

**Ordinance 2000-2**

**AN ORDINANCE OF HOPKINS COUNTY, KENTUCKY, AMENDING THE PERSONNEL ADMINISTRATION POLICIES AND PROCEDURES AND TRAVEL POLICY AS CONTAINED IN THE HOPKINS COUNTY ADMINISTRATIVE CODE.**

WHEREAS, the governing body of Hopkins County, the Hopkins County Fiscal Court, desires to amend the Administrative Code of Hopkins County as the same pertains to the Personnel Administration Policies and Procedures and Travel Policy.

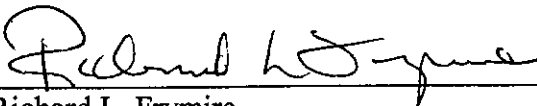
BE IT ORDAINED by the Fiscal Court of Hopkins County that the Administrative Code of Hopkins County be amended to contain the Personnel Administration Policies and Procedures and the Travel Policy, copies of which are attached hereto and incorporated herein by reference.

BE IT FURTHER ORDAINED by the Fiscal Court of Hopkins County that the attached Personnel Administration Policies and Procedures and Travel Policy shall supercede any previous section of the Administrative Code relating to same or any ordinance amending said Administrative Code.

The Administrative Code of Hopkins County is amended and altered in no other respect.

This Ordinance shall become effective July 1, 2000.

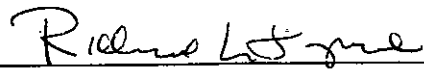
Upon motion by Magistrate Wheeler, seconded by Magistrate Hamilton, first reading was held on the 17<sup>th</sup> day of May, 2000.

  
\_\_\_\_\_  
Richard L. Frymire  
Hopkins County Judge/Executive

Attest:

  
\_\_\_\_\_  
Devra Steckler, Hopkins County Clerk

Upon Motion by Magistrate Wheeler, seconded by Magistrate Stanley, second reading was held and the ordinance adopted on the 8th day of June, 2000

  
\_\_\_\_\_  
Richard L. Frymire  
Hopkins County Judge/Executive

Attest:

  
\_\_\_\_\_  
Devra Steckler, Hopkins County Clerk

**HOPKINS COUNTY**  
**PERSONNEL ADMINISTRATION**  
**POLICIES AND PROCEDURES**

**Revised June 2000**

## Table of Contents

|  |         |
|--|---------|
| Statement of Purpose                         | Page 1  |
| Applicability                                | Page 1  |
| At Will Policy                               | Page 1  |
| Code of Ethics                               | Page 1  |
| Code of Conduct                              | Page 2  |
| Weapons Policy                               | Page 3  |
| Use of County Computers                      | Page 3  |
| Political Activity                           | Page 4  |
| <br>   |         |
| Employment Practices                         | Page 4  |
| <br>   |         |
| Equal Opportunity Employer                   | Page 4  |
| Compliance with Immigration Law              | Page 4  |
| Orientation of Newly Employed Personnel      | Page 4  |
| Exit Interview                               | Page 5  |
| Disability Accommodation                     | Page 5  |
| <br>   |         |
| Employment Process                           | Page 5  |
| Announcement of Position                     | Page 6  |
| Application for Position                     | Page 6  |
| Certification of Eligibility for Position    | Page 6  |
| Appointment to Positions                     | Page 6  |
| <br>   |         |
| Employee Status                              | Page 6  |
| Criminal Checks                              | Page 6  |
| Drug Testing                                 | Page 6  |
| CDL License                                  | Page 7  |
| Probation                                    | Page 7  |
| <br>   |         |
| Full-Time Classification and Job Description | Page 7  |
| Categories of Employment                     | Page 8  |
| Safety                                       | Page 8  |
| <br>   |         |
| Benefits                                     | Page 8  |
| Holidays                                     | Page 8  |
| Paid Vacation                                | Page 10 |
| Personal Day                                 | Page 11 |
| Sick Leave                                   | Page 11 |
| Disability Leave                             | Page 12 |

|  |         |
|--|---------|
| Family and Medical Leave Act                 | Page 13 |
| Job Related Travel                           | Page 13 |
| Maternity Leave                              | Page 13 |
| Adoption Leave                               | Page 14 |
| Bereavement (Funeral) Leave                  | Page 14 |
| Military Leave                               | Page 14 |
| Jury Duty                                    | Page 14 |
| Insurance                                    | Page 15 |
| FICA (Social Security)                       | Page 15 |
| Retirement                                   | Page 15 |
| Hours of Work                                | Page 16 |
| Overtime                                     | Page 16 |
| Attendance and Absenteeism                   | Page 16 |
| Pay Days                                     | Page 17 |
| Outside Employment                           | Page 17 |
| Separation of Employment                     | Page 17 |
| Dismissal                                    | Page 18 |
| Resignation                                  | Page 18 |
| Call-back Policy                             | Page 18 |
| Harassment Policy                            | Page 19 |
| Harassment - Definition                      | Page 19 |
| Sexual Harassment - Definition               | Page 19 |
| Complaint Procedures                         | Page 20 |
| False Accusations Procedure                  | Page 20 |
| Employee Inquiry Procedure                   | Page 20 |
| Drug-Free Work Place                         | Page 21 |
| Employee Violation of Kentucky Criminal Code | Page 22 |
| Grievance Procedures                         | Page 22 |
| Suggestion Policy                            | Page 23 |

# HOPKINS COUNTY

## PERSONNEL ADMINISTRATION

### POLICIES AND PROCEDURES

#### STATEMENT OF PURPOSE

**THIS SERVES AS HOPKINS COUNTY GOVERNMENT'S POLICIES AND PROCEDURES MANUAL FOR ALL COUNTY EMPLOYEES; HOWEVER, EACH ELECTED OFFICIAL MAY HAVE THEIR OWN POLICIES AND PROCEDURES IN EFFECT FOR THAT OFFICE.**

