

COLLETON COUNTY
PERSONNEL POLICY MANUAL

DISCLAIMER

ALL EMPLOYEES OF COLLETON COUNTY ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY REASON. NOTHING IN ANY OF COLLETON COUNTY'S RULES, POLICIES, HANDBOOKS, PROCEDURES, OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER ORAL OR WRITTEN, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER ORAL OR WRITTEN, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE PUT IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT"; 3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT; AND 4) THE DOCUMENT IS APPROVED BY COUNTY COUNCIL AND SIGNED IN ACCORDANCE WITH COUNCIL'S AUTHORIZATION.

I ACKNOWLEDGE RECEIPT OF COLLETON COUNTY'S PERSONNEL POLICY AND UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT.

Signature

Printed Name

Date

Approved & Effective Nov. 6,
2008
**Supersedes all previous CCPM
editions**

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No personnel policy manual can anticipate every circumstance or question about policy.

As Colleton County operations continue to grow, the County Council reserves the right to revise, supplement, or rescind any policies or portion of this Policy, from time to time, as it deems appropriate, in its sole and absolute discretion. Employees will be informed of revisions.

The provisions of this Policy have been developed at the direction of Colleton County Council and may be amended or canceled at any time at Colleton County Council's sole discretion.

NOTE: For ease of readability, this Policy follows the traditional English practice of referring to unidentified individuals by the use of masculine pronouns. Wherever such a pronoun is used it is intended to apply to both males and females. In addition, the term Department Head is used throughout this policy to reference inclusively all elected officials, officials appointed by an authority other than the County Council, and persons in charge of regular county departments. State law may limit applicability in some cases.

1.0 INTRODUCTION

The Colleton County Personnel Policy is designed to provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. A copy of the Personnel Policy is located in each Department Head's office and in Human Resources.

2.0 ADMINISTRATION

2.1 AUTHORITY AND RESPONSIBILITY OF THE COUNTY ADMINISTRATOR

2.1A Colleton County operates under the Council-Administrator form of government. The County Administrator is appointed by the County Council and serves at the pleasure of the Council. The County Administrator serves as the administrative head of Colleton County Government and is responsible for the administration of all departments of the government under Council's organizational jurisdiction. The Colleton County Administrator executes the policies, directives and legislative actions promulgated by the Colleton County Council, supervises the expenditure of appropriated funds and all administrative activities of the County permitted under South Carolina State Law. The County Administrator also oversees all payroll actions, including administration of the Compensation and Classification Plan for all personnel to be placed on the Colleton County payroll, and all other employee benefits approved by County Council.

2.1B Section 4-9-660, Code of Laws of South Carolina, 1976, as amended, states: "Except for the purpose of inquiries and investigations, the Council will deal with Colleton County officers and employees who are subject to the direction and supervision of the County Administrator solely through the County Administrator, and neither the Council nor its members will give orders or instructions to any such officers or employees." Section 4-9-630 (7), Code of Laws of South

Carolina, 1976, designates the role of Personnel Officer to the County Administrator. The County Administrator may delegate any such authority to subordinate personnel as he deems necessary. In Colleton County, many of the elements of Personnel are performed by Human Resources.

2.2 EMPLOYEES SUBJECT TO THIS POLICY

The provisions of this Policy will be applicable to all employees of Colleton County Government and, except where and only to the extent specifically prohibited by law, to all personnel processed on the County payroll system. The County Administrator is the final authority for implementation of all changes altering a person's status on the County payroll.

2.3 EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION

2.3A In accordance with state and federal law, Colleton County does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, military status, or any other characteristic protected by law. Equal Employment Opportunity applies to personnel actions including, but not limited to: recruitment, selection and hiring, training, promotion, demotion, compensation (rates of pay) and benefits, transfer, layoff, return from layoff, economic demotion, disciplinary actions, termination, and the handling of appeals.

2.3B Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of his immediate supervisor, Department Head, or the County Administrator. Employees can raise valid concerns and make good faith reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action.

3.0 GENERAL REQUIREMENTS

3.1 DRUG-FREE WORKPLACE

3.1A The illegal use of drugs and similar substances is a serious threat to our nation's collective health, safety, welfare, and economic stability. Drug/alcohol use in the workplace is dangerous; it leads to physical impairment and loss of judgment, which in turn causes safety violations and exposes the employee and others to the risk of injury or death. In order to prevent these consequences of drug or alcohol use, the County Council endorses a Drug-Free Workplace policy to help ensure the health, safety and welfare of Colleton County employees and the public.

3.1B In accordance with the Federal Drug-Free Workplace Act of 1988:

3.1B(1) Employees are expected to report to work in the appropriate mental and physical condition needed to perform their job. It is the intent of the County to provide a drug-free, healthful, safe and secure work environment.

3.1B(2) The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on or off the job is absolutely prohibited. Violations of this policy may result in disciplinary action up to and including termination and may have legal consequences.

3.1B(3) Employees needing help in dealing with drug dependency are encouraged to use State and County services provided by the Commission on Alcohol and Drug Abuse, State

Alcohol and Drug Abuse Council, and the related group health organizations, as appropriate. The Colleton County Alcohol and Drug Abuse Commission can be reached locally.

3.1C In accordance with the Drug Free Workplace Act employees are to abide by the terms of the above policy and report to their Department Head and Human Resources any convictions or arrests under a civil or criminal drug statute on the next business day following the incident and again following any pretrial intervention program, plea bargain, or conviction by providing a copy of the Court documents or order.

3.2 EMPLOYEE DRUG/ALCOHOL USE AND TESTING POLICY

3.2A It is well-recognized that drug abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the intent of Colleton County to comply with the Drug Free Workplace Act, to establish and maintain drug-free workplaces, and to prohibit unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of illegal drugs or controlled substances on or off the job.

3.2B For these reasons, Colleton County adopts the following:

3.2B (1) General Rule

3.2B(1)(a) All employees of Colleton County are prohibited from swallowing, inhaling, injecting, dealing in, soliciting, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs which are not prescribed for the employee's own use by a licensed medical practitioner. This prohibition applies to use at any time, both on-the-job and off-the-job. Colleton County employees are permitted to possess substances when required by their jobs or for the purpose of lawful delivery to another person.

3.2B (1)(b) All employees are prohibited from using or possessing alcoholic beverages on County premises or time. The term "County premises" includes County vehicles and private vehicles on County premises, parking lots and recreation areas. An off-duty County employee, who is an attendee at a properly authorized event at a County facility, for instance a wedding at the Edisto Civic Center, is not subject to this prohibition. Employees are not prohibited from having unopened containers of alcoholic beverages secured in their personal vehicles.

3.2B (1)(c) All employees are prohibited from reporting to or being at work while under the influence of alcohol. (An employee shall be considered to be "under the influence" of alcohol if he has any detectable amount of alcohol in his system.)

3.2B(1)(d) Any employee having knowledge of an attempt by a fellow County employee to solicit illegal drugs or substances or prescription drugs is to report such attempt in person to Human Resources, the Administrative Services Director, or the County Administrator within one business day.

3.2B(2) Applicants For Employment

3.2B(2)(a) Colleton County Human Resources conducts pre-employment drug and alcohol tests for all applicants tentatively selected for employment. Colleton County will not accept on its payroll any such applicant tentatively selected for

employment who refuses to submit timely to drug/alcohol testing, who tests positive for use of illegal or unauthorized substances, or for whom a drug test result is not received in Human Resources for any reason.

3.2B(3) Current Employees

3.2B(3)(a) All Colleton County employees will be subject to drug and alcohol testing by urinalysis, breathalyzer, saliva enzyme, and other technologies where "particularized suspicion" of drug or alcohol use in violation of this policy exists or under other lawful conditions.

3.2B(3)(b) Particularized suspicion is deemed to exist when:

3.2B(3)(b)1 Information that an employee has used illegal drugs or substances is provided by an informant believed to be reliable;

3.2B(3)(b)2 An employee is involved in an accident at work, vehicular or otherwise, which causes property damage or bodily injury;

3.2B(3)(b)3 An employee exhibits any of the following:

- a. Extreme mood swings
- b. Slurred speech
- c. Unusual clumsiness
- d. Staggering
- e. Dilation of pupils
- f. Sleeping on the job or lethargy
- g. Excessive unexplained sweating
- h. Other aberrant behavior;

3.2B(3)(b)4 An employee has been arrested for violation of drug laws;

3.2B(3)(b)5 An employee has admitted violating the County's drug policy.

3.2B(3)(c) Particularized suspicion testing will not be conducted without the approval of the County Administrator, the Administrative Services Director, or Human Resources.

3.2B(3)(d) Random testing for illegal or unauthorized drug or alcohol use will be conducted for all sworn law enforcement officers subject to this policy, drug interdiction personnel subject to this policy (including support staff with access to drug interdiction information), Fire/Rescue employees, CDL license holders, employees who drive heavy equipment such as ambulances, motor graders, fire trucks, etc., and other safety sensitive personnel.

3.2B(3)(e) If an employee refuses to submit to a drug or alcohol test immediately when directed to do so, the employee will be discharged immediately.

3.2B(4) Testing Procedure

3.2B(4)(a) Drug and alcohol testing will be by urinalysis, breathalyzer, saliva enzyme, or other testing technologies as applicable.

3.2B(4)(b) The collection of samples will be performed under reasonable and sanitary conditions.

3.2B(4)(c) Urine normally will be collected under conditions of semi-privacy -- that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample.

3.2B(4)(d) Urine samples will be sealed, labeled, and documented in accordance with the procedure of the drug testing laboratory. Labeling, storage, and transportation of samples will be performed so as to preclude the probability of erroneous identification, sample contamination, or sample adulteration.

3.2B(4)(e) Specimens will be checked for the following substances, but others may be added at the County's discretion:

1. Marijuana and related substances (canabanoids)
2. Cocaine
3. LSD
4. Opiates
5. Amphetamines
6. Phencyclidine
7. Barbiturates
8. Alcohol

3.2B(4)(f) Applicants and employees will have an opportunity to provide any information, which they consider relevant to the test, including identification of currently used prescriptions or nonprescription drugs.

3.2B(4)(g) Samples that initially result in a positive finding for drug use will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS test results in a positive finding of drug use, the written report of the Drug Testing Laboratory will be conclusive for all employment-related purposes.

3.2B(5) Notice To Employees

By continuing to work, the employee agrees that he will abide by this policy.

3.2B(6) Notice To State And Federal Grantor Contracting Agencies And Law Enforcement Authorities

3.2B(6)(a) Employees must notify Human Resources within one business day following any criminal conviction for the manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. Colleton County will notify all state and federal grantors/contracting agencies of such employee convictions where required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, pre-trial intervention agreement, or a plea of guilty.

3.2B(6)(b) Law enforcement authorities and the County Administrator are to be notified immediately if illegal drugs are found in the workplace or at a worksite.

3.2B(7) Consequences Of Violating This Policy

Employees who violate this policy are subject to discipline up to and including discharge.

3.2B(8) Coming Forward With Substance Abuse Problems

3.2B(8)(a) Employees who have substance abuse problems and report them to Human Resources, before being selected for testing and before the occurrence of an event which would result in testing, will normally not be disciplined upon the first violation if no other offenses are involved. However, in order to remain employed, the employee must:

3.2B(8)(a)1 Be interviewed by the County Administrator or a designee as directed;

3.2B(8)(a)2 Successfully complete a counseling or rehabilitation program with authorization for the counseling/rehabilitation agency or other facility to report periodically to County Human Resources during the course of the treatment/counseling;

3.2B(8)(a)3 Submit to periodic and/or unannounced drug/alcohol testing for a period not less than one year nor more than two years;

3.2B(8)(a)4 Have at least two negative test results before returning to work.

3.2B(8)(b) An employee, who admits to a violation of this policy, seeks counseling, and is permitted to remain an employee of Colleton County, is subject to discharge if he again either admits to a violation of this policy or tests positive for drugs or alcohol in violation of this policy.

3.2B(9) Confidentiality

3.2B(9)(a) Any drug or alcohol test results or information supplied by employees and applicants as part of Colleton County's drug testing program will be kept confidential, consistent with the purposes of this policy. The County will neither confirm nor deny general inquiries regarding program participants.

3.2B(10) Testing Costs

3.2B(10)(a) Colleton County will pay the costs of all drug/alcohol tests required by the County.

3.2B(11) Notification Of Test Results

3.2B(11)(a) Applicants will be notified of the results of a pre-employment drug test, provided the applicant requests the results within 10 days of being notified of the disposition of employment.

3.2B(11)(b) Employees will be notified of the results (including the drugs discovered) of all drug tests, provided the results are positive.

3.3 SEXUAL AND OTHER FORMS OF ILLEGAL HARRASSMENT

3.3A Colleton County is committed to developing and maintaining a work environment that is free of all forms of illegal harassment. Employees who are found to have violated this policy are subject to disciplinary action up to and including discharge.

3.3B State and Federal laws and regulations prohibit employment decisions from being made on the basis of race, sex, religion, national origin, age, disability, or similar distinctions. In addition, the County strives to provide a working environment, which conforms to State and Federal requirements to be free from discomfort or pressure resulting from jokes, ridicule, slurs, and illegal harassment.

3.3C Sexual harassment includes, but is not limited to:

- 1) Unwelcome sexual advances;
- 2) Requests for sexual favors;
- 3) Other verbal or physical conduct of a sexual nature when an employee's response to such conduct affects that employee's job status or creates a hostile or offensive working environment for that employee.

3.4 COMPLAINTS & INVESTIGATION

3.4A Due to the sensitive nature of complaints of sexual harassment and other forms of illegal harassment, such complaints will be investigated with particular care and will remain as confidential as possible consistent with efficient investigation.

3.4B If an employee believes that he has been the victim of sexual harassment or any other form of illegal harassment on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, he is to report the incident(s) in person to Human Resources, the Administrative Services Director, or the County Administrator. Any employee, who observes an occurrence in which another County employee is being subjected to sexual harassment or any other form of illegal harassment, is to report the incident in person within one business day to Human Resources, the Administrative Services Director, or the County Administrator. All complaints will be kept as confidential as possible consistent with efficient investigation. A written or recorded statement may be taken.

3.4C The following procedures are provided for the processing of complaints of sexual harassment or other forms of illegal harassment:

3.4C(1) Any personal complaint of sexual harassment or other form of illegal harassment is to be reported to Human Resources, the Administrative Services Director, or the County Administrator. In the event the County Administrator is the subject of the complaint, the complaint may be made to Human Resources, the Administrative Services Director, the County Attorney, or the County Council. All such complaints are to be reported as soon as possible after the incident or action occurs, and will receive immediate review and appropriate investigation.

3.4C(2) An investigation will include conferring with all parties and witnesses named by the complainant. Confidentiality will be maintained as much as possible consistent with efficient investigation.

3.4D(3) If the investigation reveals that the complaint is valid, prompt remedial action will be taken.

3.5 NEPOTISM – HIRING OF RELATIVES

3.5A The employment of relatives in the same functional area of Colleton County might cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships. To preclude such conflicts, all employees are to conform to *The South Carolina Ethics, Government Accountability and Campaign Reform Act of 1991 as amended and associated regulations*. **A copy is available in Human Resources. Please talk to Human Resources or Administration if you have any questions.**

3.5B Members of an immediate family may not be employed or continue to be employed by Colleton County when such employment results in one member of an immediate family supervising, evaluating the performance of, or disciplining other immediate family members; where one employee occupies a position of influence over an immediate family member's employment duties, promotion or where an immediate family member interacts or supervises another immediate family member in the handling of money or compensation; or where an immediate family member is in any other way responsible for the employment status of the other immediate family member. If relationships between employees within the same department should change or if position changes create the situation described above, one employee must give up his position. If the employees cannot choose within the time frame required by the County which one of them it will be, the employee having the lower budgeted annual compensation is to be removed. The County will attempt to reassign the removed employee if a position for which the employee is qualified is available in another department and if the gaining Department Head approves the reassignment.

3.5C Immediate family is defined as spouse, parent, sister, brother, child, grandparent, grandchild, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law. The immediate family will be considered to include step-parents, step-children, step-brothers, and step-sisters, when the employee and the step-relative have lived together regularly in the same household. Unrelated employees residing together in an apparently romantic relationship will be treated as being within the immediate family of each other for the purposes of this nepotism policy.

