

EMPLOYEE HANDBOOK



Employee Handbook

Effective: January 1, 2019

Montgomery County Board of Supervisors – Human Resources Department – P.O. Box 71-Winona, MS 38967

THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT BETWEEN ANY EMPLOYEE AND THE COUNTY AND SHOULD NOT BE VIEWED AS SUCH. FURTHERMORE, THIS HANDBOOK IS MERELY A GUIDE TO COUNTY POLICIES AND DOES NOT CONSTITUTE AN EXPRESS OR IMPLIED GUARANTEE OR CONTRACT OF EMPLOYMENT OR BENEFITS. ALL EMPLOYEES ARE EMPLOYEES-AT-WILL, AND EITHER THE COUNTY OR THE EMPLOYEE MAY TERMINATE THE RELATIONSHIP AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT GOOD CAUSE.

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CHAPTER 1: GENERAL INFORMATION

INTRODUCTION

We have prepared this Handbook to inform you about the County's policies and to summarize the benefits that are available to you. Please read your Handbook and familiarize yourself with the information it contains. Refer to the Handbook whenever you have a question. If you have a question that is not answered by the Handbook, ask your department head, the Human Resources Manager, or the County Administrator.

Your fundamental objective as a County employee is to provide services and assistance to the general public. Your contacts with individual citizens will often be the only basis on which they judge the whole County government. It is important that you make the best possible impression at all times. Each job with the County is an essential part of the overall operation of the government. When you begin working in a County department, everyone in the County is relying on you to give honest, efficient, and courteous service.

DISCLAIMER

Nothing contained in this Handbook is to be construed as a guarantee of continued employment. The County reserves the right to amend, modify, or cancel this Handbook as well as any or all of the various policies, rules, procedures, and programs outlined within it at any time without notice. The fact that the County provides notice of any amendments, modifications, or cancellations is not to be construed as a waiver of its right to do so without notice in other instances. Whenever the masculine gender (he, him, and his) is used, it also refers to the feminine gender (she, her, or hers).

This Handbook is not a contract of employment between any employee and the County and should not be viewed as such. Furthermore, this Handbook is merely a guide to County policies and does not constitute an express or implied guarantee or contract of employment or benefits. All employees are employees-at-will, and either the County or the employee may terminate the relationship at any time, for any reason, with or without good cause.

EQUAL EMPLOYMENT STATEMENT

It is the policy of the County to provide equal opportunity in employment to all employees and applicants for employment. There will be no discrimination because of race, creed, color, religion, national origin, sex, age, veteran status or disability.

POLICY AGAINST HOSTILE WORK ENVIRONMENT AND SEXUAL HARASSMENT

The County does not tolerate conduct by employees under the supervision and control of Montgomery County which creates a hostile work environment and/or which constitutes sexual harassment. A hostile work environment is based on many factors including: (1) whether the conduct was verbal or physical, or both; (2) how frequently it was repeated; (3) whether the conduct was hostile and patently offensive; (4) whether the alleged harasser was a co-worker or a manager; (5) whether any others joined in perpetrating the harassment; and whether the harassment was directed at more than one individual. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature may constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual. Such conduct may rise to the level of a hostile work environment if it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

It is the policy of the County to maintain a work environment that is free from the hostile atmosphere created by sexual harassment or intimidation. Such conduct will not be tolerated. If you believe you have been subjected to sexually harassing or intimidating conduct by any individual, including supervisory personnel, employed by the County, you should immediately report the incident to your department head, County Administrator, or Board Attorney. If your department head is the County Administrator or Board Attorney you should report sexual harassment incidents to the President of the Board of Supervisors. Such charges will be promptly investigated and, if substantiated, appropriate action will be taken to deter future occurrences. To the extent possible, all persons involved in a complaint of sexual harassment will be given the utmost protection or privacy. Persons complaining of sexual harassment will also be protected from reprisals and retaliation by any employee under the supervision and control of Montgomery County.

POLICY REGARDING DISABILITIES

The County will not discriminate against qualified applicants and employees on the basis of disability. The County will provide a reasonable accommodation to the known physical or mental limitation of a qualified applicant or employee with a disability unless the accommodation will impose an undue hardship on the County.

DRUG-FREE WORKPLACE

It is the policy of this County that all County work sites shall be Drug Free Workplaces. This includes the prohibition of possession of distribution of any controlled substance or alcoholic beverage at work. It is also a violation of policy for an employee to illegally use prescription drugs or to report to work under the influence of illegal controlled substances and/or alcohol. Violation will result in disciplinary action, up to and including termination.

The Drug Free Workplace policy is distributed during new employee orientation, and again when any changes in the policy take place. The policy outlines the disciplinary action taken when employees violate Montgomery County's standard.

Testing for County employees includes pre-employment testing, post-accident testing, reasonable suspicion, and random testing. Those employees operating County vehicles may also be subject to random alcohol and drug testing.

VIOLENCE-FREE WORKPLACE

It is the policy of Montgomery County to promote and maintain a work environment free from violence, threats of violence, harassment, intimidation, and other similar behavior. Montgomery County does not tolerate such behavior committed by or against County employees or members of the public on County owned or leased property or while conducting County business. All reports of workplace violence will be taken seriously and will be investigated appropriately. Corrective action will be taken as warranted by the facts.

This policy applies to all threats or acts of violence committed by or against County employees on County owned or leased property or while conducting County business. This policy may not apply with respects to incidents involving law enforcement officials, security guards, correctional and detention officers, or other County employees, who are acting in the course of their duties and, due to the nature of their positions, and are at times confronted with violent behavior or are required to exercise reasonable force pursuant to their department's operating procedures and all applicable State and Federal Laws.

Workplace violence is any action that would cause a reasonable person to fear for his or her physical safety. Specific examples of conduct that may be considered workplace violence prohibited under this policy, may include but are not limited to, the following:

- Hitting, shoving or otherwise physically assaulting an individual.
- Stalking an individual.

- Throwing objects in a manner that would reasonably be perceived as threatening.
- Intentional destruction or threat of destruction of property owned, operated, or controlled by Montgomery County.
- Making/sending harassing or physically threatening telephone calls, letters, faxes, or other forms of written or electronic communications.
- Unauthorized possession or inappropriate use of firearms, weapons, ammunition, or explosives in County vehicles or on County owned or leased property.
- Attempting to coerce an employee to do wrongful acts that would affect the interests of the County.

Employees who believe they have experienced or witnessed workplace violence, are encouraged to immediately report such behavior to his/her department head, or other person of authority. In emergency situations in which serious injury occurs, emergency responders such as Police, Sheriff, Fire, or Ambulance personnel should be immediately notified.

Department Management, with the assistance of the County Administrator and, if appropriate, in conjunction with law enforcement authorities, shall assess and investigate the incident and determine the appropriate action to be taken. If law enforcement is involved, the investigation shall be conducted in such a manner that does not interfere with the law enforcement investigation.

Employees who violate any provision of this policy may be subject to appropriate disciplinary action up to and including dismissal from employment. Employees and non-employees who commit or threaten to commit an act of violence in violation of this policy may be subject to criminal penalties and/or asked to leave County property if warranted by the facts.

This policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy or is a witness in an investigation involving a violation of this policy.

