verbal warning.
- Second failure to notify of absence—written warning.
- Third failure to notify of absence—termination.

Employees who are absent for three consecutive days without notifying their department will be presumed to have abandoned/resigned their position and will be separated from employment effective on the third day of absence.

Chronic Absence or Tardiness

Employees receiving corrective action under this policy are expected to improve their attendance and punctuality. Failure to improve and sustain improvement may result in the employee receiving additional discipline, up to and including termination.

Interaction with Leave Laws

Employees taking leave under the Family and Medical Leave Act, the Americans with Disabilities Act or other state or federal protected leave are expected to provide notice of absences in accordance with company policy. Failure to provide notice absent extenuating circumstances may result in disciplinary action as described above.

5.3a PUBLIC SAFETY ATTENDANCE POINTS

*due to 24/7 operations and the on-call nature of the public safety departments a more stringent attendance point system is necessary to meet staffing and operation requirements. All County policies from the above attendance policy are required for public safety employees along with the point system detailed below.

Tardy – arriving up to 15 minutes after the scheduled starting time.

Late – arriving between 15 minutes and one hour after the scheduled starting time.

Absent – missing one or more consecutive scheduled workdays or arriving more than one hour after the scheduled starting time.

Absence	Points	Explanation
1-15 minutes	1	Tardy
16 minutes- 1 hour	2	Late
More than 1 hour	3	Unexcused absence

***A Pattern of PTO requests with less than 12 hours’ notice may constitute additional assigned points or disciplinary measures.**

***Employees who are sent home by dept. head/supervisor due to lack of work, personal reasons, or for an approved emergency will not receive attendance points.**

Disciplinary Action

Employees will be subject to disciplinary action when the total points accumulated from unexcused absences, late arrivals, and tardiness reach the following levels during any 12-month period. If no attendance issues arise during the 12 month period after the most recent issue of attendance point(s), all previous accumulated points will be removed from employee personnel file and time records.

Points	Corrective Action
6	Verbal Warning
8	Written Warning
10	Final Warning
11	Termination

5.4 JOB DESCRIPTIONS

Job descriptions setting forth the qualifications, duties, and responsibilities for County positions are maintained by the Human Resources Department on behalf of the Lawrence County Commissioners and the Lawrence County Council.

A supervisor will outline your job responsibilities and expected performance standards. You should receive a general job description setting forth the position’s essential functions. Please be aware that your job responsibilities may change at any time during your employment. You may be asked from time-to-time to work on special projects or to assist with other work

necessary to the County's operation. Your cooperation and assistance in performing such additional work is expected. The County reserves the right to alter job responsibilities, reassign/transfer job positions or assign additional job responsibilities in accordance with statutes, rules and policies regarding compensation and classification.

5.5 JOB CLASSIFICATION/PAY SYSTEM MAINTENANCE

Any change in job classification or pay rate must be approved by the Lawrence County Council. The County Council oversees maintenance of the job classification and pay plan. When an elected official/department head wishes to create a new position not currently classified, reorganize jobs within a department, review seniority, abolish a position, or review an employee's job classification, the required paperwork including a review form must be obtained from the Human Resources Department. The completed paperwork must be returned, with all required supplemental information, to the Human Resources Department for review, who will in turn forward the requests to the County Council. The County Council takes final action on these requests.

5.6 COMPENSATION

Lawrence County's compensation plan is based on the job classification system. The Lawrence County Council adopts an annual salary ordinance establishing pay rates for all County positions. The annual salary ordinance is hereby incorporated by reference in this Employee Policy Handbook.

Pay for all positions is subject to the annual budgetary process, and therefore may be subject to increase, decrease, or status quo maintenance for any duration of time. The elected official/department head can make recommendations about salary compensation levels and other pay concerns but the final decision regarding compensation levels will be decided by the Lawrence County Council.

Elected officials shall be paid an annual salary. This salary covers the period beginning on 12:01 a.m. on January 1st of their first year in office and ending at midnight on December 31st of their last year in office. Elected officials shall be paid on regular pay days throughout the year.

5.7 TIMEKEEPING

Federal and State laws require the County to keep an accurate record of time worked in order to calculate employee pay and benefits. "Time worked" is all time actually spent on the job, performing assigned duties.

The Fair Labor Standards Act (FLSA) and Family and Medical Leave Act (FMLA) require that certain records be kept on each covered non-exempt worker. The record must include accurate information about the employee and data about hours worked and wages earned. Employers are required to maintain the following records:

1. Employee's full name, as used for social security purposes, and on the same record, the employee's identifying symbol or number if such is used in place of name on any time, work, or payroll records;

2. Address, including zip code;
3. Birth date if younger than 19;
4. Sex and occupation;
5. Time of day of week when employee's workweek begins, hours worked each day, and total hours worked each workweek;
6. Basis on which the employee's wages are paid (salary, or hourly);
7. Regular hourly rate;
8. Total daily or weekly straight-time earnings;
9. Total overtime earnings for the workweek;
10. All additions to or deductions from the employee's wages;
11. Total wages paid each pay period;
12. Date of payment and the pay period covered by the payment.

IC 5-11-9-4 requires that public sector employees maintain records showing which hours were worked each day by officers and employees. These records are subject to audit by the State Board of Accounts. Time worked is all the time actually spent on the job performing assigned duties.

All employees, where a timekeeping system is being used, are required to clock in/out at the beginning/end of each shift, and during unpaid breaks. Failure to clock in/out repeatedly will result in disciplinary action, up to and including termination.

Every County employee is required to submit timesheets to their designated elected official/department head/supervisor who will send to the payroll department in the Lawrence County Auditor's Office no later than 4:30 p.m. on the designated day. **Please follow the handout distributed by the Auditor's office for the current year payroll schedule for due dates and pay dates.**

An employee's failure to submit accurate time records according to the schedule to their designated elected official/department head may result in the employee's failure to receive a paycheck for the time period in question. A department head or their designee's failure to submit accurate time records according to the schedule may also result in the employee's failure to receive a paycheck for the time period in question. **Time records received after the designated due date prior to payday may not be processed until the following pay period.**

Employees shall record the use of paid leave, Family and Medical leave, or any other type of approved leave on their time records. Failure to record the leave may result in the employee not being paid for the leave. Employee time sheets are to be submitted to the payroll department in the Auditors office for each payroll period by the designated elected official/department head, or designee.

Tampering, altering, or falsifying time records, or submitting time for another employee's time record, shall result in disciplinary action, up to and including termination. Questions or concerns regarding these matters should be directed to the Human Resources department. Please see also Section 5.17 – Ghost Employment.

It is an employee's responsibility to sign his time records to certify the accuracy of all time recorded. The elected official/department head will review and verify time records before submitting them for payroll processing. If corrections or modifications are made to the time record, both the employee and the elected official/department head should verify the accuracy of the changes by signing/submitting the time record. Should an employee fail to sign such a time record, the record shall be submitted by the elected official/department head with an acknowledgment that the employee has reviewed the modification.

5.8 PAY PERIODS

All employees are paid bi-weekly on a Tuesday. Each paycheck will include earnings for all work performed through the end of the current pay period.

5.9 PAY CORRECTIONS

Lawrence 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 chance, there is an error in the amount of pay, the elected official/department head should promptly bring the discrepancy to the attention of payroll so corrections can be made.

5.10 TRAVEL TIME

Travel reimbursement rates

Mileage: .42c per mile

Per Diem: \$50 per day

Hotel: receipts will need to be provided for reimbursement

Parking: receipts will need to be provided for reimbursement

- A. Home-to-Work Travel** - Travel to and from home is not work time, this policy does not apply to merit deputies and special deputies.
- B. Out-of-Town Travel** - An employee who is sent out of town for one day will be paid for time spent in traveling the same hours as their normal shift would pay. Mileage will be paid for any employee furnishing transportation from the County seat to any location farther than 35 miles. Only one mileage reimbursement shall be allowed to the elected official or employee furnishing the transportation for more than one County employee.
- C. Overnight Travel** - If an employee travels overnight on business and is gone for more than one day, the employee will be paid for time spent in traveling during his normal working hours, even if the travel time occurs during non-work days. Travel time as a passenger on an airplane, train, bus, boat, or automobile outside regular working hours is not considered work time. However, any actual work performed by the employee while traveling is considered to be work time. If an employee drives a car, without being offered public conveyance, then the travel time is considered work time. Overnight travel will be allowed for any trips over 35 miles, but must be approved by the Commissioners for one day trips only.
- D. Hotel expenses** will be paid if the location is 35 miles or greater from the County seat, Bedford. For travel that doesn't require an overnight stay, a per diem allowance set forth by the Lawrence County Commissioners will be paid.

- E.** Per Diem for meals, parking, and other related expenses will be paid according to the rate set forth by the Lawrence County Commissioners at the beginning of each year.
- F.** No expenses will be paid for meals inside of Lawrence County.
- G.** Out of state travel per diem must be pre-approved by the elected official/department head.

5.11 PAY DEDUCTIONS/GARNISHMENTS

Lawrence County is legally required to make certain deductions from each employee's paycheck, including federal, state and local income taxes. The County must also deduct social security taxes on each employee's earnings. The County matches the amount of social security taxes paid by each employee.

The County offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover costs to participate in these benefits.

When the County is served a writ of garnishment requiring payment of a portion of the employee's compensation, a processing fee, as allowed by law, may be deducted from the employee's pay and retained by the County.

Questions concerning paycheck deductions and/or methods of calculation should be directed to the payroll department in the Auditor's office.

5.12 ABSENCES FROM WORK

A. Unless appropriately specified by the elected official/department head, when an employee is absent from work, the Auditor or Human Resources Director shall subtract from existing benefit time in the following order: accrued overtime or compensatory time, then PTO leave.

Pursuant to principles of public accountability, if a non-exempt employee has no existing leave time as described above, any hours short of the employee's regular weekly hours shall be deducted from the employee's wages or salary.

B. Volunteer Firefighters' Absences from Work

Pursuant to IC 36-8-12-10.5 employees who are volunteer firefighters and who have notified Lawrence County in writing of that fact may not be disciplined for absences by reason of responding to a fire or emergency call that was received before the time that the employee was to report to employment. Likewise, employees may not be disciplined for leaving the employee's duty station to respond to a fire or an emergency call if the employee has secured authorization from the employee's supervisor to leave their duty station in response to a fire or an emergency call received after the employee has reported to work.

The employee's supervisor may require an employee that has been absent from employment for reasons stated above to present a written statement from the fire chief or other officer in charge of the volunteer fire department at the time of the absence indicating that the employee was engaged in emergency firefighting or emergency activity at the time of the

absence. The employee shall not be paid for an absence, with supervisor approval, unless benefit time is used.

5.13 LONGEVITY

Unless otherwise indicated by a contract or by the Salary Ordinance, the longevity pay policy provides salary increments to all full-time employees based on complete and uninterrupted years of service with the County. Periods that would be affected by interrupted service cannot be claimed. Seniority pay accrues on the employee's anniversary date according to salary ordinance specified schedule and shall be submitted for payment on the payroll voucher immediately following the employee's anniversary date. Longevity pay will not be prorated for less than twelve (12) months of employment. In other words, if employment is terminated either by the employee or the County prior to the employee's anniversary date, the employee will not receive longevity pay. PTO benefit leave may not be used to extend the time of employment in an effort to gain a longevity pay increase.

The longevity pay increases are located in the annual Salary Ordinance and may be obtained from the Human Resources Department or the Auditor.

5.14 OVERTIME

Each employee is designated as **NON-EXEMPT** or **EXEMPT** from Federal and State wage and hour laws.

NON-EXEMPT employees are entitled to overtime compensation/compensatory time off under specific provisions of Federal and State law.

EXEMPT employees are excluded from specific overtime provisions of Federal and State law. Exempt employees are not entitled to overtime compensation or compensatory time off.

Elected officials and their personal staffs, political appointees, and legal advisors are not covered by the Fair Labor Standards Act (FLSA). Certain other employees, typically executives, administrators and professionals, while covered by the record keeping provisions of the FLSA, are exempt from the overtime provisions of the Act. The employee's job description and the Salary Ordinance adopted by the Lawrence County Council should be consulted to ascertain whether the employee is eligible for overtime compensation under the Act.

Non-covered and Exempt employees are compensated not for the amount of time spent on the job, but rather for the general value of the services performed. Such employees are generally not hired to work a set number of hours per week, but are expected to fulfill their job responsibilities regardless of the number of hours involved and are paid a salary intended to compensate for any and all "overtime;" however, such employees must work a minimum of sixty (60) hours during a two (2) week pay period (depending upon their required schedules) in order to be considered full-time employees and eligible for benefits accorded full-time employees. Exempt employees must submit accurate time records, as described in Section 5.6.

For questions regarding number of hours worked, please see Section 1.5 for the definition of full-time and part-time employees.

The following paragraphs apply to all non-exempt employees as determined by the Lawrence County Council's designation of jobs for compliance with the Fair Labor Standards Act:

Employees may be required to work overtime when operating requirements or other needs cannot be met during regular working hours. Overtime assignments will be made to best meet the operational needs of the County. All overtime work must receive the supervisor's prior authorization. Employees who work overtime without receiving prior authorization may be subject to disciplinary action, up to and including termination of employment.