3.6 JOB RELATED INVESTIGATION

Each employee of Colleton County is to cooperate with respect to any job related hearing or inquiry scheduled by their Department Head or the County Administrator.

3.7 DRIVER'S LICENSE - DRIVING RECORD

3.7A When a driver's license (Commercial or Non-Commercial) is a job requirement, an employee must possess a valid driver's license at the time of appointment, and maintain such license during his or her employment. Periodic reviews of all such licenses may be conducted by the Department Head and Human Resources.

3.7B For initial employment and selection purposes, a "valid" license is generally defined as an issued license which has not expired nor has, within the past three (3) years, been revoked or

suspended as a result of a moving violation. Driving records will be considered on a case-by-case basis.

3.7C Any candidate for a position, who is required to have a driver's license as a condition of employment, will furnish, at his expense, an up-to-date, certified original of his driving record from the appropriate state authority.

4.0 CONDUCT

4.1 OUTSIDE EMPLOYMENT

4.1A Colleton County employment is considered the employee's primary employment, and no employee may engage in outside employment which would interfere with the interests of Colleton County, serve as a conflict of interest, or interfere in any way with the working schedule of the employee.

4.1B Equipment, vehicles, property, facilities, materials, supplies or uniforms of Colleton County are not to be used by employees for outside employment nor for travel to or from such employment. However, to the extent permitted by South Carolina law and with the permission of the Department Head, commissioned officers may be allowed to use County uniforms and equipment while performing the duties of a secondary employment.

4.1C An employee must notify and receive approval from his Department Head prior to beginning any outside employment.

4.1D Personal work or use of Colleton County tools, equipment, facilities, or paid-time for non-County business or personal benefit is prohibited. Employees are not to conduct personal business or any non-County business while on County property or time.

4.2 CONFLICT OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee, for a relative, or for a business association or affiliation as a result of Colleton County's business dealings.

4.3 GIFTS AND GRATUITIES

4.3A No employee is to accept gifts, gratuities, entertainment or loans from organizations, business concerns or individuals with whom he has, or may have, an official relationship or with whom he conducts, or may conduct, business for Colleton County, in accordance with "The Ethics, Government Accountability & Campaign Reform Act of 1991," of the South Carolina Code of Laws, as amended. Promotional items published as available to any purchasing organization, such as a pack of markers or other item, given with an order of office supplies, may be retained for use by County employees in the County work environment, but are not to be considered in any manner as a basis for determining vendor selection. Vendor selection is to be determined strictly in accordance with Colleton County's Procurement Policy in its Code of Laws.

4.3B County funds can not be used to purchase gifts such as floral arrangements, plants, cards, etc. Such purchases from public funds are prohibited under State Law. Any such gifts must be purchased from personal donations from concerned employees.

4.4 CIVIC AND POLITICAL ACTIVITIES

4.4A Employees are encouraged to exercise their rights as citizens, which include holding membership in and supporting a political party, voting independently and participating in civic activities except where a conflict of interest may arise. Employees engaged in such activities are to ensure that participation does not constitute representation or endorsement by Colleton County Government. County employees are not to:

- a) Utilize Colleton County time, materials or equipment in support of a candidate or political party;
- b) Hold political office, which would create a conflict of interest, or participate in political activities, which would create a conflict of interest; or,
- c) Solicit any assessments, contributions or services for any political party or candidate.

4.4B Some employees of Colleton County are subject to the provisions of the Hatch Act, Public Law 252, 76th Congress of the United States which limits certain political activities.

4.4C No person is to be given or refused employment, suspended, discharged, or discriminated against, nor will his status, position, salary, advancement or any right be affected in any way by reason of his vote or failure to vote in any election.

4.5 SMOKING

To help provide a safe and healthful work environment, smoking in the workplace is prohibited in all County owned, leased or otherwise occupied buildings and vehicles.

4.6 APPEARANCE

4.6A One of the most noticeable expressions of personal standards is dress and appearance. Colleton County employees are to maintain high personal standards in the business environment, dressing in a professional manner, wearing clothing that is appropriate and tasteful, and maintaining good personal hygiene.

4.6B What is appropriate for employees in one department may not be appropriate in another. Where official work clothes and uniforms are provided by Colleton County, employees are to wear the full issued uniform or clothing. Appearance standards are a supervisory responsibility, and department heads may need to establish rules consistent with the work to be performed.

4.7 ATTENDANCE AND PUNCTUALITY

4.7A To maintain a safe and productive work environment, Colleton County employees are to be reliable and punctual in reporting for scheduled work.

4.7B Absenteeism and tardiness place a burden on other employees and on the work program. Prior to the beginning of their scheduled shift start time, employees are to notify their supervisor of any unscheduled absence or tardiness.

4.8 USE OF COUNTY TELEPHONES

4.8A Business

A large part of Colleton County's business is transacted by telephone for citizens' convenience. Telephone calls are to be answered promptly and pleasantly, and the office identified. County employees are not required to listen to threats, racial slurs, or verbal abuse, and occasionally may find it necessary to politely inform the caller that the language or content is offensive and that the call will be ended if the caller persists with the behavior.

4.8B Personal

4.8B(1) The telephone equipment of Colleton County is provided for the purpose of providing service to citizens. Limit personal calls to an absolute minimum number. Personal calls should only be made on County telephones in case of absolute necessity or emergency. If non-emergency personal calls must be made, please arrange to make them during authorized breaks or meal periods. Employees are to secure permission from their supervisors prior to making any emergency personal, long distance or other toll calls chargeable to Colleton County and to reimburse the County through their Department Head immediately when the exact charge is billed.

4.8B(2) Personal cell phones should only be used for personal calls when an employee is on break or lunch away from their job.

4.8C Cell Phones

4.8C(1) County cell phones are to be used strictly for County business. "Free minutes" are the property of Colleton County, and may not be used for personal calls.

4.8C(2) Cell phones are not to be used while an employee is operating County vehicles or equipment where South Carolina law prohibits or good safety practices would restrict such usage.

4.9 WORKPLACE PRIVACY AND INFORMATION SYSTEMS USE

4.9A Colleton County computer systems are to be used only for business purposes serving the interests of the County and the citizens in the course of normal operations.

4.9B All data created, stored, or processed on County-owned computer systems remains the property of Colleton County. Because of the need to protect Colleton County's network, employees are not guaranteed the confidentiality of information stored on any network device belonging to the County.

4.9C For security and network maintenance purposes, authorized individuals within Colleton County may monitor equipment, systems, and network traffic at any time.

4.9D Passwords and accounts are to be secured, and should never be shared. Every authorized user is responsible for the security of their particular passwords and accounts.

4.9E Employees should use extreme caution when opening e-mail attachments received from any sender or unfamiliar e-mail addresses. Attachments may contain viruses, e-mail bombs, or Trojan horse codes, which could jeopardize the entire system.

4.9F The following is a list of activities, which are prohibited except where a particular activity is required in the course of legitimate job responsibility (e.g., systems administration staff may be required to disable the network access of a host if that host is disrupting production services):

4.9F(1) Violations of the rights of any person or company protected by copyright, trade secret, patent, or other intellectual property or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed and approved for use by Colleton County,

4.9F(2) Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Colleton County or the end user does not have an active license.

4.9F(3) Using a Colleton County computing asset to download/stream audio or video or other files for entertainment purposes and not in due course of job duties.

4.9F(4) Use of any Colleton County computer equipment for any non-County business or personal activities.

4.9F(5) Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient, logging into a server or account that the employee is not expressly authorized to access, and unauthorized use of passwords belonging to other employees. Disruption of network communication includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

4.9F(6) Executing any form of network monitoring, which will intercept data not intended for the employee's host, unless this activity is part of the employee's normal job duties (e.g. systems administration).

4.9F(7) Sending unsolicited e-mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (e-mail spam).

4.9F(8) Any form of harassment via e-mail, telephone, or paging whether through offensive video, language, frequency, or size of messages.

4.9F(9) Unauthorized use or forging of e-mail header information.

4.9F(10) Solicitation of e-mail for any other e-mail address, other than that of the poster's account, with the intent to harass or to collect replies.

4.9F(11) Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.

4.9F(12) Use of unsolicited e-mail originating from within Colleton County's networks or other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by Colleton County or connected via Colleton County's network.

4.9G Audits of all computer systems and work stations may be conducted at any time in order to:

4.9G(1) Monitor user or system activity where appropriate.

4.9G(2) Ensure integrity, confidentiality and availability of information and resources.

4.9G(3) Investigate possible security incidents and/or ensure conformance with Colleton County security policies.

4.9H Maintenance of the computer systems and work stations will be conducted periodically in order to:

4.9H(1) Remove any information or materials not related to County business.

4.9H(1) Update software as necessary to ensure security, improve operations, etc.

4.9H(1) Remove obsolete or unlicensed programs and files.

4.10 VEHICLE POLICY

4.10A County-owned vehicles are to be used only for official County business. Official business is any activity necessary to the performance of the duties and responsibilities of a given position or to the performance of any additional duties and responsibilities assigned by an employee's supervision. Employees must be authorized by their supervisor to drive a County owned vehicle.

4.10A(1) For all salaried employees, public safety employees, department or agency heads, and any other employees subject to being called into work at any time, including during lunch, official use shall be interpreted to include meals during work/on-call hours at the department head's discretion. For all other employees, official use shall be interpreted to mean travel for the actual performance of their duties only.

4.10A(2) Notwithstanding the limitations described in paragraph 4.10A(1), any County employee using a County vehicle with proper authorization and engaged in work assignment not in close proximity to his home base (the location where the employee normally picks up the County vehicle) may use a County vehicle to go to a restaurant or similar service facility during scheduled mealtimes, to make restroom/refreshment stops as personal health needs and weather dictate, etc. All such uses are subject to the determination of the respective department head, who shall make such determination based on the most cost effective alternative while precluding possible misuse of vehicle privileges.

4.10B General Use:

4.10B(1) County-owned vehicles will be driven only by authorized employees, who are not to use the vehicle for personal purposes except as may be authorized by the County Administrator in the case of an emergency.

4.10B(2) Use and maintenance of County vehicles:

4.10B(2)(a) Operators of County-owned vehicles or motorized equipment are to possess and maintain a valid driver's license and to be in compliance with all applicable local, state and federal traffic laws and regulations when operating those vehicles/equipment.

4.10B(2)(b) Operators and passengers are to wear seat belts and to drive safely and in a courteous manner at all times.

4.10B(2)(c) Vehicles are to be used for conducting County business only. Passengers, other than employees or authorized persons, are prohibited from traveling in County vehicles. Authorized persons includes others engaged in advising on or assisting in matters related to Colleton County services and improvements. "Ride alongs" participating in approved programs are considered to be authorized passengers.

4.10B(2)(d) All vehicles are to display only signs, stickers, decals or flags authorized by the County and used in the official designation of such vehicle(s).

4.10B(2)(e) Vehicles should be equipped with flashing lights, reflective warning devices, fire extinguishers and first-aid kits as appropriate to the use of the vehicle.

4.10B(2)(f) Vehicle Idling

- Unoccupied vehicles will not be left with engines running.
- Engine warm-up periods will not exceed one minute (provided required airbrake pressure and/or other critical settings have been reached).
- Vehicles will be shut off whenever idling time is expected to exceed one minute.
- Exceptions to Idling prohibition:
 - a. For vehicle maintenance and diagnostic purposes;
 - b. Under extreme weather conditions or any other time when the health and safety of employees or others may be in jeopardy;
 - c. If the unit is not expected to be able to restart due to mechanical problem (must be repaired ASAP);
 - d. Emergency response units while on an emergency scene;
 - e. Any situation where the engine is immediately required to power auxiliary equipment (e.g. hoist, lift platform, hydraulic tools, medical equipment, etc.);
 - f. K-9 units when the dog is present in the vehicle.

4.10B(2)(g) Travel in Colleton County vehicles outside of the service area must be approved in advance by the County Administrator and/or a Department Head.

4.10B(2)(h) County vehicles will be kept clean and in good repair. A "walk around" of the vehicle is to be completed before driving to assess any potential problems, as are daily checks of tire pressure and fluid levels. Regular maintenance is to be completed according to manufacturer's recommendations.

4.10B(2)(i) Operators of County owned vehicles may be required to complete a defensive driving course.

4.10B(2)(j) No County vehicle is to be driven by an operator under the influence of intoxicants or any other controlled substances, nor are intoxicants to be transported in County owned vehicles. Anyone under the influence of intoxicants or other controlled substances is not to ride in a County vehicle. [Emergency services are excluded, as required in the performance of their official duties, from the prohibitions against transporting controlled substances, intoxicants, and those under the influence.]

4.10C Travel To and From Work (Take Home Vehicles)

4.10C(1) The use of a vehicle for travel to and from work is a privilege. Only designated Fire and Rescue, Sheriff, and on-call Animal Care And Control operators are authorized to drive County vehicles to and from work. The County Administrator may, in special circumstances, authorize other personnel to use a County vehicle for such travel.

4.10C(2) Non-County business related stops at bars, taverns, night clubs, etc., or private homes are strictly prohibited. An occasional stop on the way home to complete brief errands is acceptable (i.e., the bank, post office, grocery store, laundry, etc.). Under no circumstances is a vehicle to be used for unauthorized personal travel.

4.10C(3) Federal IRS regulations may require certain County vehicle operators, who have been authorized a take-home vehicle, to report the value of such use as income and the County is required to issue a 1099 reporting that value; designated on-call or emergency service duty personnel may be exempt from this IRS regulation. The County is not responsible for any tax liability created by any use of a County vehicle.

4.10D Vehicle Accidents - Traffic Violations

4.10D(1) In the event of an accident involving a County-owned vehicle, no matter how minor, the operator and each employee involved are to notify their supervisor and/or their Department Head immediately. The operator of the vehicle is to stay at the scene of an accident until it has been properly investigated by the appropriate law enforcement agency and obtain a copy of the accident report, the names of witnesses, and insurance information of all parties involved.

4.10D(2) The supervisor or Department Head is to report the incident to Risk Management or Human Resources by phone immediately and submit a written report within twenty-four hours with information from all employees involved. The written report(s) are to be forwarded to Human Resources/Risk Management within one business day following the accident.

4.10D(3) In addition to the employee's written accident report, the Department Head is required to forward to Human Resources/Risk Management within three days of the accident the following information:

- The FR10 or other law enforcement accident report;
- Photographs of the vehicle or property involved (if available);
- At least two estimates for repair of any damage to County vehicle or property; and
- Any additional information pertinent to the accident or an investigation of the accident.

4.10D(4) Immediately following any accident, the Department Head is to ensure that each employee involved in the accident reports to a designated physician or medical facility for drug testing. If test results are positive, the employee will be terminated from employment and removed from the County payroll. If an employee does not report for a drug test within twenty-four hour period, he will be removed from the County payroll.

4.10D(5) Operators who the County determines are at fault in an accident with a County vehicle may be responsible for payment of the County's deductible, not to exceed \$500 – willful damage may be assessed at full cost. If an employee is found to have contributed to an accident with a County vehicle (a “no-fault” report included), he may also be responsible for payment of the County's deductible, not to exceed \$250 normally.

4.10D(6) Any vehicle involved in an accident is to be taken or sent to Fleet Management for damage evaluation.

4.10E Safety and Accident Prevention

4.10E(1) The goal of Colleton County's Safety and Accident Prevention Program is to reduce accidents and injuries involving County employees, equipment and property; to realize savings through loss control procedures; and to maintain appropriate safety and health standards. For detailed information, employees should refer to their Colleton County Safety Policy Manual.

4.10E(2) Vehicle/equipment operators are to utilize safety belts and other applicable safety equipment while operating any Colleton County vehicle or equipment.

4.10E(3) Safety practices in accordance with basic safety standards are to be implemented and continuously monitored, including but not limited to the following:

4.10E(3)(a) Exercising maximum care and good judgment at all times to prevent accidents and injuries; obeying safety rules and exercising caution in all work activities;

4.10E(3)(b) Reporting to supervisor and seeking first aid for all injuries, regardless of how minor;

4.10E(3)(c) Using County provided safety equipment at all times;

4.10E(3)(d) Observing conscientiously all safety rules and regulations at all times;

4.10E(3)(e) Notifying supervision before the beginning of the work day of any medication taken that may cause drowsiness or other side effects that could lead to injury;

4.10E(3)(f) Immediately reporting any unsafe conditions, equipment, or practices to supervision.