EMPLOYMENT OF RELATIVES

Except as provided below, Montgomery County may hire an otherwise qualified applicant even though the applicant is an immediate family member of a County employee, and even though they both work in the same department. For purpose of this policy, an immediate family member is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, corresponding in-law, step relation or any member of the employee's household. However, no individual may work in the same department as an immediate family member if either holds any position of influence or authority over the other. That is, no employee is permitted to work within the chain of command when his or her relative's work responsibilities, salary, hours, career progress, benefits, or other terms and conditions of employment could be influenced by the employee.

The fact that two employees in the same department become immediate family members only after they have been employees does not change this policy or exempt them from it and the County retains the right to enforce it. Exceptions to this policy can be made in emergency situations and with the concurrent approval of the Board of Supervisors.

RESIDENCE AND TERMS OF EMPLOYMENT

County employees who are hired by and directly report to the Board of Supervisors must reside in Montgomery County. If an applicant does not reside within the County and is accepted for employment for one of the positions which directly reports to the Board, he or she must relocate to the County within three (3) months from the date of hire. If one of these employees moves out of the County after the date of hire, his or her employment may terminate thirty (30) days after notice unless he or she relocates in the County.

CHAPTER 2: EMPLOYMENT PRACTICES

SECTION 2.1 WORKFORCE

As a part of Montgomery County's workforce objective, persons employed by the Board of Supervisors are required to be skilled in the performance of their duties through experience and education.

2.1.1 JOB POSTINGS

Job openings will be advertised internally and/or externally by the following: 1) County web site 2) distributed by County e-mail. Job postings will normally remain open for five (5) consecutive workdays. If a department head or Elected Official chooses to advertise a job on other websites or newspapers the position will remain open for up to ten (10) workdays, at the discretion of the Board of Supervisors. The department head has the discretion to advertise internally and the Board of Supervisors reserves the right to shorten time periods in its discretion.

To be eligible to apply for a posted job, employees must have performed competently for at least six (6) months in their current position without disciplinary action. Employees that have a written warning on file or who are on probation or suspension are eligible to apply for posted jobs six (6) months after the last disciplinary action has been issued and upon favorable review from the issuing department head.

To apply for an open position, employees must submit an application to the County Administrator. Job postings inform employees of openings and inform the hiring official of qualified and interested applicants.

SECTION 2.2 SELECTION PROCESS FOR HIRING

2.2.1 SELECTION OF MONTGOMERY COUNTY EMPLOYEES

After the hiring manager has made his selection and obtained approval from the Board of Supervisors, the County Administrator will contact the new hire to reserve an appointment for his/her pre-employment drug screen. After the County Administrator receives the results, an orientation time and place will be scheduled.

2.2.2 RE-EMPLOYMENT

Any employee, who resigned or has been laid off through a reduction in force and is in good standing, may reapply through the regular channels of employment. However, any employee who resigned or has been terminated and withdraws his funds from the Mississippi Public Employees Retirement System, may not become re-employed by the County for period of six (6) months after the date of termination. Applicants for re-employment, regardless of the intervening time period, will be treated in all respects as new hires, and they will be subject to the pre-employment drug testing, probationary period, insurance waiting period, and all other provisions that apply to newly hired employees.

SECTION 2.3 EMPLOYMENT

2.3.1 PROBATIONARY PERIOD

The probationary period for all Montgomery County Board of Supervisors employees upon appointment and reappointment to vacant positions shall be regarded as the final stage in the examination process of said employees and, as such, shall constitute a three (3) month period from the date of hire. During this probationary period, the department head should closely observe and review the work of each such employee for the purpose of determining whether each such employee demonstrates the ability and aptitude to satisfactorily perform the duties, tasks, and responsibilities of the position on a routine and continual basis. This period is for evaluation purposes and is not to be considered an implied term of employment. The employee remains an employee at-will for all purposes and is subject to dismissal at any time for any reason in accordance with State and Federal Law.

2.3.2 AT-WILL EMPLOYMENT

The County and its employees are in an at-will employment relationship. All employees, full time, part time, or temporary shall serve at the will of the Board of Supervisors. Any new positions and their wages shall be approved by the Board.

2.3.3 INTERNAL TRANSFERS

To enhance employee development and retention, the Montgomery County Board of Supervisors encourages the filling of professional and management positions with current County employees who meet the necessary qualifications and in the opinion of the department head or manager is the most qualified applicant. Unless circumstances dictate otherwise, County employees should be given the first opportunity to be considered for open professional and management positions. If qualified internal candidates are not available, then the County will seek qualified applicants through its current job recruitment process.

You cannot be considered for an internal transfer to another position until you have completed at least six (6) months of satisfactory employment with the County.

2.3.4 PROMOTIONS

To enhance employee development and retention, the Montgomery County Board of Supervisors encourages the filling of professional and management positions with current County employees who meet the necessary qualifications and in the opinion of the hiring manager is the most qualified applicant. Unless circumstances dictate otherwise, County employees should be given the first opportunity to be considered for open professional and management positions. It is the policy of Montgomery County to provide County employees the opportunity to be considered for open professional and management positions.

SECTION 2.4 STANDARDS OF EMPLOYEE CONDUCT

2.4.1 CODE OF ETHICS

Montgomery County is committed to high standards of conduct by and among employees in the performance of their duties. Individual and collective adherence to high ethical standards is central to the maintenance of public trust and confidence in government.

The Montgomery County Code of Ethics herein applies to the day to day conduct of all employees of county government.

The ethical county employee must:

- Promote decisions which only benefit the public interest.
- Promote public confidence in County government.
- Keep safe all funds and other properties of the County.
- Maintain high standards of work every day in dealing with the public, employees, and associates.
- Maintain a respectful attitude toward employees, public officials, colleagues, associates, and citizens.
- Comply with all laws, policies, rules and regulations applicable to the County.

The ethical county employee must not:

- Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.
- Improperly influence or attempt to influence other employees to act in his/her own interest.
- Use any county resource for personal or private benefit or gain.

The ethical county employee accepts the responsibility that his or her mission is that of servant and steward to the public.

2.4.2 SAFETY

Each employee of the County is encouraged to take an active part in safety. This can be accomplished by working in a safe, accident-free manner, and by offering suggestions to the department head on any matter concerning safety. Safe work practices benefit the employee, the family, fellow employees, the County, and society as a whole.

2.4.3 ATTENDANCE

In order to operate the County efficiently, it is necessary to have a reliable work force. It is important to you, your fellow employees, and the County that you come to work regularly and on time. You are expected to remain on the job during work time. If you wish to leave your job for any reason, you must first talk to your department head.

If you know you will have to be absent from work, you must get prior approval from your department head and take leave without pay or vacation leave. Although the County recognizes that you may have to be absent from work occasionally, excessive absences can result in disciplinary action, including termination.

2.4.4 TARDINESS

If an employee is not at his or her designated work area at the time the work day begins, he/she is considered tardy. The department head reserves the right to take disciplinary action and/or to deduct the time the employee is late from the time sheet. Notwithstanding the above, if you are unavoidably delayed for more than fifteen minutes in getting to work, you should call your department head and tell him when you expect to arrive. Naturally, all employees are expected to be punctual. While you are at work if an employee needs to leave you are expected to notify your department head or manager immediately.

2.4.5 YOUR JOB

The County, typically through your department head, will explain your job duties and responsibilities. If at any time you have a question or do not understand your duties or responsibilities, you are expected to address that with your department head.