Overtime work (beyond 40 hours per week) must always be approved by the elected official/department head or supervisor before it is performed. Unauthorized overtime worked may be subject to disciplinary action up to and including termination of employment.

5.15 COMPENSATORY TIME

All non-exempt employees working in excess of 40 hours in a work week shall receive FLSA compensatory time off at a rate of one and one-half (1.5) hours per hour worked in lieu of overtime compensation. Indiana labor laws also require employers to pay employees overtime at a rate of 1½ time their regular rate when they work more than 40 hours in a workweek, unless otherwise exempt.

Compensatory time will be paid out when employee leaves County employment on their last paycheck. **Compensatory time shall only be allowed if the following condition is met: (1) the overtime was authorized by the elected official/department head or supervisor.**

Scheduling the use of compensatory time off shall be at the discretion of the elected official/department head. **Compensatory time accrued in a particular pay period must be used in the succeeding two pay periods unless doing so would cause an undue hardship for the department head. In the case of undue hardship an employee must use all comp. time by the end of the calendar year.** Use of compensatory time must be determined in advance of submission of the payroll.

All elected officials and department heads shall verify compensatory hours calculated in accordance with this policy. **Employees shall not be allowed to accrue more than forty (40) hours of compensatory time unless in exceptional circumstances, and with approval from County council.**

An employee must use any accrued compensatory time before that employee may use any paid time off (PTO) pursuant to Section 6.1 of this policy. Any employee with accrued compensatory time, who transfers to another department, will be allowed transfer their compensatory time.

5.16 EMERGENCY CLOSING AND EVACUATIONS

Periodic or temporary emergencies, such as severe weather or power failures, can temporarily disrupt operations, sometimes requiring the brief closing of County facilities. When such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing. Also, the Sheriff's office will send out mass text verifying the full or partial day closing of County facilities.

The Lawrence County Commissioners shall decide when County facilities shall be officially closed. When facilities are officially closed for temporary emergency conditions before the beginning of the workday, the time off from scheduled work will be paid to full-time employees (excepting public safety employees) affected by the facility closing.

If a full-time employee reports to work, and the facility is later closed due to a periodic or temporary emergency after the employee's arrival, the employee shall be paid for a full work day without being required to use PTO leave, compensatory time, or by making up this time within the pay period; however, if a full-time employee does not report to work on a day in which the facility is later closed, time missed will be charged against the leave the employee intended to use that day or will be time without pay. The elected official/department head may allow the employee to make up time missed, provided that the time missed is made up within the same pay period and is documented.

This policy does not apply to public safety employees engaged in work during any emergency as declared by the Lawrence County Commissioners.

This section of the Lawrence County Employee Handbook is intended to outline procedures for periodic or temporary emergencies. Employees should be aware that a severe emergency could occur, which would significantly impact the operations of Lawrence County and could result in the loss of jobs for some County employees. In such a situation, employees affected would not continue to be paid by or receive benefits from Lawrence County. Those affected employees, however, may be eligible to continue health insurance coverage as described in Section 6.3.3 of this Handbook, entitled "Benefits Continuation (COBRA)".

Severe emergencies, which require longer closings of Lawrence County Government offices and which could result in the loss of jobs for County employees, shall be governed by emergency plans developed by Lawrence County Emergency Management and approved by the Lawrence County Commissioners.

Each work location has procedures for emergencies and evacuations for events such as fires. The procedures for emergencies and evacuations at your office or worksite should be prominently posted. Each employee must become familiar with these procedures. Please contact your supervisor or Human Resources representative for details about the emergency procedures for your worksite and to request any assistance or accommodation you may need in case of evacuation or other emergency.

5.17 GHOST EMPLOYMENT

Indiana law makes it illegal for public servants to engage in Ghost Employment. Elected officials of Lawrence County and their employees shall adhere strictly to the law as stated in IC 35-44.1-1-3.

IC 35-44.1-1-3 Ghost employment

Sec. 3. (a) A public servant who knowingly or intentionally:

- (1) hires an employee for the governmental entity that the public servant serves; and
- (2) fails to assign to the employee any duties, or assigns to the employee any duties not related to the operation of the governmental entity; commits ghost employment, a Level 6 felony.

(b) A public servant who knowingly or intentionally assigns to an employee under the public servant's supervision any duties not related to the operation of the governmental entity that the public servant serves commits ghost employment, a Level 6 felony.

(c) A person employed by a governmental entity who, knowing that the person has not been assigned any duties to perform for the entity, accepts property from the entity commits ghost employment, a Level 6 felony.

(d) A person employed by a governmental entity who knowingly or intentionally accepts property from the entity for the performance of duties not related to the operation of the entity commits ghost employment, a Level 6 felony.

(e) Any person who accepts property from a governmental entity in violation of this section and any public servant who permits the payment of property in violation of this section are jointly and severally liable to the governmental entity for that property. The attorney general may bring a civil action to recover that property in the county where the governmental entity is located or the person or public servant resides.

If an individual has questions or suspects a violation of IC 35-44.1-1-3 has occurred within Lawrence County Government, those concerns should be submitted to the Human Resources department and/or the Lawrence County Commissioners.

6. EMPLOYEE BENEFITS

6.1 LEAVE TIME

Lawrence County provides a wide range of benefits to eligible employees. Programs such as social security, worker's compensation, and unemployment insurance cover all employees in the manner prescribed by law. Eligibility for additional benefits depends on a variety of factors, many of which are described elsewhere in the Employee Handbook. The Human Resources Department will identify the programs for which employees are eligible.

For purposes of the accrual of benefit time, one day of benefit time for a forty (40) hour-a-week employee equals eight (8) hours. Any adjustments in schedules made by departments

for whatever reason, which affect the length of an employee’s workday, shall not affect the above-stated accrual rate.

It is the County’s intent that employees shall be allowed to use their benefit time in minimum half-hour increments, subject to approval by the employee’s supervisor and/or department head/elected official.

6.1.1 PTO LEAVE

The County provides full time Exempt and Non-Exempt employees with paid time off (PTO) benefits in lieu of the traditional benefits of paid vacation, personal days and sick days. Elected Officials and part time employees are not eligible for paid time off (PTO).

PTO is intended to allow employees paid time off from work for reasons such as vacation, personal illness, family illness, medical appointments, religious or ethnic holidays, or personal or family business. County scheduled holidays, bereavement leave, jury duty and worker’s compensation leave are separate from the PTO policy and are not included in the employee’s earned and accumulated PTO amount.

PTO may be taken by an employee, with the prior approval of his or her supervisor or department head/elected official in accordance with the Lawrence County government’s payroll procedure and in compliance with any State and Federal regulations or requirements. PTO may be taken, at such times, as best accommodates the employee’s schedule with a few departmental exceptions including staffing requirements and business needs. Department Heads/Elected Officials/Supervisors will enforce this policy fairly/equitably and treat each employee in a non-discriminatory manner.

The amount of PTO to which an employee is entitled for a PTO Leave Period (as defined below) is determined by the employee’s length of continuous service as a full time employee as of the beginning of the PTO Leave Period. All new employee’s first PTO Leave Period will begin on the first day following the six (6) month anniversary date of their continuous service. Employees hired between July 1, 2019 and December 31, 2019 will also receive PTO on the first day following their (6) month anniversary date. An employee’s later PTO Leave Periods will begin on the first day following each anniversary date of their continuous service as a full-time employee throughout such period. PTO leave is only available to full-time employees and is earned according to the following schedule:

<u>Continuous Service at Beginning of PTO Leave Period</u>	<u>Length of PTO Leave Period</u>	<u>Workdays* of PTO Available</u>
6 months	6 months	8 days
1 complete year	1 year	20 days
2- 4 complete years	1 year	22 days
5 - 9 complete years	1 year	25 days
10 - 14 complete years	1 year	27 days
15 - 19 complete years	1 year	29 days
20 or more complete years	1 year	31 days

****Definition of 'Workdays'***

1 PTO Day = regularly scheduled 8 hour per day employees = 8 hours

PTO for a PTO leave period accrues on the first day of the PTO leave period but does not accrue in whole or in part before that date, even though it is based on continuous service completed as of such date. Thus, for example, the 8 PTO days for the first PTO leave period is available beginning on the first day of such period (i.e., after 6 months or approximately the 182nd day of the employee's continuous service). In general, PTO must be used in the PTO leave period to which it applies and it may not be carried over to a later PTO leave period. Any PTO left unused at the start of the next PTO leave period due to extenuating business circumstances may be carried over and taken in the first half of the next PTO leave period **ONLY** with the approval of the Lawrence County Commissioners.

**** Notice to that effect shall be made to Human Resources and payroll in a timely manner. Except as provided in the preceding sentence, PTO for a PTO leave period will be forfeited on the last day of such period, to the extent not used on or before such date (**Use it or Lose It**).

No PTO leave shall be earned while an employee is on unpaid leave of absence, except for instances where it is required by law such as the Family Medical Leave Act (FMLA) and certain military leaves. Current and continuous employment time shall be used in determining the amount of eligible earned PTO for use.

In general, all PTO leave must be approved in advance by your supervisor. Except in the case of emergencies, or unforeseen circumstances, PTO leaves of less than three consecutive workdays should be approved by your supervisor at least 24 hours before taking the leave and PTO leaves of three consecutive workdays or more should be scheduled at least 14 days in advance. Because each department has different busy times of year, PTO leaves may be approved on a more limited basis at that time. Employees are expected to manage their PTO balances and plan use of PTO during non-peak operational times. **The max amount of consecutive PTO that can be taken is 21 days unless the employee is on an approved FMLA, ADA, or other federal leave.**

PTO pay shall be equal to the employee's regular current rate of pay at the time PTO is taken and does not include overtime or any special forms of compensation. If a holiday recognized by the County falls during your scheduled PTO Leave Period, you will receive holiday pay for that day and will not lose that day from your PTO balance and will only be paid for the holiday.

PTO must be taken in minimum increments of 30 minutes for all employees. Employee absences that occur after all available PTO has been used will be unpaid and subject to discipline and will receive attendance points under the Lawrence County attendance policy. **If an employee has PTO available they must use it when absent from work unless on an approved FMLA, ADA, or other state or federal leave.**

Exempt, non-elected salaried employees shall follow the same schedule and guidelines

outlined above and if they have a question about whether a certain absence should apply against their PTO balance are to check with their Supervisor or Human Resources. Exempt employees are allowed to flex their time within the same or the following pay period if necessary and approved due to operations.

Employees are not entitled to pay in lieu of taking PTO leave, except that terminating employees are entitled to be paid for all earned, unused PTO that has not previously been forfeited unless terminated involuntarily with cause.

A full time employee who separates from employment with Lawrence County shall be paid for no more than their unused PTO that had been awarded at their last anniversary date. The payout shall be calculated on the employee's current rate of pay at the time of separation and will be included on their final paycheck.

Once an employee separates from County employment for ANY length of time (e.g. 1 day or 1 year) they are given a 'new' date of hire and will start over on the benefit schedule, PTO leave, and salary schedule as a New Hire, no exceptions will be made unless approved by commissioners and council in regards to starting pay only. AN EMPLOYEE'S TERMINATION DATE MAY NOT BE EXTENDED TO GAIN ADDITIONAL PTO TIME.

If an employee transfers between departments within the County, the employee's balance of unused PTO leave shall be transferred to the new department unless used by the employee prior to the effective date of transfer.

If a full-time employee becomes a part-time employee, the employee's unused PTO will be paid out in accordance with the termination section above **in the County's next payroll run**. Once becoming a part-time employee, the employee is ineligible for PTO. If a full-time employee becomes an elected official, the employee will be paid out in accordance with the termination section above **in the County's next payroll run**. Once becoming an elected official, they are no longer eligible for PTO. Should an elected official be hired as a full-time employee, they shall receive credit for the years of service as an elected official and will become eligible for PTO. Should an elected official be hired as a part-time employee, they are ineligible for PTO.

In an effort to recruit qualified, experienced high level employees, the Commissioners reserve the right and ability to negotiate PTO benefits.

Transition:

As of January 1, 2020, the Paid Sick Leave Policy will be eliminated. All accrued but unused sick leave that current employees have earned at the time of transition to PTO will be placed in an individual transition sick 'repository' for each employee. Sick leave in this 'repository' can be used by the employee if they need to take time off from work due to their own mental or physical illness, injury or health condition, or to obtain medical diagnosis, treatment or preventive care. That includes doctor, dentist and eye doctor appointments.

Employees can also use your sick leave to take care of a family member who needs medical care or supervision. The family members covered under this policy include children, grandchildren, spouse, domestic partner, parent, grandparent, and child or parent of an employee's spouse or domestic partner.