4.10F Policy for Use And Reservation Of Pool Vehicle

4.10F(1) The "Pool" vehicle is available primarily on a first come – first served basis, but some priority will be given to out-of-County trips. Use of the pool vehicle is subject to all the requirements provided in those sections of the Personnel Policy relating to the operation of County vehicles. As is the case with all other County vehicles, no smoking is allowed in the "Pool" vehicle. Violations may result in use suspension.

4.10F (2) The procedure for reserving the pool vehicle is as follows:

4.10F(2)(a) A written request must be sent to Fleet Management, at least one week, and no more than one month, in advance of the date the vehicle is needed.

4.10F(2)(b) The request must include the date, destination, length of time the vehicle will be needed, and a suggested arrangement for picking up the key and the vehicle.

4.10F(2)(c) Fleet Management will schedule vehicle use, and each request will be answered in a timely manner.

4.10F(3) At the conclusion of the trip, the vehicle will be returned to its designated parking area, clean and with a full tank of gas. The keys must be returned promptly to the Fleet Management Department.

4.10F(4) Should an accident occur while an employee other than one from Fleet Management is in possession of the vehicle, that Department Head will be responsible for providing the insurance deductible for any necessary repairs. The procedures for reporting accidents and for safety and accident prevention as provided hereinabove also apply to the pool vehicle.

5.0 RECRUITMENT AND SELECTION

5.1 RECRUITMENT

For hiring decisions, it is the established policy of Colleton County to select the person best suited for the task to be performed with appropriate attention to such factors as:

- Previous work experience
- Education and training background
- Demonstrated skills and abilities
- Demonstrated reliability, honesty and integrity

5.2 RECRUITMENT PROCEDURE

5.2A Personnel Requisition

When a position becomes vacant, the Department Head completes a Request to Fill A Vacant Position Form and submits it to Human Resources. The request identifies the position to be filled and provides all other pertinent information that Human Resources may require for recruitment purposes. No position will be refilled until the position request form is received and available funds for the fiscal year are confirmed.

5.2B Internal Posting of Vacancies

At the request of the Department Head, vacancies in positions above the entry grade level may be posted internally only and restricted to qualified applicants from within the County employee work force. When so requested, Human Resources distributes to each department through inter-department mail, fax, or e-mail an announcement of the open position and its requirements. The posting will remain open for at least one week, and applications from interested County employees are to be submitted to Human Resources. When the posting period has closed, the applications will be forwarded to the Department Head for consideration. If the Department Head does not select a candidate from the pool of internal applicants, the Department Head may submit a new request for Human Resources to advertise the position through outside means.

5.2C External Posting of Vacancies

At the request of the Department Head, either following an unsuccessful internal posting or as soon as an eligible vacancy occurs, Human Resources will advertise a job vacancy externally. Publicity for outside recruitment purposes normally includes notification to the South Carolina Employment Security Commission and at least one newspaper of local circulation. Where deemed appropriate, the County Administrator may also authorize national and state advertising in trade journals, newspapers, web sites, etc. and contacting educational and training institutions and job placement organizations. Applications will normally be accepted by the SC Employment Security Commission and forwarded to Human Resources where they will be held until the application period closes or, in the case of an "open until filled" posting, until applications are available for Department Head consideration. The period for accepting applications should be at least ten (10) Colleton County work-days following the date of posting. The notification should provide basic information to the prospective applicant, such as job title, key qualifications, method of making application, and the closing date for applications where applicable.

5.2D Continuous Posting

Continuous Postings may be made for job classifications which demonstrate traditional shortages or high turnover.

5.3 SELECTION PROCEDURE

5.3A Applications

Normally all candidates for Colleton County positions will apply through the South Carolina Employment Security Commission, completing a Colleton County Application as provided by Job Service. The application will be submitted directly to Job Service.

5.3B Preliminary Screening

The South Carolina Employment Security Commission conducts a preliminary screening to determine if the applicant meets the minimum requirements specified in the job posting. They will also conduct any testing, such as a typing speed and accuracy test, required of the applicant. Following the preliminary screening of the applications and any test results, Job Service will forward to Human Resources all applications from candidates who meet the minimum requirements of the position. Human Resources will hold all applications until the posting period closes, at which time the applications will be forwarded to the Department Head.

5.3C Department Application Screening

The Department Head shall review the applications selecting the candidates to be interviewed based on such factors as education, prior job experience, skill levels, certifications, etc. If, in the opinion of the Department Head, the selection process should be continued, he may request that Human Resources post the vacancy again.

5.3D Interview

5.3D(1) A Department Head may choose to conduct the interviews himself or he may establish an interview committee made up of other County staff members and himself. A formal interview process with specific questions and/or test procedures common to each interviewee allows the best comparison of the candidates under like circumstances. The Department Head may elect to narrow his choices down to the top two or three candidates and conduct repeat interviews before making a final decision.

5.3D(2) Human Resources is available to assist Department Heads in formulating interview questions and procedures.

5.3E Reference Checks

5.3E(1) As part of the process of attempting to identify the most promising applicants, the Department Head shall conduct reference checks including telephone calls or personal contacts with previous employers of the applicant. The applicant's present or immediate supervisor may be contacted, if the applicant provides consent. Normally references are checked after the Department Head has narrowed his choice to the top two or three candidates.

5.3E(2) Candidates may be required to provide written verification of required job skills. Such verifications may include, but are not limited to, a certified copy of the candidate's driving record, which is deemed satisfactory by the Department Head, certification of course work completed, or any other certification or licensure required to perform the job duties. Typing and other tests may be administered.

5.3F Background Checks

Background checks should be conducted on all final candidates for law enforcement positions, and the County Administrator may, as deemed necessary, authorize such checks on final candidates for any other position. The appropriate release form must be completed by each applicant at the time of application for employment authorizing release of background information.

5.3G Decision to Initiate a Hire

5.3G(1) When all interviews, reference checks, and any applicable background checks are concluded, all required written certifications have been provided, and the selection has been made, the Department Head completes a Personnel Action Request form (PAR) and makes a conditional offer of employment. The selected candidate and the Department Head must each sign the PAR form. The PAR form and all accompanying paperwork, including the application, driving record where required, certifications, etc., must be submitted to Human Resources for review and approval by the County Administrator, Human Resources, and Finance. No new hire will be added to Colleton County's payroll without an approved PAR form and, where applicable, documentation of a negative drug test.

5.3G(2) In the case of officials appointed by a Board or other such body, the Chairman of the Board must sign the PAR as the Department Head and a copy of the official minutes recording the majority vote of the hiring body or official resolution of the body must be attached to the PAR. This paperwork along with all other necessary documents including the application, driving record where required, certifications, etc. must be submitted to Human Resources for review by the County Administrator, Human Resources, and Finance before any change to the county's payroll. No new hire will be added to Colleton County's payroll without an approved PAR form.

5.4 CONDITIONAL OFFER OF EMPLOYMENT

5.4A A conditional offer of employment and placement on the County payroll is made when: All interviews, reference checks and any applicable background checks are concluded; all required written certifications have been provided; and the selection has been made by the Department Head or other appointing authority.

5.4B When the conditional offer is made, both the Department Head and the selected candidate must sign the PAR form. The offer is contingent upon complete execution by all signatories of the submitted PAR as described in paragraph 5.3G above. The selected applicant, therefore, is not guaranteed that he will be placed on the County's payroll at this point, and should not make any changes in his circumstances.

5.5 FINAL OFFER OF EMPLOYMENT

After approval of the conditional offer of employment, indicated by the signatures of the Department Head, County Administrator, Human Resources, and Finance on the PAR Form, the Department Head must provide the selected candidate with a copy of the form and confirm the new employee's start date as recorded on the PAR. The approved candidate can then be placed on the County's payroll.

6.0 EMPLOYEE RECORDS

6.1 PERSONNEL RECORDS

6.1A Human Resources maintains the official personnel records for all Colleton County employees in accordance with state and federal regulations.

6.1B Medical and related records, i.e., Workers Compensation reports, etc., are to be maintained in a file separate and apart from the regular personnel files. The only medical information normally retained in an employee's personnel file is non-Workers Compensation related physicians' certification(s) providing work restrictions or stating that an employee is able/unable to work.

6.2 ACCESS TO PERSONNEL FILES

6.2A Personnel files are to be protected from any access by persons other than:

- 1) A quorum of Colleton County Council Members properly convened
- 2) The County Administrator
- 3) Personnel or Human Resources employees
- 4) The Employee's Department Head and Supervisor(s)
- 5) The Employee
- 6) The Grievance Committee, as appropriate
- 7) Otherwise required by law.

6.2B Requests to review personnel files must be made in writing to Human Resources. All records are confidential and will be reviewed in the presence of Human Resources or other designee of the County Administrator during normal working hours or other scheduled time. Records may not be removed from the designated County office for any reason.

6.2C The Grievance Committee, as provided by State Law, may review relevant portions of a grieving employee's personnel file for information pertinent to the grievance investigation, however, such review shall be done with a representative from Human Resources present at the meeting to maintain control of and responsibility for the file. In lieu of having the personnel file available at the meeting, the Chairman of the Grievance Committee may review the file in the Human Resources Office and request copies of pertinent documents to present to the Committee for consideration. All documentation of records copied and all other materials used, presented, or developed during a grievance will be returned to Human Resources for filing within one business day after the conclusion of the grievance process.

6.3 PERSONAL INQUIRY

6.3A A Department Head, County Administrator, or designee, may respond to public inquiry concerning employees and former employees. It is the policy of Colleton County to respond to such inquiries as follows:

6.3A(1) Phone Inquiries - Confirmation of only the information provided by the inquirer, i.e., name, dates of employment, and position title.

6.3A(2) Colleton County releases only verifiable, statistical information, and any request for such information must be accompanied by an original, legal release signed by the employee involved.

6.3A(3) Written Requests - When a signed release from the employee is provided, the only information that can be provided is that which can be verified: name, address, phone number, dates of employment, position title, and/or salary/wages for a requested period of time. Such requests come, for example, from mortgage providers, other lending institutions, or from state agencies such as EEOC, Human Affairs, Department of Social Services, etc., and only Human Resources shall process all such requests based on official personnel files.

6.4 PERSONNEL DATA CHANGES AND TRANSACTIONS

6.4A Each employee is responsible for advising his supervisor, Department Head, and Human Resources (as appropriate) of any changes in personnel data. Mailing addresses, telephone numbers, the number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, marital status, beneficiary changes, and other such information should be accurate and current at all times.

6.4B All appointments, authorized salary increases, promotions, employee evaluations, demotions, dismissals, suspensions and other personnel transactions are to be made in writing on a Personnel Action Request form. The PAR form will be forwarded to Human Resources with all backup information required by the County Administrator and is part of the employee's personnel file.

6.4C All evaluations, awards, certifications, commendations, etc. are to be forwarded to Human Resources for inclusion in the employee's personnel file.

6.5 ATTENDANCE RECORDS

The County Finance Department shall maintain attendance records for each employee. Department Heads are to provide accurate attendance data for all of their employees on the payroll transmittal sheet and certify to its accuracy. In addition, they are responsible for ensuring that the weekly time sheets of their employees accurately reflect time worked and all absences, including vacation, sick leave, holidays, any other leaves paid, or unpaid, excused or unexcused, for the time period being reported. Each employee is responsible for accurate recording of all time worked.

7.0 EMPLOYMENT STATUS

7.1 TYPES OF APPOINTMENTS

7.1A Introductory Appointment

New employees must serve an introductory period of six (6) months before they will be considered regular employees. The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance. Colleton County uses this period to evaluate employee capabilities, work habits, and overall performance.

7.1B Regular Appointment:

An employee who successfully completes his initial six (6) month introductory period in a position classified as regular full or part time is normally granted regular status on that date.

7.1C Temporary Appointment:

A temporary employee is an employee who is hired to perform a task not to exceed one (1) year. While the employee will receive all legally mandated benefits (such as social security and workers' compensation insurance coverage), he is ineligible for Colleton County's other leave and fringe benefit programs. The extension of temporary appointments beyond 12 months may be approved by the County Administrator if necessary.

7.1D Re-Call

Any employee who is laid off after achieving regular status can be recalled within six (6) months after the effective date of the layoff into any vacant position for which he or she qualifies without having to go through the normal recruitment and selection process. Preference will be given to any laid off employee who had previously completed his initial probationary period if the employee meets the minimum training and experience requirements for the vacant position. The County Administrator will determine the laid off employee's interest and suitability for the vacancy and whether to authorize a recall. A recalled employee will retain his original date of hire. Accrued and unused benefits will be reinstated.

7.1E Return to County Payroll

7.1E(1) A former employee who left Colleton County employment in good standing (with status) is eligible to be rehired as follows:

7.1E(1)(a) Into any vacant position for which he meets the minimum qualifications. Such employee shall be subject to all regular recruitment and selection procedures, and the date the employee is returned to the payroll shall become the new date of hire.

7.1E(1)(b) Into his former position, if the position is vacant, within six months from the effective date of his separation and be paid at his former rate of pay or the minimum of the pay range established for that classification. Such employee may retain his original date of hire, and any accrued, unused (not paid out) benefits may be reinstated.

7.1E(2) The County Administrator is authorized to return to the County payroll an employee terminated without status from an elected official's office with the following exceptions:

7.1E(2)(a) An employee terminated for misconduct, when that misconduct is fully and completely documented with all supporting details and such documentation is filed by the elected official in County Human Resources as attachments to the termination Personal Action Request (PAR) Form.

7.1E(2)(b) An employee terminated for documented criminal conduct or any other separation of a legal, contractual or settlement nature.

7.1E(2)(c) An employee terminated as a result of a positive drug test.

7.2 TYPES OF EMPLOYMENT STATUS

7.2A Colleton County has five (5) established types of employment status:

7.2A(1) Regular Full-Time - Any employee who has completed the six-month introductory period and who is regularly scheduled and budgeted to work a minimum of 40 hours or more per week (or the equivalent for law enforcement or fire and rescue) is to be considered regular full time and will be eligible for all leaves, fringe benefits and programs.

7.2A(2) Regular Part-Time - Any employee who has completed the six-month introductory period and who is scheduled to work less than 40 hours per week, for a scheduled number of hours per day and a scheduled number of days per week shall be considered Regular Part-Time. Regular Part-Time employees, who work less than thirty (30) hours per week are not eligible for benefits (including sick, annual, and holiday leaves) other than those which must be paid as a matter of law (such as Social Security and Worker's Compensation Insurance). Regular Part-Time employees who work thirty (30) or more hours per week on a consistent, regularly scheduled basis shall be eligible for the full benefit package, including all leaves on a pro-rated basis, medical and dental insurance, retirement, and other such programs.

7.2A(3) Temporary Full-Time - A temporary full-time employee will not be eligible for any leave or benefits except in those cases where certain benefits must be paid as a matter of law (such as social security, workers' compensation insurance coverage). Temporary employees are paid only for hours worked.

7.2A(4) Temporary Part-Time - A temporary part-time employee will not be eligible for any leave or benefits except in those cases where certain benefits must be paid as a matter of law (such as social security, workers' compensation insurance coverage). Temporary part-time employees are paid only for hours worked.

7.2A(5) PRN or Variable Time - Any employee who is scheduled to work variable shifts/work days with no guaranteed hours and no guaranteed time period will be considered a PRN or Variable Time employee. PRN or Variable Time employees will not be eligible for any leave or benefits except in those cases where certain benefits must be paid as a matter of law (such as social security, workers' compensation insurance coverage). These employees are paid only for actual hours worked.

7.3 VOLUNTEER SERVICE

7.3A No Colleton County employee (regular, part-time, temporary, etc.) can volunteer (non-paid or compensated time) for Colleton County in the same, a substantially similar, or a potentially substantially similar capacity as that for which he is employed (compensated) by Colleton County unless the County Council has appropriated funds for the potential work and the Department Head and the County Administrator have approved the work program.

7.3B All fire-fighting facilities are part of the Colleton County Fire District. As a result, no County-employed (compensated) firefighter may volunteer with any Colleton County fire-rescue organization as a firefighter, EMT, Intermediate EMT, paramedic, or first responder.