You have a unique overall job responsibility that may require you to perform various work assignments, depending on the needs of the County. Occasionally, you may not believe that these assignments fit within your job description; however, when these times occur, you will be expected to perform such duties as are assigned by your department head.

2.4.6 TRAVEL POLICY

When any elected official or employee of Montgomery County, after first being duly authorized, is required to travel in the performance of their official duties, the elected official or employee shall receive as expenses for each mile actually and necessarily traveled, when the travel is done by a privately owned vehicle, the mileage reimbursement rate allowable to state employees for the use of privately owned vehicle while on official travel. Where two or more elected officials or employees travel in one privately owned vehicle only one travel expense allowance at the authorized rate per mile shall be allowed for one trip. When travel is done by means of a public carrier or other means not involving a privately owned vehicle, then the elected official or employee shall receive as travel expense the actual fare or other expenses incurred in such travel, provided that a receipt is presented.

When the elected official or employee of Montgomery County, after first being duly authorized, is required to travel in the performance of their official duties in a County vehicle and is authorized to use a County vehicle, they will be reimbursed for actual gasoline used if a receipt for said purchase is presented.

In addition to the foregoing, an elected official or employee shall be reimbursed for other actual expenses such as meals, lodging, and other necessary expenses incurred in the course of the travel, subject to limitations placed on meals for official travel by the Department of Finance and Administration, provided that proper receipts are presented.

To be reimbursed, elected officials or employees of Montgomery County must complete a Voucher of Reimbursement of Expenses with all appropriate receipts attached.

2.4.7 COURTESY AND DECORUM

While you are performing your job duties, you are a representative of the County in all of your dealings with the public. You should conduct yourself as such and should convey a favorable impression to the public through your dealings with them. If a controversy or disagreement should arise with a member of the public, you should refer the matter to your department head immediately.

2.4.8 HOURS OF WORK

Your hours of work will be fixed according to the needs of the County and may be changed, as the workload requires. County employees are entitled to a 30 minute to one hour lunch break as approved by their manager or department head. Employees are prohibited from working during their assigned lunch hour. If you need to work during your scheduled lunch hour, you must have your department head's approval prior to doing such work.

2.4.9 STANDARD DRESS CODE

All employees are responsible for presenting themselves to the public and the community in a manner that supports acceptable standards of good professional grooming and etiquette. Dress and personal grooming which communicates a professional image to our citizens helps to instill confidence in our ability to provide a high standard of quality service. For this reason, anything that could be considered a safety hazard, offensive to a reasonable person or otherwise diminish the confidence of our citizens in our ability to deliver quality services will not be permitted. County employees are expected to be neat, well-groomed and appropriately dressed. What you wear will depend on your job, safety requirements, and whether or not you are meeting the public. It will be the responsibility of your department head to see that dress standards are met.

Employees will be expected to exercise good judgement in their choices of work clothes. All clothing must be clean, neatly pressed and in good repair and appropriate to the work setting. Any clothing, or lack of clothing that is improper in appearance or its inappropriate, either due to fit, cut, or style is not permitted. The County Administrator or department head has the discretion to determine the proper clothing to be worn in the workplace.

Proper attire NEVER includes low cut tops, tank tops, halter tops, short-shorts (mid-thigh), mini-skirts (mid-thigh), t-shirts (only on casual Friday's), sweat suits, exercise wear, torn/raveling jeans, and flip-flops (rubber sandals). Clothing which contains offensive slogans and/or writing that could be considered inappropriate or offensive will not be acceptable for wear at any time.

Employees having a conflict with any aspect of this policy, based on cultural or religious traditions or medical reasons, may request an exemption. The employee must place the request in writing to his/her department head. The department head and the County Administrator shall review the request and determine whether an exception will be granted.

Department heads, subject to the approval of the County Administrator, may establish a more specific dress code for their Department that is consistent with the intent of the portrayal of a professional image at all times. Appropriate clothing for the job duties and the department's level of public contact shall be the primary consideration.

Department heads are responsible for enforcement of the dress code. Employees may be sent home to change if they are out of compliance with the dress code. This time will be unpaid leave. An employee's failure to comply with counseling by his or her department head regarding the dress code may result in disciplinary action.

2.4.10 LOAN OF MONEY

It is a violation of County policy for a department head or supervisor to loan money to, or borrow money from, an employee.

2.4.11 POLITICAL ACTIVITY

The Board of Supervisors strongly encourages every employee to register to vote and to vote in every possible election.

Montgomery County employees must abide by State and Federal laws pertaining to politics and must understand and abide by the following:

- An employee may be a candidate for political office.
- An employee may manage or participate in political campaigns.
- No campaigning on County time. No campaign material will be given out or placed on County property during the employee's working hours.
- Avoid using, or appearing to use a County position for personal gain, giving unjustified preferences, or losing sight of the need for efficient and impartial decision making in the County's method of operation. No act committed should result in questioning the integrity of County government.
- An employee needs to be aware of the Hatch Act and is responsible for determining if there is a violation prior to running for public office.

2.4.12 PHONE CALLS AND EMAILS

The use of County phones and e-mail for personal reasons should be kept to a minimum. Excessive personal calls or text-messaging during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make personal calls and text-messaging on non-work time where possible and to ensure that friends and family members are aware of the County's policy. No personal long distance calls are allowed at County expense. Likewise, occasional personal e-mails or text-

messaging are permitted so long as they do not interfere with the normal routine of County business and do not contain vulgar or offensive language.

2.4.13 SMOKING IN THE WORKPLACE

To protect the health, safety, welfare, comfort, and environment of all citizens of Montgomery County, the Board of Supervisors adopted a Smoking Policy which prohibits smoking in all County facilities.

Signs have been posted to that effect. All employees are expected to observe the non-smoking policy.

2.4.14 OUTSIDE EMPLOYMENT

No employee may engage in employment which could cause a conflict of interest or use his County employment for personal gain. Outside employment must not interfere with performance of duties for the County. Unless permitted by federal laws, you may not work at other employment while on sick leave. You must provide the County with employment information regarding another job you accepted if on Worker's Compensation or FMLA leave. Failure to keep the County apprised of additional employment in these instances may result in termination as the applicable law allows. Your first loyalty has to be your duties to the County.

SECTION 2.5 COUNTY RESOURCES

2.5.1 COMPUTER USE POLICY

Purpose

This document establishes policies for the use of county-provided computer equipment, software, and services.

Computer, Internet, and Email Use Policy

Montgomery County is a strong proponent of the use of computer technology to facilitate communication and to further the work of the County. Any persons using county-provided computer equipment, software, and services shall observe the guidelines contained in the policy, when used in performing County work and when using all electronic files related to County work regardless of where stored. Personnel are expected to exercise discretion in the use of e-mail and the Internet to avoid use that would reflect poorly on the County. Use of County computer equipment, software, and services must comply with the Montgomery County Handbook.

- All network users will be issued a unique network account. Each user is expected to maintain a unique password that is different from their login ID and meet the network policy concerning length in characters, makeup, and duration of use. Passwords are not

to be given out to any other network user or outside source. It is a violation of the computer and automation policies for a user to use a network account that is not assigned to them. End users are required to log off at the end of their work day.