On the six consecutive day of approved sick leave a doctor's note will be required (sheriff's office will require doctors note on the fourth consecutive day of approved sick leave). This time must be used or lost within ten years, by end date of January 1, 2030. Any hours left in this 'repository' at the end of the ten year run off period, January 1, 2030, are lost and not replenished nor are they paid out. Sick leave in the 'repository' will not be paid out at termination of employment for any reason whatsoever. No sick leave can be donated by employees to other County employees.

All current, eligible full-time employees were awarded their 2019 vacation days on their hire date. Those earned but unused vacation days will be carried over into the new PTO balance and must be used by their hire date in 2020. Employees will receive their PTO hours per the PTO Earning Schedule on their 2020 anniversary dates and have until their 2021 anniversary date to use these hours.

At the end of this transition year, 2020, all employees will continue to earn PTO per the schedule on their full-time employment hire date (anniversary date). 2020 new hires can start to accrue at the full PTO rate for which they are eligible no matter what month or date they start working.

6.1.2 HOLIDAYS

Each year the schedule of holidays shall be determined by the Lawrence County Commissioners. Full-time employees shall receive regular pay for holidays. Part-time or Temporary employees shall be compensated only for hours actually worked, if any, on a holiday.

Employees who work in a department that maintains a varied work schedule under special employment conditions, as described in Section 5.2, shall be paid for the holiday whether they are scheduled to work or not, and no floating holiday will be given. If an employee's religion observes holidays other than those designated, the employee, may, with supervisor's advance permission, work on regularly scheduled holidays and be absent for the holidays observed by the employee's religion.

Holiday time off shall be paid at the employee's base rate at the time of the holiday. To be eligible for holiday pay, an employee must have worked the preceding scheduled work day unless leave time has been approved in advance by their supervisor/department head.

6.2 OTHER LEAVE

6.2.1 MILITARY LEAVE

A. A military leave of absence will be granted to all full-time employees with appropriate military orders to attend scheduled drills or training or to respond to call to active duty with

the U.S. armed services. Lawrence County intends to comply with Title 38, U.S.C. Chapter 43, Sections 4301-4333, the Uniformed Services Reemployment Rights Act of 1994 (USERRA). Employees should complete a Request for Leave Form and submit a copy of their military orders to the elected official/department head. A copy of said orders should be forwarded to the Human Resources Department and attached to the payroll claim during the employee's military leave. During military leave, timesheets must be submitted by the elected official/department head to the Auditor's Office.

B. Fifteen (15) Day Paid Leave for Training

Employees with appropriate military orders will be granted paid leave from the County for up to fifteen (15) days per calendar year for training purposes and said leave shall not be "charged" against the employee's benefit leave.

Paid military leave normally does not apply to weekend training drills. If the employee has military orders for weekend training and is scheduled to work that same weekend the employee may be paid for these days; however, the employee will only receive pay for a total of fifteen (15) days per calendar year unless benefit time is used.

Employees on two-week (2) active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time.

C. Training in Excess of Fifteen (15) Days or Extended Active Military Duty

Employees whose military leave exceeds fifteen (15) days per calendar year may choose to charge the absence which exceeds fifteen (15) days to accrued time off (PTO, compensatory time or holidays) or be absent without pay.

D. Status of Benefits While on Military Leave

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time.

Seniority pay, PTO, and holiday benefits shall continue to accrue and should be recorded on the employee's timesheet during the period of the employee's military leave and submitted for payment on the payroll following the use of the leave. If a full-time employee's anniversary date occurs during an employee's military leave, which should be noted on the employee's timesheet and longevity pay shall be submitted for payment on the payroll following the accrual of the benefit. Employees shall be entitled to bereavement leave while on military leave and shall contact their elected official/department head, and Auditor in conjunction with the Human Resources Department, if such circumstances arise during their military leave.

Any health plan, including self-insured plans, provided by Lawrence County, will be continued on the same terms for the employee on military leave. The employee remains responsible for their share of any benefit costs while on military leave. The employee must

make satisfactory arrangements with the Lawrence County Auditor to pay their share of benefit costs, prior to the start of the leave.

The County’s obligation to maintain health insurance benefits stops if and when an employee informs the employer of an intent not to return to work at the end of the military leave period, or if the employee fails to return to work when the military leave is completed. The County’s obligation also stops if the employee’s health insurance premium payment is more than thirty (30) days late and the employer have given the employee written notice at least fifteen (15) days in advance advising that coverage will cease if payment is not received. In the event of the employee’s death, the employee’s spouse and/or dependents may be entitled to continue health insurance coverage by paying the full cost of coverage at the County’s group rates, plus an administrative fee.

Please consult the Lawrence County Human Resources Department Office and Section 6.3.3 of this Policy.

E. Reinstatement of Employment

Employees on longer military leave must notify the County of the intent to return to employment in accordance with all applicable state and federal laws.

Upon returning from military leave of absence, an employee will be reinstated to the same position or one of comparable status and pay, provided the employee is discharged from military status under honorable conditions, and makes a request for reinstatement within thirty (30) days after release from active duty or one year after release from hospitalization due to a military accident. The employee must also be qualified to perform the normal duties of the occupation for which they are being considered.

Employees who leave employment to serve in the armed forces of the United States shall be entitled to a leave of absence without pay, pursuant to the provisions of federal law. In general, the federal law requires that employees who receive certificates evidencing satisfactory completion of military service must be reinstated to their former position or one comparable to it along with seniority rights if the employee makes formal application for reinstatement within ninety (90) days after military termination (or from hospitalization continuing after termination for a period of not more than one (1) year). Department heads are advised to consult with the Human Resources Department to ascertain specific re-employment conditions and procedures required by federal law.

6.2.2 BEREAVEMENT LEAVE

Full-time employees may be granted paid bereavement leave under the following schedule:

5 days	3 days	1 day	Attend funeral during working hours	
Spouse, child, or step-child	Grandparent, Grandchild, Miscarriage	Aunt, Uncle	Current/retired fellow/former employee	

Parent or Step-parent	Mother-in-law, Father-in-law	Niece, Nephew		
Brother, Step-brother, Sister, Step-sister	Son-in-law, Daughter-in-law,			
	Brother-in-law, Sister-in-law			

Approval of bereavement leave will be given in the absence of unusual operating requirements. Additional time off may be granted by employee's Elected Official/Department Head with the additional leave either charged against the employee's PTO or Vacation/Sick Leave Repository Time or will be unpaid. If a covered family member, as defined in this policy, lived over 300 miles (radius) from Bedford, the employee will be eligible to receive one (1) additional day of paid Bereavement Leave.

Employees will be allowed two (2) hours paid leave to attend the funeral of a co-worker. Department Heads, and Elected Officials will have the right to limit the number of employees to ensure and maintain department operations. An employee who serves as a Pallbearer for a co-worker shall be allowed four (4) hours leave for the funeral.

Upon request, an obituary or funeral announcement may need to be provided by the employee. Completed Request for Leave forms should be forwarded to the Human Resources Department.

6.2.3 JURY DUTY

Lawrence County encourages employees to fulfill their civic responsibilities by serving jury duty when summoned in any State or Federal court. All full-time employees who are lawfully required to report for jury duty will be granted leave with pay in lieu of jury pay during the absence required for such duty. The full-time employee will continue to accrue all regular benefits for the full term of the jury duty absence. Full-time employees shall not accept jury duty pay since they are granted leave with pay. Part-time and temporary employees shall not receive regular pay for time spent serving on jury duty, but shall receive regular jury duty pay.

Employees must show the jury duty summons to their elected official/department head immediately upon receipt in order for the elected official/department head to make arrangements to accommodate the employee's absence.

The employee is expected to report for work whenever the court schedule permits.

6.2.4 FAMILY AND MEDICAL LEAVE

Following is a summary of the County's policy for extending family and medical leave to employees. This policy effects compliance with the Family and Medical Leave Act of 1993 ("FMLA" or "Act"). If you have any questions about the applicability of the following provisions, please contact the Human Resources Department.

A. Eligibility

The Act provides eligible employees with up to twelve (12) weeks of unpaid leave for their own serious health condition which makes the employee unable to perform the essential functions of his or her job, the birth or care of a newborn child, the placement with the employee of an adoptive child or a foster care child, or the care of the employee's child, spouse, or parent (but not parent "in-law") with a serious health condition. Leave to care for a newborn child or for a newly placed child must conclude within twelve (12) months after the birth or placement. For an employee to be eligible for Family and Medical Leave ("FMLA leave"), the employee must have been employed by the County for at least twelve (12) months and worked 1,250 hours within the previous twelve (12) month period. For the purpose of time worked Lawrence County will follow the IRS guidelines, which currently state that any time employed prior to a seven-year break in service will not be counted towards the 12 months employed.

"Serious Health Condition" means an illness, injury, impairment, or physical mental condition that involves:

1. any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or,
2. a period of incapacity requiring absence of more than three (3) calendar days from work, school, or other regular daily activities that also involves continuing treatment by or under the supervision of a health care provider, or,
3. any period of incapacity due to pregnancy, or for prenatal care; or,
4. any period of incapacity or treatment therefore due to a chronic health condition; or, a period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or,
5. any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three (3) consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.)

B. Maximum Amount of Leave

The maximum amount of leave under this policy is twelve (12) work weeks in any twelve (12) month period. For purposes of calculating an employee's entitlement to subsequent FMLA leave, the twelve (12) month period is measured forward from the date when the employee's previous FMLA began. For example, under this method an employee would be entitled to twelve (12) weeks of leave during the year beginning on the first date FMLA leave is taken (e.g., March 5, 2007); the next twelve (12) month period would begin the first-time leave is taken after completion of that twelve (12) month period ending (e.g., March 4, 2008).

When spouses are both employed by the same department (grandfathered in prior to January 1, 2018) within the County, they are jointly entitled to a combined total of twelve (12) work weeks. If spouses are both employed by the County, but work in separate departments, they are each entitled to twelve (12) weeks leave.

C. Intermittent Leave

FMLA leave may be taken on an intermittent basis or an employee may work a reduced schedule when medically necessary to care for a seriously ill family member, or because of the employee's own serious health condition; however, only with the elected official/department head's approval may an employee take intermittent leave or work a reduced schedule to care for a newborn or newly placed adopted or foster care child.

Only the amount of leave actually taken while on intermittent/reduced schedule leave may be charged as FMLA leave. Employees will not be required to take more FMLA leave than necessary to address the circumstances that cause the need for leave.

An employee who needs intermittent leave or a reduced schedule for foreseeable medical treatment must work with their employers to schedule the leave so as not to unduly disrupt the employer's operations, subject to the approval of the employee's health care provider. In such cases, the employer may temporarily transfer the employee to an alternative job with equivalent pay and benefits that accommodate recurring periods of leave better than the employee's regular job.

D. Advance Notice

When an employee plans to take FMLA leave, the employee must complete a Request for Leave Form. The employee is required to file the request with the employees' elected official/department head thirty (30) days in advance of the need to take FMLA leave when the need is foreseeable or notice as soon as practicable when the need to take FMLA leave is not foreseeable. All completed Request for Leave forms must be returned to the Human Resources Department.

The Human Resources department will complete a Response to Family/Medical Leave Request Form, submit it to the employee, and forward a copy to the department head.

E. Medical Certification

Lawrence County may require the completion of a Certification of Health Care Provider Form to support a claim for FMLA leave. For an employee's own medical leave, the certification must include a statement that the employee is unable to perform the functions of their position. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of the employee's time that will be needed to care for the child, spouse, or parent. The County reserves the right to require a second medical opinion from an independent medical provider. The County will pay for the second opinion and will designate a provider who is not an employee of the County. If the first two opinions conflict, the County will pay for a third opinion. The third opinion is final and binding on both the County and the employee.

F. Substitution of Paid Leave

FMLA leave is unpaid leave. The employee may choose to use any accrued paid leave time for any part of the 12-week period of FMLA leave. The employee must use all accrued compensatory time first once FMLA begins if they choose to use paid leave.

G. Health Insurance and Benefits

Paid time off and holiday benefits shall continue to accrue and should be recorded on the employee's timesheet during the period of the employee's FMLA leave and submitted for payment on the payroll in which the benefit time occurs. If a full-time employee's anniversary date occurs during an employee's FMLA leave it should be noted on the employee's timesheet and longevity pay shall be submitted for payment on the payroll following the accrual of the benefit. Employees shall be entitled to bereavement leave while on FMLA leave. Employees shall contact their elected official/department head within three (3) days of the actual bereavement leave if such a circumstance arises during their FMLA leave.

Any health plan, including self-insured plans, provided by Lawrence County, will be continued for the employee on FMLA leave on the same terms as such coverage would have been provided if the employee had continued to work. Employees remain responsible for their share of any benefit costs while on FMLA leave. The employee must make satisfactory arrangements with the Lawrence County Auditor in conjunction with the Human Resources Department, prior to the start of their leave, if possible, to setup a payroll deduction schedule to pay their share of the benefit premiums while on leave.