7.3C Fire-Rescue Volunteer Program

7.3C(1) When emergency service employees volunteer in other approved and funded programs, the following apply:

7.3C(1)a All certified, hourly-wage employees participating in these volunteer programs are to complete a separate Colleton County Time Sheet on a weekly basis. If any job duties carried out while participating in the volunteer program are tasks which require certification specific to an employee's primary job, then the separate Time Sheet must report the time spent on those tasks and this time may be compensable work time. If the job duties carried out while participating in the volunteer program are tasks which strictly conform to the job duties of the volunteer position only (such as a Paramedic/Engineer working as a Reserve Deputy or the reverse), then the separate Time Sheet would show zero hours worked.

7.3C(1)b All certified employees participating in these volunteer programs must obtain written approval from their Department Head in advance and file a copy with Human Resources before volunteering.

7.3C(2) A certified emergency service employee who provides "good Samaritan" service at an accident scene or other emergency situation is exempt from the provisions of this volunteer program time reporting and is not eligible for compensation.

7.4 POSITION CLASSIFICATION

7.4A All Colleton County employees will be classified as hourly/non-exempt or salaried/exempt in accordance with the criteria set forth by applicable federal law.

7.4A(1) Hourly/Non-Exempt Status (H): Employees who are classified as non-exempt are required to be paid overtime, or are awarded compensatory leave hours, in accordance with the criteria set forth by applicable federal law. All employees, other than those meeting special criteria for overtime, i.e. certified firefighters and certified law enforcement officers, are to be compensated accordingly for all hours worked over 40 in a designated work week. Certified firefighters and certified law enforcement officers are to be compensated according to applicable County or federal law.

7.4A(2) Salary/Exempt Status (S): Employees who are classified as exempt will be paid a fixed salary for a defined period of time, i.e., weekly, bi-weekly, monthly or annually. Employees may be classified as exempt if their assigned duties and responsibilities meet the criteria set forth by applicable federal law. Exempt employees will be classified, in accordance with applicable federal law.

7.4A(3) Elected/Appointed Executives/Office Heads (E): Employees in this classification do not accrue any leaves, compensatory time or other benefits, and do not complete timesheets. They are normally entitled to health and dental insurance under the County's plans in accordance with State Retirement and County's Health Plan administrators' policies.

8.0 EMPLOYEE CHANGE OF STATUS

8.1 PROMOTION

8.1A Supervisors should anticipate retirements and turnover and should recruit and train employees to assume greater responsibilities. In filling vacancies, effort should be made to promote or transfer qualified employees from within Colleton County employment, when it mutually benefits Colleton County and the employee.

8.1B Any employee may apply for promotional consideration. Supervisors are not to interview applicants, internal or external, who do not meet the job performance needs. Where two or more qualified Colleton County employees are competitive and considered for a position, the following factors may be considered:

- Job performance and previous evaluations
- Knowledge, training, ability, skill and efficiency
- Attendance record
- Length of continuous service from the last date of hire.

8.1C Promoted employees must serve an evaluation period of six (6) months in their new position. If the employee does not meet required standards of performance during the six-month evaluation period, the employee may be considered for restoration to the position from which he or she was promoted available, or to a comparable position if available. If the same or a comparable position is not available, the employee may be given consideration for any Colleton County vacancies for which the employee is qualified and competitive. In the event no vacancies for which the employee is qualified and accepted are available, the employee will be removed from the payroll. Such employees may be eligible to re-apply for employment subject to the specific circumstances of the removal from the payroll, whether it was with or without status.

8.2 DEMOTION

8.2A Voluntary Demotion.

Employees, for various reasons, may request a demotion within their department or by transfer to another department. Voluntary demotions are to be requested in writing by the employee and are subject to approval by the County Administrator.

8.2B Involuntary Demotion.

8.2B(1) Any employee whose work in his present position is unsatisfactory, but who offers significant promise of becoming a satisfactory employee, may be demoted by the County Administrator.

8.2B(2) In the event that a position is abolished and an employee is considered for demotion to a lower paying position, the PAR should indicate that the demotion action is due to appropriations or other actions as appropriate.

8.2B(3) Demoted employees are to serve an evaluation period of six (6) months in their demoted capacity. If the employee's service is unsatisfactory, the employee will be terminated.

8.2C In the case of any demotion, the employee will be paid not less than the minimum rate applicable to the particular position to which he is demoted. Assignments may change from time to time for various reasons and, therefore, an employee's wage rate may also change according to assignment.

8.3 LATERAL TRANSFER

Employees may apply and compete for a lateral transfer in the same manner as they would for any other open position.

9.0 COMPENSATION AND CLASSIFICATION PLAN (COMP & CLASS PLAN)

9.1 PURPOSE

9.1A The plan is structured to provide equal pay for equal work and to provide a pay range for each class of positions which will enable Colleton County to recruit and retain qualified employees.

9.1B The County to have the compensation and classification plan revised and reviewed regularly to reflect budgetary and economic changes as well as staffing needs.

9.2 ADMINISTRATION OF THE COMPENSATION & CLASSIFICATION PLAN

The primary responsibility for day-to-day administration of the Compensation & Classification Plan rests with the County Administrator. The County Administrator is charged with ensuring that the Plan accurately reflects the duties assigned to each position, the grade to which each position is allocated, and the equitability of the wage/salary ranges for each grade and of the overall wage/salary structure. The County Administrator should periodically recommend review by an independent consultant of the entire Compensation and Classification Plan in order to bring any appropriate changes to Council for consideration.

9.3 CLASSIFICATION PORTION OF THE COMP & CLASS PLAN

9.3A The purpose of the Classification portion of the Comp & Class Plan is to provide a uniform, objective, and equitable system for classifying all positions in Colleton County; to establish proper relationships (parity) between positions on the basis of difficulty of duties, levels of responsibilities, and minimum qualifications; and to group positions into classes which can be similarly compensated based upon relative value, similarities of duties, responsibilities, level of work performed, and minimum qualifications.

9.3B The Classification portion provides official position titles, category designation, and written job descriptions for each position. Official position titles with category designations must be used in all personnel, financial accounting, budget, and appropriate records. No person should be appointed to or employed in a position under a title not included in the classification plan.

9.3C New positions are established as follows:

9.3C(1) The Department Head submits two copies of a Position Questionnaire or a written, comprehensive description of the duties of such position to Human Resources, along with the requisition form for payment to the contracted reviewer.

9.3C(2) Requests are normally accepted only during the budget process. Submissions must be received in Human Resources before December 31st.

9.3C(3) Human Resources reviews the position information and submits it to the contracted reviewer for grade recommendation.

9.3C(4) Human Resources will advise the Department Head on the results of the reviewer's evaluation.

9.3C(5) The new position will be included on the Department Full Time Equivalency (FTE) budget sheet at the reviewer's rate classification as a Department budget request if the Department Head maintains the request.

9.3C(6) Only County Council can authorize a permanent, new position on the county payroll.

9.3D Reclassification of Existing Position

9.3D(1) An existing position may be reclassified as a result of the natural change in the duties and responsibilities; a redistribution of work assignments which significantly alters the duties and assignments of a position; or a revision of position specifications to more accurately reflect levels of work performed. Moving a position to a new classification and abolishing any existing classification can only be authorized by County Council.

9.3D(2) The procedure for position reclassification is as follows:

9.3D(2)(a) The Department Head submits two copies of a Position Questionnaire or a written, comprehensive description of the duties of the position to Human Resources. Such requests occur only when changes in duties and responsibilities are of a permanent nature. The request is not to be based on the performance of the individual holding the job, but upon the requirements, duties, and responsibilities of the job.

9.3D(2)(b) Normally reclassifications occur only during the budget process. Submissions must be received in Human Resources by December 31st.

9.3D(2)(c) Human Resources will review the position information and submit it to the contracted reviewer for grade recommendation.

9.3D(2)(d) Human Resources will advise the Department Head on the results of the reviewer's evaluation.

9.3D(2)(e) The reclassified position will be included on the Department FTE sheet as a department budget request.

9.3D(2)(f) County Council will consider the reclassification during their budget deliberations.

9.3D(2)(g) The County Administrator may initiate the reclassification process as required by the needs of the County and as realigned responsibilities require.

9.3E Types of Reclassification include:

9.3E(1) Upgrade: An upward reclassification (upgrade) occurs when an action is requested which provides that a position is moved from one classification to another classification where the latter has a higher minimum salary.

9.3E(2) Downgrade: A downward reclassification (downgrade) occurs when an action is requested which provides that a position is moved from one classification to another classification where the latter has a lower minimum salary.

9.3E(3) All reclassifications will be considered by County Council.

9.4 COMPENSATION PORTION OF COMPENSATION & CLASSIFICATION PLAN

9.4A The Compensation portion of the Compensation & Classification Plan is designed and established to provide a uniform, objective, and equitable system for compensating employees; to provide comparable rates of pay for comparable work; and to provide for rules and regulations ensuring a uniform system of administration, i.e., equal pay for equal work.

9.4B The Compensation portion of the Plan consists of a schedule of pay grades with established wage and salary ranges as follows:

9.4B(1) Minimum Wage/Salary: The minimum of the pay range represents the minimum wage/salary that Colleton County pays for an individual whose combination of related prior education, training and experience meets the minimum qualification requirements as specified in Colleton County's approved job description.

9.4B(2) Mid-Point Wage/Salary: The mid-point of the pay range represents the marketplace competitive wage/salary necessary to retain a fully experienced and capable employee whose performance is consistently meeting expectations.

9.4B(3) Maximum Wage/Salary: The maximum of the pay range represents the maximum wage/salary at which the position is valued to the organization and represents the wage/salary of an employee whose performance consistently exceeds performance standards and expectations.

9.4C A Department Head is to complete a Personnel Action Request (PAR) form and submit it to Human Resources for any change to be made to an employee's status within the Compensation & Classification Plan, whether to rate of pay, position, hourly/salary category, etc. No changes to an employee's payroll status can be made without an approved PAR form executed by all signatories required by the County Administrator.

9.5 STARTING RATES OF PAY

9.5A The minimum salary of the established pay grade for a position is considered the normal appointment salary for positions in Colleton County. Appointments below or above the minimum of the established pay grade may be authorized as follows:

9.5A(1) Above the Minimum: If an applicant's training and experience or other qualifications are directly related to and substantially exceed the minimum requirement of the position, the County Administrator may hire at a rate of pay not to exceed the mid-point of the salary range, in percent intervals; i.e., 2%, 3%, 4%, 5% above the minimum, etc.

9.5A(2) Below the Minimum: If an applicant's training and experience does not meet the minimum qualifications, the County Administrator may authorize the hiring of the applicant as a "Trainee" at a rate of pay below the minimum of the pay range until the "Trainee" meets the minimum qualifications established for the position. Trainee appointments do not normally exceed twelve (12) months in duration.

9.6 CHANGE IN EMPLOYEE STATUS

9.6A Promotion

With the approval of the County Administrator, the salary of an employee who is promoted may be set at a rate within the new pay grade which results in a pay increase in accordance with job responsibility. Promotion increases will be to the minimum of the new pay grade range or 5% above the employee's current rate of pay, whichever is greater. The promoted employee will be placed in an evaluation period of six (6) months.

9.6B Voluntary Demotion

With the approval of the County Administrator, the salary of an employee voluntarily demoted may be adjusted in accordance with job responsibility. In no event will the new salary be in excess of the current salary of the demoted employee. The demoted employee will be placed in an evaluation period of six (6) months. An employee who accepts a voluntary demotion and later returns to his former position within a period of six (6) months may be considered for reinstatement at the same pay he was receiving at the time of the demotion with the approval of the County Administrator.

9.6C Involuntary Demotion

The salary of an employee who is involuntarily demoted will normally be adjusted to a lower salary in the new grade as it relates to the employee's former salary; but, in no event will the new salary be in excess of the prior salary of the demoted employee. The new salary of the demoted employee will not exceed the maximum of the new grade. The employee so demoted is to be placed in an evaluation period of six months.

9.6D Reclassification

The salary of an employee, whose current position is reclassified and allocated to a higher grade by County Council, shall be adjusted in the same manner as that for promotions. The new rate of pay shall be the minimum of the new range or 5% above the current salary whichever is greater.

9.7 WORKING OUT OF CLASSIFICATION

9.7A Higher Classification

9.7A(1) If an employee is temporarily assigned to work in a position with a higher pay grade designation for fifteen (15) calendar days or less, there will be no change in the employee's salary. If the employee works more than fifteen (15) calendar days, the employee may receive a pay increase to the minimum rate of the higher classification or 5% above his current salary, whichever is greater. This rate change would be retroactive to the date of the position assignment. When the temporary assignment is concluded, the employee reverts back to his salary prior to the assignment. Temporary assignments will normally not exceed six (6) months.

9.7B Lower Classification

9.7B(1) If an employee is assigned to work temporarily in a position with a lower pay grade, the employee's hourly rate normally will not be reduced during the assignment. If the temporary assignment exceeds thirty (30) calendar days, the County Administrator will review the needs of that operational unit. Any such assignment must be approved by the County Administrator.

9.8 WAGES DURING DAYLIGHT SAVINGS TIME TRANSITION

9.8A Non-exempt employees who are scheduled to work a shift when daylight savings time goes into effect (2:00 A.M.) will be paid as follows:

9.8A(1) Spring: An employee may work one (1) hour less on that scheduled shift. Affected employees will not have this hour deducted from their time and will be paid accordingly for that hour and other hours worked on that shift.

9.8A(2) Fall: An employee may work one (1) hour more on that scheduled shift. Affected employees will have this hour considered as hours worked and will be paid accordingly for that hour and other hours worked on that shift.

9.9 SALARY PROGRESSION

9.9A Merit System

9.9A(1) The Merit System is developed as part of this plan to allow Colleton County latitude in recommending pay adjustments in accordance with the annual budget to employees who consistently demonstrate exceptional motivation, adaptability, and productive performance.

9.9A(2) A recommendation for a merit increase will be submitted by the Department Head to the County Administrator for consideration and approval. The submission will include a completed Performance Appraisal Form and a PAR form detailing the Department Head's recommendation. If the Administrator approves, he will recommend the increase to County Council for consideration. Merit increases will be considered based on budget authorization, demonstrated performance, potential, the financial policies of Colleton County and other economic considerations.

9.9A(3) No individual is to receive more than one merit increase during any fiscal year.

9.9A(4) Approved merit increases normally become effective the first day of the first full pay period of the fiscal year or at the beginning of the next pay period following approval by the County Council. Merit increases are not normally authorized if such an increase would cause the employee's salary to exceed or further exceed the maximum pay in that pay grade.

9.9B General Pay Adjustment

Colleton County may, from time to time, approve a general pay adjustment for designated employees.

9.9C Across the Board Adjustment (ABA)

Colleton County may approve an Across the Board Adjustment to the Compensation and Classification Plan's wage/salary schedule. The minimum, midpoint and maximum wage/salary for each grade level would be increased by the approved ABA percentage. Such ABA applies to Elected/Appointed/Exempt positions as directed by County Council.

9.10 THIRTY-YEAR SERVICE RECOGNITION

9.10 A \$5,000 Service Recognition Award will be conferred on any regular full-time employee who achieves thirty continuous years of service in Colleton County government. All such awards are paid contingent upon budget appropriation, and payment will be scheduled for all eligible recipients in December of the appropriate fiscal year.

9.11 ESTABLISHMENT AND MAINTENANCE OF ANNIVERSARY DATE

9.11A For benefits not based on position longevity or other factors specifically noted elsewhere within this policy, the anniversary date of the employee will be the date of commencement of full-time employment with Colleton County.

9.11B No employee will have days deducted, or an anniversary date advanced, for National Guard duty or military leave except in compliance with federal law affecting said leave.

10.0 WAGES AND HOURS

10.1 OVERTIME

10.1A When operating requirements or other needs cannot be met during regular working hours, employees may be required to work overtime hours. When possible, advance notification of these mandatory assignments should be provided. All overtime work must receive the Department Head's or the County Administrator's prior authorization. Overtime assignments should be distributed among all employees qualified to perform the required work. Supervisors, Department Heads and the County Administrator are responsible for ensuring that no unauthorized overtime hours are worked.

10.1B Overtime worked by non-exempt employees will be compensated by pay or compensatory leave (See 10.5 below) provided such determination is made by the Department Head prior to the performance of the overtime work and subject to budgetary appropriation, County policy, and State and Federal regulations.