- It is the responsibility of each department head to contact IT Personnel when a new network account is needed or deactivated. Notifications are required at least (3 working days) prior to when the account is needed.
- End users of computers and associated systems will not install or uninstall any software or hardware on any computer that is not legally purchased and licensed or approved for installation by IT Personnel. End users are responsible for protecting all existing and future software applications and data from illegal copying or distribution.
- The use of County provided computer equipment, software, and services for personal use, gain, commercial advantage, and solicitation of money or things of value for any person or organization, advocacy or cause of a special interest, supporting or opposing any ballot proposition or campaign for elective office, or any unlawful purpose is prohibited.
- Installing hardware or downloading music, videos or software in any format unless used for assigned work tasks, or training associated with your job function is prohibited.
- Any department or authorized system users that wish to develop or create a database, information system or server program that may be used to manage important, sensitive, confidential, or otherwise “mission critical” data must first consult with IT Personnel. IT Personnel will not be responsible for any loss, corruption, or inadequate functionality of any user-designed system that was created outside of these requirements.
- All non-essential computer systems will be programmatically updated and scanned for viruses during non-business hours. End users are required to log off at the end of their work day.
- E-mail and Internet usage is to be limited to official County business ONLY, except in emergencies or serious family matters. In the instance where non-official County business is required, such use shall be for that purpose only and the duration shall be kept to a minimum. Department heads shall determine reasonable use, and may restrict personnel’s use of the Internet and/or e-mail. User will not access internet chat services.
- Countywide messages are reserved for official County business and are to be distributed ONLY by users authorized to send countywide messages. Personnel are responsible for maintaining the security of the e-mail system and the computer network by exercising caution concerning access to county computers. Leaving computers unattended while logged into the network is inadvisable. Computers should be locked when left unattended, even if only for a short duration.
- Electronic communications shall not be used to harass, stalk, embarrass, or illegally distribute private or personal data. Electronic mail shall not be used to distribute mail that is deemed offensive, obscene, pornographic, illegal, or otherwise prohibited by any or all applicable department policies or County, State, and/or Federal laws and regulations. Prohibited communication includes dirty jokes, chain letters, and slurs based on legally protected categories such as race, national origin, religion, and gender.

- Violations of this policy may subject any employee to disciplinary action as prescribed in the Employee Handbook, and may result in termination in the discretion of the department head.

2.5.2 CELLULAR PHONE POLICY

Personal Cellular Phones

While at work, employees should keep their use of personal cell phones to a minimum. Occasional personal phone calls are permitted when necessary and so long as they do not interfere with your job responsibilities and the normal routine of County business. County employees are prohibited from using their personal cell phones while operating a County vehicle. Montgomery County will not be liable for the loss of personal cellular phones brought into the workplace.

Personal Use of County-Provided Cellular Phones

Where job or business needs demand immediate access to an employee, the County may issue a business cell phone to an employee for work related communications. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons only.

Cellular Phone Use

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone to the extent possible while driving. Employees are encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call if possible. If you need to use the County phone while operating a County vehicle, you are expected to keep the call short. NEVER compose or read text-messages while driving a County vehicle. You must make every effort to avoid using the phone in traffic, inclement weather, or an unfamiliar area.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy will be subject to the highest forms of discipline, including termination.

2.5.3 COUNTY VEHICLES AND OTHER COUNTY-OWNED PROPERTY

The use and taking home of County Vehicles will be restricted ONLY to those employees who are on the 24-hour call. Said vehicles must be used only for County Business and should remain parked at the employee's home at all times when not needed for official County business. Employees will be expected to respond if it is necessary to contact them. All other vehicles are to be left at the work centers. Anyone caught violating this policy will be subject to disciplinary action.

County employees who have occasion to operate any County vehicle must have a valid Mississippi Driver's License, maintain a good driving record. Each employee who is driving a County vehicle is expected to observe any and all safety and vehicle operation procedures and regulations. Failure to maintain a good County driving record may result in disciplinary action and/or termination. Only employees on official County business are allowed to operate or be passengers in any County vehicle. Each employee has the responsibility to use reasonable care to provide appropriate security and care of all County property entrusted to his use and care. In order to operate a County vehicle, employees must maintain a good driving record. If a County employee has an unacceptable driving record he/she may not be allowed to operate a County vehicle, which in turn may result in the termination of employment.

In a vehicular accident involving County equipment, the operator of the equipment must seek medical attention if needed, immediately contact the department head and contact local law enforcement and request an investigation of the accident. Once the emergency response has begun, please call the County Administrator's Office at (662) 283-2333 during working hours or after 5:00 pm and weekends contact your direct supervisor and he/she will contact the County Administrator. As soon as possible after the accident, the operator of the equipment must complete an Accident Report. A written statement must be completed for any damage or loss to equipment other than vehicles and the report must be submitted to the department head. If there is a loss of any County equipment notify the County Administrator.

NO COUNTY VEHICLE OR EQUIPMENT MAY BE USED BY A COUNTY EMPLOYEE FOR HIS PERSONAL USE. EMPLOYEES WHO CARELESSLY OR RECKLESSLY DAMAGE COUNTY PROPERTY MAY BE REQUIRED TO PAY FOR SUCH DAMAGE OUT OF THEIR OWN FUNDS. EMPLOYEES WHO VIOLATE TRAFFIC LAWS WHILE OPERATING A COUNTY-OWNED VEHICLE MAY BE SUBJECT TO DISCIPLINARY ACTION, AND WILL BE REQUIRED TO PAY ALL ASSOCIATED FINES AND COURT COSTS.

SECTION 2.6 DISCIPLINE & EMPLOYMENT COUNSELING

2.6.1 GROUNDS FOR DISCIPLINE

Whenever people are part of a large group, it is necessary to have certain standard of conduct to promote the safety and well-being of everyone. When it becomes necessary to enforce these standards of conduct, it will be the policy of the County to ensure fair treatment of all employees. Any employee who believes that discipline has been unfairly administered is encouraged to use the County's grievance procedure.

Category A

The following is a representative, but not an exhaustive, list of the kinds of misconduct which may result in disciplinary action. Although the County may impose a lesser penalty, a violation of any one of the following rules may result in immediate discharge.

- Unacceptable job performance.
- Carrying or bringing weapons on County property or in County vehicles without proper authorization. This does not apply to the authorized carrying of weapons by law enforcement personnel.
- The use, possession, or sale of intoxicating beverages, marijuana, hallucinogenic drugs or any other non-prescription controlled substance on duty or working under the influence of any of these substances.
- Attempted or accomplished stealing, embezzlement, dishonesty, falsification of records or willful misrepresentation of facts.
- Fighting or physical violence or disturbance on County property or at any place, at which work is being performed by or for the County.
- Destruction, abuse, removal, or attempted removal of property or materials of the County or of another employee.
- Insubordination.
- Falsifying or attempting to falsify an employee's timecard or punching another employee's timecard.
- Absence from work for two consecutive days without notifying your department head.
- Acceptance of money or other valuable consideration given with the intent of influencing an employee in the performance of his official duties.
- Violation of any applicable state or federal statute or code or canon of ethics.
- Any additional violation of any County rule or policy after receipt of two previous written warnings within the preceding twelve months.