**THE FISCAL COURT AND THE ADMINISTRATION RECOGNIZE THAT A PERSONNEL SYSTEM WHICH RECRUITS AND RETAINS COMPETENT, DEPENDABLE PERSONNEL IS INDISPENSABLE TO EFFECTIVE AND EFFICIENT COUNTY GOVERNMENT.**

#### Applicability.

This Administrative Code applies to those county employees who serve directly under the authority of the Fiscal Court. For those employees and deputies who serve under a constitutional officer, that officer is considered his or her employer in the strictest sense and the policies and procedures contained herein would not apply to the employees and deputies of the constitutional officer unless and until the constitutional officer requests, in writing, participation in this Personnel Administrative Code. Moreover, a constitutional officer may elect to abide by part of the Administrative Code and be omitted from the remainder. It is contemplated that the constitutional officer may want to be involved with sick leave, vacation leave, retirement, Social Security matching, insurance, and other employee benefits, but opt not to be covered in other matters such as employment and termination. In any event, these areas would need to be specifically set out in an agreement with the constitutional officer.

#### At Will Policy

Hopkins County is an "at will" employer, meaning that both the employee and the employer can terminate the employment at any time for any, or no, reason. There are no contracts, implied or written, between Hopkins County and its employees.

#### Code of Ethics

Each employee should be aware of the moral responsibilities which must be accepted as an employee of the citizens of Hopkins County. Each employee should strive to:

1. Put loyalty to the highest moral principles and loyalty to the County above loyalty to persons of departments.
2. Uphold County ordinances, laws and regulations as well as refrain from using office or positions for personal gain.
3. Give a full day's labor for a full day's pay; giving to performance the earnest effort and best thought; seek to find and use more efficient and economical ways of getting tasks accomplished.
4. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of its governmental duties.
5. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.
6. Expose corruption wherever discovered.
7. Make no private promises of any kind binding upon the duties of office.

#### Code of Conduct

Every organization must have standards for on-the-job behavior. Violation of the County's common sense rules of personal conduct which may result in disciplinary action or termination include, but are not limited to, the following:

1. Hazardous or disorderly conduct, such as fighting on premises or excessive horseplay.
2. Carrying, using or dispensing alcoholic beverages or drugs while on County time; reporting to work under the influence of alcohol or drugs.
3. Excessive absence or habitual lateness.
4. Destruction of County property or the property of the public; removing County material or equipment without permission; stealing another employee's property.
5. Failure to do work assigned satisfactorily or insubordination.

## Weapons Policy

All employees of the County, and all other persons coming onto County property, are prohibited from carrying any dangerous weapon of any sort whether concealed or not, unless required in employee's job description.

Any employee who has obtained a license to carry a concealed dangerous weapon may carry his/her weapon while in his/her personal motor vehicle, but may not do so in a motor vehicle owned by the County, unless it is required in employee's job description.

Any employee with personal safety concerns (e.g. parking in a remote location, working alone after hours, etc.) Should discuss these concerns with his or her immediate supervisor for presentation to the Fiscal Court. The Fiscal Court reserves the right to grant complete or partial exemptions from this policy if the circumstances warrant an exemption. Any exemption shall be in the sole discretion of the Fiscal Court.

Any employee violating this policy shall be subject to immediate disciplinary action, up to and including termination of employment.

Any employee having questions concerning this policy should contact his/her supervisor or the Hopkins County Judge/Executive.

## Use of County Computers

All PC's purchased by Hopkins County Fiscal Court remain County property and should not leave the authorized work site. Each user of a PC is responsible for the protection of the data which the PC stores and processes.

Hopkins County Fiscal Court honors all licenses, copyrights, patents, restrictions and terms and conditions associated with computer software. Employees are not authorized to copy, modify or transfer purchased computer programs in whole or in part as designated in the applicable software license, contract or purchase agreement. Pirating is a violation of both copyright laws and County policy. According to U.S. law, illegal reproduction of software can be subject to civil damages of \$50,000 or more, and criminal penalties including fines or imprisonment.

Essential PC-generated files and software should be backed up (duplicated) on a regular basis. Creating duplicate copies will ensure the ability to restore processing in the event of a system malfunction or crash. All backup copies should be stored in a secure area away from the primary use area.

E-Mail is to be used strictly for business purposes. All E-Mail users must refrain from creating and/or transmitting any information of a sensitive nature via E-Mail. Personal messages or solicitations of any nature are strictly prohibited. Offensive and harassing communications are not private and are open to scrutiny by the Hopkins County Fiscal Court. The Hopkins County Fiscal Court reserves the right to monitor E-Mail at any time.

Anyone found in violation of this policy is subject to disciplinary action up to and including dismissal.

#### Political Activity

No employee, as a condition of employment or continued employment, shall be required to contribute to or campaign for any candidate for political office.

No employee of the County shall engage in political activity during his/her assigned duty hours.

### EMPLOYMENT PRACTICES

#### Equal Opportunity Employer

The Hopkins County Fiscal Court is an Equal Opportunity Employer and maintains a policy of equal opportunity in employment and advancement without regard to race, color, religion, sex, age, handicap or national origin. The Fiscal Court through a program of Affirmative Action insures that equal employment opportunities are available on the basis of individual merit and encourage all persons to seek employment and to strive for advancement on this basis.

The policy of no discrimination will apply to every aspect of employment practices.

#### Compliance with Immigration Law

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

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

These records will become a permanent record of the employee's personnel file.