10.2 PAID OVERTIME COMPENSATION

10.2A Overtime will be compensated to all non-exempt hourly employees in accordance with applicable federal and state wage and hour regulations subject to budgetary appropriations and County policy. Overtime must be approved by an employee's supervisor or Department Head before it is performed.

10.2B Overtime is based on actual hours worked. All paid leaves, i.e., vacation leave, sick leave, holidays or any other paid leave of absence, are not considered hours worked for purposes of performing overtime calculations

10.2C All non-exempt employees, except certified Law Enforcement personnel, and bailiffs will be compensated for overtime at time-and-one-half for all hours worked over forty (40) in a seven (7) calendar day work week.

10.2D Eligible certified Law Enforcement personnel and bailiffs will be compensated for overtime at time-and-one-half for all hours worked over 86 in a fourteen (14) calendar day pay period.

10.3 ACCRUED COMPENSATORY LEAVE TIME

10.3A Compensatory Leave time may be accrued by all eligible non-exempt hourly employees in accordance with applicable federal regulations.

10.3B All non-exempt employees, except certified Law Enforcement personnel and bailiffs may accrue Compensatory Leave time for overtime at time-and-one-half for all hours worked over forty (40) in a seven (7) calendar day work week, with total hours accrued not to exceed 240 hours in accordance with applicable federal laws. The limit for maximum number of hours accrued may be decreased at the discretion of the County Administrator. All authorized overtime hours worked above the applicable federal law or Administrator established limit will be paid at time-and-one-half.

10.3C Eligible certified Law Enforcement personnel and bailiffs may accrue Compensatory Leave time at time-and-one-half for all hours worked over 86 in a fourteen (14) calendar day pay period, with total hours accrued not to exceed 480. The limit for maximum number of hours accrued may be decreased at the discretion of the County Administrator. All authorized overtime hours worked above the applicable federal law or Administrator established limit will be paid at time-and-one-half.

10.4 TIMEKEEPING

10.4A Accurately recording time worked is the responsibility of every employee. Federal and state laws require Colleton County to keep an accurate record of time worked each day in order to calculate employee pay and benefits. Time worked is all the time actually spent performing assigned duties.

10.4B All employees are to accurately record time actually worked in each workday. Employees are to record to the minute without rounding the actual time started, actual time stopped, beginning and ending times of any split shift, beginning and ending times of each meal period, and beginning and ending times of any departure from work for personal reasons. This information is to appear on the left side of the time sheet before the area entitled "Summary to be Completed by Dept/Official". The Department Head is to record time in the "Summary" area on the right side of the time sheet converting minutes worked to the nearest quarter hour.

10.4C Employees are not to tamper, alter, or falsify time records, record time on another employee's time record, or misrepresent in any way the actual times worked.

10.4D Non-exempt (hourly) employees are to report to work no more than seven (7) minutes prior to their scheduled starting time and are to stay no more than seven (7) minutes after their scheduled stop time without express, prior authorization from their Department Head.

10.4E Employees are to record actual time worked and sign their time record to certify the accuracy of all time recorded. The Department Head is to review the time record for accuracy of time worked and compliance with policies, completing on the right side of the time sheet the area entitled "Summary to be Completed by Dept/Official". The Department Head's signature on the time sheet indicates his certification of accuracy and compliance with all policies. All time sheets submitted for payroll processing are to have the signatures of the employee and his Department Head.

10.4F Hours of work are to be coordinated by the Department Head and the County Administrator to ensure the greatest service to the citizens of Colleton County.

10.4G Work schedules identifying the specific beginning and ending times of the work week and work period and the beginning and ending times of the work day are to be established by Department Heads and should be displayed in areas easily accessible to employees.

10.4H Applicable federal law authorizes time "swaps" by certain emergency medical service employees. Colleton County Fire and Rescue is to adopt procedures for managing swaps appropriately where specifically allowed by applicable federal law. Time is to be recorded on Time Sheets as originally scheduled as though those hours were actually worked. Swap hours are not to appear on Time Sheets. Failure to report for an agreed upon swap may result in disciplinary action of the employee originally scheduled to work.

10.5 WORK WEEK

The established work week for all employees is:

Start: 12:01 AM - Monday
-- seven calendar days --
Stop: 12:00 Midnight - Sunday

10.6 WORKDAY & SHIFT

10.6A Non-Shift Employees:

Colleton County offices are open from 8:00 a.m. until 5:00 p.m., Monday through Friday. Regular full-time, non-shift employees and administrative Law Enforcement employees are scheduled to work eight (8) hours per work day. The County Administrator may approve alternate hours for seasonal requirements.

10.6B Shift Employees:

Certified Law Enforcement employees are typically scheduled to work twelve (12) hour shifts; and Certified Firefighters are usually scheduled to work either twenty-four (24) or ten (10) hour shifts.

10.6C Day Rate Employees

Day Rate Employees (bailiffs and other designated employees) are paid a flat sum for a day's work without regard to the number of hours worked in the day, except that overtime compensation will be calculated for all hours actually worked in excess of 86 hours in a fourteen (14) calendar day pay period.

10.7 PAYROLL

10.7A Colleton County employees are paid on a bi-weekly basis through direct deposit on Fridays. Employees are required to provide bank routing and account information to Human Resources within two weeks of the date of hire so that payroll direct deposit can be processed with the bank of the employee's choosing. Payroll is processed and transferred according to the schedule required by the Federal Reserve. Posting times for banks vary and the County has no control over or responsibility for when a particular bank posts payroll to an individual account.

10.7B Failure to maintain a bank account and to provide notice to Human Resources of any changes can result in significant delays in receipt of pay.

10.7C Payroll transmittal sheets, along with employee time sheets, are due in the Finance Office by noon on the Monday of each payroll week. On occasions where holidays fall during the pay week, Finance will notify Department Heads of any change required for the submission of transmittal sheets.

10.7D Questions regarding paychecks should be directed to immediate supervisors and Department Heads first.

10.7E Requests for duplicate copies of paychecks and W-2 Forms should be submitted to the County Finance Office in writing along with applicable fees in accordance with County ordinances.

10.8 MEAL PERIODS

10.8A All regular full-time employees are to be provided an unpaid meal period of one (1) hour per day. The Department Head is to schedule a reasonable time during regularly scheduled work hours for employees for the purpose of eating their meal. Employees are expected to observe the schedule for taking their meal period and to return promptly to their workstation within the allotted time.

10.8B All non-exempt (hourly) employees are to leave their work station during their lunch hour as an hourly employee's lunch time which is subjected to interruption by work related telephone calls or customer questions may be considered work time.

10.9 PAY PERIOD

10.9A The established pay period for all employees is as follows:

Start: 12:01 AM – Monday
--fourteen calendar days –
Stop: 12:00 Midnight - Sunday

10.9B The payroll pay date, the date on which employee's pay is available to banks for posting to employee's accounts, shall be the Friday following the Midnight Sunday pay period end. Payroll is processed and transferred according to the schedule required by the Federal Reserve. Posting times for banks vary, and the County has no control over or responsibility for when a particular bank posts payroll to an individual account.

10.9C For certified Law Enforcement personnel and bailiffs, overtime/compensatory leave accrual eligibility is based on the number of hours actually worked in the County's established fourteen (14) day pay period.

11.0 ATTENDANCE AND LEAVE PROCEDURES

11.1 Colleton County provides specific leave opportunities. The granted leaves should be used wisely and for the intended purposes. In no circumstances will any paid leave (sick, annual, bereavement, etc.) be paid out for time over and above an employee's regularly scheduled work week. For example, a regular, 40-hour per week employee, who takes a day of sick leave during a week in which he actually works a full 40 hours, will not receive eight hours of sick leave pay in addition to 40 hours of regular pay. The sick leave will not be deducted from the employee's sick leave balance, and the employee will be paid for the 40 hours actually worked. No leaves will accrue when an employee is off the payroll for reasons including, but not limited to, Workers Compensation absence, military duty, or extended unpaid FMLA absence.

11.2 New employees will not be permitted to use annual leave until they have completed their initial introductory period (six months). Other benefits, which are required by law or Colleton County policy, are available to new employees unless otherwise specified.

11.3 ANNUAL LEAVE

11.3A It is the policy of Colleton County to provide paid annual leave (commonly referred to as vacation leave) to all eligible employees.

11.3B Eligibility

11.3B(1) Annual leave accrual will begin with the employee's date of hire; however, annual leave cannot be used until the new employee successfully completes his or her

introductory period. Part-time (less than 20 hours) and temporary employees are not eligible for annual leave with pay.

11.3C Accrual

11.3C(1) All regular full-time employees accrue annual leave with pay based on their anniversary date of employment according to the following schedule:

11.3C(1)(a) Employees with less than ten years of service with the County accrue annual leave as follows:

- For a 40-hour work week, 3.08 hours per pay period
- For 24-hour shift work, 4.62 hours per pay period
- For a 43-hour work week, 3.31 hours per pay period.
- For a 53-hour work week, 4.08 hours per pay period.

11.3C(1)(b) Employees with ten or more years of service with the County accrue annual leave as follows:

- For a 40-hour work week, 4.62 hours per pay period
- For 24-hour shift work, 6.92 hours per pay period
- For a 43-hour work week, 4.97 hours per pay period.
- For a 53-hour work week, 6.11 hours per pay period.

11.3C(2) The anniversary date of employees, for annual leave purposes, will be the date-of-hire into a regular full-time position with no break in employment.

11.3D Maximum Carry-Over Per Fiscal Year

The maximum carry-over amount of vacation time per fiscal year is twenty (20) days. For each work schedule, the number of hours in an annual leave day is the same as the number of hours defined for a holiday day in Section 11.4C of this Manual. Any accrued, unused vacation leave in excess of this carry-over limit will be forfeited and deleted on June 30th of each year.

11.3E General Information

11.3E(1) Except in the case of an emergency, all annual leave is to be approved, in writing and in advance, by the employee's Supervisor, Department Head, or the County Administrator as applicable. An employee wishing to take annual leave should request approval as soon as possible but at least one week in advance. All requests for annual leave will be in increments of no less than one (1) hour.

11.3E(2) Colleton County endeavors to allow employees to take paid annual leave at times most convenient to them. However, in order to ensure continued, smooth operation and maintain a high quality in the delivery of services to the citizens of Colleton County, the County Administrator reserves the right to limit the number of employees who may be absent from a given Department or unit at any one time. When there is a conflict in the schedule of two or more employees who cannot be accommodated at the same time, the Department Head will make the determination giving preference to the employee with the longest continuous service to the County except where a request from an employee with less time has previously been received and approved by the Department Head.

11.3E(3) On occasion, it may be necessary for the Department Head or the County Administrator to require an employee to work in lieu of taking his or her scheduled annual leave. Employees who work their scheduled annual leave may reschedule their annual leave.

11.3F Units of Annual Leave

11.3F(1) An employee's annual leave credit shall be charged for the actual time an employee is away from the job. No leave, compensatory time, or other non-work time is credited toward overtime. Overtime is based only on the hours actually worked by an employee.

11.3G Payment Of Annual Leave Upon Separation From Employment

11.3G(1) An employee, who gives and works a proper two-week notice prior to leaving County employment, is to be paid for any accrued, unused annual leave hours not used or forfeited. The County Administrator may, at his sole discretion, waive the requirement for a two-week notice in the case of an extreme emergency or when it is deemed to be in the best interest of the County.

11.4 HOLIDAYS

11.4A All full-time employees are eligible for holiday leave with pay, from date of hire, for the following official paid holidays:

- (1) New Year's Day (January 1)
- (2) Martin Luther King, Jr's Birthday (Third Monday in January)
- (3) President's Day (Third Monday in February)
- (4) Confederate Memorial Day (May 10)
- (5) Memorial Day (Last Monday in May)
- (6) Independence Day (July 4)
- (7) Labor Day (first Monday in September)
- (8) Veteran's Day
- (9) Thanksgiving Day (Fourth Thursday in November)
- (10) Day After Thanksgiving (Fourth Friday in November)
- (11) Christmas (December 25)
- (12) Day After Christmas (December 26)
- (13) Third day for Christmas if the Governor declares a third day of holiday for State employees.

and any other day so designated by the Colleton County Council.

11.4B Recognized holidays that fall on a Saturday will be observed on the preceding Friday and recognized holidays that fall on a Sunday will be observed on the following Monday, unless designated otherwise by County Council.

11.4C For each official holiday worked, employees will receive holiday leave pay based on the standard workday as follows, subject to appropriations and available funding, and actual hours worked in accordance with the paragraphs below in this policy:

- For 40-hour work week (2080 scheduled hours per year): 8 hours per holiday day

- For 24-hour on/48-hour off shift work (2920 scheduled hours per year): 12 hours per holiday day
- For 43-hour cycle work week (86 hours per pay period and 2236 scheduled hours per year): 8.6 hours per holiday day
- For 53-hour cycle work week (106 hours per pay period and 2756 scheduled hours per year): 10.6 hours per holiday day.

11.4D Shift employees receive holiday leave pay equal to the number of hours allowed per holiday as noted above.

11.4E Any non-shift employee who must work all or a portion of the actual or scheduled holiday is eligible to receive another day off or equivalent portion thereof. This holiday credit is tracked internally by each department head, and the holiday time must be taken within sixty (60) days from the date the holiday is observed or it is forfeited. Each department must develop its own method of tracking holiday time credit for employees, and since credits are forfeited after sixty (60) days, each employee should consult his department head as to the method of recording accrual of this time credit per pay period. Employee holiday leave balances are temporary and non-reimbursed at time of termination, and so are not tracked by the Finance Office and will not be reflected on employee paychecks.

11.4F When a paid holiday is observed by Colleton County during the period an employee is on annual leave or sick leave, the employee will receive only his or her regular holiday leave pay, and that day will not be charged against the employee's annual leave accrual or sick leave accrual.

11.5 SICK LEAVE

11.5A Colleton County provides paid sick leave benefits to regular, full-time employees for periods of temporary absence due to illness or injury. Sick leave is a privilege and not a right an employee may demand. A Department Head or the County Administrator may require that an employee provide a medical excuse for sick leave of any duration at any time. If a medical excuse is not available as requested, then any authorization for sick leave may be rescinded and the employee may not be paid for the time missed. Failure to provide the requested medical excuse may result in disciplinary action.

11.5B Eligibility

11.5B(1) Sick leave accrual will begin on the employee's date of hire. Part-time, temporary, and PRN employees are not eligible for sick leave with pay.

11.5C Accrual

11.5C(1) Regular full-time employees accrue sick leave with pay according to the following schedule:

- For a 40-hour work week, 3.7 hours per pay period
- For 24-hour shift work, 5.54 hours per pay period
- For a 43-hour work week, 3.97 hours per pay period.
- For a 53-hour work week, 4.89 hours per pay period

11.5D Sick leave normally will not be advanced. However, the County Administrator may consider advancing up to ten (10) days of sick leave in emergency situations such as serious illness

of a spouse, parent, child, grandparent, sister, or brother, or for significant medical needs of the employee himself. In all such cases, the likelihood of the employee returning to work in the time advanced must be high. The Administrator may also consider advancing up to ten (10) days of sick leave in the event an employee, who was injured at work, does not have sufficient combined sick leave, annual leave, holiday leave, and compensatory leave accrued to continue regular pay during the Worker's Compensation waiting period.

11.5E Units of Sick Leave

11.5E(1) For all employees, sick leave credit shall be charged for the actual time (or at a maximum in quarter hour increments) an employee is away from the job. Sick leave hours used do not count towards calculation for overtime pay or compensatory leave accrual.

11.5F Maximum Carry Over Per Fiscal Year

The maximum carry-over of sick leave per fiscal year is sixty (60) days. For each work schedule, the number of hours in a sick leave day is the same as the number of hours defined for a holiday day in Section 11.4C of this Manual. Any accrued, unused sick leave hours in excess of this limit will be deleted on June 30th of each year.

11.5G Authorized Uses Of Sick Leave:

11.5G(1) Sick leave may be used in the following situations:

- Personal illness or injury
- Appointments for the employee to see a medical professional (doctor, dentist, etc.)
- Exposure of an employee to a disease requiring quarantine.
- Illness or injury of a family member or the doctor's appointment of a family member. An employee may use a maximum of twelve (12) days sick leave per fiscal year for illness/injury/doctor's appointments of immediate family members with immediate family member defined as spouse, parent, child, grandparent, sister, and brother.