Category B

The following is a representative, but not an exhaustive, list of the kinds of misconduct which may result in a written warning, a written warning and a suspension without pay for up to five days, or termination. These offenses include, but are not limited to:

- Failure to call in or report an absence to your department head or manager on the day the absence begins.
- Excessive tardiness.
- Excessive absenteeism.
- Violation of, or refusal to comply with, any policy stated herein, or an established law or regulation when such conduct impairs the effectiveness of the County or brings it into public disrepute.
- Improper use of a position of authority for personal gain or advantage.
- Discourtesy, improper conduct or abusive language to the public or another employee.

- Failure to punch a timecard.
- Failure to report for work or leaving work without a satisfactory reason.
- Willful and negligent violation of safety rules.
- Failure to follow the chain of command.

When the discipline is necessary, the department head will attempt the following procedure: The department head and County Administrator will meet privately with the employee to discuss any disciplinary action to be taken and the reasons for the action. Unless terminated, the employee will be told what action will be considered if another action occurs.

The department head will prepare a record of the meeting which can take the form of a warning notice which summarizes the disciplinary action taken or to be taken. The department head will review the warning memo with the employee.

The employee will be offered a copy of the warning memo and an opportunity to sign it. The original will be placed in the employee's personnel file in the County Administrator's Office.

2.6.2 VEHICLE ACCIDENT DISCIPLINE

All employees shall adhere to all traffic laws, rules and regulations and follow the procedures in the Montgomery County Handbook effective February 1, 2018. Failure to adhere to the laws and policies described above, even if the failure does not result in an accident, may result in immediate termination or, at a minimum, will result in the following:

- First Offense – Written warning
- Second Offense – Written warning and suspension without pay for up to five days
- Third Offense - Immediate termination

Employees involved in accidents which the employee is determined to be at fault, in whole or in part, may result in immediate termination or, at a minimum, will result in the following:

- First Offense – Written warning and may be suspended without pay for up to two days
- Second Offense – Written warning and minimum two day suspension without pay not to exceed ten day suspension
- Third Offense – Immediate termination

2.6.3 GRIEVANCE PROCEDURE

Policy Statement

Situations may occur where an employee believes that the fair and consistent application of a policy affecting him or her has not been followed. In most cases, the County expects that the employee will be able to satisfactorily address such concerns within his or her department.

However, when a recent or continuing problem has not been resolved within a department, the County wishes to provide employees with another method of doing so.

Definitions or Regulations

A “grievance” is defined as a claim that the County or an employee under its supervision or control has violated any published policy, which includes the employee handbook, in the manner in which an employee was treated. Grievances do not involve claims of possible discrimination on the basis of race, color, sex (including sexual harassment or sexual orientation), religion, creed, age, handicap, national origin, or status as a veteran. Employees wishing to pursue claims of discrimination must contact the County Administrator.

Disputes over salary grades or salary/rate of pay, disputes over a department head’s judgement regarding job performance or professional competence should be brought to the employee’s immediate supervisor, County Administrator, or Elected Official. Although problems of this nature are not covered by the County Grievance Policy, an employee with these concerns is encouraged to discuss them with his or her department head, County Administrator, or Elected Official.

The County Administrator will determine whether or not a dispute is within the scope of this policy. An employee who is terminated is ineligible for the County Grievance Procedure.

Procedure

The County’s grievance procedure consists of three steps: (1) Department Head (2) County Administrator (3) Board of Supervisors.

If the department head reports directly to the Board of Supervisors (e.g. Road Manager, Justice Court Clerk, EOC Director) the procedure consists of two steps: (1) County Administrator (2) Board of Supervisors.

Step 1 (Department Head)

Where an employee has reason to believe that an act or acts by management constitutes a grievance and where reasonable efforts on the part of the employee to informally resolve the grievance have been unsatisfactory, the employee shall file a written complaint with his or her department head within 3 days of the incident. The written complaint shall state the nature of the grievance and the relief sought by the employee.

Upon the receipt of any written complaint filed by an employee, the department head shall investigate or cause to be investigated the allegations set forth in said complaint and shall respond, in writing, to the employee with respect to said complaint no later than three (3) work days after the date of receipt thereof. (If more time is needed to complete a thorough investigation, a written letter to the employee shall be given by the department head stating the reason for the extension of time and projected reasonable time frame the investigation will be concluded).

Step 2 (County Administrator)

Any employee who has filed a written complaint shall be entitled to pursue the alleged grievance further if, the action taken or not taken by the department head, does not satisfy the remedy suggested by the employee in the original complaint.

The employee will notify the County Administrator that a meeting needs to be arranged within 3 work days of notification by the employee that they wish to pursue the alleged grievance further. After hearing the complaint from the employee, the County Administrator will have 3 days to make a decision on the matter and respond in writing to the employee.

If the employee is not satisfied with the remedy suggested by the County Administrator an employee shall be entitled to pursue the alleged grievance further, but notification must be made within 3 work days, to the Board of Supervisors. The County Administrator will arrange a meeting with the Board of Supervisors at their next regularly scheduled meeting.

Step 3 (Board of Supervisors)

The Board of Supervisors will have the final decision regarding the County Grievance Procedure. All Grievance Procedure hearings in the Step 3 process will be informal in nature, and take place in executive session. An employee who has filed a grievance will have the opportunity to personally present or submit in writing the grievance to the Board of Supervisors. The Board of Supervisors will have 15 work days from the date of the hearing to respond to the employee with their decision, which may be verbally or in writing.

SECTION 2.7 SEPARATIONS

2.7.1 LAYOFF

The department head with approval of the Board of Supervisors may lay off an employee due to a shortage of funds or work, the abolition of the position, or for other reasons which are outside the employee's control and that do not reflect discredit upon the employee. An employee who is laid off will be given two weeks advance notice if possible.

2.7.2 RESIGNATION

If it becomes necessary for you to leave your employment with the County, you should give a minimum of two weeks' notice so proper arrangements can be made in work schedules. The resignation process consists of the following steps:

- Submit a resignation letter or resignation form upon notice.
- Have your department head submit notice to the County Administrator.
- Return all County issued equipment/property (e.g. keys, uniforms, cell phone, computer, etc.
- Report to the Chancery Clerk's office to complete insurance and retirement forms.

All issued County uniforms and equipment must be turned in to your Department Head prior to the issuance of your last payroll check.

2.7.3 RETIREMENT

If you should be terminated or resign from your position with the County and you are eligible for retirement benefits, you may choose one of four options:

- Refund to Member
- Rollover Distribution
- Application for monthly benefits if eligible (Please refer to PERS Handbook)
- Under certain circumstances, contributions may be left in the system.

The money you paid into the system, plus interest, will be refunded to you when you submit proper forms to the state retirement system. Please Note: Currently, when members request a refund before they are retirement eligible, PERS is required to withhold 20% of the taxable distribution for federal income tax withholding unless the member requests a direct transfer of contributions into another qualified plan or IRA. Also, the Internal Revenue Service may impose a 10% penalty for a premature distribution. Please consult a financial advisor and/or PERS when deciding what to do with your retirement benefits.

CHAPTER 3: BENEFITS AND COMPENSATION

SECTION 3.1 EMPLOYEE BENEFITS

3.1.1 FULL-TIME ELEGIBILITY

As a full-time employee, you are entitled to certain fringe benefits that are intended to provide security and peace of mind to you and your family during your employment. Employees who work 66 or more hours per pay period are considered full-time.

