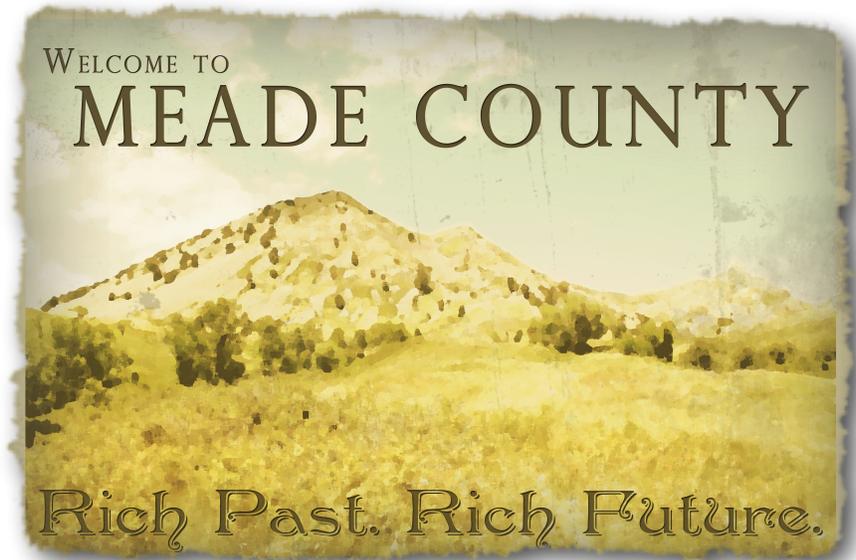


# EMPLOYEE HANDBOOK

Effective - 2.24.16



## **Mission Statement**

The mission of Meade County is to provide our citizens with open governance, supported by innovative, cost effective services and methods of operation; to perform our statutory duties; to uphold the Constitution of the United States of America and the Constitution of the state of South Dakota; and to be seen to do all this with integrity, common sense, and sound judgment.

# ABOUT THIS HANDBOOK / DISCLAIMER

We prepared this handbook to assist you in finding the answers to many questions that you may have regarding your employment with Meade County. Please take the necessary time to read it.

We do not expect this handbook to answer all of your questions: your supervisor, department head and the Human Resources Office will also be a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should be considered to be: an agreement, contract of employment (expressed or implied), or a promise of treatment in any particular manner in any given situation. Meade County adheres to the policy of employment at will, which permits Meade County or the employee to terminate the employment relationship at any time, for any reason, with or without cause or notice.

No one is authorized to provide any employee with an employment contract or special arrangement concerning terms or conditions of employment unless the contract or agreement is in writing and signed by the County Commission.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Meade County documents. These Meade County documents always override any statement(s) in this handbook or made by any member of management.

This handbook states only general Meade County guidelines. Meade County may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice. The exception is the rights of the parties to terminate employment at will, which may only be modified by an express written agreement signed by the employee and the County Commission. This handbook is subject to the terms of any applicable collective bargaining agreement.

**This handbook supersedes all prior handbooks and/or policy manuals issued by the Board of County Commissioners.**

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**Receipt of Non-Harassment Policy**

**Employee Confidentiality Agreement**

# Section 1 - Governing Principles of Employment

## 1-1. Mission Statement

The mission of Meade County is to provide our citizens with open governance, supported by innovative, cost effective services and methods of operation; to perform our statutory duties; to uphold the Constitution of the United States of America and the Constitution of the state of South Dakota; and to be seen to do all this with integrity, common sense, and sound judgment.

### Commission Values:

- ★ Respect for the rights and dignity of all persons
- ★ Respect of fellow county elected officials and their statutory authority
- ★ Equal access to county services
- ★ Employees and administrators who respond to well-founded criticism with a willingness to change
- ★ Supervisors who are honest with their subordinates and who evaluate with integrity, emphasizing employees' strengths and weaknesses
- ★ Employees who help each other
- ★ Decision-making at the lowest appropriate level
- ★ Individuals who accept personal responsibility and organizational accountability for their decisions

### Let Us Remember:

- ★ Each of us has a valuable contribution to make
- ★ Each of us has differing values, skills, needs, and potential
- ★ Each of us should respect the differing viewpoints and concerns of others
- ★ Each of us should respect each other's use of time and resources

## 1-2. Welcome

It is with pleasure that we welcome you to our Meade County team. Your appointment to your position with the county is one of which you can be proud, and you will find that your fellow employees are ready to assist you with on-the-job guidance.

To the community and others with whom you will have contact as an employee, YOU are the county. The extent to which the county is considered friendly, knowledgeable, efficient, reliable, and trustworthy will be measured by how others see these qualities in you. We hope that you will use your talents in a way that stimulates and fosters good community relations.

If, during the course of your employment, you find ways to improve the county operations or services, or to save the county unnecessary expenses, the County Commissioners will welcome your written ideas. If you need help in the presentation of your ideas, don't hesitate to seek the advice or assistance of your supervisor or of the Commission's Assistant.

The information that follows has been prepared to guide you in better understanding our policies, procedures, and practices concerning employment matters. These policies are also to ensure fair and consistent administration for the benefit of all employees. You should familiarize yourself with this handbook's contents at your earliest opportunity, and keep it handy as a periodic reference source.

Again, welcome to our team of hard-working and talented staff, and please accept our wishes for success in your new position.

*The Meade County Board of Commissioners*

### **1-3. Equal Employment Opportunity**

Meade County is an Equal Opportunity Employer (EEO) that does not discriminate on the basis of actual or perceived race, creed, color, religion, alienage or national origin, ancestry, citizenship status, age (40 years of age or older), disability or handicap, sex, marital status, veteran status, sexual orientation, or any other characteristic protected by applicable federal, state, or local laws.

Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, and general treatment during employment.

Meade County will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities unless the accommodation would impose an undue hardship on the operation of our county. If you need assistance to perform your job duties because of a physical or mental condition, please contact the Human Resource (HR) Director.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of the HR Director. Meade County will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. To ensure our workplace is free of artificial barriers, violation of this policy will lead to discipline, up to and including discharge.

### **1-4. Americans with Disabilities Act (ADA)**

Meade County fully subscribes to the provisions of The Americans with Disabilities Act (ADA) which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services and programs, and telecommunications. Title II of the ADA states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subject to discrimination in programs or activities sponsored by a public entity.”

### **1-5. Veterans’ Preference**

Meade County proudly adheres to employment practices where Veterans’ Preference is awarded to qualified veterans and spouses of deceased or disabled veterans subject to the provision of SDCL Chapter 3-3.

Veterans’ Preference forms are on file in the Human Resources Office.

### **1-6. Non-Harassment**

It is Meade County’s policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, gender, sexual orientation, or age. The purpose of this policy is not to regulate our employees’ personal morality, but to ensure that in the workplace, no one harasses another individual.

If you feel that you have been subjected to conduct which violates this policy, you should immediately

report the matter to your supervisor. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact the HR Director.

Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. Violation of this policy will result in disciplinary action, up to and including discharge. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, Meade County will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy.

Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

## **1-7. Sexual Harassment**

It is Meade County's policy to prohibit harassment of any employee by any supervisor or employee on the basis of sex or gender. The purpose of this policy is not to regulate personal morality within the workplace. It is to ensure that all employees are free from sexual harassment.

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances; requests for sexual favors; obscene gestures; displaying sexually graphic magazines, calendars or posters; sending sexually explicit e-mails; text messages; and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature, or sexually-related comments.

Depending upon the circumstances, improper conduct also can include sexual joking; vulgar or offensive conversation or jokes; commenting about an employee's physical appearance; conversation about your own or someone else's sex life, or teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to your supervisor. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact the HR Director.

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. Violation of this policy will result in disciplinary action, up to and including discharge. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, Meade County will not allow any form of retaliation against individuals who report unwelcome conduct to our management team or who cooperate in the investigations of such reports in accordance with this policy.

Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

## **1-8. Workplace Violence**

Meade County is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Meade County and personal property.

We do not expect you to become an expert in psychology or to physically subdue a threatening or violent individual. Indeed, we specifically discourage you from engaging in any physical confrontation with a violent or potentially violent individual. However, we do expect and encourage you to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as, “bad things will happen” to a particular person, or that a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive, or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Meade County policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

### **Prohibited Conduct**

Threats, threatening language, or any other acts of aggression or violence made toward or by any Meade County employee **WILL NOT BE TOLERATED**. For purposes of this policy, a threat includes any verbal or physical harassment or abuse; any attempt at intimidating or instilling fear in others; menacing gestures; flashing of weapons; stalking; or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of domination or intimidation.

### **Procedures for Reporting a Threat**

All potentially dangerous situations, including threats by co-workers, should immediately be reported to your Supervisor or any member of management with whom you feel comfortable. Reports of threats may be maintained confidential to the extent that maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated by the Human Resources Office. No employee will be subjected to retaliation, intimidation, or disciplinary action as a result of reporting a threat in good faith under this policy.

If Meade County determines, after an appropriate good faith investigation, that someone has violated this policy, swift and appropriate corrective action will be taken.

If you are the recipient of a threat made by an outside party, please follow the steps detailed in this section. It is important for us to be aware of any potential danger in our offices. Indeed, we want to take effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

## 1-9. Drug and Alcohol-Free Workplace

To help ensure a safe, healthy, and productive work environment for our employees and others, to protect Meade County property, and to ensure efficient operations, Meade County has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for Meade County.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances, drug paraphernalia, or alcohol by an individual anywhere on Meade County premises, while on Meade County business (whether or not on Meade County premises), or while representing Meade County is strictly prohibited. Employees and other individuals who work for Meade County are also prohibited from reporting to work or working while they are using, or under the influence of alcohol or any controlled substances, except when the use is pursuant to a licensed medical practitioner's instructions, and the licensed medical practitioner authorized the employee or individual to report to work.

### **Violation of this policy will result in disciplinary action - up to and including discharge**

Meade County maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Meade County employee, including themselves.

Meade County has implemented a drug testing procedure for applicants and employees in:

- safety-sensitive positions
- positions requiring a Commercial Driver's License (CDL)

Under state law, a safety-sensitive position is: Any law enforcement officer authorized to carry firearms and any custody staff employed by any agency responsible for the rehabilitation or treatment of any adjudicated adult or juvenile. State statutes and administrative rules govern the drug testing of persons in safety-sensitive positions. These statutes and rules may be obtained from the Human Resources Office.

Federal law requires drug and alcohol testing of applicants and employees who must have a (CDL) to perform their jobs.

Post-accident alcohol/drug testing may occur at the discretion of the department head or elected official. It is essential that accidents be reported without delay. Such accidents are those that occur either on county property or involve county vehicles or equipment that result in property damage, bodily injury, or both. The employee involved in such an accident, or the employee's department head, will report the accident to the Human Resources Office.