#### Orientation of Newly Employed Personnel

An orientation will be made available to all new employees as soon as possible after their first day of employment.



The orientation shall consist of at least the following:

- (1) Explanation of the purpose and goals of the county.
- (2) Overview of management policies and administrative procedures.
- (3) Employee benefits
- (4) Other elements deemed appropriate.
- (5) A copy of the County Personnel Policies shall be distributed to all employees.

#### Exit Interview

Employees departing from employment with the County are encouraged to participate in an exit interview. This will enable the administration to obtain information regarding why the employee resigned, forwarding address (if necessary), and any required signatures. The interview will enable the employee to obtain information regarding the health insurance program (COBRA) and retirement contributions.

The department employee should bring any keys, uniforms and other County property not previously returned to the exit interview.

#### Disability Accommodation

Hopkins County is committed to complying fully with the Americans with Disabilities Act (1988) and ensuring equal opportunity and employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering the position only after conditional job offers. Medical records will be kept separate and confidential.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based upon the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, organizational structures, position descriptions, and line of progression. Leave of all types will be available to employees on an equal basis.

### EMPLOYMENT PROCESS

The process of filling vacancies may include the personnel practices of (1) announcement; (2) application; (3) certification of eligibility; and (4) appointment.

### Announcement of Position

Announcements for positions may be made publicly in newspapers of general circulation and posted among the County service agencies. Announcements shall contain such information as to where to apply; deadlines for accepting applications; pay range; brief summary of the duties of the position; and position qualifications desired. All announcements must contain the words "An Equal Opportunity Employer".

### Application for Position

Application forms completed and signed by each applicant shall include information about the applicant's training, experience, character and such additional information as required to effectively evaluate the applicant's ability to perform the duties required by the position.

### Certification of Eligibility for Position

The qualifications of an applicant for a position shall be ascertained on the basis of information provided by the applicant on the official application form; personal interview(s); written, performance, or physical tests which may be required by the service agency; as well as information supplied by references as indicated by the applicant on the application form.

No person may be appointed to a position unless verified information on an official application form indicates that the person meets the qualifications of the position as described in the position specifications.

The applications and names of all applicants will be kept on file for a period of 6 months for future consideration should a similar opening occur.

### Appointments to Positions

Vacancies may be filled by promotion from within, or when vacancies cannot be filled internally, from new applications taken.

## EMPLOYEE STATUS

### Criminal Checks

All applicants being considered for employment with the County may be required to have a criminal check.

### Drug Testing

Drug testing is required prior to employment with Hopkins County Government. Employees will be required to read and sign any drug policy as adopted by Fiscal Court.

## CDL License

Hopkins County Public Works Department Employees in certain classifications will be required to obtain a CDL license.

## Probation

Each employee hired by the Fiscal Court shall be placed on probation status for a period of six (6) months. During this period of probation, the employee shall be oriented thoroughly as to the responsibilities of his duties. At the end of the six (6) month period, the employee shall be evaluated by his/her Department Head. The evaluation will measure the employee's job performance, attitude and attendance. Once the evaluation is completed, a recommendation will be made to the Fiscal Court to either place the employee on a full-time status, extended probation status, or terminate. THIS DOES NOT ALTER THE STATUS OF "AT WILL" EMPLOYMENT.

1. For the first six (6) months of employment, an employee will not be eligible for any benefits other than pay for time worked, health insurance and sick days.
2. Upon successful completion of the initial six (6) month period, an employee will begin receiving all the benefits of a full-time employee as these benefits accrue.
3. The benefits a new employee would have earned but did not receive during the first six (6) months of employment will be computed and credited in his/her record upon successful completion of the six (6) month probationary period.

The Fiscal Court will occasionally hire employees to work on a temporary or part-time basis. Benefits applicable to full-time employment will not be provided. Temporary or part-time employees shall receive no other benefits other than wages paid and Worker's Compensation coverage.

## FULL TIME EMPLOYEE CLASSIFICATION AND JOB DESCRIPTION

Each employee, whether full-time, probationary status or temporary shall be required to sign a Job Description Form. The Job Description Form will list the duties the employee is expected to perform, and any other duties that may be assigned by the Department Head. Also, included on the form will be the date the employee started, the department assigned, starting salary either hourly or salary, and a listing of qualifications needed to perform the job. An Employee Classification or Title will also be listed on the Job Description. A signed copy of the Job Description will be kept on file with the County Judge/Executive's office and a copy will be given to the employee. A signed copy will also become a part of the employee's personnel file. All forms required for the personnel file must be completed in the County Treasurer's Office before starting the first day of work.

Signing of the Job Description will be a requirement for employment.

## Categories of Employment

All employees shall be designated as full-time, part-time, temporary, seasonal or assigned.

1. Full-time employee - An employee who works 100 or more hours per month on a regularly scheduled basis.
2. Part-time employee - An employee who works less than 100 hours per month, but on a regularly scheduled basis.
3. Temporary or seasonal employee - An employee who works in a position which is of a temporary nature (full-time or part-time), and all temporary employees shall be on an emergency basis not to exceed 30 days subject to availability of funds in the budget.
4. Assigned employee - An employee made available by another agency.

Full-time employees in established positions shall be entitled to all benefits provided by the County. Part-time, temporary, seasonal and assigned employees shall not be entitled to any benefits (except those benefits required by federal or state law).

## Safety

The health and safety of all County employees is of major importance. The County desires to make everyone's job safe in all respects; therefore, all employees shall report all hazardous conditions in their work area at once to their immediate supervisor. All injuries and accidents should be reported immediately to their supervisor. When notified, the supervisor shall report same to the County Judge/ Executive and County Treasurer. Failure to report an accident and/or fill out the Worker's Compensation Form within the time period is cause for disciplinary action up to and including dismissal.