Part-time employees who work 40 to 65 hours consistently per pay period for more than four and one half (4.5) months are required to participate in the Mississippi Public Employee's Retirement System. Temporary employees whose employment is not expected to last more than four and one half (4.5) months are not eligible for insurance or retirement.

3.1.2 HOLIDAYS

The County recognizes the following holidays as paid leave:

- New Year's Day (January 1)
- Martin Luther King's Birthday (Third Monday in January)
- President's Day (Third Monday in February)
- Confederate Memorial Day (Last Monday in April)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Veteran's Day (November 11)
- Thanksgiving Day (Last Thursday in November)
- Christmas Day (December 25)

The offices of the Circuit and Chancery Clerks and the Sheriff's offices, as well as all courts, shall be open for business during the hours fixed by Section 25-1-99 of the Mississippi Code, Annotated.

In addition to these holidays, the County may recognize any other holidays proclaimed as such by the Governor of Mississippi. If any of these holidays fall on a Saturday, the holiday will be celebrated on the Friday before unless otherwise specified by the Board of Supervisors. If any of these holidays fall on a Sunday, the holiday will be celebrated on the following Monday unless otherwise specified by the Board of Supervisors.

An employee who is required to work on a day designated as a paid holiday by the County or whose regular day off falls on a day designated as a paid holiday by the County will receive pay or compensatory time at the discretion of the department head based upon the number of hours that employee works during a regular work day. To receive pay for an observed holiday, an employee must not have been absent without approved leave either on the workday before or after the holiday.

3.1.3 INSURANCE

As a full-time employee of the County, you will be enrolled in the County's Group Medical Program. You become eligible on the first day of the month after you have worked three (3) months. The County pays a portion or the entire premium for the employee as the County's budget permits.

If group coverage for you or your dependents is due to end because you leave the employment of the County, you may be allowed to continue in the plan for eighteen (18) months through COBRA. You may be required to pay up to 102% of the cost of coverage.

Employee funded supplemental insurance such as cancer, vision, and dental insurance, and dependent medical coverage are also available. The County does not pay any portion of the cost of these benefits.

Open Enrollment

Open enrollment for health and dental insurance is usually during the month of September for changes effective October 1. During open enrollment, you have the opportunity to enroll in one of the insurance plans; add dependent coverage; cancel coverage; or make other changes.

You will not be permitted to change any benefit election except during the designated open enrollment period unless you experience a family status change. A family status change is defined as marriage, divorce, death of a spouse or child, birth or adoption of a child, employment or termination of spouse, or a change in your employment status.

3.1.4 RETIREMENT

Eligible employees who select County employment as a career can look forward to retirement benefits through the State Employee's Retirement System. Participation in the retirement system is mandatory for all full-time employees and for part-time employees working no less than twenty (20) hours per week.

Current contributions are as follows:

- Employee Contribution is 9.00% of Gross Reportable Earnings
- Employer Contribution is 15.75% of Gross Reportable Earnings (this percentage will change to 17.4% in July 2019)
(Employer contribution rates may be subject to change annually in July)

For specific information regarding the contributions and interest please refer to the *Public Employee's Retirement System of Mississippi Member Handbook*. These benefits, plus those from Social Security, are designed to provide a measure of security at retirement.

3.1.5 UNEMPLOYMENT COMPENSATION

County employees are covered by unemployment insurance. County employees who are terminated due to a reduction in force or released from County service may apply for benefits through the local Employment Security Commission Office, where a determination of eligibility will be made.

3.1.6 WORKER'S COMPENSATION

An employee absent from duty because of sickness or disability covered by the Mississippi Worker's Compensation Act will use accrued sick leave, vacation, or compensatory time during the first waiting period (5 work days). After the waiting period, (on the 6th work day of disability) the employee begins receiving workers' compensation temporary disability pay at a

rate of 66.67% the average weekly pay subject to any appropriate maximum established by the MS Workers' Compensation Commission. An employee may elect to use accrued leave in the following manner: (8) hour employee uses 2.67 sick or vacation leave hours and a (10) hour employee uses 3.34 sick or vacation leave hours each day in conjunction with temporary disability pay. If an employee exceeds 14 or more days of disability, then wage loss payments are made for the total period of disability, including the first 5 work days.

All injuries arising out of and during, the course of employment should be reported by the injured employee to the department head as soon as possible. The department head shall file an injury report to the County Administrator's office within (24) hours of the time of the accident.

Before returning to work, a statement from the attending physician should be submitted to the County Administrator's office giving permission for the employee to resume regular duties. If an employee is unable to return to full duty, but has been released to light duty work with restrictions, Montgomery County will provide light duty work if it is available.

An employee who is on leave due to a workers' compensation injury or illness and meets the eligibility requirements of the FMLA will have that time designated as FMLA leave. This time will be counted towards the 12-week FMLA entitlement.

3.1.7 CREDIT UNION

Membership in the Southern Security Federal Credit Union is available to every County employee and member of their immediate family for the purpose of saving and borrowing money. Additional information on the Credit Union may be obtained from the Credit Union or the Payroll Specialist.

3.1.8 DEFERRED COMPENSATION

This is an optional plan whereby a part of an employee's salary may be set aside by the employee each year. This plan provides a variety of investment options for the employee. Income tax liability is postponed on that part of the salary until the year in which the employee actually receives the deferred amount. This plan is sponsored by the Public Employees' Retirement System of Mississippi.

SECTION 3.2 PAY PRACTICES

3.2.1 PAY DAY

Wages shall be paid every other Friday.

3.2.2 TIME RECORDS

All employees are required to either punch a time clock or login at their assigned computer each day. At the end of the pay period, each employee will sign the time sheet acknowledging the information is correct before it is signed by his/her department head or manager and turned into the payroll department. If there are any questions about time accrued on the time sheets, the employee, department head, and payroll clerk will discuss and solve the issue. Any leave the employee wishes to take will have to be documented on a leave of absence form issued by the Department Head.

The exceptions to this policy are:

- Employee is on approved leave when the time sheets are due, and
- Department Head is on approved leave and has designated a representative to sign and verify the actual time and attendance of that department's employees.

Properly completed time sheets are due at the Chancery Clerk's office on the last working day of the pay period. Incomplete and/or untimely submitted time sheets will not be processed for payment. When the time sheet is properly submitted, it will be paid on the next payroll.

3.2.3 OVERTIME OR COMPENSATORY TIME (COMP TIME)

Work in excess of the employee's regular work hours must be authorized by the employee's Department Head. This also applies to employee's that are required to work due to an emergency or required to work due to State Law.

The Fair Labor Standards Act (FSLA) provides an element of flexibility for local government employers and choice for their employee's regarding compensation for statutory overtime hours. The law authorizes a public agency to provide compensatory time (comp time) off in lieu of monetary overtime compensation, at a rate of not less than one and one-half hours of compensatory time for each hour of overtime worked.

If an employee works authorized overtime he or she may elect to accrue up to 120 hours of compensatory time; since compensatory time is accumulated at time and one-half, this is only 80 hours of actual overtime work, in lieu of overtime pay. Employee compensatory time records should be maintained by the employee's department head, and must be reported on the form provided with the payroll record submitted to the payroll department.

Salaried or exempt personnel are not normally entitled to compensatory time. However, no deduction will be made from the salary of any exempt executive, administrative, or professional employee for time lost in any week in which the exempt employee does not work, unless time lost is an absence of a day or more for personal reasons or for illness.