Other employees may be tested for drugs and alcohol if the test does not violate federal or state law.

## **Section 2 - Operational Policies**

### **2-1. Recruitment and Hiring**

Meade County has adopted these employment procedures to ensure that equal opportunities exist for all employees and individuals interested in pursuing a current employment opportunity.

#### **Job Descriptions**

Meade County maintains a job description for each position. This description establishes the minimum required levels of education and experience necessary to qualify for the appointment. Each description may also detail desired skills or qualifications that are preferred by the county and will be given foremost consideration.

#### **Creating New Positions**

When a new position is created, the Department Head will work with the Human Resources Director to prepare a job description of the duties, qualifications, etc., which will then be submitted to the County Commission for review and approval prior to the creation of the position.

#### **Recruitment Procedures**

It is the policy of Meade County to recruit and fill job vacancies with the most qualified individuals for those positions. The county has three methods of recruiting qualified applicants to fill job vacancies in county employment:

- Promotion from within
- Transfer from within
- Open announcement and advertisement

After reviewing all applicants, the county may choose to promote or hire from outside the department, based upon the most qualified individual, and the best interest of the county.

#### **Required Notification**

The personnel action form must be completed and turned into the Human Resources Office prior to undertaking the recruitment of any personnel.

#### **Announcement & Advertisement**

Meade County reserves the right to announce and advertise any vacant position. Position vacancies will be posted on the HR bulletin board and the Meade County website for the purpose of informing county employees of such opportunities, and the notice will advise interested persons of how to proceed in applying for the position. The official job description adopted by the county will be used to describe the typical duties, responsibilities of, and minimum qualifications for the position. The notice will include the salary ranges assigned to the position.

## **Examination Process**

Unless otherwise announced, the competitive examination process will consist of an interview of candidates. If appropriate, written tests may be included as part of the examination process. Past performance appraisals may be used in determining the suitability of county employee candidates.

## **Internal Recruitment**

Employees interested in posted positions may contact the Human Resources Office to gain additional information for the purpose of deciding whether to apply for that position. Supervisory notification is not required during the period when employees are obtaining information about a position in order to evaluate their interest in it. Employee confidentiality will be maintained in regard to these inquiries.

If it is in the best interest of the county - promotions or transfers of individuals already employed with the county will be given first consideration. This consideration, however, does not entitle the individual to an automatic promotion or transfer to a higher level of employment.

## **Transfers**

A transfer is the movement of an employee to a different job in the same salary range (or lower) or to the same job in a different work area.

Application Procedures - A county employee may request a transfer from one position to another within the county. Individuals interested in applying for a position with the county must complete and submit a county application form and/or résumé detailing their employment history, education, and other relevant or pertinent information. Changes will be finalized only upon the approval of the Department Head.

Benefits & Compensation - Transferred employees will retain and enjoy all accumulated benefits to include salary step raises as appropriate. Accrued vacation and sick leave transfer with the employee and are charged to the department supporting the employee at the time of use. Transferred employees may remain at the same salary, and timing of the next salary increase should remain the same.

- Should an employee volunteer to transfer to a lower position, he/she will receive the classification and pay allocated to that lower position.

Probationary Period - With respect to voluntary transfers, the transferred employee will be required to serve a Probationary Period of six (6) months. During the first thirty (30) days from the transfer date, the employee will have the option to return to his or her former position if the position has not been filled. In the event the employee does not meet a performance standard of at least "Satisfactory", the employee will be subject to those procedures covering all employees in the "Probationary Period".

## **Promotions**

A promotion is the movement of an employee to a job with a higher salary range.

Application Procedures - Individuals interested in applying for a position, be it considered an entry-level position or a promotional position, must complete and submit a county application form and/or résumé detailing their employment history, education, and other relevant or pertinent information.

Benefits & Compensations - In most cases, promotions are accompanied by an increase in salary.

Probationary Period - With respect to promotions, the promoted employee will be required to serve a Probationary Period of six (6) months. During the first thirty (30) days from the promotion date the employee will have the option to return to his or her former position, if the position has not been filled. In the event the employee does not meet a performance standard of at least “Satisfactory”, the employee will be subject to those procedures covering all employees in the “Probationary Period”.

Open Recruitment - Meade County supports utilizing the services of the local One-Stop Career Center in recruiting applicants. In addition, the county may utilize other recruiting strategies to fill vacant positions as deemed necessary.

## 2-2. Employee Classifications

For purposes of this handbook, all employees fall within one of the classifications below:

- **Probationary** - New employees who have not completed their six month probationary period. You may use your accumulated sick leave as needed, but you may not use vacation leave for six months. You are not eligible for payment of any benefits if you leave employment before completing six months of service. You are not eligible for holiday benefits until after 30 days of employment. Your probationary period may be extended at the discretion of your supervisor and/or Department Head.
- **Full-Time Employees** - Employees who regularly work at least 40 hours per week who were not hired on a short-term basis. Full-Time employees are eligible to participate in Meade County Employee Health, Life, and Flexible Benefit Plans.
- **Part-Time Employees** - Employees who regularly work fewer than 40 hours per week who were not hired on a short-term basis. Part-Time Employees who work fewer than 30 hours per week (averaged out throughout the year) are not eligible for county benefits.
- **Short-Term Employees** - Employees who were hired seasonally, for a specific short-term project, or on a short-term freelance, per diem or temporary basis. Short-Term Employees are not eligible for county benefits.
- **Appointed Officials** - An individual who holds a regular full-time salaried supervisor position appointed by the Commission. Appointed employees are eligible to participate in Meade County Employee Health, Life, and Flexible Benefit Plans.
- **Elected Officials** - An individual elected (or appointed per state law to fill a vacancy) to serve a four-year term and is selected to hold an office for the county. Elected officials are eligible to participate in Meade County Employee Health, Life, and Flexible Benefit Plans.

Health, Life, and Dental Benefits will begin on the first day of the calendar month following the first 30 days of employment.

In addition to the above classifications, employees are categorized as either “**exempt**” or “**non-exempt**” for purposes of federal and state wage and hour laws. Exempt employees do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. You will be informed of your classifications upon hire and informed of any subsequent changes to your classifications.

## **2-3. Probationary Opportunity**

The first six months of your employment is a probationary period. This is an opportunity for the County to evaluate your performance; and also is an opportunity for you to decide whether you are personally and professionally satisfied being employed by Meade County. Meade County may extend the probationary period if it desires. Completion of the probationary period does not alter an employee's at-will status.

Your supervisor will conduct a formal performance review at the end of the probationary period. However, this evaluation process/opportunity is to be weekly - with feedback from your respective supervisor as to your performance against the requirements and objectives of the position. Following a satisfactory performance evaluation, you may be eligible for a wage increase.

## **2-4. Union Contract**

To the extent that any department's work force is covered by a union agreement which is in conflict with these policies, that union agreement shall be the policy applicable to the members of the affected bargaining unit. However, in the event the union contract does not address a specific area, the policy manual shall be the governing document of those employees. Only those agreements which have been finally negotiated and accepted by the county shall be recognized as binding union agreements.

## **2-5. Compensation Opportunities**

Salaries and salary/wage increases are governed by the Board of Commissioners. No individual employee or elected official is guaranteed an increase on an annual basis. All salary adjustments are subject to approval of the Board of Commissioners.

The Commission strives to ensure that the county's total compensation program allows for employee growth and development, encourages mental and physical health, and that employees are able to progress within their respective pay-grades.

While promoting and administering the compensation program, the Commission also has a fiscal responsibility to ensure that the county is operating within its limitations while offering a program that is beneficial to employees. This fiscal responsibility is achieved through continual monitoring and occasional adjustments and/or changes in the compensation program in order to allow the county to continue offering an equitable program.

The Board of Commissioners sets the quantity and classification of employees for the county. An employee with a specified limitation on hours worked per week (Part-Time Employees) may not exceed their budgeted hours in a pay period without approval from the Board of Commissioners.

The Board of County Commissioners may not decrease the salary of the sheriff, state's attorney, treasurer, auditor or county register of deeds during consecutive terms of office - as per state law. The Board of County Commissioners will set the elected official's salary rate on an annual basis.

### **Direct, Indirect, and Variable Compensation:**

The direct compensation offered to employees is the base pay that every employee receives upon employment with Meade County. This is usually expressed as an hourly wage or salary.

Some examples of what the county currently offers, or has offered in the past as part of the county's indirect compensation include (but are not limited to): longevity pay, vacation leave, sick leave, holiday days off, health insurance, life insurance, workers compensation insurance, unemployment insurance, and training/education opportunities.

In addition to these direct and indirect compensation offerings, the Commission also strives to administer variable compensation when budget limitations afford compensation increases to occur.

To ensure that the county is being fiscally responsible while administrating the compensation program, the board has adopted guidelines to assist in the implementation of variable compensation. The adopted guidelines provide a framework for variable compensation to be awarded, when budget limitations allow them to occur.

### **Salary Structure/Pay Grades Opportunities:**

The pay-plan is tied to market through the use of local and regional salary survey data and is **based on the county's ability to pay**. The salary data is used to establish a salary schedule with pay grades. A pay grade is determined for each job through an evaluation process.

Each pay grade has a wage/salary range with a minimum and a maximum. Employees will not be hired or compensated at less than the minimum of the pay grade for their position. An employee may not receive an increase that would place the employee's salary over the maximum of the range for the position. An employee receiving the maximum of the grade for a position is still eligible to receive longevity pay, if the employee meets the criteria for longevity pay.

The Human Resources Office will review and monitor pay grades and wage/salary ranges for changes in market conditions and recommend appropriate adjustments. In order to maintain grade equity, no grade changes will be authorized without substantial justification and review by the Human Resources Office and the Board of County Commissioners. Final approval of any change or adjustment in a pay-grade or wage/salary range will be made by the Board of County Commissioners.

Regular full-time employees will move through pay grade "steps" based on the receipt of satisfactory performance evaluations from the employee's respective supervisor. The employee has opportunity to receive a step increase after six months of employment and annually thereafter.

Employees not receiving satisfactory performance evaluations or recommended step increases will be placed on a Performance Improvement Plan filed with the Human Resources Office for inclusion in the employee's personnel file, in which the Department Head will specify a time frame which the employee has to resolve performance issues. If performance is improved, a step increase may be given. If performance is not improved, disciplinary action up to and including termination may result.

### **Longevity Opportunities:**

The Board of Commissioners recognizes and values the dedicated service, experience, and efficiency provided by employees who are committed to serving the citizens of Meade County. In an effort to further acknowledge "dutiful employees", the county has adopted the following longevity policy:

- All non-exempt employees with five years of continuous service shall be paid \$43.33 per month (\$520 annually) and shall be paid an additional \$43.33 per month for each five year period

thereafter.