11.5H General Information

11.5H(1) In order to be eligible for sick leave with pay, an employee is to:

11.5H(1)a Report to his supervisor within one (1) hour of the scheduled starting time to advise the reason for the absence and request sick leave. An employee who fails to make the request and receive approval from his immediate supervisor may not be paid for the time taken prior to notification. Misuse of sick leave will result disciplinary action, and continued, unapproved absence will become a compulsory resignation without status.

11.5H(1)b Keep his/her supervisor advised concerning the illness or injury and the anticipated date of return.

11.5H(1)c Provide a written certificate from a licensed physician or nurse practitioner certifying that the employee's condition prevented him from performing the duties of his position for any absence that extends beyond three (3) consecutive workdays to be eligible for paid sick leave. The County Administrator or Department

Head may at any time require an employee to obtain medical certification (original, signed documentation) for any paid sick leave taken and/or medical certification that an employee is capable of returning to work.

11.5H(2) If an employee at work cannot adequately perform his duties or if he may present a danger of injuring or infecting other employees, the Department Head or the County Administrator may place the employee on sick leave or unpaid leave until the employee obtains medical certification as to his ability to perform job duties in a safe and efficient manner.

11.5H(3) An employee who has exhausted his accrued sick time and who is experiencing an absence, which meets sick leave eligibility requirements, may elect to use accrued annual leave.

11.5H(4) When sick leave and accrued annual leave, if applicable, have been exhausted, the affected employee may continue on Family Medical Leave if he is eligible in accordance with this Policy or he may be removed from the payroll. When an employee is on authorized sick leave without pay, the employee is responsible for payment of any authorized payroll deductions. Failure to submit prompt payment for these deductions will result in termination of benefits and may result in removal from the payroll.

11.6 BEREAVEMENT LEAVE

11.6A All full-time employees may use a maximum of three (3) standard leave days (See paragraph 11.4C) per calendar year, for bereavement leave in the case of death in the immediate family. All such leave must be approved in writing in advance by the appropriate Department Head or County Administrator. Bereavement leave must be taken within seven (7) calendar days of the funeral service.

11.6B For the purposes of this policy, immediate family is defined as spouse, parent, child, grandparent, sister, brother, parent-in-law, grandparent-in-law, brother-in-law, and sister-in-law. The immediate family will be considered to include step-parents, step-children, step-brothers, and step-sisters only when the employee and the deceased had lived together regularly in the same household at or prior to the time of death. Unrelated employees residing together in an apparently romantic relationship will be treated as being within the immediate family of each other for the purposes of bereavement leave.

11.6C If additional leave is needed, the employee may request to use accrued annual leave.

11.6D The Department Head or County Administrator may require that proof of death be submitted before payment will be authorized. The employee's supervisor is to obtain and record in writing the full name of the deceased, relationship to the employee, the funeral home in charge of arrangements, and the time of the funeral. The Department Head is to certify and submit this information along with the payroll reporting the bereavement leave. Failure to submit the required documentation with the timesheet will result in the leave being docked from annual leave accrual first, compensatory time second, and then treated as leave without pay.

11.7 VOTING DAYS

Colleton County encourages employees to fulfill their civic responsibilities by participating in elections. Generally employees should be able to find time to vote either before or after their regular work schedule. The Department Head will attempt to coordinate with the employees where possible to allow annual leave or minor shift flexibility on voting days for employees whose work schedules make getting to their polling place difficult.

11.8 JURY DUTY LEAVE

11.8A Time off for mandatory jury duty is excused leave, and the hours actually spent on jury duty, when the hours of jury duty conflict with an employee's work hours, will be considered paid leave provided that proof of duty is verified by the employee's Department Head. Any period of time for which an employee is excused from jury duty because of illness will be charged to sick leave.

11.8B An employee will be paid for wages lost from scheduled straight-time work due to jury service up to a maximum of four weeks per year. In order to qualify for this payment an employee called for jury service must give his supervisor notice of such service within two work days of the time the employee is called for such service. The employee must report to work if released by the court on any day of jury service, unless, at the discretion of the employee's supervisor, reporting to work would be highly impractical due to travel time, etc. It is the employee's responsibility to keep his supervisor periodically informed about the amount of time required for jury duty. Employees are entitled to any compensation received from the court system for jury duty.

11.9 WITNESS DUTY LEAVE

11.9A Employees subpoenaed to appear in court as a witness on behalf of Colleton County in court will be entitled to civil leave with pay for such period as his court attendance may be required when the hours of court duty conflict with the hours of his work, provided that proof of appearance is verified by the employee's Department Head.

11.9B If the Courthouse is within reasonable commuting distance, the employee is expected to report for work when released from witness duty if it does not conflict with court obligations. It is the employee's responsibility to keep his supervisor periodically informed about the amount of time required for court appearances.

11.9C Employees are entitled to any compensation received from the court system for official court attendance on behalf of Colleton County.

11.9D Time spent by an employee in court for a work-related case on behalf of Colleton County is considered as hours worked for the purposes of APPLICABLE FEDERAL LAW.

11.10 PRIVATE LITIGATION LEAVE

Approved absence of a Colleton County employee in order to appear in any capacity in private litigation or in litigation against the County as a plaintiff is to be charged to annual leave.

11.11 MILITARY LEAVE

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of such laws change from time to time and, for that reason, no effort is made to set forth the law in this policy.

11.12 PERSONAL LEAVE

11.12A This section applies only to employees employed less than twelve months, to employees who have worked fewer than 1,250 hours in the preceding twelve months, and to employees whose reasons for leave are not covered by the Family and Medical Leave Act.

11.12B An employee who has completed his initial probation is eligible to apply for a leave of absence for up to twelve weeks when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Personal leaves are not normally approved, but may be granted only at the discretion of the County Administrator with a written recommendation by the employee's Department Head. Granting of such leave does not guarantee reinstatement of an employee to his former position or to a position equivalent to his former position. Employees still in their introductory periods who are absent for more than five consecutive scheduled workdays because of any physical disability are to be removed from the payroll, but may be eligible for rehire.

11.12C An employee should apply for consideration for a leave of absence as far in advance of need as is possible. A Department Head, with the approval of the County Administrator, may place an employee on unpaid leave status when the circumstances warrant such action.

11.12D Personal Leave for a physical disability will begin on the first day of absence.

11.12E As a general rule, an employee on personal leave, who has exhausted all sick and/or vacation time, is not entitled to wages, does not accrue fringe benefits, and is responsible for payment of any benefits normally paid through payroll deduction. Certain exceptions may be established by law, but any other exceptions will be listed in this Section.

11.12F Employees desiring to return to work from an unpaid leave of absence should notify the Department Head in writing at least ten (10) days prior to their desired date of return. If the County finds that the employee is fit to resume his duties, the employee may be recalled to his former job if a vacancy exists and is to be filled. If no such vacancy exists, the employee may be recalled to any vacancy, which is to be filled and for which he/she is qualified and selected on a competitive basis. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. Any employee, who has not been reinstated within six (6) months following the commencement of a leave of absence, is to be removed from the payroll. This action shall not affect the employee's eligibility to compete for hire as a new employee at some future time.

11.13 FAMILY AND MEDICAL LEAVE ACT

11.13A This section applies only to employees employed twelve (12) months or longer and who have worked 1,250 hours or more in the preceding twelve (12) months, both prior to commencement of leave.

11.13B Rights under FMLA: Employees who meet the length of service and hours worked requirements described above have rights under the Family and Medical Leave Act. Employees may request leaves of absence under this policy for the reasons listed in paragraph 11.13C. It is the policy of Colleton County to count as FMLA time, any time off related to a medical condition that meets FMLA requirements. This time will be deducted from the twelve weeks of allowed time.

11.13C Reason for Leave of Absence: An eligible employee will be granted a leave of absence under the FMLA when: (1) a serious health condition, including disability resulting from an on-the-job injury (a Worker's Compensation injury/illness), prevents the employee from being able to perform his job; (2) the employee's spouse, child, or parent has a serious health condition and the employee must be absent from work in order to care for that relative; or (3) an employee must be absent from work in order to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end twelve (12) months after a natural child is born or twelve (12) months after an adopted or foster child is received in the employee's household. **Proof of need for leave of absence must be submitted to Human Resources within fifteen (15) days of application for FMLA leave.**

11.13D Length of Leave: An eligible employee is entitled to the equivalent of a total of twelve (12) work weeks of leave during any twelve (12) consecutive months. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary. Such modified work schedule shall be arranged with the Department Head. Time spent on a light duty assignment is considered part of the twelve (12) weeks of leave since the employee on light duty is still prevented from performing the full duties of his regular position.

11.13E Effect of Leave on Paid Time Off: An employee who must be absent due to his own disability will be paid for time lost from work first from accrued sick leave balances and then from accrued annual leave balances and similar balances. An employee who takes leave for any other reason will be paid for time away from work from his annual leave balance and any other eligible balances.

11.13F Effect of Leave on Accrual of Fringe Benefits

11.13F(1) Health Benefit Plan: Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages.

11.13F(2) Accruals: Unpaid time away from work due to leave granted under this policy is not considered time worked for the purposes of accrual of any paid time off or paid leaves.

11.13G Employee Responsibility: Employees who request leave under this policy must give thirty (30) days advance notice or such lesser amount of notice as is possible in the particular circumstances.

11.13H Light Duty: Employees who accept a light duty assignment because of a condition which qualifies them for FMLA leave will have a right to restoration to their regular positions for up to twelve (12) weeks including time spent on FMLA leave and time spent on light duty.

11.13I Termination of Leave of Absence: A leave of absence under this policy will end when the need for the leave of absence ends, or when the maximum leave described above has been taken, whichever occurs sooner.

11.13J Reinstatement: At or before the conclusion of the FMLA leave of absence (or twelve (12) week combination of leave of absence and time spent on light duty), the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee must demonstrate that he is fit for duty, provide medical documentation of fitness, and give reasonable notice of intent to return to work.

11.13K Pre-COBRA 14-Week Benefit Period

11.13K(1) An employee who is unable to perform the duties of his position due to his own disability and who has exhausted his entitlement to leave under the Family and Medical Leave Act by taking twelve (12) weeks of leave and who continues to require leave, which would qualify for FMLA if such leave had not been exhausted, will upon written application, be granted up to an additional fourteen (14) weeks of unpaid leave of absence. This additional leave of absence does not entitle the employee to reinstatement to his former position or an equivalent one nor to payment of any portion of his health benefit plan premiums. The employee will be removed from the payroll and carried in a terminal leave status for the additional fourteen (14) weeks on the County's health and dental insurance policies. The employee will be responsible for full and timely payment of the cost of this insurance and shall be responsible for making direct payment of any non-County sponsored, payroll deducted plans, such as optional insurance with independent carriers. Failure to make payments when due results in cancellation of insurance coverage. If the employee is able to return to work prior to the exhaustion of his extended leave, he may be returned to his previous position if there is a vacancy in it, which is to be filled, or to some other position of equal or lesser compensation for which he is qualified and in which there exists a vacancy, which is to be filled. In either case, the employee would be required to apply and compete for the available position. If the employee is not returned to active employment, he will continue on extended leave of absence status until he is returned to active duty status or until his extended leave of absence expires, whichever occurs sooner.

11.13K(2) Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave which would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only at the discretion of the County Administrator upon recommendation of the Department Head.

11.13L Automatic Termination of Employment: An employee's employment will automatically terminate if he does not return to full active employment status at the conclusion of his approved leave of absence or extended leave of absence.

11.13M Special Situations:

11.13M(1) Spouses: When both a husband and a wife are employed, their combined right to a leave of absence to care for a child or parent is twelve (12) weeks in a twelve (12) month period.

11.13M(2) Key Employees (salaried employee in highest paid 10% of all employees): Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

11.13N NOT A CONTRACT

THIS POLICY DOES NOT CREATE CONTRACT RIGHTS.
IN NO CASE WILL AN EMPLOYEE HAVE A GREATER RIGHT TO A JOB
THAN HE WOULD HAVE HAD IF HE HAD NOT TAKEN LEAVE UNDER
THIS POLICY.

11.14 LEAVE WITHOUT PAY

11.14A Employees who have no available paid leaves may be considered for limited leave without pay by Colleton County, upon recommendation from the Department Head and if approved by the County Administrator. No leave without pay will be granted if the employee has any accumulated applicable leave or compensatory time available. The employee should submit the reasons for the leave and its probable duration. Such leave without pay does not entitle the employee to reinstatement to his former position or an equivalent one, nor to payment of any portion of his health benefit or other plan premiums.

11.14B An employee on any leave without pay (Worker's Compensation, FMLA, etc.) will be responsible for paying to the County the employee's portion of health insurance and any other elected payroll deductions. Failure to make these payments when due will result in the loss of those benefits.

11.14C At the conclusion of the approved leave without pay, the employee may be reinstated to his original position, if it is available, retaining his original date of hire. If his original position is not available, the employee may apply and compete for any open position for which he is qualified. If the employee is selected for such a position, he will retain his original date of hire, and the position change will be treated as a lateral transfer, promotion, or demotion as applicable.

11.14D If an employee fails to report to work promptly on the next business day following the end of the approved leave without pay, it is assumed that the employee has resigned and he is to be removed from the payroll.

11.15 OPERATIONAL SHUTDOWN LEAVE

At times, emergencies such as severe weather, fire, power failure, etc., can disrupt Colleton County operations. In extreme cases, these circumstances may require the County Administrator to direct the closure of one or more work facilities. In the event that the County directs the shutdown of offices, operational units, etc., employees may be temporarily reassigned to work as directed by the County. Employees designated to report to work during emergency closing situations will be notified by their Department Head or the County Administrator or a designee. No paid shutdown leave will be authorized without the prior approval of the County Administrator. Shutdown leave is to be allocated and managed similar to Annual Leave if authorized.

12.0 EMPLOYEE BENEFIT PROGRAMS

12.1 FRINGE BENEFITS

12.1A HEALTH INSURANCE - Colleton County pays a portion of the premium cost of the full-time County employee's individual health insurance coverage. The employee also pays, through

payroll deduction, a portion of that cost plus the cost of any elected dependent coverage (if available). For details, employees are to contact Human Resources.

12.1B COBRA - Employees eligible for Colleton County health insurance may be eligible for COBRA coverage in the event they are no longer eligible for coverage; if their work hours are reduced; or, if there is a change in family status - birth/adoption, marriage/divorce, etc. It is the employee's responsibility to notify Human Resources of any change in family status within ten (10) work days. For further details regarding continuing or converting group health insurance benefits, employees are to contact Human Resources.

12.1C SOCIAL SECURITY - All employees are automatically enrolled in the federal Social Security System. The amount paid by the employee into the Federal Social Security System is matched by Colleton County in accordance with state and federal regulations.

12.1D WORKERS' COMPENSATION INSURANCE - Colleton County maintains worker's compensation insurance on employees and specified volunteers (which may include volunteer firemen, rescue workers/EMT's, auxiliary/reserve deputies, volunteer constables, or inmates) as prescribed by the South Carolina Workers' Compensation Law. No other volunteers and no contractors are covered.

12.1E RETIREMENT

12.1E(1) Colleton County participates in the South Carolina Retirement System (SCRS) Program. All full-time County employees can be covered under the South Carolina Retirement System Program in accordance with SCRS regulations. A retirement plan is also available for part-time employees under certain conditions.

12.1E(2) Assistance to retirees is subject to change annually and contingent upon Council appropriations in the annual budget.

12.1E(3) Employees not on the TERI program who are eligible to retire under the South Carolina Retirement System or the South Carolina Police Officers Retirement System and who wish to return to work following retirement in their pre-retirement position, may be reinstated in said position after the fifteen (15) day removal from the payroll required by the Retirement System. The following procedures are required:

12.1E(3)(a) The employee shall make a request in writing through his Department Head to the County Administrator asking to be considered for reinstatement to his pre-retirement position following the fifteen (15) day break in employment. Such request shall be provided prior to or concurrent with the initiation of retirement paperwork with Human Resources.

12.1E(3)(b) The County Administrator, with recommendation from the Department Head if applicable, shall advise the employee within three days of receipt of the request whether or not the reinstatement is approved.

12.1E(3)(c) The employee and the County Administrator shall sign a Retirement and Position Reinstatement Form agreeing on the terms of the reinstatement.