3.2.4 PAYROLL DEDUCTIONS

The County is required by law to make the following deductions from your paycheck: 1) Federal withholding tax, 2) State withholding tax, 3) Social Security Tax (FICA), 4) Garnishments and child support, and 5) State Retirement.

SECTION 3.3 LEAVES OF ABSENCE

3.3.1 FAMILY AND MEDICAL LEAVE

Family and Medical Leave shall be granted to employees who have been employed by the County for at least 12 months and who have worked at least 1,250 hours during the previous 12 months. Family and medical leave shall also be granted, for purposes of parental responsibilities associated with the birth or adoption of a dependent child. An employee shall be entitled to a total of 12 work weeks of family and medical leave during any 12-month period. The County shall determine an employee's eligibility for FMLA based on a calendar year 12-month period.

- Duration. Family and medical leave shall not exceed twelve (12) work weeks of any combination of paid leave and leave without pay.
- Granting of family and medical leave. An employee may be granted family and medical leave only when the department head is given 30 days advance notice of the need for such leave except in emergencies when such notice should then be given as soon as practicable. Employees taking leave under this policy shall be required to provide appropriate medical certification of their need for such leave. The employee and his/her physician will be required to complete the appropriated forms for Family Medical Leave. The employee may be placed on FMLA when due to serious health condition. Examples of the circumstances which qualify for family and medical leave are:
 - Because of the birth of a child of the employee and in order to care for such child;
 - Because of the placement of a minor child with the employee for adoption foster care;
 - In order to care for the spouse, child, or parent of the employee, if such spouse, child, or parent has a serious health condition;
 - Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

Each request shall be examined to determine whether the employee's request meets the provisions as stated above. A second opinion may be required with some diagnoses. The

employee will be expected to use any combination of earned and available sick, annual, personal, or compensatory leave for paid family and medical leave. The County will notify the employee, in writing, if his condition meets the requirements as stated above.

For specific information please refer to U.S. Department of Labor, Wage, and Hour Division, Fact Sheet #28: "The Family and Medical Leave Act of 1993" Appendix "A".

3.3.2 MILITARY FAMILY LEAVE ENTITLEMENTS

The FMLA attempts to balance an employee's need for time off for certain situations related to a covered family member's service in the Armed Forces and the employer's need for a stable work force.

Military Caregiver Leave

A covered employer must grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a covered service member with a serious injury or illness up to a total of **26 workweeks of unpaid** leave during a "single 12-month period" to care for the service member. A covered service member is 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 otherwise on the temporary disability retired list, for a serious injury or illness. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating. The "single 12-month period" for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason ends 12 months later, regardless of the 12-month period established by the employer for other types of FMLA leave. An eligible employee is limited to a **combined** total of 26 workweeks of leave for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member.)

Military Exigency Leave

An eligible employee whose spouse, child, or parent is in the National Guard or Reserves may take FMLA leave due to a qualifying exigency resulting from the covered family member's active military duty or call to active duty status in support of a contingency operation. A qualifying exigency includes any one or more of the following non-medical, non-routine activities and no others:

- Short-notice deployment activities;
- Military events and related activities;
- Childcare and school activities;
- Financial and legal arrangements;
- Counseling activities;
- Rest and recuperation activities;
- Post-deployment activities

For specific information please refer to U.S. Department of Labor, Wage, and Hour Division, Fact Sheet #28A: “The Family and Medical Leave Act Military Leave Entitlements” Appendix “B”.

3.3.3 VACATION LEAVE

Purpose

The purpose of vacation leave is to provide each employee with annual vacation time and to provide time off for personal business.

Accrual

The following schedule specifies the amount of vacation that is awarded per year for the corresponding period of continuous service.

Length of Continuous

Service Completed	Days/Hours
1-10 years	12 days = 96 hours
10+ years	17 days = 136 hours

Vacation leave is awarded at the beginning of each calendar year. After the one (1) year probationary period the vacation leave will be prorated for the remainder of the year in which the probationary period ends.

A maximum amount of three (3) days or 24 hours of unused vacation leave may be paid to employees upon separation from employment provided they have completed at least one year of continuous service or may be credited as compensable time toward retirement if the employee so chooses. Compensation will not be paid for any carry-over days not used (see below), but this time will be credited as compensable time toward retirement.

Scheduling

Vacation leave may be requested by full-time employees who have completed one year of service. Vacation days must be scheduled in advance with the department head. The department head retains the right to approve and disapprove, in whole or in part, vacation requests and may reschedule vacation dependent upon the department’s operational needs. Emergency situations or unforeseeable events that prevent employees from requesting leave in advance may be considered on a case-by-case basis at the discretion of his or her department head. Vacation leave may be taken in 30 minute (.5) increments but less than a full day shall be mutually agreed upon by the employee and department head.

If an authorized holiday occurs within an employee’s scheduled vacation leave period, that day will not count against the employee’s vacation leave. If a medically documented illness occurs during a scheduled vacation leave period, sick leave may be substituted for those days during the vacation when the employee was ill starting with the second day of documented illness. An employee may carry over a maximum of three (3) days or 24 hours of unused vacation leave.

3.3.4 SICK LEAVE

Sick leave will be granted to full-time employees who have completed the 90-day probationary period and is in good standing with the County. An employee must call within fifteen (15) minutes after time to report to work to request sick leave and must talk directly to the Department Head. Full-time employees who have been employed one (1) year or more shall be entitled to five (5) days on January 1 of each calendar year. New hire employees will accrue sick leave benefits according to the following schedule until one (1) year of employment is obtained: **Amended 12-28-18**

Accrual Rate	
<u>Regular</u>	<u>Special</u>
1.50 hours per pay period	2.5 hours 2 nd payroll annually in January

For the purpose of accruing benefits, we shall count 26 pay periods per year.

An employee may accrue up to a maximum of (240) hours of sick leave to be used for certain reasons which are listed below. This time will not be paid as compensation upon separation of employment, but this time can be compensable time towards retirement if the employee is vested in the PERS system. **Amended 12-28-18**

A full time employee shall be entitled to use earned sick leave for any one of the following reasons:

- Sickness, disability, or serious health condition which incapacitates an employee. The term serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider for three (3) or more consecutive days. Serious health condition is a determining factor for Family Medical Leave either at the employee's request or at the discretion of the Human Resources Department in compliance with the Family Medical Leave Act (FMLA) of 1993;
- Medical, dental, or optical appointments/treatment which are necessary during working hours; (this includes an employee's immediate family members: spouse, parent, or dependent children)
- Any sickness or confinement at home because of quarantine; (this includes an employee's immediate family members: spouse, parent, or dependent children)
- Worker's Compensation injury or illness;
- Other reasons as stated under the Family Medical Leave Act (FMLA).

Department heads shall examine each request for sick leave made by an employee and determine if the granting of sick leave is justified based on the provisions above. Department heads may require that an employee submit written evidence from a licensed physician, or other appropriate verification, to validate or support sick leave requests.

Whenever a department head determines that an employee has a medical condition that may seriously impair the employee's ability to perform the duties and responsibilities of the employee's position or may jeopardize the health or safety of the employee, fellow employees or the general public, the department head, after receiving a confirming medical opinion, may place the employee in a sick leave status pending corrective treatment or other resolution of the matter.