- Starting in 2017, exempt employees (excluding elected officials) with five years of continuous service shall be paid \$62.50 per month (\$750 annually) and shall be paid an additional \$62.50 per month for each five year period thereafter.

Longevity is not considered part of the annual base salary for classification and pay purposes and therefore is calculated separate from the base wage. All deductions required by law will be made. For longevity purposes, time does not accrue during a period of approved leave of absence without pay exceeding six months.

## **2-6. Your Employment Records**

For the purposes of this employee handbook, a personnel file is defined as a continuous record of an employee's job performance and will include, but is not limited to, ongoing employment and assignment information, evaluations, letters of commendation and correction, and other employment status reports.

Personnel files are maintained and located in the Human Resources Office and are available by appointment to employees for review from 8:00 AM to 5:00 PM, Monday through Friday. Employees may view their own file (except for material used to screen and test for employment); supervisory and administrative staff may review files of others under their immediate control or as needed for official business.

No file shall be removed from the Human Resources Office without the express written permission of the HR Director. Any member entering false information or removing documents from personnel files will be subject to disciplinary action and/or dismissal.

No employee shall have any adverse comments entered in his/her personnel file without the employee's prior knowledge. The HR Director shall review any adverse comments before they are entered in the personnel file. Employees should acknowledge receipt of the document with adverse comments by signing it. If they refuse to do so, the refusal shall be noted in the signature area. An employee has (5) days within which to file a written response to any adverse comments or documents entered in his/her personnel file.

In order to obtain your position, you provided us with personal information, such as your address and telephone number. This information is contained in your personnel file. Please keep your personnel file up-to-date by informing the Human Resources Office or your supervisor of any changes. Also, please inform the Human Resources Office or your supervisor of any specialized training or skills you may acquire in the future, as well as any changes to any required visas. Unreported changes of address, marital status, etc. can affect your withholding tax and benefit coverage. Further, an out-of-date emergency contact or an inability to reach you in a crisis could cause a severe health or safety risk or other significant problem.

The county's philosophy is to safeguard personal employee information in its possession to ensure the confidentiality of the information. Additionally, the county will only collect personal information that is required to pursue its operations and to comply with government reporting and disclosure requirements.

Additional information collected by the county includes employee names, addresses, telephone

numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, and benefits plan enrollment information, which may include dependent personal information, and school, college, or certification credentials.

Information relating to dates of employment, position titles, and rates of pay are a matter of public record. The Auditor will publish such information as required by law.

Participants in county benefit plans should be aware that personal information will be shared with plan providers as required for their claims handling or record keeping needs.

Confidential medical records, including FMLA medical documentation, worker's compensation medical documentation, drug testing results, and any other records generated by a medical professional or concerning any medical condition, shall be maintained in the Human Resources Office.

**Exemption From Disclosure** -- Information relating to, but not limited to, sex, race, marital status, date of birth, home address and telephone number, applications, testing and scoring materials, grievance, correspondence, commendations, performance evaluations, promotional progress reports, disciplinary entries, and internal investigations, shall not be disclosed without the employee's written consent, or except as provided by law.

## **2-7. Working Hours and Schedule**

Meade County offices are normally open for business from 8:00 AM to 5:00 PM, Monday through Friday. The standard 40 hour workweek, unless otherwise approved by the County Commission for the purpose of calculating pay and overtime - shall begin at 12:00 AM, Sunday and end at 11:59 PM, Saturday.

You will be assigned a work schedule, and you will be expected to begin and end work according to the schedule.

To accommodate the needs of our various offices and departments, at some point, we may need to change individual work schedules on either a short-term or long-term basis.

It is the policy of Meade County to allow employees a 15 minute rest period every four hours, if the work load permits. The break, however, is not guaranteed. Supervisors may deny the break on any given day. Since this time is counted and paid as time worked, employees must not be absent from their work stations beyond the allotted time. Employees must be available and accessible during the rest period to provide for the needs of the office. Management retains the right to schedule work, work periods, and break times.

When an employee is called back to work, (outside of standard work-day) he/she will receive overtime pay for any time worked over the 40-hour workweek. When an employee is on authorized time off (vacation leave, sick leave, maternity leave, funeral leave, jury leave, or military reserve leave) and is called back to work, he/she will receive a minimum of two (2) hours of overtime pay for any time worked over the 40-hour workweek. Should this work entail more than two (2) hours, the Department Head may accordingly adjust the leave hours.

## **2-8. Alternative Work Schedule**

It is the goal of the county to provide employees with a work environment that allows them to balance work and life activities. As an employer, the county recognizes the need for flexibility in scheduling to provide employees the opportunity to participate in family and community activities. To achieve this goal, employees and supervisors are encouraged to use alternative work schedules. Alternative work schedules will enable managers to meet their operational goals and provide better customer service while, at the same time, allowing employees to be more flexible in scheduling their personal activities.

### **Alternative Work Schedules Available:**

Flexible Work Schedule - With supervisory approval, employees may select alternative starting and stopping times during the workweek. The starting and stopping times and the lunch period are fixed for the duration of the flexible schedule unless the supervisor discontinues or temporarily suspends the flexible work schedule. Salaried employees on flexible work schedules may be required to work additional hours or adjust their schedules to meet the requirements of their positions.

Flex Time - With supervisory approval, employees may occasionally modify their daily work schedules. Adjustments may be made at any time to allow employees flexibility in their schedules during the week. Hourly employees must make up hours flexed at a different time during the work period. Hourly employees who are unable to make up hours flexed during the work period must take either paid or unpaid leave.

Compressed Work Schedule - With supervisory approval, full-time hourly and salaried employees may work their normally scheduled number of hours each work period of less than 5 days. Examples are four 10-hour days or four 9-hour days and one 4-hour day. Since full-time employees are entitled to a maximum of 8 hours for a holiday, hourly employees working a compressed work week may be required to adjust their work week or take paid or unpaid leave during a work period that includes a holiday. Salaried employees must have a set schedule and may take leave for any day in which they will be absent during all scheduled hours regardless of the number of hours worked during the week. Salaried employees on compressed work schedules may be required to work additional hours or adjust their schedules to meet the requirements of their position.

Work Adjust - "Work adjust" is adjusting hours for work performed outside the normal work schedule to meet the requirements of the county. Work adjust is intended for short term changes to an employee's schedule to meet workload requirements. Work adjust applies to hourly employees and is not appropriate for salaried employees.

### **Eligibility for Alternative Work Schedules:**

Supervisors will work with employees and attempt to accommodate their scheduling requests. Alternative work schedules, however, may not be available to every employee at any given time because of workload requirements. If alternate work schedules are not possible, the supervisor should explain why the request for an alternative work schedule cannot be honored.

### **Responsibilities:**

Teamwork among employees and management is an important factor in implementing alternative work schedules and achieving positive benefits associated with alternative work schedules. Meaningful work

must be available for the employee during the entire alternate work schedule. Supervisors and employees are mutually responsible for ensuring successful alternative work scheduling programs.

**Supervisors shall:**

- Ensure that adequate, not minimal staff is available to serve the needs of the public. Both internal and external “customer” needs will be considered in order to determine adequate staffing.
- Ensure that alternative work schedules are administered consistently and equitably.
- Ensure that alternative work schedules do not cause or contribute to the need for additional staff or overtime work.
- Ensure that work that requires regular supervision or essential interaction with other staff is scheduled when supervisors and interacting staff are available.
- Ensure that the work site has adequate supervisory and management coverage at all times.

**Employees shall:**

- Plan and organize their time to meet the job requirements established by the supervisor. This includes answering your phone during all alternative work hours.
- Participate in the resolution of conflicts between the job and the alternative work schedule and inform the supervisor when coverage is not adequate.
- Be able to meet workload requirements and be available for scheduled conferences and meetings. The requirements of the job always take precedence over the alternative work schedule.
- Not engage in excessive socializing prior to the beginning of their workday when employees are already engaged in their work schedule. This can be disruptive to the work patterns of employees with earlier starting times.
- Record actual hours worked for each day on the appropriate timekeeping form.

**Procedures for Requesting an Alternative Work Schedule:**

A Request for an Alternative Work Schedule (AWS) form must be completed by the employee and submitted to the supervisor for approval if the employee wants to participate in a flexible work schedule, a permanent reduced work schedule, or a compressed work schedule. A copy of this form should be sent to the Human Resources Office to be placed in the employee’s personnel file. A form is not required to participate in occasional flex time.

**Changes to Work Schedules:**

Alternative schedules do not alter the responsibility and authority of supervisors to establish and change work schedules without prior notice. Supervisors may discontinue or temporarily suspend alternative work schedules when necessary. Alternative work schedules may also be altered if work needs change or if service is impaired.

To ensure an opportunity for all employees to request an alternative work schedule and to ensure the schedule remains workable for the employee and the County, requests for flexible work schedules and compressed work schedules will be submitted and reevaluated at least every six months.

Please contact the HR Director if you have any questions relating to the alternative work schedule policy.

## 2-9. Weather Event

It is the policy of Meade County to remain open during inclement weather except under the most extreme conditions. In such event, the County Commission Chairperson or their designee may recommend closure due to traffic safety considerations.

Employees must account for any work time lost due to adverse weather:

- Vacation leave may be charged subject to supervisory approval
- Leave without pay
- If lost time is not made up (worked) within the work week of the occurrence, it must be charged as vacation leave or leave without pay

Should county offices be required to close due to “adverse weather” - radio or TV announcements will be authorized by the Commission Chairperson or his/her representative. During the work day, if conditions develop which require county offices to close, employees will be informed through administrative channels.

When catastrophic or life-threatening conditions, such as tornadoes, floods, or other disastrous circumstances, require evacuation of the work place, employees are not required to make up time lost during the period declared hazardous. Employees who are required to remain at work during hazardous times may be relieved of duties for the period of time necessary to assure safety of their families.

An hourly employee who does not receive notice of such closure and reports to work and is then released shall be guaranteed a minimum of two (2) hours pay.

## 2-10. Timekeeping Procedures

Employees must record their daily actual time worked for payroll and benefit purposes. Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge. Exempt employees are also required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave, or personal business.

Non-exempt employees may not start work until their scheduled starting time.

It is your responsibility to record your time record to certify the accuracy of all time recorded. Any errors in your time record should be reported immediately to your supervisor, who will attempt to correct legitimate errors. Supervisors are required to review subordinates time records for accuracy and approve those records.

It may not be feasible for certain employees in the field to record time or submit a time-sheet. If operational circumstances make daily time entry unreasonable or submission impossible, time may be recorded and a time-sheet record may be submitted by a delegate **only** as authorized by the Department Head or elected official.