12.1E(3)(d) The County shall not be required to advertise or post the position as a vacancy based on the agreement to reinstate the employee following his Retirement System required break in employment.

12.1E(3)(e) The employee retiring with an agreement for reinstatement shall be in all other respects subject to the terms and conditions of the normal retirement process including but not limited to payout of annual leave balances, changes in health insurance status and premium payments, and zeroing of sick time balances.

12.1F UNEMPLOYMENT INSURANCE - Contact the SC Employment Security Commission with all inquiries concerning unemployment benefits.

12.1G PAYROLL DEDUCTIONS - Colleton County will make deductions from employees' pay for any retirement contribution, any approved optional deductions, and for social security, federal income tax and South Carolina income tax as required by law.

12.1H WORKERS COMPENSATION PROGRAM

12.1H(1) Colleton County provides a comprehensive workers compensation insurance program to provide for payment of employee medical expenses and for partial salary continuation in the event of a work-related injury or illness. The amount of benefits payable and the duration of payment depend on the nature of the injury or illness. Subject to applicable legal requirements, workers compensation insurance provides benefits to employees incapacitated and absent from work in excess of seven (7) days because of an on-the-job bodily injury or illness.

12.1H(2) An employee who sustains a work-related injury or illness must inform his Department Head immediately. All injured employees will be drug tested within twenty-four hours of the injury. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately to Risk Management. Following the initial reporting, it is the responsibility of the Department Head to contact Risk Management within twenty-four (24) hours of any employee injury to provide all information necessary for the completion of the First Report of Injury. This will enable an eligible employee to receive appropriate medical treatment and will provide for payment of compensable medical expenses and partial wage continuation by the insurance carrier. The 12-week Family Medical and Leave Act entitlement shall not run concurrently with any absence or light duty assignment resulting from a Workers Compensation injury/illness.

12.1H(3) When an employee returns to work from an absence caused by a work-related injury or illness, his supervisor must report the return immediately to the Department Head and Risk Management.

12.1H(4) Questions regarding workers compensation should be directed to Risk Management or Human Resources.

12.2 EQUIPMENT AND SUPPLIES

12.2A It is the policy of Colleton County to provide good quality tools, equipment, vehicles, machines, facilities, materials and supplies to carry on official Colleton County business. Colleton County, like any other business, must control its costs and reduce waste and other abuse of tools,

equipment, vehicles, facilities, materials, and supplies. Each employee's cooperation in controlling costs and reducing waste is expected. Employees who lose or abuse Colleton County provided equipment and/or supplies will be responsible for payment for same and may be subject to disciplinary action.

12.2B Defective equipment, vehicles, or machines must be promptly reported to the supervisor or Department Head in order that appropriate corrective action may be taken.

12.2C Use of Colleton County equipment, tools, machines, vehicles, facilities, real property, materials, and supplies for personal work/reasons at any time is prohibited. All employees are to report any observation of violations to supervision immediately.

12.2D Employees who have a financial obligation to Colleton County for any pay or expense advance, overpayment, breakage, or shortage will be required to enter into, through Human Resources, a written acknowledgment of the obligation and repayment agreement at the time it is incurred. The value of Colleton County equipment is considered an advance of wages.

12.3 UNIFORMS

12.3A Colleton County will furnish uniforms and the appropriate safety equipment, i.e., goggles, hard hats, rain gear, boots, chaps, etc., to designated employees subject to budgetary appropriations.

12.3B An employee who is designated to wear a uniform and who reports for work out of uniform will be sent home and not paid for the time he is away from work. The complete issued uniform, which may include shirt, pants, coats, and shoes, must be worn at all times. Uniforms are not to be worn in off duty hours.

12.3C Employees who separate from employment will be responsible for turning in all supplied Colleton County uniforms and safety equipment. Separating employees will be responsible for payment of any missing or damaged uniforms or equipment. Deductions may be made from an employee's final paycheck(s) for missing items.

12.4 TRAVEL AND SUBSISTENCE ALLOWANCE

12.4A When Colleton County employees are required to travel on official Colleton County business, allowances for transportation, meals, and general travel costs will be regulated in the following manner:

12.4A(1) Transportation may be accomplished by common carrier, private carrier, or Colleton County vehicle. Upon authorization by the Department Head and/or the County Administrator, an employee may utilize his personal vehicle at a mileage rate established in the annual budget ordinance. However, in no instance will allowance for travel by any means exceed the cost of Common Air Carrier, Coach Fare. Requests for reimbursement must be presented on the approved Colleton County Reimbursement or Voucher Form with required original receipts.

12.4A(2) The Internal Revenue Service views meal reimbursement as taxable income except in cases involving overnight travel or substantiated business connection, therefore the cost of meals for non-overnight travel or for travel within Colleton County shall

not be reimbursed unless there is a substantiated business connection documented by an original receipt and a statement as to the purpose of the meeting, the time, the location, and who was in attendance. Meals for non-overnight travel that meet the substantiated business connection criteria will be reimbursed up to the maximum per diem amount as established in the annual budget ordinance. The following two examples of non-overnight travel situations illustrate a substantial business connection, which would be eligible for reimbursement, and a taxable income situation, which would not be eligible for reimbursement:

12.4A(2)(a) Example 1: An employee attends a meeting on behalf of Colleton County. The meeting begins at 11:00 a.m. in the conference room of an office building, and the attendees agree to have lunch brought in at their own expense so the business discussion can be continued through the meal period. The County would reimburse for this meal when all documentation is provided with the voucher.

12.4A(2)(b) Example 2: An employee attends a meeting on behalf of Colleton County. The meeting begins at 11:00 a.m. in the conference room of an office building, and attendees break for lunch at noon. The employee and several other attendees go to a nearby restaurant. Even if they discuss some business issues, the County would not reimburse for this meal because under IRS regulations, this would be a taxable income reimbursement.

12.4A(3) The cost of meals (minus alcoholic beverages) for overnight travel will be reimbursed up to the maximum amount allowable as established in the annual budget ordinance. When the daily limit for meals is exceeded due to the cost of an official banquet, the excess will be allowed provided a receipt and proper explanation for the banquet charge accompanies the request for reimbursement.

12.4A(4) When lodging is required for official travel, employees are expected to utilize standard, medium-priced hotels or motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he may stay at the hotel or motel where the meeting is being held.

12.4A(5) If an employee is approved by his Department Head or the County Administrator, where applicable, to attend a convention, meeting, or conference, any registration fee will be reimbursed by the County.

12.4A(6) Requests for reimbursement for meals, lodging, registration, and other travel costs must be submitted on the approved Colleton County reimbursement or voucher form with required original receipts. Such requests must be submitted to the Finance Office within fifteen (15) days of the employee's return from the conference or meeting.

12.4B Travel Advances – An employee may request a travel advance to cover anticipated travel expenses by submitting such request on the approved Colleton County reimbursement or voucher form with explanation of the anticipated expense. Travel advances for meals shall not include per diem for the day of departure and return or for any partial days. Upon return from the trip, the employee must provide original receipts, mileage, and any other expense information to document the allowable use of advanced funds. There is no provision for advance of per diem for hotel reservations, airline tickets, conference/seminar registrations, or similar costs, which must be requested prior to departure and paid directly to the vendor.

12.5 TRAINING

12.5A Employees in good standing may be considered for training opportunities. It is the responsibility of the County Administrator to foster and promote programs of employee development and training for the Colleton County workforce. The intent of this policy is to improve the quality of services provided and to prepare employees for advancement in Colleton County service.

12.6 TUITION ASSISTANCE

Subject to annual appropriations. [Contact Human Resources for details.]

12.7 DUES AND CERTIFICATIONS

12.7A Colleton County may pay all or part of direct costs of association dues, fees, etc., or operator certification or professional certification for an employee when it is a requirement for his position or when it will directly benefit work performed for Colleton County, as determined by the County Administrator or Department Head. Prior approval of such expense from the Department Head or the County Administrator is required, and it is the Department Head's responsibility to ensure that funding is available within the department's budget. If an employee does not pass the certification examination after two (2) attempts, the employee will be responsible for all expenses of taking the examination until the certification is obtained.

12.7B The County Administrator and the Department Head should identify the various work related professional organizations and those employees authorized to participate in them. Provision for dues, fees, etc, where required will be included in the Department budget.

13.0 EMPLOYEE PERFORMANCE APPRAISAL SYSTEM

13.1 The employee performance appraisal report provides a systematic procedure by which each employee can be objectively evaluated in the performance of his job. An employee should be appraised regularly on his performance in meeting the defined position standards established in a job description to be provided to the employee by his Department Head. The performance appraisal form, when completed, will become part of the employee's permanent personnel record.

13.2 PURPOSE

13.2A Employee performance appraisal reports may be used for, but not limited to the following:

13.2A(1) Developing and establishing realistic performance standards, which provide a basis of understanding as to the level of performance expected of the employee.

13.2A(2) Allowing the individual to know where he stands in terms of performance.

13.2A(3) Providing an opportunity for discussion and counseling to further the employee's self-development and growth.

13.2A(4) Providing objective information in order to justify salary adjustments and upgrade opportunities.

13.2A(5) Maintaining a documented history of the employee's performance.

13.2B The work performance of each full-time or part-time employee should be evaluated annually during the month of January. This evaluation may be a significant factor in determining any merit increases for the next fiscal year.

13.3 EVALUATION PERIODS

13.3A Introductory Period:

During the Introductory Period, a Department Head or appropriate supervisor should conduct informal monthly reviews of the new employee's work performance. At the end of four months, a formal evaluation should be conducted and documented on a Performance Appraisal form.

13.3B End of Introductory Period:

Not more than fifteen (15) calendar days or less than three (3) calendar days prior to the end of the employee's initial six month introductory period, the appropriate Department Head and the supervisor, where applicable, should review the employee's performance and complete a Performance Appraisal form.

13.3C Annual Performance Appraisal:

A performance appraisal should be completed on an employee six (6) months following the end of the employee's introductory period, and annually thereafter in January. An annual evaluation need not be completed if the employee's last full appraisal on file is less than ninety (90) days prior to January 1st.

13.4 OTHER TYPES OF PERFORMANCE APPRAISALS

13.4A A Performance Appraisal form should also be completed for promotions, demotions, and/or transfers where applicable.

13.4B General Information:

Any employee whose performance does not meet expectations while no other disciplinary issues are involved should be notified by the appropriate Department Head or the County Administrator, in writing, as to which specific performance standards are not being met and given up to ninety (90) days to improve such performance.

13.5 PERFORMANCE BASED INCREASES

13.5(A) To be eligible for a general pay increase if funded, the employee must receive an overall rating of satisfactory or better.

13.5(B) In order to be eligible to receive a merit increase, if funded, an employee must receive an overall rating above satisfactory with a recommendation from the Department Head to the County Administrator for a finding of excellent or outstanding service.

13.6 PERFORMANCE APPRAISAL PROCESS:

13.6A All performance appraisals should be made by the employee's immediate supervisor and reviewed and approved by the next higher level supervisor. The rating will be discussed with the reviewer before it is discussed with the employee being rated.

13.6B The appraisal must bear the signature of the rater, the reviewer, and the employee. The employee must sign the appraisal to acknowledge its receipt. The complete, original document must be submitted to Human Resources to be accepted.

14.0 SEPARATION FROM EMPLOYMENT

14.1 DISCLAIMER

14.1A IN ACCORDANCE WITH COLLETON COUNTY'S EMPLOYMENT-AT-WILL POLICY THE EMPLOYEE IS FREE TO TERMINATE HIS EMPLOYMENT-AT-WILL AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE; AND, COLLETON COUNTY MAY TERMINATE THE EMPLOYMENT RELATIONSHIP WITH THE EMPLOYEE AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. However, to provide some structure to the employment practices of Colleton County, the guidelines provided in this Section 14 – Separation from Employment are hereby established.

14.1B Employees terminating from employment with Colleton County, for whatever reason, will receive their final paycheck on the payday following the end of the pay period during which the termination became effective. An employee who is terminated without status from employment with Colleton County will not receive payment for any unused leave.

14.2 RESIGNATION

14.2A An employee who voluntarily leaves the employ of Colleton County, for whatever reason, is considered to have resigned.

14.2B To resign in good standing, an employee must give his supervisor at least two (2) weeks notice in writing except in the case of a Department Head where a six (6) week notice is required. Failure to comply with this rule will be entered on the service record of the employee. Normally, failure to comply with this rule will result in denial of reemployment rights. However, the Department Head may recommend that the County Administrator waive the requirement for the notice where exceptional or emergency circumstances warrant such a waiver or where such a waiver would be in the best interests of Colleton County. The County Administrator will make the final determination of status.

14.3 COMPULSORY (INVOLUNTARY) RESIGNATION

An employee who, without valid reason fails to report to work for three (3) consecutive workdays without authorized leave is to be separated from employment and is to be reported as a compulsory

(involuntary) resignation. Such an employee is not eligible for reemployment. (This section is not intended to preclude other disciplinary action or separation for failure to maintain reliable attendance, etc.)

14.4 LOSS OF LICENSE/JOB REQUIREMENT

An employee, who is unable to perform his duties adequately due to the loss of a necessary license or other similar requirement, may be terminated from employment. At the County Administrator's discretion, such an employee may be transferred to another position for which he is qualified, if a vacancy exists.

14.5 LAYOFF

14.5A When it becomes necessary to reduce the work force in a department because of reorganization, lack of funds, or other causes, employees will be laid off on the basis of the following factors in the following order of importance:

- 1) Importance of the position to the department operations;
- 2) Average performance for the last three (3) years of service or for the entire period of less than three (3) years;
- 3) Length of service in the employees current job classification;
- 4) Length of service with Colleton County.

14.5B If a regular employee is scheduled to be laid off, he may be offered, at the County Administrator's discretion, alternate employment if a vacancy for which the employee is qualified exists.

14.5C Prior to a reduction in force, the names and class titles of any and all regular employees scheduled for layoff will be submitted to the County Administrator for approval. Layoffs will not be effective until approved by Colleton County Council. Regular employees should be notified in writing by the County Administrator at least fourteen (14) calendar days prior to the effective date of layoff. If a new position is created, employees may compete for the position as with any new position.

14.6 DISCHARGE/TERMINATION WITHOUT STATUS

Discharge/termination without status is an involuntary separation of an employee from employment with Colleton County, often disciplinary in nature. No employee will be taken off the payroll without a PAR form completed by all reviewing signatories.

14.7 DEATH

Upon the death of an employee of Colleton County, any accrued compensation or benefits due that employee will be paid into the Probate Court.

14.8 EXIT INTERVIEW

In order to reduce turnover and improve personnel administration, the Department Head, Human Resources, or the County Administrator should schedule exit interviews for separating employees. The exit interview affords an opportunity to discuss such issues as employee benefits, conversion privileges (COBRA), etc. Suggestions, complaints and questions can also be voiced.

14.9 SEPARATION PROVISIONS

14.9A Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by separation from employment. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing by Human Resources of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

14.10 SEPARATION PAY

14.10A Employees will be paid at termination for unused, accrued annual (vacation) leave hours only if they give and properly work a two-week (or six-week in the case of Department Heads) notice of resignation or if they are dismissed for non-disciplinary reasons. An employee who is terminated without status from employment with Colleton County will not receive payment for any unused leave. The County Administrator may waive the requirement for working out the notice period when there is no pending investigation, no disciplinary action, and there is an emergency situation that warrants consideration.

14.10B Non-exempt employees will be paid at termination for unused compensatory leave hours accrued through the employee's date of termination.

14.10C No payment will be made at termination for unused sick leave regardless of the circumstances of the termination.

14.11 RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all Colleton County property immediately upon request or upon termination of employment. Colleton County will take all action deemed appropriate to recover or protect its property and will deduct the value of unreturned County property from the final paycheck. The value of Colleton County property is considered an advance of wages.

14.12 COBRA

Employees who participate in Colleton County's health insurance plan are usually eligible to continue health and dental coverage after separation from employment. Employees and their eligible dependents may elect to continue in the health and dental plan upon payment of the applicable premium plus any additional administrative charge. Employees and eligible dependents will be notified in writing of the continuation benefits.

15.0 DISCIPLINE

15.1 GENERAL POLICY

15.1A All employees in the employment of Colleton County are to maintain high standards of cooperation, efficiency and economy in their work.