The County's obligation to maintain health insurance benefits under the Act stops if and when an employee informs the employer of an intent not to return to work at the end of the leave period, or if the employee fails to return to work when the FMLA leave entitlement is exhausted (unless the employee has requested another form of available leave). The County's obligation also stops if the employee's health insurance premium payment is more than thirty (30) days late and the Auditor's office in conjunction with the Human Resources Department have given the employee written notice at least fifteen (15) days in advance advising that coverage will cease if payment is not received.

H. Status Reports

The County may require an employee to report periodically during the leave period on the employee's leave status and the employee's intention to return to work. The County may consider the employee's failure to return to work at the end of the leave period as an employee resignation.

Prior to the end of the employee's FMLA leave, the Human Resources Department should complete a Notification of End of Family/Medical Leave Form and submit it to the employee, providing the elected official/department head with a copy.

I. While an employee is on FMLA for their own serious illness or injury, he/she shall not be engaged in outside employment; any exceptions shall be approved, in advance of engaging in outside employment, by the Lawrence County Commissioners, the Board of Judges, or the Prosecutor.

J. Restoration of Employment

An employee who completes a period of leave will be returned either to the same position the employee was in prior to the leave or to a position equivalent in pay, benefits and other terms

and conditions of employment (provided the employee is able to perform the functions of the job).

6.2.4a FAMILY MILITARY LEAVE

A. Eligibility

An eligible employee (an employee who has have been employed by the County for at least twelve (12) months and worked 1,250 hours within the previous twelve (12) month period.) who is a spouse, son, daughter or parent of a person who is on or ordered to active duty in the Armed Forces may take Family Military Leave in the following circumstances:

1. A “qualifying exigency” occurs, arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a “contingency operation” as determined by the Secretary of Defense
2. To care for a covered service member, when the employee is the spouse, son, daughter, parent, or next of kin of a covered service member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, that may render the service member medically unfit to perform duties of the service member’s office, grade, rank, or rating. “Covered service member” means a member of the Armed Forces who is receiving medical treatment, recuperation or therapy or is otherwise in outpatient status or on the temporary disability retired list, for a serious illness or injury. Next-of-kin is defined as the nearest blood relative of the injured or recovering service member.

B. Maximum amount of leave

1. Leave due to a “qualifying exigency”: An eligible employee may take up to twelve (12) workweeks of leave during any twelve (12) month period. This type of leave will be counted toward the employee’s twelve (12) week maximum of FMLA leave in a twelve (12) month period. Qualifying exigencies may arise when the employee’s spouse, son, daughter, or parent who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty. For purposes of qualifying exigency leave, an employee’s son or daughter on covered active duty refers to a child of any age.
2. Leave to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) workweeks of leave during a single twelve (12) month period to care for the service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave may not exceed twenty-six (26) weeks in a single twelve (12) month period.
3. A husband and wife who are both employed by the same department (grandfathered in prior to January 1, 2018) within the County may both take leave due to a “qualifying exigency” and are jointly entitled to a combined total of twelve (12) workweeks of leave. If spouses are both employed by the County, but work in separate departments, they are each entitled to twelve (12) workweeks of leave.
4. A husband and wife who are both employed by the same department with the County may both take leave to care for an injured or ill service member, and are jointly entitled to a combined total of twenty-six (26) weeks of leave.

If spouses are both employed by the County, but work in separate departments, they are each entitled to twenty-six (26) workweeks of leave

C. Documentation

1. When leave is due to a qualifying exigency, employees requesting this leave must provide proof of the qualifying service member's call-up or active military service paperwork. This documentation may be a copy of the military orders or other official Armed Forces communication.
2. When leave is to care for an injured or ill service member, employees requesting this leave must provide documentation of the service member's illness, injury and need for care. This documentation may be a copy of the military medical information orders for treatment, or other official Armed Forces communication pertaining to the service member's injury or illness incurred on active military duty that renders the service member medically unfit to perform his or her military duties. Employees will also need to complete and submit form DOL WH-380 to the Human Resources Department.

D. Advance Notice

When an employee plans to take Family Military Leave, the employee must complete a Request for Leave Form. The employee is required to file the request with the Human Resources department thirty (30) days in advance of the need to take Family Military Leave unless the activation orders are issued less than thirty (30) days before the requested leave is to begin in which case the employee shall provide such notice as is reasonable and practicable. Activation orders must be forwarded to the elected official/department head with the Request for Leave Form. All completed Request for Leave forms and a copy of said orders must be forwarded to the Human Resources Department.

E. Intermittent Leave

Leave taken because of a qualifying exigency may be taken intermittently or on a reduced schedule basis. Leave taken to care for an ill or injured service member may be taken intermittently or on a reduced schedule basis when medically necessary for such care.

6.2.5 EXTENDED NON-PAID LEAVE OF ABSENCE

A. Definition. A leave of absence is leave from employment duties for a reason, which serves the best interest of the County. This Section is not intended to affect or impact any leave of absence approved or allowed under Section 6.2.4 or any leave of absence approved or allowed as a condition of employment during the hiring process.

B. Eligibility. Only full-time employees are eligible to apply for an extended, non-paid leave of absence.

C. Duration. A leave of absence shall be for any reasonable period of time approved by the employee's elected official/department head and the respective authority overseeing the department or office (See Section 1.3).

D. Application. Employees desiring to take a leave of absence shall submit an Application for Extended, Non-Paid Leave of Absence Form to their supervisor. The original request shall be forwarded to the Human Resources Department and a copy to the department head/elected official for consideration.

E. Approval. The decision as to whether to grant a leave, and the terms thereof, lies entirely with the elected official/department head and the respective authority overseeing the department or office (See Section 1.3). However, if it is an appointed department head who is requesting such leave, the decision to approve or deny lies with the respective authority overseeing the department or office (See Section 1.3).

F. Compensation. Employees will not be paid during their leave of absence.

G. Benefits. Employees will not accrue any benefits while on leave; however, an approved leave does not constitute a break in continuous service. Accordingly, eligibility for benefits that require continuous service will not be affected during the period that an Employee is on approved leave. The employee on leave will remain on PERF, merit deputies will remain on the County police retirement plan, but no additional PERF contributions by the County will be made during the leave. The employee on leave will continue to have medical insurance benefits, if eligible under the terms of the insurance policy; however, the employee must make arrangements with the Lawrence County Auditor in conjunction with the Human Resources Department to pay the full amount of the premium unless the employee is on FMLA or military leave (in which case, the employee must pay only the employee portion of the premium. Please see Sections 6.2.1(D) and 6.2.4(G)).

H. Return from Leave. Before returning to work, the employee must provide written notice to Human Resources and their elected official/department head of the employee's intention to return to work, according to the terms specified by the elected official/department head and the respective authority overseeing the department or office (see Section 1.3) and as stated in the leave designation letter provided to the employee upon approval of the extended-non-paid leave of absence.

I. Forfeiture of Right to Return to Work. If the employee fails to return to work in accordance with the terms stated in the leave designation letter, referenced in subsection H above, it may result in the loss of employee's right to return to work, subject to the decision of the elected official/department head and the respective authority overseeing the department or office (See Section 1.3).

6.2.6 PAID PARENTAL LEAVE

Lawrence County will provide up to two weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with the Family and Medical Leave Act (FMLA) leave, as

applicable. This policy will be in effect for births, adoptions or placements of foster children occurring on or after January 1, 2020.

A. Eligibility

Eligible employees must meet the following criteria:

1. Have been employed with the company for at least 12 months (the 12 months do not need to be consecutive).
2. Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
3. Be a full- or part-time, regular employee (temporary employees and interns are not eligible for this benefit).

B. In addition, employees must meet one of the following criteria:

1. Have given birth to a child.
2. Be a spouse of a woman who has given birth to a child.
3. Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a child by a new spouse (step-parent) is excluded from this policy.

C. Amount, Time Frame and Duration of Paid Parental Leave

1. Eligible employees will receive a maximum of two weeks of paid parental leave per birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the two-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than two weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.
2. Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
3. Approved paid parental leave may be taken at any time during the six-month period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this six-month time frame.
4. Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the six-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the six-month time frame.
5. Upon termination of the individual's employment at the company, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Coordination with Other Policies

1. Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the

employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

2. After the paid parental leave is used, consecutive two weeks, the balance of FMLA leave (if applicable) can be compensated through a combination of employees' accrued compensatory time, sick leave, PTO leave, and any approved short-term disability payments. Upon exhaustion of accrued compensatory, sick leave and PTO leave, any remaining leave will be unpaid. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
3. The company will maintain all benefits for employees during the paid parental leave period just as if they were taking any other company paid leave.
4. If a company holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
5. If the employee is on paid parental leave when the company offers administrative leave (known as an "admin day"), that time will be recorded as paid parental leave. Administrative leave will not extend the paid parental leave entitlement.
6. An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee was on FMLA-qualifying leave.
7. Please refer to the Adoption Benefit Policy for additional information about other employee benefits related to the adoption process.

Requests for Paid Parental Leave

1. The employee will provide his or her supervisor or the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.
2. As is the case with all County policies, the organization has the exclusive right to interpret this policy.

6.2.7 NURSING MOTHERS

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. Lawrence County has designated a room located in the courthouse in the Auditor's office for this purpose, and other County buildings have accommodations to meet the nursing mother's needs as well. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of.

Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting Human Resources. Employees who work offsite or in other locations will be accommodated with a private area as necessary.

Breaks of more than 30 minutes in length will be unpaid, and the employee should indicate this break period on the time record.

6.3 EMPLOYEE BENEFITS

6.3.1 WORKER'S COMPENSATION

Employees medically disabled on the job shall receive benefits in accordance with Indiana law, specifically IC 22-3-3-7, provided a physician acceptable to the County certifies that the employee was unable to work.

PTO leave and holiday benefits shall continue to accrue during time off due to an on-the-job injury and shall be submitted for payment on the payroll following the use of the leave. If a full-time employee's anniversary date occurs during an employee's time off, that should be noted on the employee's timesheet and seniority pay shall be submitted for payment on the payroll following the accrual of the benefit. Employees shall be entitled to bereavement leave during time off due to an on-the-job injury and shall contact the Human Resources Department and their elected official/department head if such circumstances arise during their absence.

Under certain circumstances, Lawrence County's worker's compensation insurance carrier shall pay 2/3 of the employee's current salary for approved leaves of absences due to an on-the-job injury. An employee, who is receiving worker's compensation benefits, will not be allowed to use their accrued benefit time to cover the 1/3 portion of the employee's paycheck not covered by worker's compensation or to cover the employee's costs of insurance or other benefits normally deducted from the employee's paycheck by the Auditor's Office.

Neither the County nor the insurance carrier will be liable for the payment of worker's compensation benefits for off-duty injuries or injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the County. On the day of the incident or as soon as possible thereafter, the injured employee's elected official/department head must complete an Incident Investigation Report and all other necessary forms. The forms are available from the Human Resources Department and must be returned to the Human Resources Department for processing.

6.3.2 MEDICAL BENEFITS AND LIFE INSURANCE

The County has established a self-funded health benefits plan for regular full-time employees and their families who choose to participate. Appointed and elected officials and their families may also be entitled to participate in the medical benefits program. A portion of the cost of this plan is paid by the County. The County also furnishes a \$25,000.00 term life insurance policy at no charge to each full-time employee. The terms and conditions specified in such plans govern coverage's. Information about how to enroll, change or continue coverage may be obtained from the Human Resources Department.

A summary follows:

A. Initial enrollment period – New employees:

Eligible new employees may enroll in the health benefits plan without any restrictions within thirty (30) days of the first day of the month following your date of hire. Insurance coverage will begin on the first day of the next month following their initial hire date of full-time employment with the County. Employees who do not elect to participate in the plan will be asked to sign a waiver of this benefit.

B. Newly eligible persons:

1. Spouse: A new spouse may be enrolled without restrictions if the application for coverage is received and enrollment fees are paid within thirty (30) days of marriage if the spouse is not eligible for coverage from their employer. A spousal carve out provision prohibits any spouse whose employer provides medical coverage to be on the County plan. If a spouse who is ineligible is added to the medical plan the employee will be subject to discipline up to and including termination.
2. Newborn and adopted children: Newborn or adopted children are automatically covered for thirty (30) days from the date of birth or placement for adoption. The child may be enrolled for further coverage in the plan without restrictions if the employee submits an Insurance Change Form to the Human Resources Department within thirty (30) days of the date of the child's birth or placement.

C. Special enrollment for loss of other coverage:

Under some circumstances, a special enrollment without restrictions may occur if an employee waived coverage for himself or dependents at the time of initial enrollment because of the employee's coverage under another health insurance or benefit plan, but subsequently lost that coverage for reasons other than non-payment of premium.

D. Late enrollment: An eligible employee or dependent who did not request enrollment for coverage during the initial enrollment period or as a newly eligible person, or during a special enrollment period in which the individual was entitled to enroll, will have to wait until open enrollment to sign up for coverage.

However, there will be no coverage under the plan for pre-existing conditions of the Late Enrollee for up to eighteen (18) months. A pre-existing condition is one which was present and for which medical advice, diagnosis, care or treatment was recommended or received within six (6) months of the period ending on the date of late enrollment.