## 2-11. Overtime Opportunity

At times, we do experience periods of extremely high activity. During these busy periods, additional work is required from all of us. Your supervisor is responsible for monitoring workload activity and requesting overtime work if it is necessary. All effort will be made to provide you with adequate advance notice in such situations.

Prior to ordering the working of overtime, supervisors are encouraged to come to an agreement with the employee concerning how the overtime will be compensated. Supervisors have the authority to require an employee to work overtime, even if the employee does not wish to do so.

Overtime worked by an employee must be approved in advance by the employee's immediate supervisor whenever practical to do so. Overtime worked and not approved in advance by a supervisor shall be designated "unauthorized overtime" and may be subject to denial of compensation for such time worked. Accrual of overtime without prior authorization may result in disciplinary procedures.

*Annual leave, sick leave, personal leave, holiday hours, court and jury leave, military leave, and any other paid leave time will not be counted as overtime pay. Such hours will be paid as straight time as they do not account for actual "work-time" used in overtime calculation.*

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) his/her base hourly wage for all time worked in excess of forty (40) hours each week, unless otherwise required by law.

- Sworn law enforcement officers are subject to overtime pay following 43 hours in a work week.

**Overtime is to be authorized only if the work cannot be otherwise done during normal work hours. The opportunity to work overtime shall be distributed as equally as practicable among the employees in each office.**

## 2-12. Travel Time for Non-Exempt Employees

### **Overnight, Out-of-Town Trips:**

Non-exempt employees will be compensated for necessary or required time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees will also be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

- Law enforcement/corrections officers assigned to training at the George S. Mickelson Criminal Justice Center - will be authorized (1) round-trip - during extended training sessions.

### **Out-of-Town Trips for One Day:**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time except for, among other things: Time spent traveling between the employee's home, bus or plane terminal and meal periods.

### **Local Travel:**

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when an employee goes directly home from his/her final job site, unless it is much longer than his/her regular commute home from the regular work site. In such case, the portion of the trip home in excess of the regular commute is compensable.

### **Commuting Time:**

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a work site near his/her home, but is required to report to a work site farther away than the regular work site, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half times the regular rate.

## **2-13. Safe Harbor Policy for Exempt Employees**

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure that you are paid properly and that no improper deductions are made, you must review your pay stubs promptly to identify and report all errors.

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours you may work for the county. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

Under federal and state law, your salary is subject to certain deductions. For example, unless state law requires otherwise, your salary can be reduced for the following reasons:

- Full-day absences for personal reasons
- Full-day absences for sickness or disability
- Full-day disciplinary suspensions for infractions of our written policies and procedures
- Family and Medical Leave absences (either full- or partial-day absences)
- To offset amounts received as payment for jury and witness fees or military pay
- The first or last week of employment in the event you work less than a full week
- Any full work week in which you do not perform any work

Your salary may also be reduced for certain types of deductions such as your portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions.

In any work week in which you performed any work, your salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability
- Your absence on a day because the County has decided to close a facility on a scheduled work day
- Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work
- Any other deductions prohibited by state or federal law

However, unless state law provides otherwise, deductions may be made to your accrued leave for full or partial-day absences for personal reasons, sickness or disability.

If you believe you have been subject to any improper deductions, you should immediately report the matter to your supervisor and the Human Resources Office.

## **2-14. Your Paycheck**

You will be paid monthly (last business day of the month) for all the time you have worked during the previous pay period, which ends on the 25th of each month. If the last business day of the month falls on a date that the governor has declared an additional holiday, Meade County will still follow the original holiday schedule for issuing direct deposit payments.

Your payroll stub itemizes deductions made from your gross earnings. By law, Meade County is required to make deductions for Social Security, federal income tax, and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Your payroll stub will also differentiate between regular pay received and overtime pay received.

If you believe there is an error in your pay, immediately bring the matter to the attention of the Human Resources Office, so the matter can be resolved quickly and amicably.

## **2-15. Direct Deposit**

Meade County requires employees to use direct deposit. Authorization forms are available in the Human Resources Office.

## **2-16. Salary Advances**

Meade County does not permit advances on pay or against accrued paid time off.

## **2-17. Performance Review**

The written performance evaluation is intended to be a tool for an employee's professional development and improvement. The written evaluation is to communicate to an employee any area(s) of deficiency in job performance as well as job strengths. It is incumbent upon the supervisor to discuss problems with the employee as they occur and not save them until written evaluations.

The employee's immediate supervisor shall complete employee evaluations at least once each year, typically near the employee's employment anniversary date. At the discretion of the supervisor, the evaluations may be done more often. Performance evaluations cannot be postdated. At the time the evaluation report is completed, the supervisor will counsel the employee as to job performance. The

report must be signed by the rating supervisor and the employee.

The following procedure is to be followed regarding performance evaluations:

- Meet with the employee at the start of the evaluation period to discuss goals and expected work behavior. It is the job of the supervisor to ensure the employee understands clearly what is expected of him/her.
- Review the employee's last evaluation report.
- Using the evaluation form, evaluate the overall performance on the job based on the shared goals and objectives. Decide what are the most important things to be communicated to the employee through the current evaluation.
- Mark categories that most nearly describe the employee's work behavior. Specific examples should be explained with pertinent comments. Praiseworthy accomplishments, as well as any deficiency in performance, should be outlined and discussed.
- Meet with the employee in private and away from interruption. Review ratings and comments, then give the employee the opportunity for discussion. Have the employee sign that he/she acknowledges the form, but is not necessarily in agreement. Employees may file a written response to the evaluation for inclusion in their personnel file(s).

Please understand that a positive performance evaluation does not guarantee an increase in salary, a promotion, or continued employment. Management reserves the right and discretion to determine compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions.

In addition to these formal performance evaluations, Meade County encourages you and your supervisor to discuss your job performance on a frequent and ongoing basis.

## Section 3 - Benefits

### 3-1. Benefits Overview/Disclaimer

In addition to providing good working conditions and competitive pay, it is Meade County's policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet your present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The next few pages contain a brief outline of the benefits programs Meade County provides for you and your family. Of course, the information presented here is intended to serve only as a guideline.

The descriptions of the insurance and other plan benefits merely highlight certain aspects of the applicable plans and are only for your general information. The details of those plans are specified in the official plan documents, which are available for review upon your request from the Human Resources Office. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

Further, Meade County (and other administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility, and entitlement.

While Meade County intends to maintain these employee benefits, it reserves the absolute right to modify, amend, or terminate these benefits at any time and for any reason.

If you have any questions regarding your benefits, please contact the Human Resources Office.

The following benefit programs are available to eligible employees:

- Health Insurance
- Dental Insurance
- Life Insurance
- Section 125 Flexible HSA
- Paid Holidays
- Paid Vacation
- Paid Personal Day
- Paid Sick Leave
- Family Medical Leave
- Jury Duty Leave
- Voting Time Off
- Military Leave
- Retirement Program
- Supplemental Retirement Program

### 3-2. Paid Holidays

After their first 30 days of employment, eligible employees will be paid for the following holidays as recognized by the State of SD\*:

New Year's Day  
Martin Luther King, Jr. Day  
President's Day  
Memorial Day

Independence Day  
Labor Day  
Native American Day  
Veterans' Day

Thanksgiving Day  
Christmas Day

\*Plus any other day proclaimed as a holiday by the Governor of South Dakota.

If a holiday from the list falls on a Saturday, the preceding Friday is observed as the paid holiday. If a holiday falls on a Sunday, it is observed on the following Monday. When holidays fall or are celebrated on a regular work day, eligible employees will receive one (1) day's pay at their regular straight-time rate. Eligible employees who are called in to work on a holiday will receive one (1) day's pay at their regular straight-time rate, and an additional payment of straight-time for the actual time they work that day.

If a holiday falls within an eligible employee's approved vacation period, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the vacation day, or the eligible employee will receive an additional vacation day at the option of the employee or Meade County.

If a holiday falls within a jury duty or bereavement leave, the eligible employee will be paid for the holiday (at the regular straight-time rate) in addition to the leave day, or the eligible employee will receive an additional day off at the option of Meade County.

### 3-3. Paid Vacations

We know how hard you work and recognize the importance of providing you with time for rest and relaxation. We fully encourage you to get this rest by taking your vacation time. Eligible employees accrue paid vacation time as follows:

Vacation leave will be accrued on the 25th of each month according to the following schedule:

<b>Length of Service</b>	<b>Vacation Accrual</b>
Date of Hire through First Year	3.34 hours per month (5 days annually)
Second Year through Fourth Year	6.67 hours per month (10 days annually)
Fifth Year through Twentieth Year	10 hours per month (15 days annually)
More than Twenty Years	13.33 hours per month (20 days annually)

Vacation is accrued on a pro-rata basis throughout the year. Every effort will be made to grant your vacation preference, consistent with our operating schedule. However, if too many people request the same period of time off, supervisors reserve the right to choose who may take vacation during that period. Individuals with the longest length of service generally will be given preference. Vacation requests must be submitted to your supervisor at least 2 weeks in advance of your requested leave dates.

Employees who have not completed his/her initial introductory period will be eligible to accrue, but will not be eligible to use accrued vacation time until the six month probationary period is completed. Vacation leave will not accrue during any period of leave of absence without pay when the duration exceeds fifteen (15) working days. If an employee is hired on the 10th of the month or before, he/she

will accrue the full first month's leave. However, if the employee is hired after the 10th, no accrual for the first month is made.

- Eligible employees may accumulate up to a maximum of 240 hours vacation leave
- Vacation may be used in partial-day increments
- After an employee's probationary period, any accrued, unused vacation (max 240 hours) can be paid out upon retirement or separation if at least two weeks' notice is given - unless terminated for cause

### **3-4. Paid Sick Days**

Upon approval from the Department Head, employees may proportionally utilize sick leave for medical or dental care, when unable to work because of personal injury or illness, or after exposure to a contagious disease from which the health of other employees or the public would be endangered by attendance on duty. When an employee has a sick child or an incapacitated spouse or parent, the employee may use sick leave, vacation leave, or leave without pay, as agreed to by the supervisor in accordance with the Family Medical Leave Act.

Sick leave may not be taken in advance of the actual leave without a written explanation from the treating medical personnel. Sick leave may not be used for absences not listed in this section.

It is the responsibility of each employee to call their respective supervisor on a daily basis when the employee is too ill to report to work unless approved otherwise. This means calling within the first hour of the assigned work shift. The exception would be in the case of hospitalization. Sick leave in excess of three (3) working days of absence shall, at the discretion of the Department Head, require the employee to produce a doctor's certificate.