## BENEFITS

### Holidays

1. The following days are declared paid holidays for all employees occupying full-time positions:
  - a. New Year's Day
  - b. Martin Luther King, Jr. Day
  - c. Good Friday Afternoon - (close at noon)
  - d. Memorial Day
  - e. Independence Day
  - f. Labor Day

- g. Veterans' Day
- h. Thanksgiving Day
- i. The Friday after Thanksgiving Day
- j. Christmas Eve
- k. Christmas Day
- l. New Year's Eve

2. In addition to the above, any day may be designated as a holiday by proclamation of the Fiscal Court.
3. When a holiday falls on Saturday, the preceding business day shall be considered the holiday; when a holiday falls on Sunday, the following business day shall be considered the holiday.
4. In order for an employee to be paid for a holiday, the employee must work the last scheduled day before and the next scheduled day after the holiday unless the absence(s) is/are approved in advance. Hopkins County Detention Center and Sheriff's Office will follow their standard operating guidelines.
5. Employees not working on a holiday will receive 8 hours holiday pay at their regular pay rate. Employees who work on one of the actual holidays listed below will not receive holiday pay, but shall be compensated for actual hours worked at two times their regular rate of pay.

January 1 (New Year's Day)  
 Memorial Day  
 July 4 (Independence Day)  
 Labor Day  
 Thanksgiving Day  
 December 25 (Christmas Day)

Employees who work on any other declared paid holiday will not receive holiday pay, but shall be compensated for actual hours worked at one and one-half times their regular rate of pay.

6. Employees working less than 8 hours on a holiday will be compensated for the difference between hours worked and 8 holiday hours at the regular holiday pay rate. Employees with a regular work day of 10 hours will receive 10 hours holiday pay only if an employee will receive less than 40 hours pay for the week due to the holiday schedule.
7. Department heads may schedule holidays as a work day when necessary.
8. When an emergency has been declared by the Judge/Executive, no employee may refuse to work overtime or on a holiday, except in the case of illness or family emergency.

## Paid Vacation

Vacations are based on a calendar year.

The following schedule shall apply for accruing vacation leave.

1. (a) During the first ten (10) years of employment with the County, employees shall accrue eight (8) hours vacation leave per month;  
(b) After the tenth year of employment with the County, employees shall accrue ten (10) hours vacation leave per month.
2. If an employee has unused vacation time at the end of December, he/she may carry over a maximum of 120 hours to the new calendar year, however it must be used in that calendar year or it is forfeited. A maximum of 240 hours may be accrued during the course of employment. Notwithstanding the foregoing, any employee who has accrued more than 240 hours vacation leave prior to January 1, 2000, shall retain those days for vacation leave.
3. For accrual purposes, a new employee who reports for work on or before the 15<sup>th</sup> of any month shall accrue the full amount for that month. If employed after the 15<sup>th</sup> of any month, a new employee shall begin accruing vacation leave the beginning of the following month.
4. Vacation leave may not be taken by employees serving a probationary period; employees on probation as a result of a promotion may take accrued vacation leave.
5. After the original probation period, any employee who terminates employment with the County shall be paid for all accrued vacation leave, not to exceed the maximum of 240 hours.
6. Vacation periods must be scheduled in advance with the employee's supervisor. A supervisor may deny a vacation period requested by an employee if granting such vacation would not leave ample work force on duty in the department. If conflicts arise, the decision of the department head will be final.
7. Payment for vacation leave in lieu of time off shall not be granted.
8. Employees absent because of sickness, off-duty injury or disability may use accrued vacation leave during the time off only after accrued sick leave has been exhausted.
9. The Treasurer's Office shall keep records of vacation leave for each individual employee. The Department Head shall maintain records of vacation leave earned and taken for each employee and shall file a report with the Treasurer monthly, no later than the 10<sup>th</sup> day of the following month.

## Personal Day

All full-time employees are entitled to one (1) Personal Day (equal to one (1) work day) with pay after one year of employment, providing the employee has taken no sick leave during the previous calendar year. The Personal Day is not cumulative and must be used following the year earned or be forfeited. Use of the Personal Day must be approved in advance by the employee's supervisor. One (1) work day is defined as an employee's normal work day, as assigned by the employee's department head.

## Sick Leave

1. All full-time employees shall accumulate eight (8) sick hours per month. The employee must be in a pay status at least fifteen (15) days during the month to earn sick leave. This provision shall not apply to an employee on vacation, paid sick leave, or who is off work due to work related injury and is being paid workers' compensation benefits. For accrual purposes, a new employee who reports to work on or before the fifteenth of the month shall accrue the full day; if employed after the fifteenth day, no credit shall be earned for that month.
2. Sick leave credit may be utilized by employees when they are unable to perform their duties because of a non-job related sickness or injury or when they are quarantined. In the event of sick leave taken for any purpose, the Department Head may require a statement from a medical doctor or psychologist before allowing the employee to receive sick leave pay during the period of absence. Sick leave will not be granted to an employee if absences are due to the use of drugs or intoxicants, or the commission of an illegal act. Sick leave accrued will be granted for drug/alcohol rehabilitation, upon prior approval by the County Judge/Executive.
3. An employee shall be allowed to use sick leave without a doctor's excuse provided that said employee is sick or suffering from illness for no more than two (2) work days. When an employee is absent for more than two (2) consecutive work days, a doctor's excuse is required and shall be furnished to the employee's supervisor for all of the consecutive work days during which the sick leave was used.
4. When an employee takes sick leave, the employee's immediate supervisor shall be informed of the fact prior to shift start or within a half-hour of start of shift to receive approved sick leave.
5. Absence for a part of a day that is chargeable to sick leave shall be charged proportionately.
6. Sick leave may be accumulated with a maximum limit of 480 hours, but employees who voluntarily terminate employment or who are dismissed or laid off shall not be paid for unused sick leave.