15.1B These guidelines are not limitations upon the rights of Colleton County. The County retains the right to treat each occurrence on an individual basis without creating a precedent for other cases that may arise in the future.

15.1C Disciplinary actions may be imposed by the employee's immediate Supervisor, appropriate Department Head, or the County Administrator.

15.2 TYPES OF DISCIPLINARY ACTIONS

15.2A Disciplinary action may be initiated at the discretion of the appropriate Supervisor, Department Head, or the County Administrator. Employees may also be discharged without any prior warning at the County Administrator's discretion. Acceptable disciplinary actions may include, but are not limited to:

- Verbal (Documented) Warning;
- Written Warning;
- Suspension Without Pay;
- Demotion and/or Reduction in Pay;
- Discharge.

These disciplinary actions are to be viewed as a guide only. Department Heads are not required to go through any of the five steps if, in their sole discretion, they determine it to be unnecessary. A Department Head may skip or repeat any step(s), as he deems appropriate.

15.3 ACTIVITIES WHICH MAY WARRANT DISCIPLINARY ACTION

15.3A The County may take disciplinary action when the County believes such action is necessary for the good of the County. The following are merely some examples of the types of behavior and conduct, which could lead to disciplinary action up to and including termination:

- 15.3A(1)** Failure to follow oral or written instructions;
- 15.3A(2)** Inefficiency, negligence or lack of application in the performance of duties;
- 15.3A(3)** Careless, negligent or improper use of Colleton County property, vehicles or equipment;
- 15.3A(4)** Thoughtless conduct which endangers others or results in minor property damage;
- 15.3A(5)** Failure to maintain satisfactory and/or harmonious working relationships with the public and fellow employees;
- 15.3A(6)** Misuse of Colleton County time such as, but not limited to, the following:
 - a. Not starting to work on time, tardiness;
 - b. Quitting or leaving work early;
 - c. Loitering;
 - d. Not keeping engaged in assigned work;
 - e. Interfering with other employee's work routine;

- f. Reading books, magazines, etc. not pertaining to work while on duty;
- g. Engaging in personal business on County time or County property;
- h. Soliciting business of any type from other employees or the public on County time or County property.

15.3A(7) Creating or contributing to unsanitary conditions;

15.3A(8) Any action which reflects unfavorably on Colleton County;

15.3A(9) Failure to report an accident or personal injury in which the employee was involved while on duty;

15.3A(10) Unauthorized working of overtime;

15.3A(11) Unauthorized use of telephones, copiers, computers, or any other Colleton County owned equipment;

15.3A(12) Immoral, unlawful or improper conduct or indecency, either on or off the job, which would tend to affect the employee's relationship to his or her job, fellow workers, supervisor, reputation or goodwill in the community.

15.3A(13) Failure to use safety equipment, to comply with departmental safety rules, and/or the Colleton County Safety Policy;

15.3A(14) Use of excessive force, abusive or threatening language or gestures in dealing with the public or other employees;

15.3A(15) Gambling on Colleton County property, or anytime during working hours;

15.3A(16) Thoughtless conduct which results in injury to others or in more than minor property damage;

15.3A(17) Excessive absenteeism or any absence without notice and approval;

15.3A(18) Habitual pattern of failure to report for work at the assigned time and/or place

15.3A(19) Improper use of paid leaves, i.e., sick, bereavement, etc.;

15.3A(20) Boisterous or disruptive activity in the workplace;

15.3A(21) Mistakes due to carelessness which affect the safety of Colleton County personnel, equipment, tools or property;

15.3A(22) Sleeping or giving the appearance of sleeping while on duty;

15.3A(23) Solicitation of or accepting improper gratuities.

15.3A(24) Falsification or misrepresentation of information to secure a Colleton County position, or falsification or misrepresentation of information in other Colleton County records such as time sheets, travel vouchers, etc.;

15.3A(25) Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits;

15.3A(26) Unauthorized or improper use or disclosure of Colleton County records, documents or customer information;

15.3A(27) Misuse of Colleton County or other public funds;

15.3A(28) Willfully causing damage or destruction of equipment or property belonging to Colleton County, to fellow workers, or to the public;

15.3A(29) Reporting to work intoxicated or under the influence of intoxicants or non-prescribed drugs;

15.3A(30) Bringing or using alcoholic beverages on Colleton County property or using alcoholic beverages during business hours while engaged in Colleton County business on or off Colleton County premises, except where a County employee is an attendee and not on the job for the County at an event authorized by County Council to include alcoholic beverages;

15.3A(31) Possession, distribution, manufacture, sale, transfer, or use of intoxicants or illegal drugs while on duty or while operating Colleton County owned vehicles or equipment;

15.3A(32)Violating Colleton County's non-discrimination, EEO policy or Sexual Harassment policy; by engaging in sexual harassment, unwelcome harassment or other unlawful discriminatory actions;

15.3A(33)Failure to report to Human Resources or Administration by the next business day any violation by a County employee of the County's non-discrimination, EEO policy or Sexual Harassment policy witnessed or known to have occurred in a work environment or between employees in any environment when a supervisor is one of the participants;

15.3A(34)Failure to return from an authorized leave or leave of absence;

15.3A(35)Conviction of a felony or a misdemeanor of the first degree involving moral turpitude, while either on or off the job;

15.3A(36)Gross misconduct or conduct unbecoming a Colleton County employee;

15.3A(37)Fighting or threatening violence in the workplace;

15.3A(38)Theft or inappropriate removal or possession of Colleton County property;

15.3A(39)Stealing property from coworkers or customers of Colleton County;

15.3A(40)Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace;

15.3A(41)Wanton or willful neglect in the performance of assigned duties;

15.3A(42)Working a second job while on absence due to job related bodily injury/illness;

15.3A(43)Insubordination by the refusal to accept a reasonable and proper assignment, or failure to comply with written or verbal instructions of a supervisor;

15.3A(44)Refusal to cooperate in a job related investigation, willfully refusing or failing to appear at any such hearing or inquiry; having appeared, refusing to answer any questions relating to the performance of his or her official duties and/or any matter relating to any branch of County service or by giving untruthful or incomplete answers;

15.3A(45)Employee's refusal to be examined by a Colleton County designated physician;

15.3A(46)Failure to report immediately for a drug test;

15.3A(47)Solicitation of controlled substances, illegal drugs, or prescription medications;

15.3A(48)Failure to report to the Department Head, Human Resources, or Administration by the next business day any solicitation by a County employee of controlled substances, illegal drugs, or prescription medications witnessed in the work environment or elsewhere.

15.3A(49)Failure to report immediately any knowledge of loss, abuse, or personal use of County equipment, vehicles, real property or assets by a County employee or other persons.

15.3A(50)Failure to maintain job required certifications or licenses.

15.3A(51)Use of County post office delivery systems or County post office boxes for personal mail or packages.

15.3A(52)Failure to wear a seatbelt in a County vehicle or while traveling to or from an official function or training activity.

15.3A(53)Any other reason, which Colleton County believes, in its sole discretion, warrants disciplinary action.

15.4 DISCIPLINARY GUIDELINES

15.4A In the event of disciplinary action, an employee should be given a written notice stating the reason(s) for such action and the date it is to take effect. A copy of this written notice will be placed in the employee's official personnel file in Human Resources.

15.4B Employees must sign disciplinary notices, counseling memoranda, performance appraisals, and similar documents. The employee's signature indicates only that the employee is aware of the action taken and does not indicate that the employee agrees with such action.

15.4C An employee who refuses to sign such a document will be suspended without pay until the document is signed. If it is not signed and returned to the supervisor by the close of business the next working day, the employee will be considered to have resigned.

16.0 GRIEVANCE PROCEDURE

16.1 GENERAL

16.1A This grievance procedure is adopted in accordance with the County and Municipal Employees Grievance Procedure Act, Section 8-17-110, et seq., Code of Laws of South Carolina 1976, as amended. For the purposes of this Grievance Procedure, the term "calendar days" refers to sequential days excluding Saturdays, Sundays, and holidays.

16.1B A grievance is defined as any complaint by an employee who feels that he has been treated unfairly, unlawfully, or in violation of his rights under county policies, with regard to any matter pertaining to his employment by the county. This definition includes, but is not limited to, discharge, suspension, involuntary transfer, promotion and demotion. If an employee believes that he has not received or been credited with or has otherwise lost wages or benefits to which he is entitled, he must present his grievance in accordance with this procedure or such wages or benefits may be forfeited. An employee may not grieve discharge actions for positive drug tests, FMLA leave expiration removals from the payroll, Workers Compensation removals from the payroll, or budgetary actions of Council resulting in position eliminations.

16.1C An employee who feels that he has a grievance must follow the procedures herein:

- Step 1. Within five (5) calendar days of the occurrence of the event prompting the grievance, the employee must submit the grievance in writing to his immediate supervisor in the form of a signed original. If, within two (2) calendar days of the supervisor's receiving the grievance, the supervisor and the employee are unable to reach an agreement to the satisfaction of the employee, the employee can appeal in writing to the next level of authority within his department.
- Step 2. At each level, each supervisor shall have two (2) calendar days to render a decision. If a supervisor is unavailable to consider a grievance or fails to respond within two (2) calendar days of receipt of the grievance, the employee may consider the grievance denied and can appeal in writing to the next level of authority within his department. The employee has two (2) calendar days from the time a supervisor renders or fails to render a decision to appeal in writing to the next level of authority within his department.
- Step 3: If the employee has appealed through all levels of authority within his department ending with the Department Head, and no agreement has been reached, the employee can, within two (2) calendar days of the Department Head's decision, appeal in writing to the employing authority – the County Administrator, Elected Official, or hiring Board. If within two (2) calendar days of receipt of the grievance, the employing authority and the employee are unable to reach an agreement, the employee can appeal as described herein to the Grievance Committee. If the employing authority is unavailable to consider

a grievance or fails to respond within two (2) calendar days of receipt of the grievance, the employee can appeal as described herein to the Grievance Committee.

16.1D For an introductory employee, the employing authority – County Administrator, Elected Official, or hiring Board - shall be the final appeal level in any grievance procedure. An employee shall be considered probationary until his probationary or introductory period is completed.

16.1E Regular, non-introductory, employees may submit an appeal to the Employee Grievance Committee by filing a written request for appeal at the County Human Resources Office. This must be done within two (2) calendar days from the time the hiring authority renders a decision or from the passage of two calendar days without a decision from the hiring authority. The written request for appeal must include the following information:

- 1) A copy of the written grievance submitted to the supervisor(s), Department Head, and employing authority;
- 2) The purpose of the appeal and what recommendation is requested of the Grievance Committee; and
- 3) A statement that the chain of command has been followed in the appeal, as is required by the grievance procedure.

16.1F Within fifteen (15) calendar days of receipt of the employee's request, the Chairman of the Grievance Committee shall schedule the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the Department Head involved, and the Human Resources Department.

16.2 GRIEVANCE COMMITTEE

16.2A The County Council shall appoint a committee composed of seven (7) employees, five (5) of whom shall be regular committee members and two (2) of whom shall be alternates, to serve for terms of four (4) years, except that the members appointed initially shall be appointed so that their terms will be staggered.

16.2B A member shall continue to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term shall be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of County Council. All members shall be selected on a broadly representative basis from among currently employed regular, full time county employees in the following manner:

16.2B(1) A general announcement of vacancies will be posted to each County Department.

16.2B(2) Any employee interested in serving on the Committee shall send a letter of interest to Human Resources.

16.2B(3) The County Administrator will review the candidates considering the following Committee requirements:

- 1) Five (5) members must be from regular County Departments under County Council jurisdiction; two (2) of these must be supervisors.
- 2) No more than two (2) members may be from any single Department.

16.2B(4) The County Administrator will present candidate recommendation(s) based on the Committee composition requirements to County Council

16.2B(5) County Council will determine the new member(s) by vote at a Council Meeting.

16.2C Members employed in the same department as the grieving employee and members having formed an opinion of the issues prior to the hearing are not to participate in the employee's hearing. An alternate or alternates shall serve in the place of committee member(s) on a particular grievance in instances where members are not eligible to serve.

16.2D The Committee shall select its own chairman from among its members annually. The chairman shall preside at all hearings which he attends, but may designate some other member to preside in his absence. The chairman shall have authority to schedule and to reschedule all hearings.

16.2E A quorum shall consist of at least four (4) members and no hearings may be held without a quorum.

16.2F The chairman or his designee will have control of the proceedings. He shall take whatever action necessary to ensure an equitable, orderly and expeditious hearing including requesting the presence of a law enforcement officer if needed. Parties shall abide by his decisions, except when a Committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee will govern.

16.2G The Committee shall have the authority to call for files, records, and papers which are pertinent to any investigation and which are subject to the control of the County Council; to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses; to consider the results of polygraph examinations; and to secure the services of a recording secretary in its discretion. The Grievance Committee may only review the grieving employee's personnel file with a representative from Human Resources present to maintain control and responsibility of the file. In lieu of having the personnel file available at a Grievance Committee meeting, the Chairman of the Committee may review the file in the Human Resources Office and request copies of pertinent documents to present to the Committee for consideration. The Committee shall have no authority to subpoena witnesses, documents, or other evidence, nor shall any County employee be compelled to attend any hearing. All proceedings shall be tape recorded. Witnesses, other than the grieving employee and department representative, shall be sequestered when not testifying. All witnesses shall testify under oath. The official tape recording and the official minutes of all hearings shall be subject to the control and disposition of County Council.

16.2H All hearings shall be held in executive session unless the grieving employee requests at least one day prior to the hearing that it be held in open session. In the case of an open hearing, the Grievance Committee Chairman is required to request a deputy be present and to adhere to all policies for speakers detailed herein.

16.2I Neither the grieving employee nor the department may be assisted in any manner by advisers or by attorneys during the hearing itself. However, the Committee shall have an attorney available to it at any and all times it considers necessary, and Human Resources shall provide assistance in reading written materials to the Committee at the request of a grieving employee.

16.2J In disciplinary actions by department heads and their subordinate supervisors, the employee receives written notice of the nature of the acts or omissions that prompted the disciplinary action. This notice may be amended at any time twenty-four (24) hours or more before the commencement of the hearing. The department is to demonstrate that the disciplinary action is for the good of the County. The department makes the first presentation. The Committee may base its findings and recommendations (and the Administrator or other elected or appointed officials, their decision) on any additional or different grounds developed from the presentations.

16.2K In non-disciplinary grievances, the employee must establish that a right existed and that it was denied him unfairly, illegally or in violation of County policy. The employee shall make the first presentation.

16.2L In all grievances, the grieving employee and the department shall each be limited to one (1) hour of initial presentation. The party required to make the first presentation shall be entitled to a ten (10) minute rebuttal of the other party's presentation. The chairman shall serve as timekeeper or appoint another member of the Committee to serve in that capacity.

16.2M In all grievances, presentations may be oral or written or both and may be supported by affidavits or unsworn, signed statements from witnesses, by records, other documentary evidence, photographs or other physical evidence. Presentations shall be made by the grieving employee (with reading assistance from Human Resources, if the employee desires) and by a managerial employee of the grieving employee's department. Neither party may call witnesses or question the other party, or question any witness called by the Committee.

16.2N Except as provided in 16.2O below, the Committee shall, within twenty (20) days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the Administrator. If the Administrator approves, the recommendation of the Grievance Committee shall be his decision, and copies of the decision shall be transmitted by the Committee to the employee and to the particular department involved. If, however, the Administrator rejects the decision of the Committee, he shall make his own decision without further hearing, and that decision shall be final. Copies of the decision shall be transmitted to the employee and to the employing department.

16.2O In grievances involving the failure to promote or transfer, or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official or an official appointed by an authority outside county government, the Committee shall, within twenty (20) days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to such official or authority. If the official/authority approves, the recommendation of the Committee shall be his decision and a copy of the decision shall be transmitted by the Committee to the employee. If, however, the official rejects the decision of the Committee, the official shall make his own decision without further hearing and that decision shall be final. A copy of the decision shall be transmitted to the employee.

16.2P Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the county or of an elected or appointed official to terminate any employee when the county or respective elected or appointed official considers such action to be necessary for the good of the county.

16.2Q Within one business day after a decision is rendered, all copies, tapes, records, notes, and any other materials used by the Grievance Committee shall be turned in to Human Resources which shall maintain the files.

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