Sick leave will not accrue during any period of leave of absence without pay when the duration exceeds fifteen (15) working days. If an employee is hired on the 10th of the month or before, he/she will accrue the sick leave, however, if he/she is hired after the 10th, no accrual for that month is made.

- Sick leave is earned by eligible employees at the rate of 6.67 hours a month on the 25th of each month. Eligible employees may accumulate sick leave up to a maximum of 640 hours
- Sick leave may not be accumulated for use as vacation leave
- Upon retirement or separation after six (6) years of employment, any accrued sick leave (max 240 hours) is paid if at least two weeks' notice is given - unless terminated for cause

Failure to fulfill these policy requirements may result in the denial of sick leave. Abuse of these sick leave policies may result in disciplinary action at the discretion of the Department Head.

An employee who is absent from work because of an occupational disability arising from and in the course of his/her employment, which is compensable under the Worker's Compensation Law, may be paid for sick leave payments on the basis of the difference between his sick leave pay and any payments received from Worker's Compensation to the extent that the employee has unexpired, accrued sick leave. The rate of pay for each day of sick leave shall be eight (8) or ten (10) hours as the case may be, at the employee's regular rate of pay.

The county shall keep a running total of accumulated sick leave hours on the employee's pay stub.

### **3-5. Paid Personal Day**

Eligible employees are able to accrue up to one (1) paid personal day per calendar year. Accrued, unused personal days are forfeited at the end of the last pay period of the year and are not paid out at separation unless otherwise required by law. The personal day must be used as one full day and must be scheduled at least two weeks in advance. Management reserves sole discretion to deny any requests.

### **3-6. Sick Leave Bank**

A sick leave bank has been established for use by regular, full-time employees of the county. Participation in the sick leave bank is voluntary. When an employee donates days to the bank, an equivalent number of days will be deducted from that employee's accumulated sick leave hours and become the property of the bank.

Initial donations of sick leave days will be limited to five days by any given employee. Following the initial donation, individual donations will not exceed two days in a calendar year. Donations will not be accepted after 500 hours have been deposited in the sick leave bank.

The County Commission, or their designee, will have full administrative control over the sick leave bank. In the event a given county employee has exhausted his/her sick leave hours and vacation leave hours and remains incapacitated to the extent that he/she cannot return to work due to illness or injury to themselves or an immediate family member, the County Commission may transfer sick leave days from the bank for that employee's use.

### **3-7. Light Duty Opportunity**

**Light Duty** - An employee who should not perform duties because of illness or injury may be assigned to "light duty" at the discretion of his/her supervisor. The employee granted light duty might be required to submit a letter from a medical practitioner verifying his/her approval that the employee is allowed to work light duty and any restrictions to be observed.

### **3-8. Lactation Breaks**

Employees who are nursing are provided with reasonable unpaid break time for up to one year following the birth of a child to express breast milk, as long as providing such break time does not unduly disrupt work operations. The county will provide a private location. Please advise management if you need break time and an area for this purpose. Employees will not be retaliated against for exercising their rights under this policy.

### **3-9. Insurance Programs**

Eligible employees may participate in Meade County's insurance programs. Under these plans, employees will receive comprehensive health and life benefits and other insurance coverage for themselves and their families.

Upon becoming eligible to participate in these plans, you will receive summary plan descriptions (SPDs) describing the benefits in greater detail. Please refer to the SPDs for detailed plan

information. Of course, feel free to speak to the Human Resources Office if you have any further questions.

### **3-10. Workers' Compensation**

On-the-job injuries are covered by our Workers' Compensation Insurance Policy which is provided at no cost to you. If you are injured, no matter how slightly, or contract a disease as a result of your employment, **immediately report the incident to your supervisor or to the Human Resources Office.** As per SDCL 62-7-10, an injury must be reported within three (3) days. Upon notice of injury, supervisors are to immediately notify the Human Resources Office, at which time a First Report of Injury claim will be filed.

**Failure to follow Meade County procedures may affect your ability to receive Workers' Compensation benefits.**

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

County volunteers will be covered only when: (1) Requested to perform county work by a duly authorized county official, (2) prior notification is given to the Human Resources Director, and (3) coverage has been approved in the official County Commission minutes.

***SDCL 62-1-5:** Fire department, ambulance service, and rescue squad volunteers--Employees of county, municipality, special purpose district, or township--Imputed wage. All persons providing voluntary service to a fire department, ambulance service, or rescue squad for any county, municipality, special purpose district, or township if regularly organized under the law shall be deemed employees of such county, municipality, special purpose district, or township while in the performance of their duties as members, if recommended by the person in charge to the governing body of such county, municipality, special purpose district, or township for membership and appointed by such governing body, and has not been removed by such governing body as members. For the purpose of computing compensation, the members shall be considered to be earning a wage that would entitle the members to the maximum compensation for death or injury allowable under this title. But in no event may payments to the members exceed the maximum limitations for benefits as set out in this title.*

For purposes of determining compensation, any remuneration received by a member who voluntarily serves may not be considered.

***SDCL 62-1-5.2:** Requirements for volunteer firefighters to become eligible for workers' compensation--Amount of benefits--Limitation on eligibility. Any firefighter who is a member of any county, municipal, special purpose district, township, or private nonprofit corporation operating as a fire department that has on file a cooperative fire suppression agreement with the South Dakota Department of Agriculture, and has been approved by the governing body for assignment to the state, is eligible for workers' compensation benefits from the state if injured during a period of time commencing from the time dispatched by the secretary of agriculture until the time the firefighter returns to the location from which the firefighter was originally dispatched by the secretary of agriculture. In the event of injury or death, the firefighter shall, for the purpose of computing compensation, be considered to be earning a wage that would entitle that person to the maximum compensation for death or injury allowable under this title; but in no event may payments to any firefighter exceed the maximum limitations for benefits as set out in this title.*

For purposes of determining compensation, any remuneration received by a member who voluntarily serves the department may not be considered. No firefighter under this section may be deemed a state employee for any purpose other than eligibility to receive workers' compensation from the state under

this section. No workers' compensation benefits may be provided by the state if the claim arises while dispatched to a wildland fire outside the state, unless the fire is a threat to resources within South Dakota.

### **Administrative Guidelines:**

- **Compensable Injuries** - To be compensable, an injury "must arise out of and in the course of employment."
- **Billing/Claims** - For billing purposes, the service provider should be told by the employee that this is a work-related or workers' compensation injury. All bills should be submitted by the doctor to the workers' compensation insurance carrier with copies sent to the Human Resources Office.
- **Compensation** - In no case will Meade County and the workers' compensation insurance company make duplicate payments for the same time period. It is the employee's responsibility to inform the Human Resources Office of the date and the amount received from workers' compensation.
- **Benefit Accrual** - All vacation leave, sick leave, and holiday leave earned while on injury leave will accrue at the employee's regular rate; to include statutory benefits as authorized by state law.

### **3-11. Jury Duty**

Meade County realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law.

Employees in permanent positions are eligible for court and jury leave. The employee shall immediately notify the employee's supervisor if the employee expects to be absent from work due to court and jury obligations.

#### **Absences will be administered as follows:**

1. Testifying in official capacity. If the employee is subpoenaed by either party to testify in any civil or criminal proceeding because of the employee's official capacity or is instructed by the supervisor to testify in an official capacity without being subpoenaed, the employee shall receive the employee's regular salary without loss of leave time and may receive actual expenses according to state rates, but may not receive witness fees.
2. Subpoenaed to testify in non-official capacity. If a county employee is subpoenaed to testify in court in a non-official capacity and is not a party to the case, the employee shall receive the employee's regular salary from the county without loss of leave time for the time spent testifying during regular working hours and may receive, in accordance with SDCL 19-5-1 or any comparable federal law, witness fees and mileage from the party who issued the subpoena. However, the employee may not take court and jury leave for travel time or time when the employee is not reasonably expected to testify regardless of whether the employee has been subpoenaed for that period of time. If the employee is absent from the workplace while not testifying, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.
3. Party or witness not subpoenaed to testify. If an employee is a party to or witness who has not been subpoenaed, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.
4. Service on Jury. If a county employee is summoned to serve on a jury, the employee shall receive the employee's regular salary without loss of leave time for the time spent on jury duty during regular working hours and the per diem and mileage provided for by SDCL 16-13-46 or any

comparable federal law.

*SDCL 16-13-46: Jurors' per diem and mileage--Appearance fee--Certification and payment. Each juror for each day's attendance upon the circuit court or the magistrate court shall receive fifty dollars, and mileage at such rate as may be established pursuant to § 3-9-1 for each mile actually and necessarily traveled, to be paid by the county. However, any juror called but not impaneled shall receive an appearance fee of ten dollars and, in addition, mileage at such rate as may be established pursuant to § 3-9-1 for each mile actually and necessarily traveled. Such juror's fees, except as provided in § 16-13-47, shall be paid by the county treasurer upon the presentation of warrants. The warrants shall be issued by the county auditor forthwith upon filing of each juror's certificate of attendance. Each certificate shall bear the endorsement or certificate of the clerk of the court in which such fees accrued to the effect that the certificate is accurate as to the time expended and the amount of fees claimed.*

### **3-12. Bereavement Leave**

We know the death of a family member or significant other is a time when you wish to be with the rest of your family. If you are an eligible employee and you lose a close relative or significant other, you will be permitted to take sick leave, vacation leave, personal leave or, if all leave balances are exhausted, leave without pay at the employees request with the approval of the Department Head. The initial leave period shall not exceed seven days to assist in attending to your obligations and commitments. Leave may extend beyond seven days only upon specific approval from the Department Head. Bereavement leave shall be charged first against sick leave, then vacation leave, personal leave, or leave without pay in that order.

In administering this policy, Meade County may require verification of death.

### **3-13. Voting Leave**

County employees whose work schedule does not enable them time to vote during which time the polls are open - will be allowed up to two (2) consecutive hours to vote. Such time will be treated as regular work time for the purpose of pay and accrual of leave(s).

### **3-14. SD Retirement System**

Participation in the South Dakota Retirement System is mandatory for all regular, full-time employees. All decisions relating to the retirement system will be in full compliance with South Dakota Codified Law and the provisions of the South Dakota Retirement System.

Retirement benefits are funded by employee contributions and matched by equal contributions from the County. Contributions are 6% of gross pay for Class A (non-law enforcement) and 8% of gross pay for Class B employees (law enforcement).

## **Section 4 - Leaves of Absence**

### **4-1. Personal Leave Without Pay**

If you are ineligible for any other Meade County leave of absence and have exhausted all available vacation, personal, and sick (when applicable) leave balances, Meade County, under certain circumstances, may grant you a personal leave of absence without pay. All leave without pay must be approved by your Department Head. For anticipated leaves of absence, a written request for a personal leave should be presented to your supervisor at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and you are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. Your request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as your performance and attendance records. Normally, a leave of absence will be granted for a period of up to eight (8) weeks. Under unusual circumstances a personal leave may be extended if, prior to the end of your leave, you submit a written request for an extension to management and the request is granted.