E. Supplemental insurance programs: Supplemental medical, disability and life insurance (including policies on family members) programs are available. The costs of such supplemental policies are paid entirely by the participating employee through payroll deductions.

6.3.3 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. Common qualifying events include resignation, termination of employment, 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 the County's group rates, plus an administration fee. The County, through a third-party administrator, provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the County's health insurance plan. The notice contains important information about the employee's rights and obligations. Elected officials or department heads must notify the Human Resources Department and the Lawrence County Auditor immediately after an employee is terminated.

Specific details regarding eligibility and coverage are available from the Human Resources Department.

6.3.4 PUBLIC EMPLOYEES' RETIREMENT FUND (PERF)

Most full-time employees are eligible to enroll in a retirement program known as the Public Employee's Retirement Fund (PERF) at the time of initial employment. PERF mandates that each employee contribute 3% into their personal, defined contribution, PERF account. Lawrence County has elected to make this mandatory 3% contribution into each employee's fund. In addition, there is an employer, defined benefit, portion, which is a percentage set by the State. This amount is based on each employee's salary. These funds go directly into the PERF General Fund for new and existing employees. This is deposited directly into the fund. The employee has several options with regard to how the employee's own money is invested in the fund. If employment is terminated before the money vests (generally upon 10 years' service), the employee's contributions, plus interest, are refunded although it usually takes several months to process the return. Generally, the money becomes vested after 10 years.

When an employee reaches age 65, they may receive the full retirement amount if they have at least ten (10) years of eligible service. An employee with fifteen (15) or more years of service may elect to retire as early as age fifty (50); however, retirement benefits are substantially reduced if the retirement occurs before age sixty (60). The pension is calculated by a formula set by law. On the average, County contributions furnish approximately eighty-five percent (85%) of the total benefit an employee receives. A handbook, which more fully explains the program, is available from the Human Resources Department.

Some employees and their dependents may be eligible, pursuant to I.C. 5-10-8-2.6, to continue health plan coverage for themselves and their spouses after retirement by paying the full costs of coverage at the County's group rates, plus an administrative fee. Criteria for eligibility are in accordance with State law. The current criteria are that the employee must be at least fifty-five (55), have twenty (20) years of creditable public employment (ten (10) of which immediately precedes the retirement) and must have participated in PERF for fifteen (15) years.

Pursuant to I.C. 5-10-8-2.2 retired or permanently disabled Sheriff's deputies and their spouses and current dependents may also request to continue health plan coverage by paying the full cost of coverage at the County's group rates, plus an administrative fee.

Specific details regarding these options should be obtained from the Human Resources Department before the date of retirement. Please see Section 6.3.3 of this Policy or Call toll-free, PERF: (888) 526-1687

6.3.5 DEFERRED COMPENSATION

Lawrence County offers a voluntary deferred compensation program to eligible employees. Full-time employees may participate in the deferred compensation program. This program is a way to set aside part of an employee's income through voluntary payroll deductions that defer tax liabilities on this income until retirement. Different investment options are available and may be discussed with a representative of the company, which administers the deferred compensation program.

7. WORKING CONDITIONS

7.1 SAFETY

Establishing and maintaining a safe work environment is the shared responsibility of the County and all employees. The County will take all reasonable steps to assure a safe work environment. The County will comply with all applicable Federal, State, and local safety regulations.

Employees are expected to obey safety rules and to exercise caution in their work activities. Employees shall report to work in proper condition to safely complete their assigned duties. Employees shall immediately report any unsafe conditions to their supervisor. Supervisors and employees are expected to correct unsafe conditions as promptly as possible.

Employees must report all on- the-job accidents that result in injury, regardless of how insignificant the injury, immediately (once the employee has been provided the necessary medical treatment) to their elected official/department head and to the Human Resources Department. An incident report and post-accident investigation report must be completed and submitted to the Human Resources Department. Such reports are necessary to comply with applicable laws and to initiate insurance and worker's compensation procedures.

7.2 APPEARANCE OF WORK AREAS

Lawrence County expects employees to keep work areas, meal areas, and rest rooms neat and clean. These qualities promote health, productivity, safety, and good morale. Any employee who doesn't adhere to the standards are subject to disciplinary measures up to and including termination.

7.3 SMOKING

In keeping with the County's intent to provide a safe and healthy work environment, smoking in all County buildings is prohibited. This ban includes nicotine and electronic cigarettes. Smoking is prohibited within 8 feet of all public buildings per state law. This policy applies equally to all employees, elected officials, and visitors.

7.4 BLOOD BORNE PATHOGENS

Employees working in high-risk jobs will be offered blood borne pathogen training and a series of hepatitis B vaccinations for their protection at no cost to the employees.

The Occupational Safety and Health Administration (OSHA) has determined that certain employees in the workplace face a significant risk from blood borne pathogens. To ensure that employees are aware of occupational exposure to blood borne pathogens, the County will develop an exposure control plan to minimize or eliminate employee contact with human blood or other bodily fluid, which may contain blood borne pathogens, such as hepatitis B virus and HIV. This control plan will be available for use by all employees.

8. USE OF COUNTY PROPERTY

8.1 TELEPHONES AND COUNTY MAIL

Personal telephone calls shall be limited in frequency and duration. Personal use of telephones and FAX machines for long-distance and toll calls at the County's expense are not permitted.

To ensure effective telephone communications, employees shall always use an approved greeting and speak in a courteous and professional manner.

The mail system is reserved for business purposes only. Employees shall refrain from sending or receiving personal mail at the workplace.

8.2 CELLULAR/MOBILE PHONES AND PAGERS

Elected officials/department heads have discretion on what is and is not acceptable use of personal cell phones. Repeated excessive use of personal cell phones may result in disciplinary action, up to and including termination.

8.3 COMPUTERS, E-MAIL, AND THE INTERNET

Purpose: Employees are provided with information technology (computers, computer software, and the electronic mail system) as a tool to support the business of the County. The effective performance of the County's computer and telecommunications network depends upon users adhering to established standards of proper conduct. In general, this requires efficient, ethical and legal utilization of network resources. This resource, as with any other public resource, demands those entrusted with the privilege of its use to be accountable. The following guidelines and policies define the responsibilities of employees and volunteers using network and Internet resources. **USE OF THE LAWRENCE COUNTY NETWORK RESOURCES IS A PRIVILEGE, NOT A RIGHT.**

Monitoring of Internet Use: County computers, the County Internet connection, and the electronic mail system are County assets and are subject to review or monitoring at any time without notice. Because the computers, Internet connection and the e-mail system belong to the County and not to the employees, employees should have no expectation of privacy regarding these items. Users should be aware that information contained on County computers, including their e-mail messages, is subject to public disclosure. If a user violates

any of the provisions contained in this policy, his or her access to the County resources may be denied and disciplinary action may be taken.

Internet Use Policy: All users of County-provided Internet services, including e-mail, must abide by State, Federal and local laws. Internet and e-mail use must comply with County policies and regulations, including the County's Equal Opportunity Employment policies as well as the policies prohibiting harassment in the workplace.

Software Duplication Prohibited: Lawrence County purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the County does not have the right to reproduce this software for use on more than one computer. Employees may only use software on multiple machines according to software license agreements. The County prohibits the illegal duplication of software and its related documentation. No licensed software may be installed on County computers that has not been authorized by the County, and/or is not properly licensed to the County.

Acceptable Use: The following are acceptable uses of the County's computer resources:

Work Related Use – The Internet and e-mail are to be used for the County's business purposes. Using appropriate Web sites for work-related purposes is unrestricted as long as it is reasonable.

Personal Use – The Internet is a powerful communications tool that can provide a great deal of useful information. Unfortunately, it can also be a distraction from productive work when browsing non-work-related sites. While personal use of the Internet and e-mail is permitted, it is to be kept to a minimum. Personal use must be non-commercial, that is, not related to any for-profit business or activity or any use for which the employee will receive remuneration. Extensive use of network resources for personal use is prohibited.

E-mail - Personal e-mail shall be sent or received as seldom, and be as brief, as possible. Use of personal e-mail, which unduly disrupts the employee's work or is deemed to be excessive by the employee's supervisor, may result in the employee being disciplined or terminated.

Internet - Exploring the Internet, during working hours, is permitted but shall be kept to a minimum. Use which is deemed to be excessive by the employee's supervisor may result in the employee being disciplined or terminated.

Professionalism - Use common sense with open web sites, especially with visitors in the area. For example, if you are searching the Internet during your lunch hour, be sensitive to the fact that the general public may view your computer screen and see that you are on a non-work-related Web site; the public will not be aware that you are utilizing your lunch hour for this Internet activity and could assume that you are "surfing the net" while "on the clock."

Security: Employees shall not allow unauthorized access to the County's computer network. Allowing unauthorized access includes, but is not limited to: sharing passwords with other

individuals, making authentication items such as passwords easily available, failing to log off when leaving a computer and allowing unauthorized persons physical or electronic access to the County's systems. Individual users may be held accountable for their account's use by other people

Passwords: The password feature of the County's computer network is the foundation for maintaining the confidentiality of the County's communication system. Confidentiality of passwords and user accounts must be protected. Passwords, system telephone numbers, and similar information may not be disseminated to the public and must be retained as confidential information by the user. For privacy reasons, employees may not attempt to gain access to another employee's personal file or e-mail messages without the latter's express permission. Internet accounts are to be accessed only by the authorized user of the account.

Security Issues: All security issues shall be communicated immediately upon discovery to the elected official/department head and the Technical Services Department.

Direct Internet Access Prohibited: Employees may only access the Internet through an approved Internet firewall. Accessing the Internet directly, by modem, is strictly prohibited unless such access is approved and installed by the Technical Services Department.

Receiving Unsolicited Offensive Material: If an employee receives files, messages or information which violates the restrictions outlined in this policy, or which makes the employee feel uncomfortable or offended, the employee shall immediately call the matter to the attention of the employee's immediate supervisor. The supervisor should contact a representative of the I.T. department as well as the Human Resources department to investigate the matter.

Use of Private Software Prohibited: No private software, "shareware" or other unauthorized products may be run on County systems.

Downloading Programs: Employees shall not install or execute software or hardware that could damage the County's systems. Such software includes, but is not limited to, files that have been downloaded from the Internet or sent as an attachment to an e-mail.

Virus Protection: All material downloaded from the Internet or from computers or networks that do not belong to the County MUST be scanned for viruses and other destructive programs before being placed onto the computer system. All employees will be expected to follow the instructions from their supervisor for this scanning process. Any questions shall be referred to the Technical Services Department staff. Any problems noted by the Technical Services Department staff must be resolved prior to the downloaded material being placed on the computer system. As with all security issues, the discovery of a virus shall be communicated immediately to Technical Services.

Receiving Electronic Mail with an Attachment: If you receive non-departmental, external e-mail with an attachment, **DO NOT TOUCH THE ATTACHMENT; DO NOT OPEN IT; DO NOT VIEW IT; DO NOT SAVE IT TO DISK REGARDLESS OF WHO SENT YOU THE E-MAIL.** Many viruses attach to address books and can give the appearance of

being sent to you by your loved ones or legitimate professional contacts. Contact the person who sent the e-mail to you, verify they actually sent it to you and ask them what is specifically contained in the e-mail. If you are at all unsure about whether or not to open an e-mail, contact the Lawrence County Technical Services Help Desk.

8.4 LAWRENCE COUNTY SOCIAL MEDIA POLICY

This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner.

PROCEDURES: The following principles apply to professional use of social media on behalf of Lawrence County as well as personal use of social media when referencing to Lawrence County.

Employees need to know and adhere to the County's Code of Conduct, Employee Handbook, and other company policies when using social media in reference to the organization.

Employees should be aware of the effect their actions may have on their image, as well as Lawrence County's image. The information that employees post or publish may be public information for a long time.

- A. Employees should be aware that Lawrence County may observe content and information made available by employees through social media. Employees should use their best judgment in posting material that is neither inappropriate nor harmful to the County, its employees, or customers.
- B. Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
- C. Employees are not to publish, post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the Human Resources Department and/or supervisor.
- D. Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to the authorized County spokespersons.
- E. If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of a supervisor.
- F. Employees should get appropriate permission before you refer to or post images of current or former employees, members, vendors or suppliers. Additionally, employees

should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.

- G. Social media use shouldn't interfere with employee's responsibilities at work. Lawrence County' computer systems are to be used for business purposes only. When using Lawrence County computer systems, use of social media for business purposes is allowed (ex: Facebook, Twitter, County blogs and LinkedIn), but personal use of social media networks or personal blogging of online content is discouraged and could result in disciplinary action.
- H. Subject to applicable law, after-hours online activity that violates [the County's Code of Conduct] or any other County policy may subject an employee to disciplinary action including up to termination. You also need to understand that First Amendment rights apply when you are contributing to the debate on matters of public concern, but do not apply when you are merely complaining about your job, co-worker, superiors, or County vendors.
- I. If employees publish content after-hours that involves work or subjects associated with Lawrence County, a disclaimer should be used, such as this: "The postings on this site are my own and do not represent Lawrence County's positions, strategies or opinions."
- J. It is highly recommended that employees keep work related social media accounts separate from personal accounts, if practical.