7. All accrued sick leave, up to a maximum of 480 hours shall be credited to the employee's retirement time at the time the employee retires from County employment. The employee shall not be paid for unused sick leave. The County shall pay all costs required for the employees unused sick leave to be credited to the employee's retirement time.
8. Employees who are injured on the job and apply for Workers Compensation Insurance shall not be paid for sick leave except as provided under Disability Leave Paragraph 2.
9. Each Department Head shall ensure that current and accurate records are kept for sick leave allowances, sick leave taken and sick leave accrued for each employee and shall file a report with the Treasurer monthly, no later than the 10<sup>th</sup> day of the following month.
10. Any employee fraudulently taking sick leave may be subject to disciplinary action.
11. Any employee may donate up to 40 hours of his/her accrued sick leave to another employee who has used all of his/her accrued sick leave and is still unable to return to work due to illness or injury.
12. An employee in service on January 1, 2000, may transfer into his sick leave accrual account, any leave earned but not taken, but in no account to be more than 1,040 hours (the maximum allowed by Kentucky Retirement System for application to retirement).

#### Disability Leave

It is the responsibility of the employee to report any injury to their supervisor immediately or no later than the end of the work shift and to fill out appropriate Workers Compensation forms. All injuries shall be documented and a written report shall be filed with the County Treasurer. Within three (3) working days (72 hours) of the accident, Workers Compensation insurance carrier shall be notified by the Treasurer. Failure to report a work related injury and/or fill out the Worker's Compensation Form within the given time period is cause for termination. Benefits shall be granted as follows:

1. Any employee who suffers an injury or illness as a result of a work connected injury or illness shall be compensated in accordance with the benefits provided in the prevailing Workers Compensation law.
2. In addition to Workers Compensation benefits, employees may use accrued sick leave to make up the difference between the Workers Compensation payment and the employee's current net pay. This shall be accomplished by the employee receiving his current net pay which shall be charged against his accrued sick leave. The employee's Workers Compensation benefits check may be signed over to the County which shall repurchase for the employee the corresponding portion of the



employee's sick leave or, alternatively, the employee's paycheck shall be reduced by a sum equal to the amount of the Workers Compensation benefit check.

3. Employees shall not continue to accrue sick leave and vacation leave while on disability leave due to work connected injury or illness.

#### Family and Medical Leave Act

Hopkins County provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a serious health condition or disability under the Family and Medical Leave Act (FMLA).

Eligible employees should make request for medical leave to their supervisors at least thirty (30) days in advance of foreseeable events and as soon as possible for unforeseeable events.

A health care providers statement must be submitted, verifying the need for medical leave and its beginning and expected end dates. Any changes in this information should be promptly reported to the employee's immediate supervisor. Employees returning from medical leave must submit a health care provider's verification of their fitness to return to work.

Subject to the terms, conditions, and limitations of the applicable plans, Hopkins County will continue to provide its share of employee health care insurance benefits for the full period of the approved medical leave. FMLA leave shall be used concurrently with accrued paid sick leave.

#### Job Related Travel

Reimbursement rates shall be reviewed annually by the Fiscal Court and shall be those rates fixed in the Travel Policy attached hereto as Addendum A.

#### Maternity Leave

A leave of absence for maternity is treated the same as any other medical disability. This is a requirement of the Federal Pregnancy Discrimination Act. Dates for the beginning and end of maternity leave are determined by the employee and her physician. However, the employer may require an earlier beginning of the leave if it is determined that the health of the employee or other employees is endangered by continued work, or if the quality of work performance is impaired by the pregnancy.

The employee is required to notify the Department Head as soon as pregnancy is verified and to provide an estimated date of birth. After child birth, the employee is required to notify the Department Head and County Treasurer of the estimated date she will return to work. A maternity leave ends when the physician certifies that the employee is physically recovered and medically fit to return to work.

Maternity leave only applies to the mother, and the employee may use accrued sick leave, vacation, and personal leave. When paid leave is exhausted, the employee is placed on unpaid medical leave.

### Adoption Leave

This leave is provided for either parent in the case of adoption of a child under the age of seven. The leave is unpaid and limited to six weeks, and must be requested in advance in writing.

### Bereavement (Funeral) Leave

1. Employees occupying full-time position may be granted up to three (3) consecutive working days off without loss of pay in case of death in the immediate family. "Immediate family" shall mean spouse, children, parents, brothers, sisters, mothers-in-law, fathers-in-law, sons-in-law, daughters-in-law, grandchildren or grandparents.

### Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the United States Uniformed Services in accordance with the Uniformed Services Employment and RE-employment Rights Act (USERRA).

Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

Employees on military leave for up to thirty (30) days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed of a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

### Jury Duty

1. When an employee is called for jury duty, the employee shall be compensated at the normal rate of pay. All employees serving on jury duty shall be absent from work only during the times required by the courts. Any compensation received for jury duty shall be paid over to the County Treasurer.

2. Employees who are a plaintiff or a defendant in a proceeding involving or arising from outside employment or personal business shall not be entitled to leave with pay, but may use accrued vacation leave during the absence.