During your leave, you will not earn vacation, personal days or sick days. We will continue your health insurance coverage during your leave if you submit your share of the monthly premium payments to Meade County in a timely manner, subject to the terms of the plan documents.

When you anticipate your return to work, please notify management of your expected return date. This notification should be made at least one week before the end of your leave.

Upon completion of your personal leave of absence, Meade County will attempt to return you to your original job, or to a similar position, subject to prevailing considerations. Reinstatement, however, is not guaranteed.

Failure to advise your Department Head of your availability to return to work, failure to return to work when notified, or your continued absence from work beyond the time approved by Meade County, will be considered a voluntary resignation of your employment.

### **4-2. Military Leave**

If you are called into active military service or you enlist in the uniformed services, you will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, you must provide your Department Head with advance notice of your service obligations.

Provided your absence does not exceed applicable statutory limitations, you will retain reemployment rights and accrue seniority and benefits in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

The employee shall not be entitled to pay during such leave.

#### **Military Training Leave**

An employee, other than a temporary employee, who is a duly qualified member of a reserve component of the Armed Forces, or a member of an organized military unit required to receive

military training with the Armed Forces, shall be entitled to a leave of absence not to exceed 15 days in any one calendar year. An employee shall be returned to county service, provided they are still able to perform the duties of the position, without loss of status, pay, and seniority, provided:

- The employee has given 10 days' notice prior to the time of departure;
- The employee has satisfactorily performed the requirements of the prescribed training; and,
- The employee returns to his/her county position immediately upon being relieved from military service and not later than the expiration of the time herein limited for such leave, unless prevented from returning by physical or mental disability, other cause not due to their own fault, or is required by proper authority to continue in military service beyond the time herein limited for such military leave.
- If the military pay allowances for the 15-day period are less than the employee's regular straight-time rate of pay for 40 hours per week, payment of the difference shall be paid by the county if the employee provides a certified true copy of the wage compensation received while on military leave.

Please contact the Human Resources Office for further information about your eligibility for Military Leave.

## **4-3. Family and Medical Leave**

### **The Leave Policy:**

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves.

If employees have any questions concerning FMLA leave, they should contact the HR Director.

### **I. Eligibility**

FMLA leave is available to "eligible employees." To be an "eligible employee," an employee must: 1) have been employed by Meade County for at least 12 months (which need not be consecutive); 2) have been employed by Meade County for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a work site where 50 or more employees are located within 75 miles of the work site.

### **II. Entitlements**

The FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration. The FMLA also entitles employees to certain written notices concerning their potential eligibility for and designation of FMLA leave.

#### **A. Basic FMLA Leave Entitlement:**

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a 12-month period measured forward from the start date of the employee's first FMLA leave. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee’s child after birth or placement for adoption or foster care;
- To care for the employee’s spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee’s own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee’s job; and/or
- Because of any **qualifying exigency** arising out of the fact that an employee’s spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty status in the National Guard or Reserves in support of contingency operation. This leave also is available for family members of active duty service members.

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

**Qualifying exigencies** may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.

#### **B. Additional Military Family Leave Entitlement (Injured Service-member Leave)**

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered service-member** is entitled to take up 26 weeks of leave during a single 12-month period to care for the service-member with a serious injury or illness. Leave to care for a service-member shall only be available during a single-12 month period and, when combined with other FMLA qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured service-member.

A “**covered service-member**” means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness, or who was a member of the Armed Forces (including members of the National Guard or Reserves) at any time during the five years preceding the date of treatment, recuperation or therapy. A member of the Armed Forces would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that the injury or illness may render the service member medically unfit to perform duties of the member’s office, grade, rank or rating.

#### **C. Intermittent Leave and Reduced Leave Schedules**

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when

medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered service member.

#### **D. No Work While on Leave**

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by law.

#### **E. Protection of Group Health Insurance Benefits**

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

#### **F. Restoration of Employment and Benefits**

At the end of FMLA leave, subject to some exceptions including situations where job restoration of “key employees” will cause Meade County substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. Meade County will notify employees if they qualify as “key employees,” if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee’s FMLA leave.

#### **G. Notice of Eligibility for, and Designation of, FMLA Leave**

Employees requesting FMLA leave are entitled to receive written notice from Meade County telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Meade County’s designation of leave as FMLA qualifying or non-qualifying, and if not FMLA qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee’s leave entitlement.

Meade County may retroactively designate leave as FMLA leave with appropriate written notice to employees provided Meade County’s failure to designate leave as FMLA qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, Meade County and employee can mutually agree that leave be retroactively designated as FMLA leave.

### **III. Employee FMLA Leave Obligations**

#### **A. Provide Notice of the Need for Leave**

Employees who take FMLA leave must timely notify Meade County of their need for FMLA leave. The following describes the content and timing of such employee notices.

##### **1. Content of Employee Notice**

To trigger FMLA leave protections, employees must inform the HR Director of the need for FMLA qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow Meade

County to determine that the leave is FMLA qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency cause by a covered military member being on active duty or called to active duty status; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered service-member with a serious injury or illness.

Calling in “sick,” without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to Meade County’s questions to determine if absences are potentially FMLA qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA qualifying reasons for which Meade County has previously provided FMLA protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

## **2. Timing of Employee Notice**

Employees must provide 30 days’ advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days’ notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Meade County notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days’ notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

### **B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules**

When planning medical treatment, employees must consult with Meade County and make a reasonable effort to schedule treatment so as not to unduly disrupt Meade County’s operations, subject to the approval of an employee’s health care provider. Employees must consult with Meade County prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both Meade County and the employees, subject to the approval of an employee’s health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Meade County may require employees to attempt to make such arrangements, subject to the approval of the employee’s health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered service-member, Meade County may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the

planning of medical treatment, upon request, employees must advise Meade County of the reason why such leave is medically necessary. In such instances, Meade County and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Meade County's operations, subject to the approval of the employee's health care provider.

### **C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)**

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Meade County with timely, complete and sufficient medical certifications. Whenever Meade County requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after Meade County's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. Meade County shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. Meade County will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, Meade County (through the Human Resources Office) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide Meade County with authorization allowing it to clarify or authenticate certifications with health care providers, Meade County may deny FMLA leave if certifications are unclear.

Whenever Meade County deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

#### **1. Initial Medical Certifications**

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered service-member, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Meade County has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Meade County's expense. If the opinions of the initial and second health care providers differ, Meade County may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by Meade County and the employee.

#### **2. Medical Recertifications**

Depending on the circumstances and duration of FMLA leave, Meade County may require employees

to provide re-certification of medical conditions giving rise to the need for leave. Meade County will notify employees if re-certification is required and will give employees at least 15 calendar days to provide medical re-certification.

### **3. Return to Work/Fitness for Duty Medical Certifications**

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Meade County medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. Meade County may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

#### **D. Submit Certifications Supporting Need for Military Family Leave**

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military member, Meade County may require employees to provide: 1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status of the same or a different covered military member.

When leave is taken to care for a covered service-member with a serious injury or illness, Meade County may require employees to obtain certifications completed by an authorized health care provider of the covered service-member. In addition, and in accordance with the FMLA regulations, Meade County may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered service-member confirming entitlement to such leave.

#### **E. Substitute Paid Leave for Unpaid FMLA Leave**

Employees must use any accrued paid time while taking unpaid FMLA leave. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with an employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

Upon written request, Meade County will allow employees to use accrued paid time to supplement any paid disability benefits.

#### **F. Pay Employee's Share of Health Insurance Premiums**

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless Meade County notifies employees of other arrangements, whenever employees are receiving pay from Meade County during FMLA leave,

Meade County will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a prepay method.

Meade County's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, Meade County will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Meade County for the cost of the premiums Meade County paid for maintaining coverage during their unpaid FMLA leave.

#### **IV. Questions and/or Complaints about FMLA Leave**

If you have questions regarding this FMLA policy, please contact the HR Director. Meade County is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Human Resources Office immediately. Meade County will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

#### **V. Coordination of FMLA Leave with Other Leave Policies**

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult Meade County's other leave policies in this handbook or contact Human Resources.

## **Section 5 - General Standards of Conduct**

### **5-1. Supervision**

The foundation of Meade County is its employees and supervisors. The supervisor is the medium by which the office can move its mission forward. At the same time, they are at the center of personal development, motivation, discipline, and morale. Supervisors are responsible to meet the needs of the office, but we also believe proper supervision includes meeting the needs of the employees.

In keeping with the principles of unity of command and chain of command, each member of the office will have a supervisor. Supervisors have the authority to carry out the policies of the Commission and administer and supervise the work of subordinates.

The supervisor is responsible to see that the office fulfills its mission. Equally true, supervisors are responsible to create a supportive and cooperative work environment for their subordinates in which to work.

#### **Leadership Goals/Obligations:**

- Each supervisor, shall by act, manner, and attitude, promote understanding of all procedures essential to effective operation of Meade County's areas of responsibility.
- The supervisor is to convey the intent and spirit of orders and directives to subordinates.
- Supervisors should have knowledge of a subordinate's progress and assist by counseling, advice, and direction.
- The supervisor is a resource to assist subordinates with problems that affect the performance of their work as employees of Meade County.
- The supervisor should act in a prompt and timely fashion in response to a subordinate's problems.

#### **Direct Supervision**

Direct Supervision is best characterized by the relationship between supervisors and their subordinates. A direct supervisor has the responsibility, under normal circumstances, for such things as making work assignments, monitoring work performance, handling disciplinary matters, and resolving questions and problems.

#### **Resolution of Problems and Questions**

Supervisors and employees should strive to resolve problems and conflicts at the lowest level of supervision. All employees should contact their supervisors when they have a question(s) about their duties or when they are unable to resolve problems or need advice. Supervisors shall attempt to resolve questions and problems as soon as possible at the level at which they are occurring.