8.5 VEHICLES AND EQUIPMENT

When using County property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor 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 supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Employees operating County vehicles shall maintain the ability to legally operate assigned vehicles. Employees who operate County vehicles are required to notify their elected official/department head and the Human Resources Department in the event that their driver's license is suspended or revoked. An employee's failure to notify their elected official/department head and the Human Resources Department of a driver's license suspension or revocation is subject to disciplinary action, up to and including termination.

Each occupant of a County or personal vehicle while on County business, must wear appropriate seat belts and shoulder harnesses (if so equipped) except for public safety in exigent circumstances. Each employee is personally responsible for any fines incurred as a result of driving or parking violations. In addition, no employee is permitted, under any circumstances, to operate a County vehicle or personal vehicle for County business when any

physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication, or intoxication.

The driver of a County vehicle shall obey all traffic and safety laws, except for law enforcement personnel engaged in the performance of their duties as set forth in Indiana Code 9-21-1-8. 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.

Vehicles owned by the County shall be used for County business only. All County employees are prohibited from using County vehicles for personal use. Only those employees assigned take-home vehicles by the Lawrence County Commissioners are authorized to use County vehicles for commuting purposes (Merit Deputies are allowed personal use of their assigned vehicles under specific conditions outlined in the policy manual of the Sheriff's Office).

In such cases, incidental non-business stops (such as stopping for lunch between two County business stops) are permissible. Lawrence County follows the regulations set forth by the Internal Revenue Service regarding taxable fringe benefits. Employees may contact the Lawrence County Human Resources Department or the Lawrence County Legal Department with questions about the manner in which those regulations are applied by Lawrence County. Each employee assigned a take-home vehicle should make sure he or she knows and understands the regulations and how they apply to the employee.

Law enforcement officers will make minimal use of County vehicles that are assigned as take-home vehicles for reasonable and limited personal transportation within the County. During such use, the officer shall maintain radio contact with Central Dispatch at all times, and shall respond to emergency situations when requested by Central Dispatch. The officer shall not substantially use a County vehicle in his or her business pursuits, or to perform another job, security at public events notwithstanding. The officer may use the vehicle to drive to and from other employment, but may not use the vehicle to perform substantial duties at that employment. The Sheriff shall monitor use of such vehicles to assure compliance with this policy and report such use to the Lawrence County Commissioners.

A County vehicle may be used only by the employee to whom it is issued, or by other employees of the same department who use it for departmental business. All use by non-employees (including friends and family members) is prohibited.

Except for official County business, or as provided in any special policies or procedures that supersede this policy, County owned vehicles shall not be driven out of Lawrence County, unless authorized by the Lawrence County Commissioners. On-call public safety employees can use their vehicles in an adjoining County while in on-call status. Command staff may have use of their assigned vehicles within the State of Indiana due to the possible need to respond emergent to a critical incident in Lawrence County.

Employees who violate these provisions shall be subject to discipline up to and including termination.

9. PERSONAL CONDUCT

9.1 EMPLOYEE CONDUCT AND APPEARANCE

The County respects the privacy interests of its employees and recognizes their right to conduct their personal lives free from interference with the County. Nonetheless, employees should keep in mind that, even while off duty, they represent the County to the public. Certain types of off-duty conduct may reflect poorly upon an employee's character and judgment and thereby influence his or her standing as a County employee.

The intersection of the workplace and social media poses new legal and practical risks. While the First Amendment may provide Constitutional protection for some social media speech by public employees, employees should be mindful that not all speech is protected by the First Amendment, and activities in the virtual world can have serious implications in the more traditional spaces of their lives, including the workplace.

Therefore, employees who engage in unprofessional or criminal conduct or other serious misconduct off-duty may be subject to disciplinary action, including termination from employment.

Employees are expected to maintain high standards of personal appearance, conduct, cooperation, and efficiency in their work. Employees shall avoid any actions, which conflict with County policies. Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image we present to our citizens and visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the job requirements.

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 elected official or department head if you have questions regarding what constitutes appropriate attire.

9.2 CHILDREN IN THE WORKPLACE

Lawrence County considers itself to be a family oriented business. We believe that it is an important facet of family life that our children see and learn what our parents do at work each day. Infrequent visits to a parent's work area is an important aspect of this family relationship. We as a County government value family and a work/life balance. Our employment policies and benefits are indicative of our beliefs. However, as an entity responsible to the taxpaying public we believe in an environment that is conducive to work; therefore, the workplace will not be used in lieu of childcare.

As a general rule, it is inappropriate for minor children and other minor relatives of employees to be in the workplace during working hours. This policy has been implemented to minimize potential liability to the County, risk of harm to children, and decreased

employee productivity due to distractions and disruptions. If the frequency, length or nature of visits becomes problematic, the employee will be advised of the situation and will be expected to take corrective action.

Employees are not permitted to bring ill children to work. This policy is not to be utilized as a backup childcare arrangement. Employees are provided paid time off benefits which should be used for personal reasons or to care for an ill child.

This policy is not intended to prohibit children or other minors and family members from being in the workplace during County-sponsored events. Exceptions to this policy are permitted under extenuating circumstances and with written approval from the Human Resource Department.

Lawrence County is sensitive to our employees' child-related circumstances; however, we cannot permit children to remain in the workplace because of the legal liability. As necessary, managers and supervisors may grant paid/unpaid leave at their discretion in emergency or unforeseen circumstances.

9.3 CONFLICT OF INTEREST

Lawrence County recognizes and respects the right of individual employees to engage in private activities outside of the workplace that do not conflict with, or reflect poorly on, the County. The County also recognizes its right and obligation to determine when an employee's activities present a conflict of interest with the County. If this outside employment conflicts with County interests, the County Commissioners must take whatever action is necessary to resolve the situation including, but not limited to, terminating employment.

Elected officials, department heads, and employees having a financial interest in a company or a substantial investment in a corporation that might benefit from their dealings with the County must file a conflict of interest statement with the Human Resources Department. The Human Resources Department will forward this statement to the Lawrence County Commissioners, the Lawrence County Clerk, and the Lawrence County Auditor. The Lawrence County Auditor will then place this item on the County Commissioners' Agenda which will be reviewed at a public meeting.

An employee who knowingly or intentionally obtains a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the County commits a Level 6 felony, unless a financial disclosure form is approved in advance and filed as required by Indiana Code 35-44-1-3. A financial interest of the spouse or dependent of an elected official, department head, or employee is also covered by this law. Employees must file a conflict of interest statement with the Human Resources Department and the Lawrence County Commissioners whenever an employee's outside business activities are directly or indirectly linked to the County in a business relationship, such as vendor, supplier, contractor, or independent subcontractor. The Human Resources Department has conflict of interest forms available upon request.

Employees with questions concerning a potential conflict of interest must immediately contact their elected official/department head, the Human Resources Department or the Lawrence County Legal Department.

9.4 OUTSIDE EMPLOYMENT

An employee may hold a job with another organization as long as the employee, in the opinion of the County Commissioners, satisfactorily performs their job responsibilities with the County and the outside employment does not pose a conflict of interest. Employees should consider the impact that outside employment may have on their ability to efficiently perform their work, as well as any conflicts of interest that may arise. Employees must inform their elected official/department head if they hold a job with another organization. All employees shall be judged by the same performance standards and shall be subject to the County's scheduling demands, regardless of any existing outside work requirements.

Outside employment will present a conflict of interest if it has an actual or potential adverse impact on the County. If the County determines that an employee has a conflict of interest, an employee's outside work interferes with their performance or their ability to meet the requirements of their position (as it is modified from time to time), or if the County determines that the outside employment is in conflict with its ethics code or other codes of conduct, directly or indirectly applicable to a specific employee, the employee may be required to terminate the outside employment if the employee wishes to remain employed with the County.

Employees of the Sheriff's office shall also be subject to any additional outside work policies implemented by the Sheriff's office policy manual.

9.5 SOLICITATION/DISTRIBUTION

This policy is designed to protect the interests of the citizens of Lawrence County by ensuring that only official County business is transacted in work areas during employees' work time.

There shall be no solicitation or distribution by non-employees during work time in the workplace. This section does not apply to vendors and/or charitable organizations approved by the Lawrence County Commissioners, Board of Judges or Lawrence County Prosecuting Attorney. An employee must obtain prior approval of any not-for-profit solicitation from their elected official/department head before distribution of materials. An employee may not solicit for business purposes during employee's work time.

9.6 SECURITY OF PREMISES

Lawrence County wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other dangerous materials. To this end, the County prohibits the control, possession, transfer, sale or use of these materials on its premises. The County requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices are provided for the convenience of the employees, but remain the sole property of the County. Accordingly, these storage devices, and any

articles found within them, can be inspected by any agent or representative of the County at any time, either with or without prior notice with just cause.

The County has a Court Security Committee responsible for this. Please refer to existing court orders and commissioners adopted ordinance.

9.7 CONFIDENTIALITY/REQUESTS FOR INFORMATION

Employees shall consult with their elected official/department head before releasing information, which could be confidential or privileged by law. It is a violation of state law for a public servant to knowingly or intentionally disclose information classified as confidential.

Occasionally, outsiders contact employees for information about current or former employees, or about the organization's policies, practices or projects.

10. OTHER POLICIES AND PROCEDURES

10.1 BUSINESS TRAVEL

This policy sets forth the maximum amount of reimbursement allowable for travel expenses and does not create any contractual obligation on the part of the County to reimburse any employee for any particular item of expense.

All employees seeking reimbursement must strive to incur the lowest possible travel expense and must exercise care to avoid impropriety or the appearance of impropriety. Public funds must never be used for personal gain. All employees must request and submit itemized receipts for every expense for which they are seeking reimbursement. Failure to submit an itemized receipt may result in the County denying reimbursement. See also Section 5.9 regarding Travel Time.

Overnight accommodations and per diem expenses are not allowed for meetings within thirty-five (35) miles of Bedford, Indiana, **unless formally authorized by the County Commissioners**, excluding statutorily mandated expenses.

An employee on authorized official County business attending a meeting **not requiring overnight accommodations** will be reimbursed for:

- a. Bus, taxi, and airport transportation.
- b. Air, rail, or bus tickets as lowest possible fare.
- c. County ordinance rate for mileage for using privately owned vehicle in lieu of public transportation.
- d. Necessary parking and storage fees, receipts must be provided.
- e. Lawrence County Commissioners shall establish per diem rates for each full day of County Business in travel status. Per-diem covers meals, incidentals, gratuities, and are subject to annual County ordinance.
- f. Other necessary expenses with approval of the County Commissioners.

10.1.1 GENERAL POLICIES

A. This policy applies to all claims for employee reimbursement from the County for business travel conducted on its behalf, which is not covered by a state-called meeting policy.

B. No travel or subsistence allowance will be provided for trips for which the employee receives reimbursement for travel expenses from any other source.

D. Only expenses which are reasonably necessary in order to conduct County business and which are incurred while in travel status shall be reimbursable. Where personal travel is combined with travel for County business, only expenses reasonably necessary for County business shall be reimbursable. An employee is in travel status during all of the time for which it is reasonably necessary to be away from Lawrence County to conduct business. See also Section 5.9 regarding Travel Time. Where an employee combines business travel with personal travel, the employee will not be considered to be in travel status during that portion of the trip, which is not reasonably necessary for the business portion of the trip.

D. Expenses for non-employees, who travel with the employee, will not be reimbursed.

E. Expenses for personal items and personal services will not be reimbursed.

F. Fees or honoraria paid to an employee during travel status shall become the property of the County and turned over to the Lawrence County Treasurer.

G. Prior approval of all travel other than state called meetings must be obtained from the County commissioners unless already budgeted for the calendar year, public safety positions are exempt from this requirement.

10.1.2 EXPENSE VERIFICATION

A. Itemized receipts or credit card receipts must be attached to all required claims. If these are not available, the following may be substituted:

1. Transportation: Documentation from the provider or travel agent.

2. Lodging: Documentation from the provider or travel agent.

3. Other: Affidavit of missing receipt.

B. If reimbursement is being claimed for conference or training expenses, a brochure, program, agenda, invoice, or other documentation which describes the event should be attached to the claim.

10.1.3 REIMBURSEMENT FOR MEALS

A. An employee in travel status or attending a conference or training event will be reimbursed per diem for meal expenses, not to exceed fifty dollars \$50.00 (including tax and tip) per twenty-four (24) hour period away from Lawrence County.

B. The purchase of alcoholic beverages will not be reimbursed.

10.1.4 REIMBURSEMENT FOR LODGING

- A.** Employees may claim lodging expense not exceeding the single room occupancy room charge, including taxes. The employee must obtain the lowest rate possible and inquire about government rates.
- B.** Employees are encouraged to share lodging. In that instance, the employee who requests reimbursement for lodging shall note on the claim the name of the co-worker who shared the room.
- C.** An employee may not claim reimbursement for lodging when lodging was provided by another person who is not in the business of providing lodging.
- D.** Pay television charges and other types of entertainment expenses are not reimbursable.
- E.** Lodging expense is not reimbursable for any stay unless advanced approval by the employee's elected official/department head is provided.
- F.** Employees may claim lodging expense for Saturdays, Sundays, or holidays in order to reduce the total cost of travel. The savings must be documented and approved in advance by the elected official/department head. Lodging may not be claimed if the employee is using vacation, holiday, or personal leave time.