### Insurance

1. Health Insurance: The County will pay a percentage of cost, or a flat fee at its option, for individual coverage for full-time employees. Coverage for family may be provided if the employee pays the cost difference between individual and family coverage. Employees who do not participate in the plan shall not receive compensation or added benefits in lieu of the insurance.
2. Life Insurance: The County has made available to each full-time employee a life insurance policy at no cost to the employee, as long as they are employed by Hopkins County.
3. Dental Insurance: Is available through payroll deduction, for which the employee will bear the entire cost.
4. Worker's Compensation Insurance: The County will pay total costs (coverage applies to all employees).
5. Unemployment Insurance: The County will pay total costs (coverage applies to all employees).

### FICA (Social Security)

Social Security: The County and its employees contribute amounts at the rate determined by Congress. This applies to all employees.

### Retirement

County Employees Retirement System: All employees who qualify (reference CERS guidelines) are required to join the CERS retirement plan. Both employer and employee contribute amounts at the rate determined by CERS. Employees will begin participation in Retirement System upon completion of the probation period unless the employee is currently in the CERS Retirement System.

The County does not have a mandatory retirement age for the employees. The County may require any employee to submit to a physical or mental examination by a medical doctor or psychiatrist to insure competency to complete assigned duties and responsibilities. The County shall pay the costs for any examination administered at its request. THIS DOES NOT ALTER THE STATUS OF AT WILL EMPLOYMENT. No employee, regardless of age, shall continue in employment when the continuation of employment imposes a hardship on Hopkins County.

If an employee feels he/she would like to retire, he/she should notify their Department Head and the County Treasurer. The County Treasurer will assist the employee in making the necessary contacts with the County Employees Retirement System.

When an employee chooses to retire, in lieu of a lump sum distribution, he/she may elect to receive a regular paycheck until all vacation pay is exhausted. Selecting this option will not extend the date of retirement. The Date of Retirement will be the date the employee ceases to work after declaring his/her intention to retire.

### Hours of Work

Non-supervisory full-time employees shall work at least seven (7) - eight (8) hours a day. The normal work week for all employees shall be thirty-five (35) to forty (40) hours a week. Each department may have a different schedule for work hours.

### Overtime

The Judge/Executive shall designate a position as "exempt" or "non-exempt". Exempt employees shall not receive overtime pay. All other employees shall receive overtime payment at the rate of one and one-half times the employee's regular pay rate for actual hours worked in excess of 40 hours in any work week. Overtime hours worked on Sunday will be paid at one and one-half times the regular rate of pay, unless an emergency has been declared by the department supervisor. When an emergency has been declared, overtime hours worked on Sunday will be at two times the employee's rate of pay. Time off with pay (such as vacation, bereavement, sick leave, etc.) shall not be considered as hours worked for overtime pay purposes.

Overtime work shall be approved in advance by the employee's supervisor or the Judge/Executive, and shall be kept at the minimum consistent with maintenance of essential county services and its financial resources.

The provisions of this section do not apply to employees of the Coroner Department.

### Attendance and Absenteeism

It is required that every County employee maintain regular attendance. Absenteeism is strongly discouraged and shall be closely scrutinized to determine its validity. If an employee is experiencing a problem causing absenteeism the employee shall immediately notify his Department Head and advise how the problem of absenteeism will be resolved..

If an employee is going to be absent from work that employee shall notify the Department Head before work if possible and no later than one-half hour following the start of work that day. Failure to report shall result in the following disciplinary action:

1. Failure to call in for the first absence will result in an oral warning and loss of pay for that given day.
2. Failure to call in for the second absence will result in a written notice to be placed in their personnel file and three days suspension for three (3) work days without pay.
3. Failure to call in for the third absence will result in dismissal from job.

Tardiness on three (3) occasions shall be treated as a full days absence. Tardiness shall be grounds for dismissal or disciplinary action.

### Pay Days

County employees will be paid on the 15<sup>th</sup> and 30<sup>th</sup> of each month. Elected officials will be paid on the 15<sup>th</sup> of each month, and certain appointed positions will be paid on the 30<sup>th</sup> of each month. The employee will be informed as to their specific pay period upon hiring.

### Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their jobs with Hopkins County.

All employees will be judged by the same performance standards and will be subject to Hopkins County's scheduling demands, regardless of any existing outside work requirements.

If the Hopkins County Fiscal Court determines that an employee's outside work interferes with performance of the ability to meet the requirements of Hopkins County as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed by Hopkins County.

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

## SEPARATION OF EMPLOYMENT

Separation policies are designed to achieve fairness and equity for all who leave employment with the County. When asked by an outside agency or otherwise, the only information given about an employee will be the date of hire, the date of termination, the rate of pay, and the job title. An employee may be separated by one of four ways: Dismissal, Resignation, Retirement, or Layoff.

## Dismissal

The Hopkins County Fiscal Court has the authority to terminate an employee of the County. Whenever an employee has committed an act which is subject for termination, that employee may be placed on suspension, with or without pay upon recommendation of the County Judge/Executive, and pending final action of the Fiscal Court. Reasons for dismissal shall be documented and available to the employee. Upon dismissal, employees shall receive:

1. Wages earned prior to dismissal.
2. After at least one year's service, an employee shall be compensated for any accrued vacation leave.
3. All claims for sick leave shall terminate upon dismissal.

## Resignation

An employee should, in order to resign in good standing, give the County written notice of resignation at least two weeks before leaving employment. Upon resignation, employees shall receive the benefits and stipulations as listed in Numbers 1- 3 under Dismissal.

## Call-back Policy

Because of the nature of the services rendered by Hopkins County, some employees can expect to be laid off because of lack of funds or work.