If a sick request is not approved by an employee's department head, any absence of the employee from work notwithstanding shall be charged against the employee's vacation leave account, or in the alternative, charged as leave without pay.

3.3.5 LEAVE WITHOUT PAY

A department head may grant an employee leave without pay. Leave without pay may result when an employee: 1) has exhausted all accrued vacation or sick leave, 2) does not meet the requirements to use sick or vacation leave, e.g. has not completed probationary period or reached anniversary date, or 3) does not obtain approval from their department head, which may result in disciplinary action. Leave without pay shall not exceed five (5) working days. If a medical reason is associated with leave without pay immediately notify the County Administrator's Office.

3.3.6 BEREAVEMENT LEAVE

Death in the family this includes parents, grandparents, spouses, brothers, sisters, children, in-laws by marriage, or a close relative who has been living with you. County shall provide paid bereavement leave limited to two (2) days per occurrence.

3.3.7 CIVIC LEAVE

You will be granted civic leave if you are summoned for jury duty, or subpoenaed to attend Court as a witness. You will be paid by the County the difference between jury pay or the witness fee and scheduled work hours at your regular rate of pay for each day of jury duty. You must submit a copy of any summons or subpoena to your department head. When you return to work, you must provide a statement of attendance and the amount paid by the Court from the Clerk of the Court. If you are released from jury duty four (4) hours or more before the end of your shift, you must report to work within one (1) hour after being released by the Court.

Time spent on civic leave will not be counted as hours worked for the purpose of computing compensatory or overtime pay.

3.3.8 MILITARY LEAVE

To the extent provided by law, an employee will be granted a leave of absence for up to five (5) years in the military. You will receive your full straight time pay for the first 15 days to participate in regularly scheduled training activities at any of the reserve branches of the military service in a calendar year. All other military leave will be unpaid. In order to qualify for military leave, employees must notify their department head within three (3) work days of their being called to fulfill a military obligation (e.g., called to active duty or summer camp). Normally, intermittent leaves of absence for military service will be counted cumulatively when determining whether the allowable five years of available leave has been exhausted.

Upon return from leave, employees are required to give notice of their intent to return and may be required to submit applications. To the extent provided by law, employees will be promptly re-employed in the position they would have with reasonable certainty held had they remained on the job. In certain circumstances, an employee may be placed in a job similar with regard to pay, skill, and seniority to the one he held prior to his leave. During the military leave period, an employee will continue to accrue seniority and seniority-based benefits that would have been attained with reasonable certainty had he remained previously employed.

3.3.9 STORMS AND OTHER WEATHER EMERGENCIES

Employees are requested to stay tuned to local radio and TV stations for announcements of closings of Montgomery County work centers which will be made when necessary due to severe adverse weather conditions. If work centers are forced to close early because of weather, all employees who reported for work will be paid for a regular day's work. Employees, who made no effort to come in, call in, or report will not be paid. All employees are expected to get to work, especially at road maintenance and emergency locations because of the nature of work, unless excused by the department head. During emergency times, all employees are expected to report to work if requested by their department head.

CHAPTER 4: MISCELLANEOUS

SECTION 4.1 PERSONNEL RECORDS

4.1.1 OFFICIAL PERSONNEL RECORDS

Records policy: Personnel records and documents contained in each employee's personnel file shall be regarded as confidential information and shall not be made available to members of

the general public except for those persons described in section (4.1.5) of this chapter, and except under circumstances otherwise authorized by applicable State and Federal statute and any regulations authorized pursuant thereto.

4.1.2 OFFICIAL CUSTODIAN

For those departments which utilize the County Administrator's Office for administering personnel services, the County Administrator shall be the official custodian of all official employee personnel files and of all records and documents contained in each such file. The official personnel file includes any file that contains documents relating to employment with the County, including, but not limited to:

- Application
- Resumes
- Documentation of disciplinary actions and related appeals
- Counseling forms
- Processed payroll action notice (PAN) forms
- Job-related letters or recommendation
- Training certificates
- Service Awards
- Job-related personal information
- Personal information provided by the employee, such as emergency telephone numbers and next of kin designation
- Resignation letters/forms

Pre-employment physical examination or fitness for duty examination reports and evaluation, records of required vaccinations or related waivers, infectious disease exposure reports, and benefits election and designation forms shall be maintained separately and in a manner that protects the confidentiality of medical information relating to the employee.

4.1.3 MAINTENANCE AND DISPOSITION

An official personnel file shall contain all records and documents relating to employment from initial appointment through final termination of County employment. Employee personnel records are classified as either temporary records or permanent records. Employee personnel records procedures provide for the disposal of temporary records and the retention of permanent records. The County takes every precaution to ensure privacy issues for all personnel records.

4.1.4 VERIFICATION OF INFORMATION

The County Administrator's Office may, for the purpose of assisting a former or current employee in establishing credit or upon the inquiry of an employer of a former or current

employee, verify any such employee's full name, address of record, date of employment, title and salary.

4.1.5 INSPECTION OF PERSONNEL FILES

Pursuant to procedures established by the County Administrator, an employee's personnel file may be reviewed by the following:

- The employee in interest or any person to whom the employee in interest has given prior written authorization;
- The present or proposed department head of the employee in interest, if for a work-related purpose which the department head articulates in writing;
- The County, State, or Federal Auditor, as necessary for the proper performance of the duties and responsibilities and as authorized by law;
- The Board of Supervisors, County Administrator, Board Attorney, and Road Manager, as necessary for job-related investigations or the proper performance of their duties and responsibilities;
- Any other person who has been specifically authorized by law to inspect such files.

If any person, described in section (4.1.5), above, has inspected any employee's personnel files, any such person shall, thereafter, maintain all information acquired as a result thereof in a confidential manner and shall not divulge or make available in any manner any of said information to the general public, except for information regarding the employee's name and title.

If the employee in interest inspects said employee's own personnel file, as provided under section (4.1.5), above, said employee shall be entitled to file a signed statement for inclusion in said file where the employee finds any information contained therein inaccurate or incomplete.

SECTION 4.2 EMPLOYEE COMMUNICATIONS

4.2.1 BULLETIN BOARDS

Each employee is urged to watch the bulletin board in his department or the County bulletin board maintained by the County Administrator's Office for notices.

4.2.2 COUNTY WEBSITE montgomerycountymd.com

The Montgomery County Website is full of information for the employees and the community. Many contacts and information regarding what's new around the County, history, and other useful links are provided on the website. The website has also been designed to assist you with common search engines such as job opportunities and County departments. A few select

services are provided such as: job applications, property tax search, etc. If there are any questions or concerns with the Montgomery County Website, please email the County Administrator's office. info@montgomerycountymd.com

PROPERTY INTEREST OR CONTRACT RIGHT DISCLAIMER

Employment by Montgomery County and the terms of these Personnel Policies are not intended to be nor do they create property interest or contract rights and shall not in any way be interpreted as such.

**SIGN ACKNOWLEDGEMENT
AND RETURN TO HUMAN RESOURCE.
YOU KEEP THE HANDBOOK!**

UNDERSTANDING BY EMPLOYEE

I, do hereby acknowledge receiving a copy of the Montgomery County Personnel Policy Manual. I understand that the information contained in this manual represents guidelines only and that the Board of Supervisors reserves the right to modify this manual or amend or terminate any policies or procedures.

Print Name

Employee's Signature

Date

Witness