10.1.5 REIMBURSEMENT FOR TRAINING

- A.** Air, rail or bus travel cost may be reimbursed. Whichever form of travel the employee chooses, the employee shall attempt to obtain the least expensive rate for that form of travel and shall make transportation arrangements accordingly. The employee shall consult the elected official/department head prior to booking transportation. Evidence, which satisfies Section 10.1.2 (“Verification of Expense”), must be included with the claim.
- B.** If a County-owned vehicle is available to the employee, it should be used instead of a personal vehicle.
- C.** An employee using a personal vehicle shall be reimbursed at the same reimbursement rate as approved by the Lawrence County Commissioners. The rate may be obtained from the Lawrence County Auditor’s Office. This reimbursement rate is designed to cover all costs associated with the use of the employee’s personal vehicle. Employees are encouraged to share vehicle transportation when practical, with one person designated to receive the reimbursement. A mileage claim shall be submitted to the Lawrence County Auditor.
- D.** An employee may be reimbursed for the cost of parking and tolls. Evidence which satisfies Section 10.1.2 (“Verification of Expense”) must be included with the claim.

E. Automobile rental expense may be reimbursed when it is efficient, cost effective, and approved by the employee's elected official/department head. The least expensive practical vehicle should be rented.

F. An employee who chooses to drive rather than fly, must get the travel approved in advance by the elected official/department head. An employee may be in travel status for a maximum of two (2) full driving days each way. Driving instead of flying will be approved only where the total costs of driving (including any reimbursed mileage, meal allowance and lodging en route) do not exceed the total costs of flying (including any reimbursed costs of getting to and from the airport, parking, meals not provided by the airline, and airfare based on the rate available fourteen (14) days before the departure date).

G. The expense of local taxi, train or bus fare will be reimbursed when verified in accord with Section 10.1.2.

Reimbursement Rates per County employee rates

1. Mileage

Current rate \$.42 per mile

2. Parking (rate at facility)

If the facility charges airport fees and gas surcharges those may be reimbursed with an itemized receipt.

It shall be the policy of Lawrence County to reimburse employees for mileage, parking, and toll fees incurred during the performance of County business while utilizing the employee's personal vehicle. Employees shall be responsible for completing all sections of a mileage claim form including odometer readings. Mileage reimbursement will be at the rate established by the County commissioners. Travel within a 250-mile radius of Lawrence County shall be by means of automobile. Valet parking will only be reimbursed with approval of the elected official or department head.

10.2 DRUG-FREE WORKPLACE

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of alcohol or any illegal drug while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by Lawrence County.

Lawrence County maintains a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988, and the State of Indiana Drug-Free Workplace Executive Order No. 90-5 of 1990. Failure to comply with this law could jeopardize government funds received by Lawrence County. Any employee who is convicted of a drug-related crime arising out of conduct while on official County business, or when serving as a representative of the County,

must notify the County within 24 hours of the conviction. Lawrence County is required to notify the appropriate government funding agency within ten (10) days of the conviction.

The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on County property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by the County is strictly prohibited and may result in suspension with or without pay or immediate termination. When appropriate, the County may refer the employee to approved counseling or rehabilitation programs.

Employees may use physician-prescribed medications, provided the use of such drugs does not adversely affect job performance, the safety of the employee, or the safety of other individuals in the workplace. Employees may keep prescription drugs on County premises when prescribed by a medical physician. Over-the-counter medications may also be kept on County premises on an as-needed basis. Employees who operate vehicles or equipment in the course of their employment shall notify their elected official/department head of prescription drugs and over-the-counter medications, which may impair their judgment in the performance of their job duties and responsibilities.

10.2.1 DRUG TESTING FOR EMPLOYEES NOT COVERED BY CDL POLICY

Lawrence County is committed to providing a safe, efficient, and productive work environment for all employees. In keeping with this commitment employees and post offer job applicants may be requested to provide body substance samples (e.g., blood, urine, hair, or other body substances) to determine the prohibited use of marijuana, cocaine, opiates, amphetamines, alcohol, barbiturates, and phencyclidine (PCP), and/or other illegal drugs. Results of any drug testing shall remain in the employee's confidential medical file. Sheriff's office employees shall refer to their department policy and procedures manual for drug testing.

10.2.1a Reasonable Suspicion

An employee will be requested to submit to a drug or alcohol test when the elected official, department head, the Human Resources Department, or other trained supervisor has reasonable suspicion that the employee has used alcohol or drugs or is impaired from the use of alcohol or drugs during employment hours with the County. In the event that an employee is requested to submit to a drug test, the elected official, department head, the Human Resources Department or supervisor shall complete a Reasonable Suspicion Observation Form or other approved form. These forms are available from the elected official/department head, or the Human Resources Department. All completed forms must be returned to the elected official/department head or the Human Resources Department.

These forms set forth the observations leading to the determination of reasonable suspicion including the following:

1. Observation of drug or alcohol use;
2. Observation of drugs, alcohol, or containers traditionally used to store drugs or alcohol;

3. Observations of behavior of the employee, including balance, speech, reactions, and other characteristics supporting reasonable suspicion of use of drugs or alcohol or impairment by drugs and alcohol;
4. A pattern of abnormal or erratic behavior by the employee; or,
5. Information provided by reliable or credible sources of the above.

Post-Rehabilitation Testing

When an employee has had a confirmed positive test result, or has been sent to a drug dependency program at the request of the County, Lawrence County, as a condition of continued employment, will require the taking and passing by the employee of follow-up drug tests during a probationary period within the two-year period after the employee's return to work.

Refusal to Undergo Testing

Employees who refuse to submit to a test are subject to immediate termination.

Positive Test

If an employee tests positive on an initial screening test, the employee will be temporarily suspended with pay while the confirmation test is being conducted. On receipt of the confirmation of a positive test, the employee will be subject to disciplinary action, up to and including termination. Discipline will be selected by Lawrence County Commissioners for all non-sheriff's office employees, as the sheriff will handle discipline for staff.

Right to Explain Test Results

All employees and applicants have the right to meet with the testing laboratory personnel, and with Lawrence County Commissioners and Human Resources, to explain their test results. These discussions should be considered confidential except that information disclosed in such tests will be communicated to personnel within Lawrence County or within the lab who need to know such information to make proper decisions regarding the test results or regarding the employment of the individual.

Right to Review Records

Employees have a right to obtain copies of all test results from the testing laboratory, or from Lawrence County. When an employee disagrees with the test results, the individual may request that the testing laboratory repeat the test. Such repeat testing will be at the expense of the individual, unless the repeat test overturns the original report of the lab, in which case Lawrence County will reimburse the employee for the costs incurred for the retest.

Confidentiality Requirements

All records concerning test results will be kept in confidential medical files that are maintained separately from the personnel file of the employee. Testing laboratories may conduct testing only for substances included on the disclosure list provided to the individual, and may not conduct general testing related to the medical conditions of the individual that are unrelated to drug use.

Retesting

Employees may request a retest of their positive test results within five working days after notification by Lawrence County of such positive test result. This retest is at the expense of the individual, unless the original test result is called into question by the retest.

Where the employee or applicant believes that the positive test result was affected by taking lawful or prescribed substances, the individual may be suspended without pay pending receipt of confirming information to substantiate the claims of the individual. Normally, the individual will be provided no more than five business days in which to provide this additional information.

Once Lawrence County has determined whether there is evidence to indicate that the test results are incorrect, Lawrence County will advise the individual of its decision.

Treatment, Termination and Rehire

Employees who test positive for any drug(s) listed on the disclosure list have two choices. The employee may agree to enter an authorized treatment program approved by the Lawrence County Commissioners, and agree to subsequent retesting for a period of two years after returning from treatment, or the employee will be terminated immediately and will not be considered for rehire until he or she can show that he or she has remained drug-free for a period of two years or more.

10.2.1b Post-Accident Testing

Post-accident testing may be required when an employee is involved in an accident on County property or while operating County and/or personal equipment or vehicles in pursuit of County business which results in either: 1) the death or injury of a County employee or a member of the general public; or 2) damage to public or private property and/or equipment. Lawrence County reserves the right to order post-accident tests as it deems appropriate based on the totality of the circumstances surrounding the accident. Post-accident tests may include screens for both drugs and alcohol.

10.2.1c Random Testing

Employees who drive non-CDL County vehicles may be randomly tested for both drugs and alcohol. Random testing will be also conducted in the highway dept. per DOT regulations, and the sheriff's office per sheriff's office policies. Please refer to sheriff's office policy manual and merit board rules and regulations.

10.2.2 Federal Motor Safety Regulations/Commercial Driver's License Drug and Alcohol Policy

This policy shall apply to an employee who is required to hold a commercial driver's license in order to operate a vehicle or equipment as part of employment with Lawrence County.

Lawrence County has instituted this policy to provide a healthy and safe work environment for its employees and to ensure the safety of the public. The provisions of this policy are established to address the use and possession of alcohol, controlled substances, physician-prescribed medications, and over-the-counter medications by employees in positions that have been classified as "safety-sensitive."

It is the policy of Lawrence County to comply with and abide by all laws and regulations that have been established by the Federal Motor Carrier Safety Regulations, U.S. Department of Transportation (DOT), and Federal Highway Administration (FHWA). In complying with these regulations, the County hereby institutes a comprehensive controlled substance and alcohol testing, training, and record keeping program for employees in positions that have been classified as safety sensitive.

Per U.S. Department of Transportation (DOT), all employees who are required to have a valid CDL must provide electronic consent to release detailed drug and/or alcohol violation information in the clearinghouse record in order for the County to conduct a new hire and annual full query. Failure to consent to a query will result in the employee being prohibited from performing safety-sensitive functions for the County and immediate termination.

In accordance with DOT/FHWA regulations, included in this classification of safety-sensitive positions are all positions which require an employee to operate a commercial motor vehicle and/or hold a commercial driver's license. Information and training concerning the specific provisions of this policy will be provided to all employees and supervisors of employees holding safety sensitive positions.

10.3 POLITICAL ACTIVITY

Employees shall not be required to participate, financially or otherwise, in any political campaign or party activity during their working hours and be without fear of retaliation. If an employee feels that they have been retaliated against for not participating please contact the Human Resources Department. Lawrence County equipment shall not be used to generate, copy, or reproduce campaign materials. Lawrence County vehicles shall not be used to distribute campaign materials. Lawrence County telephones or facsimile machines shall not be used for campaign purposes. Employees are prohibited from using their County position to assist in political campaigns during work hours to engage to engage political activity.

10.4 DISCIPLINE AND TERMINATION

10.4.1 Commission of a Felony, Misdemeanor or Unlawful Act

Lawrence County is committed to providing its citizens with qualified staff who possess good character and standards. This policy provides basic safeguards in maintaining a safe working environment for employees and citizens and in fulfilling this commitment.

Whenever an employee while on duty is accused, arrested for any misdemeanor or felony while on duty, the employee shall report this matter to their elected official or department head, in writing, within twenty-four (24) hours of the arrest. Failure to report in accordance with this policy shall be considered a violation of the personnel policies subject to disciplinary actions up to and including termination. Citations for moving traffic violations or arrests for misdemeanors or felonies which occur during an employee's off-duty hours must be reported to the elected official or department head, in writing, within five (5) calendar days of receiving the citation.

Unauthorized time away from work shall be subject to the County's attendance and wage policies. Time spent under arrest or in jail is not considered a valid excuse for missing work.

An employee who is arrested for any misdemeanor or felony, whether the arrest happened while the employee was on duty or not, may be suspended with pay pending an administrative investigation and/or the disposition of any charges filed against the employee. The investigation will be used to determine if the accused employee is in violation of the personnel policies and to determine if disciplinary action is warranted, up to and including termination. The determination as to whether an employee is suspended shall be based upon the nature and circumstances of the alleged offense and the impact the charges may have on the employee's ability to adequately perform their job duties and/or remain in compliance with the County's personnel policies.

It is the responsibility of any employee with pending criminal charges to provide to their elected official/department head written documentation such as a court record of the disposition of the charges within five (5) calendar days after receiving notification. Failure to do so will be considered a violation of this policy and may subject the employee to discipline, up to and including termination.

If the employee is on a leave of absence pending administrative investigation and/or the disposition of any charges, and the employee is not found to have been in violation of the personnel policies, he/she shall be returned from suspension.

Factors to be used in determining appropriate discipline, which may range from no disciplinary action up to termination of employment, will include the employee's assigned duties and responsibilities, the nature of the offense, sentences imposed, other convictions/infractions, relevant provisions of Indiana statutes, licensing requirements, risk of recidivism, reasonable inferences about problems with self-control, propensity for violence, honesty, and damage to the reputation of the employee, the employee's department, and/or Lawrence County.