In order to be fair to both the employees and to satisfy the requirements of Hopkins County in bringing its employees back to work, Hopkins County has developed the following policy:

1. The last employee performance evaluation will be reviewed by supervisory personnel in order to "rank" the employees in various job categories.
2. Hopkins County's requirements for projects and skill requirements will be reviewed.
3. Hopkins County will call back employees based upon their prior job performance, their skill and experience and any other requirements.
4. The call-back decision, as made by Hopkins County, will be made without regard to race, gender, age, ethnicity, or other unlawful discriminatory factors, and will be made solely on the basis of prior performance and the needs of Hopkins County.
5. Exceptions to this policy are from time to time required due to specific business needs. Exceptions may be made based on job requirements or specific personnel skills, but not exceptions will be allowed based upon unlawful discriminatory practices.
6. All exceptions this call-back policy must be approved in writing by the Fiscal Court.

## HARASSMENT POLICY

The Hopkins County Fiscal Court is committed to maintaining a work environment that is free of discrimination and harassment. In keeping with this commitment, the County will not tolerate harassing conduct that interferes with an individual's work performance, or creates an intimidating, hostile, or offensive working environment by anyone, including any superior, co-worker, vendor, client, or citizen.

### Harassment - Definition

Harassment on the basis of race, color, religion, gender, national origin, age, or disability constitutes discrimination in the terms, conditions, and privileges of employment. Harassment is verbal, physical, or visual conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, or disability, and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment.
2. Has the purpose or effect of unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, the following:

1. Epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts, that relate to race, color, religion, gender, national origin, age, or disability.
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, or disability that is placed on walls, bulletin boards, or elsewhere on the employer's premises, or circulated in the workplace.

### Sexual Harassment - Definition

"Sexual harassment" shall include inappropriate sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of reasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body.

#### Harassment and Sexual Harassment - Complaint Procedures

All employees are responsible to aid the County to avoid harassment complaints, and have the responsibility for reporting any occurrence of harassment, or sexual harassment. Employees encountering harassment should tell the offending person that their actions are inappropriate and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation. If you feel that you have experienced or witnessed harassment you are to notify either your supervisor or department head. If the person involved in the harassment is the supervisor or department head, report the situation to the County Judge/Executive or the Constitutional Officer who governs the agency, or report the situation to the County Attorney. Reports are to be made as soon as practicable within 24 hours, and preferably in writing. Oral reports, however, will also be taken in the case of unusually sensitive circumstances.

The County's policy is to investigate all such complaints. To the fullest extent practicable the County will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the County will take corrective action and disciplinary action in accordance with the nature and extent of the offense. The County prohibits retaliation against any employee bringing a claim of sexual harassment.

#### Harassment and Sexual Harassment - False Accusations Procedure

While the County does not want to stifle an employee's right to bring good faith complaints of harassment and sexual harassment in any way, the County also recognizes that false accusations can have a serious effect on innocent men and women. Accusations which, after investigation, are determined to be intentionally false, or otherwise malicious in intent may result in appropriate disciplinary action against the accuser.

#### Harassment and Sexual Harassment - Employee Inquiry Procedure

The County encourages any employee to raise questions he or she may have regarding the harassment or sexual harassment policy with his or her immediate supervisor, department head, or the County Judge/Executive.



## Drug-Free Work Place

Employees shall not unlawfully manufacture, distribute, dispense, have possession of, or use illegal drugs or alcohol on the job, in the work place or report to work under the influence of such substances. It is the County's intent to maintain a work place free of these substances so that all employees may have the opportunity to have a safer, more productive work environment. Any employee reporting to work under the influence of alcohol or illegal drugs shall be disciplined, which shall include suspension or dismissal. Any employee who commits a work-related drug or alcohol offense shall be disciplined, without exception.

1. The manufacturing, possession and/or use of illegal drugs, alcohol or drug paraphernalia in the work place, or in a County owned or operated vehicle or equipment is strictly prohibited, and will not be tolerated. This includes the misuse/abuse of prescribed medications which could impair an employee's ability to function.
2. An employee reporting to work on medication prescribed by a personal physician, which impairs job performance, is to immediately notify his/her supervisor or department head. The employee must submit a doctor's note indicating how the medication would affect his/her job performance and/or health and safety of others, so appropriate steps may be taken by supervisors to prevent any hazards.
3. It is the responsibility of the employee to notify his/her supervisor of any alcohol or drug charges within five (5) working days of arrest or indictment or be subject to having charges filed for dismissal.
4. An employee may be discharged for the following acts:
  - a. The possession of alcoholic beverages or illegal drugs in a county owned or operated vehicle or equipment;
  - b. The possession of alcoholic beverages or illegal drugs on county premises;
  - c. Reporting for work while under the influence of alcohol or illegal drugs;
  - d. The loss or suspension of a driver's license as a consequence of a conviction of an alcohol or drug related offense;
  - e. The conviction of any alcohol or drug related offense;
  - f. The consumption or use of alcohol or illegal drugs during working hours or while otherwise acting within the course and scope of county business.

5. If a supervisor has cause to suspect an employee of illegal drug use on the job or of reporting to work under the influence of same, the employee may be required to submit to drug testing, and the supervisor may take other appropriate action, pending a final decision by the County Judge/Executive.
6. Hopkins County Fiscal Court shall provide a listing of area drug rehabilitation and counseling services. This listing will be available to all employees who request this information.
7. In the event the Fiscal Court is participating in a federal grant and the employee so convicted was engaged in the conduct of such grant, the Fiscal Court shall, within ten (10) calendar days after receiving notice of such conviction, shall so notify the federal grantor in writing.

#### Employee Violation of Kentucky Criminal Code

1. Any employee arrested, indicted or cited for a violation of the Kentucky Criminal Code shall notify his/her supervisor within five (5) working days of arrest, indictment or citation, or be subject to having charges filed for dismissal.
2. The conviction of any employee for a violation of the Kentucky Criminal Code is cause for disciplinary action by the County including, but not limited to, suspension or termination. This provision does not apply to traffic violations unless the employee is convicted of a traffic violation while in the course of employment.

#### Grievance Procedures

It is the policy of the Fiscal Court to provide for its employees an effective and acceptable way of bringing complaints and problems to management when it concerns their well-being on the job. A grievance will exist when an employee feels a practice of the County is unjust, inequitable, or intolerable. Any employee who believes he or she has been adversely affected by an act or decision by the County, shall have the right to process a complaint or grievance in accordance with the following procedure.

The following steps will be followed by employees and management in filing of a disagreement:

- A. An aggrieved person must submit a written statement to the department head setting forth the nature of the grievance and facts upon which the allegation is based. The written statement must be submitted within fifteen (15) days of the alleged grievance.
- B. The department head shall contact the complainant no later than ten (10) days after receiving the written statement to establish an informal meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days nor more than twenty (20) days after

receiving the written statement. There shall be prepared a written documentary of the discussions at the informal meeting, which shall be preserved in the file of the employee.

- C. Within five (5) days of the informal meeting, if no decision has been made by the department head or the decision of the department head does not satisfy the complainant, he or she may request a meeting with the County Judge/Executive by submitting a written request to the County Judge/Executive.
- D. In thus discussing the grievance, the complainant may designate any person of his or her choice to appear with him/her and participate in the discussion. The County Judge/Executive shall require the department head to participate in the discussion of the grievance, when it is brought before the County Judge/Executive. The County Judge/Executive shall issue a written decision on the matter within fifteen (15) days. There shall be prepared a written documentary of the meeting which shall be preserved in the file of the employee.

The decision of the County Judge/Executive shall be final unless the complainant appeals in writing to the Fiscal Court within five (5) days of receipt of the written decision of the County Judge/Executive. This Fiscal Court may, in its sole discretion, adopt, reject or modify the decision of the Judge/Executive, without receiving any additional evidence or argument. All complaints received by the department head and responses from the department head and the County Judge/Executive will be kept in the complainant's personnel file.

#### SUGGESTION POLICY

The Fiscal Court encourages the participation of employees on all levels in the improvement of conditions of employment and methods of providing services. An employee may submit in writing recommendations on such matters as safety, methods of performing jobs, employee relations, or employment conditions.

This process is a manner by which an employee might submit constructive opinions or suggestions on improving the operation of County services. If an employee's suggestion is adopted or approved, recognition by the Fiscal Court may be given to the employee.

#### EFFECTIVE DATE

This personnel policy shall be effective July 1, 2000.

The Fiscal Court reserves the right to amend this policy at any time.

**All employees are at-will employees of Hopkins County. Nothing in the Personnel Policies and Procedures for Hopkins County is intended, nor shall it be construed, to alter the at-will status of each employee. This policy is a guideline and while intended to be comprehensive, does not cover every situation. Situations not covered in this Policy shall be resolved by the department head or County Judge/Executive, with the approval of the Fiscal Court.**

## **TRAVEL POLICY**

### **A. Purpose:**

Hopkins County Fiscal Court has determined a need to adopt a travel policy for County employees and County officials. The purpose of adopting a policy is to maximize fiscal accountability and promote budget management.

Subject to budgetary limitations, County employees and County officials shall be reimbursed for allowable expenses for travel, including:

Mileage at the approved rate;

Air fare at the lowest coach rate;

Meals at the approved rate;

Tolls, parking, lodging and similar expenses where necessary and reasonable. No expenses shall be reimbursed which are not directly related to County business.

### **B. Authorization Procedures:**

All travel by County employees must be approved in advance by the employee's supervisor or the County Judge/Executive. Meeting notices supporting travel shall be submitted with the travel request when available.

### **C. Reimbursement:**

Employees of Hopkins County and County officials shall be reimbursed for expenses incurred in the discharge of their official duties of their offices and employment. Generally, personnel should assume responsibility for travel expenses with reimbursement made by the County upon submittal and approval of travel vouchers. Exceptions to this rule may be made by the County Judge/Executive.

### **D. Transportation:**

Mileage rates for vehicles while on official duty or job-related purposes shall be reimbursed at the rate of thirty cents (\$.30) per mile.

**E. Lodging:**

When making lodging reservations, personnel shall request government rate when available. Lodging shall be reimbursed at actual cost, at an amount no greater than the cost of a single room. If lodging cannot be obtained where the event is being held, alternate lodging shall be reimbursed at equal or lesser cost.

**Meals:**

Meals shall be reimbursed using the following Subsistence Chart:

|           |            |           |
|-----------|------------|-----------|
| 6:30 a.m. | 11:00 a.m. | 5:00 p.m. |
| through   | through    | through   |
| 9:00 a.m. | 2:00 p.m.  | 9:00 p.m. |
| \$7.00    | \$8.00     | \$15.00   |

Subsistence cannot be claimed for meals included in registration fees.

**Other Allowable Expenses:**

Other allowable expenses that may be reimbursed are:

Toll charges (receipts required)

Registration fees (documentation required)

Parking and cabs (where necessary – receipts required)

Car rental (where necessary – receipts required)

**Travel Vouchers:**

Completed travel vouchers requesting reimbursement for travel expenses shall be submitted to the office of the County Treasurer no more than one month after employee returns. Room receipts, toll receipts, cab and parking receipts, where applicable, must be attached to voucher.

**Budget Limitations:**

All reimbursements set out herein shall be subject to budget limitations or other fiscal restraints imposed by the Hopkins County Fiscal Court.