### **5-2. Workplace Conduct**

Meade County endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct based on honesty, common sense, and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt

and enforce rules that all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, at which is Meade County's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

- Stealing, removing, or defacing Meade County property or a co-worker's property, and/or disclosure of confidential information
- Completing another employee's time records without authorization as a delegate
- Dishonesty
- Violation of safety rules and policies
- Violation of Meade County's Drug and Alcohol-Free Workplace Policy
- Fighting, threatening, or disrupting the work of others or other violations of Meade County's Workplace Violence Policy
- Insubordination or disobedience of a lawful management directive
- Loitering or loafing during work time, or leaving a work area without the permission of management
- Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness, or unexcused absences
- Gambling on Meade County property
- Stopping work prior to the end of any shift without management's permission
- Willful or careless destruction or damage to Meade County assets or to the equipment or possessions of another employee
- Performing work of a personal nature during working time
- Violation of the Solicitation and Distribution Policy
- Violation of Meade County's Harassment or Equal Employment Opportunity Policies
- Violation of the Communication and Computer Systems Policy
- Unsatisfactory job performance
- Any other violation of Meade County policy

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and Meade County reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. Meade County will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. Moreover, Meade County will endeavor to utilize progressive discipline but reserves sole discretion and right to terminate an employee at any time for any reason.

**The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.**

### **5-3. Disciplinary Action**

Violation of any provision of the Meade County Employment Handbook or poor work performance - may generally take, but not be limited to, one of the following forms of disciplinary action in no particular order:

- Oral reprimand
- Written reprimand
- Probation
- Suspension without pay
- Demotion
- Dismissal
- Performance Improvement Plan (PIP)

**Meade County does not follow a progressive discipline procedure and reserves the right to skip**

any of the above discipline forms.

The employee may submit a written response to reprimands, which shall be attached to such reprimands in his/her personnel file.

The Department Head will notify the employee, in writing of all forms of the above disciplinary action(s), except (oral), immediately following the institution of such discipline. The written notice shall give specific reasons for the disciplinary action taken, and the date(s) of the action.

**If a step-increase is to be denied, the employee must have been notified of the performance deficiency and been given the opportunity to correct the deficiency. The Department Head will meet with the employee to re-evaluate performance and the step- increase.**

## **5-4. Grievance Procedure**

This procedure is established by Meade County as required by SDCL § 3-18-15.1

### **Appeals and Grievances**

It is the county's purpose to provide an effective way for employees to bring problems concerning their well-being at work to the attention of the county's management. Therefore, an informal grievance procedure has been established for the benefit and use of the employees.

Misunderstandings or conflicts can arise in any organization and should be resolved before serious problems develop. Most incidents resolve themselves naturally, however, should a situation persist that the employee believes is detrimental to himself/herself or the county, the employee should follow the procedure described here for bringing the complaint to management's attention.

**Step 1** - Initiate an immediate discussion of problem or issue with the immediate supervisor or Department Head/Elected Official. Written documentation will be made by the immediate supervisor and placed in the employee's file.

**Step 2** - If the problem is not resolved after discussion with the supervisor, Department Head or Elected Official, or if the employee thinks a discussion is inappropriate, the employee is then encouraged to request a meeting with the Human Resource Director. A Grievance/Complaint form will be completed and HR will conduct an investigation and consider the facts and review. The employee will normally receive a response regarding the problem within five working days of meeting with Human Resources.

**Step 3** - If the employee is not satisfied with the decision and wishes to pursue the matter further, he/she may prepare a written summary of the concerns and request that the County Commission review the matter. This request should be made through the Human Resource Director who will notify the Commissioners. The County Commissioners - after a full review of the facts, will inform the employee of its decision within 30 working days following their final conclusions on the matter.

No one will be retaliated against for filing a good faith complaint under this procedure. If retaliation is suspected, it should be reported immediately to the Human Resource Director.

Nothing herein shall be deemed to prohibit or otherwise limit any rights the employee may have under

any Federal or State law.

### **5-5. Punctuality and Attendance**

You were hired to perform an important function at Meade County. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, your attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive, and place an unfair burden on your fellow employees and your supervisors. We expect excellent attendance from each of you. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, you are expected to notify your supervisor as early as possible, but no later than the start of your work day. Asking another employee, friend, or relative to give this notice is improper and constitutes grounds for disciplinary action. Please call, stating the nature of your illness and its expected duration, every day that you are absent.

Unreported absences of three consecutive work days generally will be considered a voluntary resignation of your employment with Meade County.

### **5-6. Use of Communications and Computer Systems**

Meade County's communication and computer systems are intended for business purposes and may be used only during working time, however, limited personal usage is permitted if it does not hinder performance of job duties or violate any other Meade County policy. This includes the voice mail, e-mail and Internet systems. Users have no legitimate expectation of privacy in regard to their use of the systems.

Employees shall use county technology (telephones, computers, Internet, email, etc.) at their disposal in an appropriate manner. Under no circumstances are employees allowed to use the county technology to engage in outside business interests, inappropriate, offensive, or illegal activities. Abuse of the system is not acceptable. Use common sense. If in doubt, do not use county resources.

No employee may access, or attempt to obtain access to, another employee's computer systems without appropriate authorization.

Meade County's policies prohibiting harassment, in their entirety, apply to the use of Meade County's communication and computer systems. No one may use any communication or computer system in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs, or any other characteristic protected by federal, state, or local law.

Violators of this policy may be subject to disciplinary action, up to and including discharge.

### **5-7. Use of Social Media**

Meade County respects the right of any employee to maintain a blog or web page or to participate in social networking, Twitter, or similar site. However, to protect Meade County interests and ensure that employees focus on their job duties, employees must adhere to the following rules:

All rules regarding confidential and proprietary business information apply in full to blogs, web pages, social networking, Twitter, and similar sites. Any information that cannot be disclosed through a conversation, a note, or an e-mail also cannot be disclosed in a blog, web page, social networking, Twitter, or any similar site.

Whether an employee is posting something on his or her own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions Meade County and also expresses either a political opinion or an opinion regarding Meade County's actions, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not Meade County's position. This is necessary to preserve Meade County's good will in the community.

Employees should be respectful of their potential readers and colleagues and refrain from using discriminatory comments, personal insults, libel, or slander when commenting about Meade County, their superiors, or co-workers.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter, or any similar site. For example, posted material that is discriminatory, harassing, obscene, defamatory, libelous, or threatening is forbidden. Meade County policies equally apply to employee blogging. Employees should review their Employee Handbook for further guidance.

Meade County encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, social networking, Twitter or similar site can be relayed and often misunderstood by readers. While an employee's free time is generally not subject to any restrictions by Meade County, with the exception of the limited restrictions above, Meade County urges all employees to refrain from posting information regarding Meade County or their jobs that could embarrass or upset co-workers or that could detrimentally affect Meade County. Employees must use their best judgment.

Employees with any questions should review the guidelines above and/or consult with their supervisor. When in doubt, don't post. Failure to follow these guidelines may result in discipline, up to and including termination.

## **5-8. Personal and County-Provided Portable Communication Devices**

Meade County-provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may be subject to monitoring if sent through Meade County's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a Meade County provided or personal device, employees must comply with applicable Meade County guidelines, including policies on sexual

harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles.

If an employee who uses a personal PCD for business resigns or is terminated, the employee may be required to submit the device to the IT department for resetting on or before his or her last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, Meade County information and personal data (such as contacts, e-mails and photographs). The IT department will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Please note that whether employees use their personal PCD or a Meade County-issued device, Meade County's electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

### **5-9. Tobacco Free**

Meade County is dedicated to providing a healthy, comfortable, and productive environment for employees, clients and visitors. Smoking and the use of all tobacco products is prohibited on all real property or portions thereof owned by Meade County. This policy applies to employees and visitors, and includes all vehicles, parking lots, and walkways leading into county buildings. Enforcement of this policy is the shared responsibility of all supervisors. All employees are encouraged to communicate this policy with courtesy, respect, and diplomacy. Incidents of smoking and/or tobacco use by employees may be documented for supervisor follow-up.

- **Exception to policy - Jurors**

### **5-10. Solicitation and Distribution**

Subject to the approval by management, employees may solicit for charitable purposes using their own time by adjusting their work week to make up time or by using vacation leave, or leave without pay. Activities should be scheduled so they do not interfere with co-workers' performance.

Distribution of advertising material, handbills, or printed or written literature of any kind in working areas of the Meade County is prohibited at all times, unless from regular vendors of the county.

### **5-11. HR Bulletin Board**

Important notices (job announcements) and items of general interest are continually posted on the HR bulletin board. Make it a practice to review it frequently. This will assist you in keeping up with what is current at Meade County. To avoid confusion, please do not post or remove any material from the bulletin board.

### **5-12. Confidential County Information**

During the course of your work, you may become aware of confidential information. It is extremely important that all such information remain confidential, and particularly not be disclosed. Any

employee who improperly copies, removes (whether physically or electronically), uses or discloses confidential information to anyone outside of Meade County (except as required by law) may be subject to disciplinary action up to and including termination.

Employees may be required to sign an agreement reiterating these obligations.

Employees are prohibited from discussing the circumstances surrounding potential liability incidents (law suits, nondisclosure agreements, etc.). All media and third-party inquiries regarding liability incidents should be referred to legal counsel.

### **5-13. Conflict of Interest**

It is Meade County's policy that all employees avoid any conflict between their personal interests and those of Meade County. The purpose of this policy is to ensure that Meade County's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of Meade County.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

- Holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with Meade County, by any employee who is in a position to directly or indirectly influence either Meade County's decision to do business, or the terms upon which business would be done with such organization.
- Being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with Meade County.
- Profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with Meade County.

A conflict of interest would also exist when a member of an employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example, occasional business-related meals or promotional items of nominal or minor value.

It is your responsibility to report any actual or potential conflict that may exist between you ( your immediate family) and Meade County.

### **5-14. Secondary Employment**

County employment must be the principal vocation of all regular full-time employees; however, a county employee may engage in outside employment, subject to all of the following conditions:

- The outside employment must not interfere with the efficient performance of the employee's County position;
- The outside employment must not conflict with the financial or public interests of the county or any department/office;

- The outside employment must not be the type that would give rise to criticism or suspicion of conflicting interests or duties;
- Employees must have the approval of his/her respective supervisor prior to engaging in secondary employment.

## **5-15. Use of Facilities, Equipment and Property, Including Intellectual Property**

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

Please notify your supervisor if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of loss, 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 used on the job.

Employees also are prohibited from any unauthorized use of Meade County's intellectual property, such as audio and video tapes, print materials and software.

Improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in discipline, up to and including discharge.

Further, Meade County is not responsible for any damage to employees' personal belongings.

## **5-16. Political Activity**

Active participation is allowed in political management or in political campaigns except during working hours. Employees may also hold an elective office in political clubs or organizations which does not interfere with the normal performance of job responsibilities, except as prohibited by law. Employees whose positions are partially or wholly funded by federal monies are restricted from political activity by the Hatch Act.

Neither state nor federal law prevents activity of a nonpartisan type not specifically identified with a national or state political party.

### **Hatch Act - State and Local Employees**

The Hatch Act restricts the political activity of individuals principally employed by state or local executive agencies and who work in connection with programs financed in whole or in part by federal loans or grants. Usually, employment with a state or local agency constitutes the principal employment of the employee in question. However, when an employee holds two or more jobs, principal employment is generally deemed to be that job which accounts for the most work time and the most earned income.

The following list offers examples of the types of programs which frequently receive financial assistance from the federal government: Public health, public welfare, housing, urban renewal and area redevelopment, employment security, labor and industry training, public works, conservation,

agricultural, civil defense, transportation, anti-poverty, and law enforcement programs.

State and local employees subject to the Hatch Act continue to be covered while on annual leave, sick leave, leave without pay, administrative leave, or furlough.

## **5-17. Health and Safety**

The health and safety of our employees and others on Meade County property are of critical concern to Meade County. Meade County intends to comply with all health and safety laws applicable to our county. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on Meade County's premises, or in a product, facility, piece of equipment, process or business practice for which Meade County is responsible should immediately be brought to the attention of management.

Periodically, Meade County may issue rules and guidelines governing workplace safety and health. Meade County may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

## **5-18. Hiring Relatives/Employee Relationships**

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, Meade County may refuse to hire or place an immediate family member in a position where the potential for favoritism or conflict exists.

No employee shall appoint or supervise any employee of his/her immediate family. The term "immediate family" includes wife, husband, daughter, daughter-in-law, son, son-in-law, mother, mother-in-law, father, father-in-law, sister, sister-in-law, brother, brother-in-law, aunt, uncle, niece, nephew, grandmother, grandfather, granddaughter, grandson, step-parent, or step-child.

In other cases such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment, at the discretion of Meade County. Accordingly, all parties to any type of intimate, personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. Meade County generally will attempt to identify other available positions, but if no alternate position is available, Meade County retains the right to decide which employee will remain with Meade County.

### **Exception to policy - Short-Term Employees**

## **5-19. Employee Dress and Personal Appearance**

You are expected to report to work well groomed, clean, and dressed according to the requirements of your position. Some employees may be required to wear uniforms or safety equipment/clothing. Please contact your supervisor for specific information regarding acceptable attire for your position. If you report to work inappropriately dressed or groomed, you may be prevented from working until you return to work well groomed and wearing the proper attire.

## **5-20. Publicity/Statements to the Media**

All media inquiries regarding Meade County and its operation must be referred to the appropriate Department Head or Elected Official. No employee, unless specifically designated by their respective Supervisor, are authorized to make those statements.

## **5-21. Operation of Vehicles**

All employees authorized to drive Meade County-owned or leased vehicles or personal vehicles in conducting Meade County business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

A valid driver's license must be in your possession while operating a vehicle off or on county property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

County owned or leased vehicles may be used only as authorized by management.

### **Seatbelt**

All county employees who are driving or are passengers in county-owned vehicles covered by the counties automobile liability insurance policy are required to wear seat belts, both in the front and back seats. (SDCL 32-38-5)

### **Portable Communication Device Use While Driving**

Employees who drive on Meade County business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill county needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and/or e-mailing while driving is prohibited in all circumstances.

## **5-22. Business Expense Reimbursement**

Occasionally, employees will be required to attend training sessions away from the employee's normal work-site. When such training is a normal, though infrequent, incident of employment and occurs during regular scheduled work hours, additional time for travel is not paid. Where such training is unusual and not an ordinary occurrence, as determined by the Department Head, travel time is paid and subject to overtime as appropriate.

For out of town travel, travel time will be paid time and subject to overtime as appropriate. The length of travel time shall be determined by the lesser of the actual time traveled and the amount of time such travel would take from the employee's normal place of work.

All county, work-related travel must have the prior approval of the Department Head. Department Heads and elected officials shall be considered to have Commission approval through the budgetary process.

The county encourages its employees to exercise his/her best judgment in the use of travel allowances. Employees shall accomplish county travel by whatever method is most economical and practical to the county with consideration given to time requirements and the destination of travel. Employees are encouraged to travel together whenever possible on joint county business.

Per diem rates are set by the County Commission and are used for official travel allowances.

- Schedule for Computation of Travel Meal Allowance: Breakfast shall be allowed if an employee leaves his/her post of duty before 6:00 AM or returns to his/her post after 7:00 AM
- Noon lunch shall be allowed if an employee leaves his/her post of duty before 11:31 AM or returns to his/her post of duty after 12:59 PM
- Dinner shall be allowed if an employee leaves his/her post of duty before 5:00 PM, or returns to his/her post of duty after 6:00 PM.

See the Auditor's Office for further information regarding travel accounting and reimbursement.

## **5-23. References**

Meade County will respond to reference requests through the Human Resources Office. Meade County will provide general information concerning the employee such as date of hire, date of termination, salary and positions held.

**Only the Human Resources Office may provide references unless otherwise directed in writing by the respective employee.**

## 5-24. If You Must Leave Us

Employees who terminate employment on a voluntary basis shall submit a letter of resignation through their supervisor at least two weeks prior to their resignation date. The resignation letter should specify the date of the final day to be worked and any requested use of vacation, holiday, or other leave time in connection with existing work schedules. Reason(s) for employment termination should also be stated. Upon submitting a resignation letter and prior to actual separation, the employee must complete an employee separation form and secure the required signatures attesting that all county owned equipment or property has been returned.

All Meade County property including, but not limited to, keys, security cards, parking passes, laptop computers, uniforms, etc. must be returned at separation. To the extent permitted by law, employees will be required to repay Meade County (through payroll deduction, if lawful) for any lost or damaged Meade County property.

However, the county may accept your verbal resignation or written resignation with less than two weeks notice. As previously noted, all employees are employed at-will, and nothing in this handbook changes that status.

If you decide to leave your current position, even if it is to accept another position with Meade County, you are asked to give your supervisor a written notice of intent at least two weeks prior to the date you plan to leave.

## 5-25. Employment Termination

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

- **Resignation** - voluntary employment termination initiated by an employee
- **Discharge** - involuntary employment termination initiated by the County
- **Retirement** - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the County

Personnel leaving employment with Meade County, will be provided the opportunity to participate in a personal exit interview with the Human Resources Director and to complete an exit interview form in order to relate comments (positive and/or negative) regarding their employment with the County.

Participation in the personal exit interview and filling out the exit interview form may provide assistance in gaining constructive insight and ideas that will benefit all county employees.

### Layoff

A layoff is the separation of any employee from the County for lack of work or lack of funds or for reasons other than the acts or delinquencies of the employee. When a layoff must occur, the decision is made at the discretion of the department head, with consideration given to years of service, employee classification, and departmental needs.

## **5-26. Closing Comments**

This handbook is intended to give you a broad summary of things you should know about Meade County. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules and benefits described in this handbook, Meade County, in its sole discretion, may always amend, add to, delete from, or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Please do not hesitate to speak to management if you have any questions about the county or its personnel policies and practices.

# General Handbook Acknowledgment

This Employee Handbook is an important document intended to help you become acquainted with Meade County. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because Meade County's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee Handbook.

**I have received and read a copy of Meade County's Employee Handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of Meade County at any time.**

**I further understand that my employment is terminable at will, either by myself or Meade County, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.**

**I understand that no contract of employment other than "at will" has been expressed or implied, and that no circumstances arising out of my employment will alter my "at will" status except an express written agreement signed by the County Commission. This handbook is subject to the terms of any applicable collective bargaining agreement. I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Meade County's Employee Handbook.**

Employee's Printed Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this acknowledgment should be given to Human Resources Office - it will be filed in your personnel file.

## Receipt of Sexual Harassment Policy

It is Meade County's policy to prohibit harassment of any employee by any supervisor or employee on the basis of sex or gender. The purpose of this policy is not to regulate personal morality within the workplace. It is to ensure that all employees are free from sexual harassment.

While it is not easy to define precisely what types of conduct could constitute sexual harassment, examples of prohibited behavior include unwelcome sexual advances; requests for sexual favors; obscene gestures; displaying sexually graphic magazines, calendars or posters; sending sexually explicit e-mails; text messages; and other verbal or physical conduct of a sexual nature, such as uninvited touching of a sexual nature, or sexually-related comments.

Depending upon the circumstances, improper conduct also can include sexual joking; vulgar or offensive conversation or jokes; commenting about an employee's physical appearance; conversation about your own or someone else's sex life, or teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to your supervisor. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact the HR Director.

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. Violation of this policy will result in disciplinary action, up to and including discharge. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, Meade County will not allow any form of retaliation against individuals who report unwelcome conduct to our management team or who cooperate in the investigations of such reports in accordance with this policy.

Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

I have read and I understand Meade County's Sexual Harassment Policy.

Employee's Printed Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this receipt should be given to the Human Resources Office - it will be filed in your personnel file.

## Receipt of Non-Harassment Policy

It is Meade County's policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, gender, sexual orientation, or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If you feel that you have been subjected to conduct which violates this policy, you should immediately report the matter to your Supervisor. If you are unable for any reason to contact this person, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, please contact the HR Director.

Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. Violation of this policy will result in disciplinary action, up to and including discharge. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, Meade County will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy.

Employees who make complaints in bad faith may be subject to disciplinary action, up to and including discharge.

Employee's Printed Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this receipt should be given to the Human Resources Office - it will be filed in your personnel file.

# Employee Confidentiality Agreement

An employee will perform services for Meade County which may require the County to disclose confidential and proprietary information to the employee. For the purposes of this agreement, "confidential information" is any information of any kind, nature or description concerning any matters affecting or relating to the employee's services for Meade County, the business or operations thereof, and/or the products, drawings, plans, processes or any other data of the County. Accordingly, to protect the County and the confidential information that will be disclosed to the employee, the employee agrees to the following points:

- The employee will hold the confidential information received from the County in strict confidence and shall exercise a reasonable degree of care to prevent disclosure to others.
- The employee will not disclose or divulge either directly or indirectly the confidential information to others unless first authorized to do so in writing by the County.
- The employee will not reproduce the confidential information nor use this information commercially or for any purpose other than the performance of his/her duties for the County.
- The employee will, upon the request or upon termination of his/her relationship with the County, deliver to the County any drawings, notes, documents, equipment and materials received from the County or originating from its activities for the County.
- Meade County shall have the sole right to determine the treatment of any information that is received from the employee, regardless of whether said information is project-specific or part of the normal duties of the employee. The County may follow any procedure it may deem appropriate for the information.
- Meade County reserves the right to take disciplinary action, up to and including termination, for violations of this agreement.

The employee represent and warrants that he/she is not under any preexisting obligations inconsistent with the provisions of this agreement. Signing below signifies that the employee agrees to the terms and conditions of the agreement stated above.

Employee's Printed Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The signed original copy of this agreement should be given to the Human Resources Office - it will be filed in your personnel file.