Any employee found guilty, admitting guilt, or pleading no contest or nolo contendere of/to a felony will be subject to immediate termination.

10.4.2 Uniform Disciplinary Policy

The purpose of this policy is to give employees notice, insofar as possible, of the County's standards, requirements and expectations, which are not covered elsewhere in the Employee Handbook. Work rules described herein are not all-inclusive and the omission of a specific policy prohibiting a particular kind of conduct does not mean the conduct is acceptable to the County.

It is also the purpose of this policy to describe the County's general philosophy concerning discipline and termination. Each discipline or termination situation presents a unique set of circumstances that will be reviewed and decided on its individual facts and in the context of the surrounding circumstances;

THIS UNIFORM DISCIPLINARY POLICY IS NOT INTENDED TO CREATE A CONTRACT BETWEEN THE COUNTY AND ITS EMPLOYEES. LAWRENCE COUNTY MAY CHANGE THIS POLICY FROM TIME TO TIME, AND ALL EMPLOYEES WILL BE NOTIFIED OF SUCH CHANGES.

10.4.3 Progressive Discipline

Normally, employee misconduct or unsatisfactory performance will be subject to the following, progressive disciplinary system, except as otherwise provided herein:

1. The first offense or incident will result in a documented verbal warning.
2. The second offense or incident will result in a written warning with the employee being subject to being put on a performance improvement plan to try to correct the performance/behavior.
3. A third offense or incident may result in a final written warning, unpaid suspension, and also may include zero tolerance for a specified amount of time depending on the nature of the offense, or immediate termination.

It is the responsibility of the elected official or department head to notify the Human Resources Department and the Auditor prior to a termination.

Lawrence County reserves the right to decide upon the appropriate response to employee misconduct or unsatisfactory performance, including, but not limited to counseling, reprimand, warning, suspension, or termination, based on all relevant circumstances.

Accordingly, the County will not necessarily adhere to the three-step progressive discipline system in all circumstances. Rather, the purpose of progressive discipline is to provide management with the opportunity to put employees on notice that their conduct is unsatisfactory so that they may have an opportunity to correct or improve their conduct. Employees are required to verify receipt of a notice of discipline by their signature on a Notice of Disciplinary Action Form and/or Counseling Statement, or dept. letterhead for sheriff's office employees. In the case of union employees, this verification can be the signature of an employee representative present at the time the written warning is given. Where the circumstances indicate that progressive discipline is inappropriate or futile, the County may act accordingly.

10.5 WORKPLACE VIOLENCE

The safety and security of Lawrence 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, threat, physical attack or property damage. These terms are defined as follows:

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

2. "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.
3. "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 termination of hazardous substances.
4. "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 acts 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, but are not limited to, threats made via the telephone, fax, electronic or conventional mail, or any other communication medium.

Violations of this policy will 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 elected official/department head 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 elected official/department head with a copy of such order.

If an emergency exists, contact the police department at 911, and notify your supervisor. 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 the elected official/department head, the employee may bring concerns to the County Commissioners.

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

10.6 ETHICAL RULES

Lawrence County officers, employees, and special appointees shall comply with the rules promulgated by the State of Indiana for the State Officers, Employees, and Special Appointees.

10.7 WHISTLEBLOWER POLICY

A whistleblower as defined by this policy is an employee of Lawrence County who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are 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 is to contact his/her immediate supervisor or the Human Resources Director. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. 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.

Lawrence County will not retaliate against a whistleblower. This includes, but is not limited to, 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 must contact the Human Resources Director immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

11. EMPLOYMENT TERMINATION

11.1 EMPLOYMENT TERMINATION

Since employment with Lawrence County is AT-WILL, sheriff's office merit deputies are subject to the merit board and are not at-will employees, and based on mutual consent, either the employee or the County has the right to terminate employment at any time, with or without cause. 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 or Retirement: Voluntary employment termination initiated by an employee. Although advance notice is not required, the County requests at least two (2) weeks written notice from the employee in order to leave in good standing.

Termination with cause: Involuntary employment termination initiated by the County for disciplinary reasons.

Release: Involuntary employment termination initiated by the County for non-disciplinary reasons.

Lawrence County encourages exit interviews. Exit interviews are scheduled at the time of employment termination to 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 may also be expressed. Exit interviews should be scheduled with the employee's elected official/department head or designee, or the Human Resources Department. The Human Resources Department will follow up with the elected official or department head to review the exit interview.

All accrued PTO time and comp. time that is due and payable at termination will be paid out in a lump sum on the following paycheck unless the employee was terminated with cause, as defined above. **If an employee is terminated with cause by the County, the employee will not be paid for accrued PTO time. Unused compensatory time is payable upon termination of employment on the next paycheck to all non-exempt employees. AN EMPLOYEE'S TERMINATION DATE SHALL NOT BE EXTENDED TO GAIN ADDITIONAL PAID OR UNPAID TIME OFF, BENEFITS, OR LONGEVITY PAY.**

11.2 RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all County property on or before their last day of work. The County may take all action deemed appropriate to recover or protect its property.

11.3 REQUESTS FOR INFORMATION

For employment reference checks requested by other employers of past or current County employees, the County will respond in writing only to those reference inquiries that are submitted in writing. When the County is contacted by any person with written consent of the employee, the County shall release information regarding their position, hire date, and eligibility of re-hire. Responses to such inquiries will confirm only dates of employment, eligibility or re-hire, and position(s) held. The Human Resources Department shall not provide reference or employment information other than the information provided as specified in this policy; however, Lawrence County shall fully comply with all provisions of Indiana law regarding the release of information.

11.4 ACCESS TO EMPLOYEE PERSONNEL FILE

Employee personnel records are maintained in our Human Resources department. As required by law, some records pertaining to employees are maintained in separate files relating to medical issues and internal investigations. Employees, or their representative, may request access to their basic personnel file. Depending upon the circumstances, employees may be provided access to records pertaining to internal investigations, with appropriate redactions to protect the rights of others.

All requests for access to view your personnel file must be provided in writing to Human Resources. Upon receipt of your written request, Human Resources will schedule an

appointment for you to view your file during normal office hours. For purposes of this policy, your personnel file includes records related to performance and training as well as other records used for hiring, promotion and disciplinary decisions. It will not include any reference checks, medical records or investigation files. Employees are not permitted to remove any documents from the personnel file but may provide a written response to any document in the personnel file. Written responses will be attached to the original document in the personnel file.

Employees may request copies of documents in their personnel file. Employees may request copies of their personnel file to be sent to them by mail as well. Requests for copies must also be made in writing to Human Resources.

Human Resources shall not provide any information pursuant to a subpoena or court order sooner than ten (10) calendar days after the date of receipt of the subpoena or court order. Within five (5) calendar days of the receipt of a subpoena, the County Commissioners Attorney shall notify the affected employee(s) of the receipt to permit the employee(s) to seek any appropriate judicial relief from the subpoena.

12. PROBLEM RESOLUTION

Employees and supervisors will benefit from a process that allows for the free discussion of matters of mutual concern and effectively addresses complaints on specific issues. These procedures provide for open discussion and speedy resolution of employment issues. They apply to any employee who thinks that the County's policies have been violated or who believes that they have been treated unfairly.

A complaint is an employee's expressed dissatisfaction with what the employee believes, rightly or wrongly, to be unfair treatment, or a mistake in the administration of a rule, plan, or County policy. This section does not apply to disciplinary actions.

When a complaint arises, it should be heard and resolved at the lowest organizational level. The employee has the following procedure available:

STEP 1: Elected Official/Department Head or the Human Resources Department (Oral Complaint)

An employee should first discuss a complaint with the elected official/department head and/or the Human Resources Department. The employee should schedule a time to discuss the situation with the elected official/department head or the Human Resources Department and every effort should be expended to resolve the issue satisfactorily at this meeting. The employee should schedule the discussion promptly after the facts giving rise to the complaint occur, but in no event later than ten (10) days after the occurrence unless there is good cause for the delay.

STEP 2: Elected Official/Department Head or the Human Resources Department (Written Complaint)

If a complaint cannot be solved satisfactorily by the employee and elected official/department head or the Human Resources Department through discussion or, if the decision is not satisfactory to the employee, the employee may submit the complaint in writing within ten (10) days of the discussion. The employee may take or send the written complaint to the elected official/department head or the Human Resources Department. Elected officials or department heads are encouraged to give a written response to the complaint within five (5) days. If the elected official or department head elects not to respond to the complaint, then the Human Resources Department, after consulting with the elected official or department head may issue a response.

If the elected official or appointed head of the department of the employee believes that alternative or additional problem resolution steps may result in a more satisfactory conclusion to this process for the affected parties, he/she may propose other problem resolutions steps to the Human Resources Director. If the Human Resources Director does not provide the elected official or appointed head with reasons why the proposed additional or alternative resolution steps should not be used, the elected official or appointed head, with the consent of the employee, may make arrangements for the additional or alternative problem resolution steps to be taken.

In addition to the above procedures, elected officials and department heads may refer an employee under their supervision to a County-provided Employee Assistance Program (EAP) in situations where the employee is seeking to resolve his/her employment problems and, to the extent an EAP is available to address such problems, an employee may use a County-provided EAP to address his/her problems.

13. SEVERABILITY

The policies and procedures contained in the Employee Handbook are subject to all applicable Federal and State laws, and shall be interpreted wherever possible so as to comply fully with such laws, provisions, or any judicial interpretations. If an article or section of the Employee Handbook shall be held invalid by operation of law or tribunal of competent jurisdiction, or if compliance with or enforcement of any article or section of shall be restrained by such tribunal, the remainder of the Employee Handbook and any amendments thereto shall not be affected and shall remain in full force and effect. The Lawrence County Commissioners reserve the right to delete, modify, or amend the policies contained herein or allocate new policies as needed.

14. INDEMNIFICATION

In the event that an elected official, department head, or any other employee becomes a defendant, either in their representative capacity or individually in any litigation arising out of the administration of the Employee Handbook, the County and/or its insurers shall defend the elected official, department head, or employee of that action, and pay any judgment entered in the action, so long as the elected official, department head, or employee made a good faith effort to comply with the terms and conditions set forth in the Employee Handbook.

15. ENABLING ORDINANCE

The Employee Handbook shall be adopted by ordinance passed by the Lawrence County Commissioners. The terms and conditions of the Employee Handbook shall be incorporated by reference in the salary ordinance approved annually by the Lawrence County Council and the terms and conditions set out herein shall be deemed as a condition of compensation under that ordinance.

16. AMENDMENTS

The Employee Handbook may be amended in substantially the same form as originally adopted by the Lawrence County Commissioners. Any amendments shall be distributed to each department of the County and shall be conspicuously posted for at least ninety (90) days throughout the offices of the County after their passage. A committee consisting of the Lawrence County Commissioners, the Human Resources Director, the County Commissioners Attorney, and the Auditor shall meet at least bi-annually to review the terms of the Employee Handbook and to recommend amendments.

17. SHIFT EMPLOYEES

Lawrence County runs 24 hours, 365 days year facilities. Due to the nature of the work and the need for continuation of services for 24 hours a day, Lawrence County recognizes that shift workers at those facilities require some variation from the standard Employee. This addendum will define shift workers. If an issue arises that is not covered by this addendum for those positions then those issues will be covered by standard Employee handbook.

“Shift worker” is defined as a worker of a facility who provides a continuation of service for 24 hours a day, 365 days a year, such as correction officers. Shift workers deviate from the standard 8-hour work day to ensure the continuation of services is provided safely and efficiently. A department having shift workers shall institute a consistent work schedule for shift workers. Benefits will accrue in proportion to the defined day.

Given the 365 day a year operation of the facility, the department for such shift workers may determine the appropriate manner to schedule holidays, provided that shift workers shall only accrue the same number of holidays as other County employees. The amount of Compensation for a holiday shall be based on the number of hours instituted in the consistent work schedule as described above.



EMPLOYEE ACKNOWLEDGMENT FORM

The Lawrence County Employee Handbook describes important information about employment with the County, and I understand that I should consult the Lawrence County Commissioners, or the Human Resources Department, or the County Commissioners Attorney regarding any questions not answered in the Employee Handbook.

Since the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions to the Employee Handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

I understand the descriptive materials contained in the Employee Handbook are only summaries. Any discrepancies between these summaries and the terms of the actual plans will be governed by the terms of the underlying, more detailed policies and procedures. Any questions regarding summaries, their underlying policies and procedures and any discrepancies between them should be directed through my elected official/department head to the Lawrence County Commissioners, the Human Resources Department, or the County Commissioners Attorney.

I acknowledge that my employment with Lawrence County is AT-WILL and that the Employee Handbook is not, nor does it extend, a contract of employment. Sheriff's office merit deputies are subject to the merit board and are not at-will employees.

I have had an opportunity to review the Employee Handbook, and I understand that it is my responsibility to read and comply with the policies contained in the Employee Handbook and any subsequent revisions.

Employee's signature:

Date:

Employee's name (print):

Date:
