

# **OCONEE COUNTY PERSONNEL POLICY AND PROCEDURE MANUAL**



SEPTEMBER 2012

**\*\*IMPORTANT NOTICE\*\***

SEPTEMBER 2012

THIS PERSONNEL MANUAL DOES NOT CREATE A CONTRACT OF EMPLOYMENT BETWEEN YOU AND OCONEE COUNTY.

YOUR EMPLOYMENT WITH OCONEE COUNTY IS "AT WILL" MEANING THAT EITHER YOU OR THE COUNTY MAY TERMINATE YOUR EMPLOYMENT AT ANY TIME WITH OR WITHOUT CAUSE.

THIS PERSONNEL MANUAL SUPERSEDES ANY PERSONNEL MANUALS OR EMPLOYEE HANDBOOK (PREVIOUSLY ISSUED BY THE COUNTY. AND THUS ANY PERSONNEL MANUALS OR EMPLOYEE HANDBOOK (S) PREVIOUSLY ISSUED BY THE COUNTY ARE HEREBY REVOKED).

NO SUPERVISOR OR MANAGER, OTHER THAN THE COUNTY ADMINISTRATOR, HAS THE AUTHORITY TO CREATE A CONTRACT BETWEEN YOU AND THE COUNTY OR TO ALTER YOUR AT-WILL EMPLOYMENT RELATIONSHIP WITH OCONEE COUNTY.

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Date

Employee Signature

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Date

Employee Name (Print)

Employee Signature

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## **PERSONNEL MANUAL**

This manual contains statements of personnel policies and procedures. It is designed to be a working guide for supervisors, department heads and elected officials in the day-to-day administration of the organizational personnel program. All supervisors, department heads, elected and appointed officials are responsible for applying these policies and complying with all applicable state and federal laws, including, but not limited to, the Fair Labor Standards Act (FLSA) and the South Carolina Workers' Compensation Act. Willful failure to comply with applicable state and federal laws may subject the supervisor, department head, appointed or elected official to disciplinary action or other sanctions.

These written policies should increase understanding, eliminate the need for personal decisions, identify and support matters of organizational-wide policy, and attempt to gain uniformity throughout the organization. It is the responsibility of each and every supervisor and department head to administer these policies in a consistent and impartial manner.

Questions concerning job advertisements, employment applications, interpretation or clarification regarding any specific policies, procedures or disciplinary procedures should be directed to the Human Resources Director.

Policies are general statements of management philosophies and intentions. These policies may be stated in very broad and general terms, or may be very specific in content. A procedure outlines a standardized method to implement the policy. It may be in the form of a general statement or an outline of a sequence of steps to be taken. It is impossible to develop procedures to take every conceivable situation into account. In these situations where the procedures are inappropriate, or would be contrary to the intent of the policy, the intent shall govern and the most reasonable and logical method to handle the situation will be used. The procedures outlined in this manual shall not be used, in any case, where the intent of the policy would be violated by simply following the procedures.

**THE MANUAL IS INTENDED AS A GUIDE TO POLICY, BENEFITS, AND GENERAL INFORMATION. THESE GUIDELINES SHOULD NOT BE CONSTRUED AS A CONTRACT OR A STATEMENT OF CONDITIONS OF EMPLOYMENT. THE COUNTY RESERVES THE RIGHT TO MAKE CHANGES IN THE GUIDELINES FOR THEIR APPLICATION, AS IT DEEMS APPROPRIATE, AND THESE CHANGES MAY BE MADE WITH OR WITHOUT ADVANCE NOTICE. IT SHOULD ALSO BE UNDERSTOOD THAT EMPLOYMENT IS "AT WILL" AND MAY BE TERMINABLE WITH OR WITHOUT CAUSE.**

### **POWERS AND DUTIES OF THE ADMINISTRATOR**

In accordance with Section 4-9-630 of the Home Rule Act for County Government, the County Administrator is responsible for the administration of county personnel policies including salary classifications plans approved by council; and has the authority to employ and discharge all County personnel with the exception of appointed, (by Legislature, Delegation or the Governor) and elected officials.

Reference: Ordinance 2005-04, the Oconee County Personnel Policies and Procedures Manual

**SECTION 1  
GENERAL PROVISIONS**

**OCONEE COUNTY PERSONNEL MANUAL  
Policy Number 1-1**

**SUBJECT: Equal Opportunity Employment**

The County is an Equal Employment Opportunity Employer and makes all employment decisions without regard to race, color, religion, sex, national origin, citizenship, age, disability, veteran status, genetic information, or other legally protected status. It is the intent and desire of the County that Equal Employment Opportunities be provided in employment, recruitment, selection, compensation, benefits, promotion, demotion, layoff, termination, and all other terms and conditions of employment.

The County complies with all Federal and State laws including, but not limited to, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, as amended, the Family-Medical Leave Act, and the Age Discrimination in Employment Act. Employees who believe they may be entitled to, or need, leave or an accommodation are to request the leave or accommodation from their supervisor or the Director of Human Resources. Employees should be as specific as possible in addressing their needs. Appropriate medical documentation may be required. Further details regarding employees' rights and the County's policies may be obtained through the Human Resources Department.

If an employee feels he or she has been subject to discriminatory treatment, has witnessed such treatment, or is aware of any violations of this policy, he or she should immediately report it to his or her supervisor or the Director of Human Resources using the harassment complaint procedure. Any employee who violates this policy or knowingly retaliates against an employee reporting or complaining of a violation of this policy shall be subject to disciplinary action, up to and including immediate discharge. Complaints brought under this policy will be promptly investigated and handled with due regard for the privacy and respect of all involved.

**OCONEE COUNTY PERSONNEL MANUAL  
Policy Number 1-2**

**SUBJECT: Harassment**

It is Oconee County's policy that all employees shall have the opportunity to work in an atmosphere and environment free from any form of harassment or retaliation based on race, color, religion, gender, sex, national origin, citizenship, veteran status, age, family relationship or disability. Such forms of harassment or retaliation constitute discrimination under various state and federal laws and will not be tolerated.

"Harassment" is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, sex, national origin, citizenship, veteran status, age, or disability or that of his or her relatives, friends, or associates, and that:



- a. Creates intimidating, hostile, or offensive working environment or
- b. Unreasonable interferes with an individual's work performance; or
- c. Otherwise adversely affects an individuals' employment opportunities, (such as promotions, advancement, schooling etc...)

Examples of harassing conduct include, but are not limited to, the following:

- a. Epithets; slurs; jokes; negative stereotyping; or threatening, intimidating, or hostile acts disability; and
- b. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, sex national origin, age, or disability and that is placed on walls, bulletin boards, e-mails or internet or otherwise displayed or circulated in the workplace.

Similarly, sexual harassment involves:

- a. Making as a condition of employment unwelcome sexual advances, request for sexual favors, or offensive verbal or physical conduct directed toward an individual because of his or her gender; or
- b. Making submission to or rejection of such conduct the basis for employment decisions assignments, promotions; or
- c. Creating an intimidating, offensive, or hostile work environment by such conduct.

The following are examples of sexual harassment:

- a. Verbal- sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits, or sexual propositions;
- b. Nonverbal- suggestive or insulting noises, leering, whistling, or making obscene gestures;
- c. Physical-touch, pinching, brushing the body, coercing sexual acts or sexual intercourse, or assault.

Any employee who feels that he or she has suffered any form of harassment or retaliation must immediately report the alleged conduct to the County Administrator or any Department Director. Further, any employee who observes conduct by another employee that he or she believes to be harassing, retaliatory, or discriminatory must report such conduct as outlined above. All complaints of harassment will be treated as confidential as possible and will be investigated promptly and thoroughly. **Any employee found by the County to have harassed another employee will be subject to appropriate disciplinary action up to and including termination.**

Retaliation or discrimination against an employee for reporting or complaining about harassment considered misconduct and is strictly prohibited. Such misconduct will result in disciplinary action up to and including termination. However, employees should recognize that false accusations of harassment can have serious effects on innocent individuals and will impair the County's efforts to administer this policy fairly and

effectively. Making a knowingly false accusation is a form of misconduct that will result in disciplinary action up to and including termination.

This Harassment Policy has been established for the employer as an expectation of the work environment such that all employees will act in a responsible and professional manner:

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 1-3</b>
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**SUBJECT: Affirmative Action**

In support of County policy in providing equal opportunity employment to all persons, the County shall take affirmative action to attract an adequate number of qualified minorities to be considered in the hiring and placement of employees. This policy applies to all levels and phases of the County's personnel administration including, but not limited to, recruitment or recruitment advertising, rates of pay, promotion, selection for supervisory positions, and employee benefit programs. The County Administrator will be the official responsible for acting as the "Equal Opportunity/ Affirmative Action Officer". The Grievance Committee will also serve as the "Affirmative Action Council" for the County. The County Administrator and the Affirmative Action/Grievance Committee shall be responsible for the administration and coordination of the Affirmative Action plan, including the following duties:

- Develop the biennial Affirmative Action Plan.
- Submit the plan to the County Administrator for approval.
- Coordinate the implementation of the Affirmative Action Plan and periodically evaluate its progress
- Develop objectives for the Plan with Department Heads and Equal Opportunity Committees as they may be appointed
- Coordinate the development and implementation of Affirmative Action training and advancement programs.
- Counsel employees and applicants on the availability of training programs and publicize information on the same.
- Advise and assist managers, supervisors, and Department Heads on all matters pertaining to Equal Employment Opportunity and the Affirmative Action Plan.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 1-4</b>
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**SUBJECT: Hours of Work**

**Workweek**

The work period or workweek consists of seven days, beginning at 12:01 a.m. on Monday and ending at 12:00 a.m. (midnight) on Sunday. The regular or normal workweek consists of five working days, usually Monday through Friday.

Departments whose workweek consists of 40 working hours are:

- Solid Waste (with the exception of the office personnel who work 37.5 hours)
- Communications (with the exception of the Office personnel who work 37.5 hours)
- Magistrate's Office
- Vehicle Maintenance (with the exception of the office personnel who work 37.5 hours)
- Parks, Recreation & Tourism (with the exception of the office personnel who work 37.5 hours)
- Public Buildings (with the exception of the Director who works 42.5 hours)
- Rock Quarry
- Public Works/Road Department (with the exception of the office personnel who work 37.5 hours)
- Aeronautics (with the exception of the office personnel who work 37.5 hours)
- Animal Control
- Environmental Services

Departments whose workweek consists of 37.5 hours are:

- Assessor's Office
- Auditor's Office
- Board of Registration and Elections
- Building Codes
- Clerk of Court
- County Council
- County Administrator
- Delegation/Legislature
- Economic Development Commission
- Emergency Management
- Finance, Budget and Tax Collector Office
- Human Resources Department
- Information Technology
- Library
- Planning
- Probate Judge
- Procurement
- Register of Deeds
- Soil & Water Conservation
- Solicitor
- Treasurer's Office
- Veterans Affairs

The Law Enforcement Center workweek consists of 41.25 hours (with the exception of office personnel who work 37.5 hours).

The Sheriff's Department workweek consists of 42.75 hours (with the exception of office personnel who work 37.5 hours).

Employees working in positions exempt from the overtime requirements of the Fair Labor Standards Act may be required to work more than 40 hours per week.

### **Workday**

A workday starts at 12:01 a.m. and ends at midnight.

A regular or normal workday consists of seven and a half or eight hours, usually between the hours of 8:30 a.m. and 5:00 p.m. Overtime may be required by employees on occasion.

### **Lunch Period**

The normal lunch period is for 60 minutes with the exception of Deputies in the Sheriff's Department, Rock Quarry employees, Public Works employees, the Solid Waste truck drivers and Convenience Center clerks whose lunch period is 30 minutes. The department heads and supervisors should schedule office employees' lunch periods in a manner to ensure that personnel are available at the workplace to continue operations. Some departments may operate with a shorter lunch period and should notify employees of any adjustments.

### **Exceptions To The Normal Workweek**

The nature and duties of some individual employees may require an exception to the normal workdays and hours. With the approval of the County Administrator, the Department Head will issue a memorandum identifying the position(s) affected and defining the normal workweek, workdays, work hours, and number of hours per week.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 1 -5</b>
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### **SUBJECT: Outside Or Secondary Employment**

It is the policy of the County to consider all full-time employees to be engaged in a primary employment relationship with this entity. Any additional/outside employment by these employees will be considered secondary employment, and its approval is subject to the discretion of the County.

All full-time employees will notify and seek permission from their department heads and the County Administrator prior to engaging in any secondary employment. A disclosure form must be submitted to the department head and the County Administrator on an annual basis for employees currently under second employment or whenever secondary employment is obtained.

The County Administrator or his/her designee will make a determination if the additional employment may have any adverse effect on employment with the County. Secondary employment may be prohibited if:

- It may result in a conflict of interest.

- It may affect the ability of the employee to the extent he may not be able to perform all assigned duties of his/her primary job employment.
- It may affect the ability of the supervisor to properly manage shift work.
- It may affect the health, welfare, or safety of the employee or other employees or the public.

If outside or secondary employment becomes a conflict of interest or the work is detrimental to the employee's work for the County, the employee may be asked to quit his or her secondary employment in order to remain employed with the County. The failure of an employee to quit his or her secondary employment may be grounds for disciplinary action, up to and including termination of employment.

<p><b>OCONEE COUNTY PERSONNEL MANUAL</b>  <b>Policy Number 1-6</b></p>
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**SUBJECT: Definitions of Employee Status**

An employee shall be defined as (1) introductory; (2) regular, full-time; (3) regular, part-time; (4) temporary, full-time; (5) temporary, part-time; (6) seasonal, full-time; (7) seasonal, part-time; (8) appointed official; or (9) elected official. The below employment designations may only be amended in whole or in part through a specific written contract between the County and the employee, signed by both parties.

**(1) Introductory Employee**

An employee is considered an introductory employee during the employee's initial term of employment. The introductory period will normally not exceed ninety (90) days, but the department head or County Administrator may, in their discretion, extend the introductory period. During the introductory period, the employee's performance will be closely monitored. During the introductory period, the employee is not eligible for any vacation benefits, unless authorized by the Department Head. Notwithstanding the forgoing, employees who are otherwise eligible for health insurance benefits may be eligible for such benefits after 90 days. Completion of the introductory period does not guarantee continued employment, and the employee is at all times, absent a specific written contract, an employee at-will. This designation only applies to regular, full-time employees; regular, part-time employees; temporary, full-time employees; temporary employees, part-time employees, seasonal, full-time employees; and seasonal, part-time employees. This designation does not apply to appointed officials or elected officials.

**(2) Regular, Full-Time Employee**

An employee who has successfully completed the introductory period, who occupies an established full-time position and who usually and consistently works a normal workweek of thirty (30) hours or more is a regular full-time employee. A regular full-time employee is eligible for all benefits, including health insurance. Absent a specific written contract, regular full-time employees are employees' at-will and the completion of the introductory period is not a guarantee of continued employment.

### **(3) Regular, Part-Time Employee**

An employee who has successfully completed the introductory period, who occupies an established part-time position, and who usually and consistently works less than thirty (30) hours per week is a regular part-time employee. A regular part-time employee is not entitled to any benefits. Absent a specific written contract, regular part-time employees are employee's at-will and the completion of the introductory period is not a guarantee of continued employment.

Floating Employee: A floating employee is a regular, part-time employee who has been hired to fulfill various scheduling needs. Floating employees may work a varied number of hours per week, but less than thirty (30) hours per week. A floating employee is often called to work as needed. A floating employee is not eligible for any benefits. Floating employees are employees-at-will.

### **(4) Temporary, Full-Time Employee**

An employee who has successfully completed the introductory period, who has been hired for short term employment of a specified time period or completion of a specified event to fulfill a temporary need, and who usually and consistently works a normal work week of thirty (30) hours or more is a temporary, full-time employee. A temporary, full-time employee is eligible for health benefits, but not leave benefits. Absent a specific written contract, temporary, full-time employees are employee's at-will and the completion of the introductory period is not a guarantee of continued employment.

### **(5) Temporary, Part-Time Employee**

An employee who has successfully completed the introductory period, who has been hired for short-term, intermittent employment of a specified time period or completion of a specified event to fulfill a temporary need, who usually and consistently works less than thirty (30) hours per week, and who are often called as needed is a temporary, part-time employee. A temporary, part-time employee may work a varied number of hours a week. A temporary, part-time employee is not eligible for any benefits. Absent a specific written contract, temporary, part-time employees are employee's at-will and the completion of the introductory period is not a guarantee of continued employment.

### **(6) Seasonal, Full-Time Employee**

An employee who has successfully completed the introductory period, who has been hired for short term employment to fill a position which recurs at regular intervals based on seasonal needs, and who usually and consistently works a normal workweek of thirty (30) hours or more is a seasonal, full-time employee. A seasonal, full-time employee is not eligible for any benefits. Absent a specific written contract, seasonal, full-time employees are employee's at-will and the completion of the introductory period is not a guarantee of continued employment.

### **(7) Seasonal, Part-Time Employee**

An employee who has successfully completed the introductory period, who has been hired for short-term employment to fill a position which recurs at regular intervals based on seasonal needs, and who usually and consistently works less than thirty (30) hours a week is a seasonal, part-time employee. A seasonal, part-time employee is not eligible for any benefits. Absent a specific written contract, seasonal, part-time employees are employee's at-will and the completion of the introductory period is not a guarantee of continued employment.

### **(8) Appointed Official**

Appointed officials are those individuals who are appointed to their position in accordance with the Constitution of the State of South Carolina or other applicable South Carolina state law. Appointed officials may be either part-time or full-time. An appointed official who usually and consistently works a normal work week of thirty (30) hours or more is considered full-time and is eligible for health insurance, but no other benefits. An appointed official working less than thirty (30) hours a week is considered part-time and is not eligible for any benefits. Unless otherwise indicated by state law, there is no introductory period for appointed officials. This definition is set forth for purposes of identifying appointed officials who may be eligible for benefits under the policies of the County and in no way should this definition be interpreted to amend, supersede or abrogate the Constitution of the State of South Carolina or the general law of the State of South Carolina with regard to appointed officials. The Constitution of the State of South Carolina and the general law of the State of South Carolina shall govern the status, appointment, suspension, or discharge of appointed officials.

### **(9) Elected Official**

Elected officials are those individuals who are elected to office by the vote of Oconee County electors in accordance with the Constitution of the State of South Carolina or other applicable South Carolina state law. Elected officials may be either full-time or part-time. An elected official who usually and consistently works a normal work week of thirty (30) hours or more is considered full-time and is eligible for health insurance, but no other benefits. An elected official working less than thirty (30) hours a week is considered part-time and is not eligible for any benefits. There is no introductory period for elected officials. This definition is set forth for purposes of identifying elected officials who may be eligible for benefits under the policies of the County and in no way should this definition be interpreted to amend, supersede or abrogate the Constitution of the State of South Carolina or the general law of the State of South Carolina with regard to elected officials. The Constitution of the State of South Carolina and the general law of the State of South Carolina shall govern the status, election or discharge of elected officials.

### **Other Categories of Employment.**

An employee designated as being within any of the above categories may be considered (1) an exempt employee; or (2) a non-exempt employee

Exempt Employee

Employees who are exempt from the overtime or compensatory time provisions of the Fair Labor Standards Act.

Nonexempt Employee

Employees who are entitled to the overtime and compensatory time provisions of the Fair Labor Standards Act.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 1 -7</b>
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**SUBJECT: Ethical Guidelines**

The County, being dedicated to its role of serving its citizens, has an obligation to ensure that there is public confidence in the integrity of County employees. Therefore, it is essential that the County establish appropriate ethical standards to guide its personnel in the performance of their duties, so that there shall not exist, nor appear to exist, a conflict between private interest and public responsibilities. Violations of one or more of the following rules shall be considered sufficient grounds for dismissal or suspension pending investigation.

**1. Political Activity**

- a. Employees may express their opinion on political subjects and candidates, display stickers or posters on their cars or houses, and wear buttons and badges, except when in the performance of County responsibility.
- b. Employees may not directly or indirectly coerce; attempt to coerce; command or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.
- c. Employees may be a candidate for public elective office in a partisan or non- partisan election (candidacy for political party office is not prohibited).
- d. No employee may use, or solicit the use of County facilities, equipment, or county personnel at any time to further his/her own candidacy or the candidacy of any other candidate or candidates. No employee may assist another employee in their campaign for elective office. Failure to adhere to this policy is grounds for immediate dismissal.

**2. Gifts and Favors**

No employee shall request or receive a gift, favor, or loan of anything of value for himself or another person if it tends or appears to influence his/her opinion or judgments in the performance of his/her official duties



### **3. Confidential Information**

No employee shall make use of or reveal confidential information acquired through his/her position with the County in a way that would affect an economic interest held by him/her, a member of his/her immediate family, an individual with whom he/she is associated or a business with which he/she is associated. Nor shall an employee make use or reveal such confidential information, to harm or disparage the County or any other person or entity, or for any other unauthorized purpose.

### **4. Acquiring an Interest**

No employee shall knowingly use his/her position to obtain an economic interest, including any interest in a contract or a project, for him/herself, a member of his/her immediate family, an individual with whom he/she is associated, or a business with which he/she is associated. This section is not applicable under circumstances which constitute an emergency situation, as long as a report detailing the circumstances is later prepared by the County Administrator and submitted to the County Council in a public meeting to be read into the public record.

### **5. Undue Influence**

No employee shall attempt to use his/her employment to influence a government decision in which he/she, a member of his/her immediate family, and individual with whom he/she is associated, or a business with which he/she is associated has an economic interest.

### **6. Disclosure and Disqualification**

An employee who has a financial interest in a business or activity that he/she has reason to believe may be affected by his/her official actions, their confidential information or by the actions of the County shall make disclosure of the exact nature and value of his/her interest in writing to the County Administrator and ask their opinion regarding the priority of this interest. Any employee who has such an interest shall disqualify himself/herself, in writing from participating in any official action directly or indirectly affecting this interest.

### **7. Outside Employment**

No employee shall have employment with or render services for any public or private business or concern if such employment interferes with, or is adverse to, the proper performance of his/her official duties. Nor shall any employee have employment with any business or concern when the employee's influence within the County or knowledge of the County's activities could possibly place the business or concern in a more favorable position than its competitors to do business with the County.

## **8. Non-County Products and/or Services**

No County employee shall enter into any contract, arrangement, or agreement with any entity or person, to market, advertise, display, endorse, or sell/lease any products or services for or on behalf of any such entity or person, on County property without prior authorization and approval from the department head and the County Administrator. Nor shall any County employee accept or receive any fee, commission, bonus, tip, or any item of value, from any entity or person in exchange for allowing or permitting such entity or person to market, advertise, display, endorse, or sell/lease or bid for any products or services of that entity or person on County property.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 1-8</b>
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### **SUBJECT: Safety**

The policy of the County is to provide the safest possible working conditions for the employees and, in the event of an accident, to provide prompt first aid and medical care to minimize personal injuries. Violations of safety procedures may warrant disciplinary action up to and including discharge.

### **Procedure**

- Safety equipment applicable to the job assignment will be issued to employees when necessitated by the job assignment.
- Employees are responsible for safety equipment assigned to them.
- Employees are required to use safety equipment applicable to the job assignment.
- Employees should return safety equipment in good condition upon termination of employment.
- Employees may be subject to disciplinary procedures for safety equipment that has been abused, damaged or lost.
- Employees should return safety equipment for replacement when worn out from regular use.
- Supervisors are responsible for the enforcement of safety procedures and practices within their department.
- Employees must follow all safety practices and guidelines as set forth by the County and their specific departments.
- Employees in specific departments are required to attend safety programs provided by the County.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 1-9**

**SUBJECT: Driver's License**

It is the policy of the County that when an employee loses his/her driver's license and the job requires a driver's license, the employee may be terminated following evaluation of the situation by the employee's supervisor and the County Administrator.

The employee has the duty to immediately notify his/her supervisor if his/her drivers' license has been suspended or forfeited due to traffic violations or otherwise. Failure to notify the County shall be grounds for termination of employment.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 1-10**

**SUBJECT: County Travel**

Vehicles owned by Oconee County shall only be used by employees of Oconee County while on Oconee County business or by people authorized by the Chief Administrative Officer of Oconee County to use said vehicles.

Oconee County employees, including elected officials, who drive a County provided and insured vehicle, shall not transport family members in said vehicles unless authorized by the Chief Administrative Officer of Oconee County, per occurrence. The sole exception is limited to out-of-town and overnight conferences, schooling and seminars, when an employee would wish to take their spouse or one member from their immediate family. The County Administrator reserves the right to prohibit family transportation for liability reasons at any time. County vehicles shall not be utilized for personal reasons.

The only County employees that have assigned vehicles and are authorized to commute from work to home are as follows: County Administrator. Public Works Director or his designee on call. Vehicle Maintenance employee on call. Fire Chief and Deputy Chief, Coroner, and Emergency Management Director. PRT Director. Magistrate on-call. I.T. on-call and Rock Quarry employee on-call. Employees of the Sheriff's Office are assigned vehicles at the Sheriff's discretion.

All County-owned vehicles (except vehicles exempted from this policy by the Oconee County Sheriff and the vehicle driven by the County Administrator) shall display a South Carolina County Government license plate and an Oconee County decal.

While operating a County vehicle employees must obey all traffic and safety laws. Texting while driving is specifically prohibited. Cell phone usage shall be allowed only when using a hand free device. Caution should be practiced while driving a county owned vehicle and using a cell phone.

Effective from the revised date of June 28, 2011. All new employees are required to reside in Oconee County to qualify for a vehicle take home status.

## **SECTION 2 EMPLOYMENT PROCESS**

<b>OCONEE COUNTY PERSONNEL MANUAL Policy Number 2-1</b>
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**SUBJECT: Recruitment**

### **Job Vacancy Announcements**

Except as otherwise provided for in the policy manual, all regular, full-time and part-time positions which occur normally will be publicized both internally and externally, in a job vacancy announcement, unless there is a temporary emergency, or other unusual circumstance as determined by the County Administrator. All new positions will ordinarily be internally posted for review by County employees and advertised outside the internal County organization for consideration by outside applicants. All department heads shall notify the Human Resources Department immediately upon learning that a vacancy will occur. Only the Human Resources Department shall be authorized to post, advertise vacancies and expend funds for the advertisement or for any other purpose related to the recruitment of applicants.

### **Closing Date Of Announcements**

In order to have sufficient response time for interested applicants, internal and external job announcements will normally remain open for a minimum period of five working days from the date of distribution of the announcement. This time period may be extended by the County as needed.

<b>OCONEE COUNTY PERSONNEL MANUAL Policy Number 2-2</b>
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**SUBJECT: Employment Practices**

### **Selection Official**

The County Administrator may designate the selection official(s) for the vacant position. The selection official is normally the department head or appropriate supervisor within the work unit involved.

The Human Resources Department is responsible for establishing the selection criteria, coordinating ALL interviews and notifying all interviewees (by letter) of the selection decision. The Human Resources Department is also responsible for training the selection official in the proper administration of the interviews, and the questions that should and should not be asked during the interview process. The selection official is responsible for conducting selection interviews and may organize a selection panel to assist in the process.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 2-3**

**SUBJECT: Pre-employment Reference Checks**

Selection panel, with the assistance of the Human Resources Department, are responsible for checking the background, (criminal and credit), of those applicants who have been interviewed and are being considered for the vacancy. The department heads are responsible for check all past employment and personal references.

The role of the selection panel will be to make recommendations to the hiring authority, normally the department head.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 2-4**

**SUBJECT: Documenting The Selection Decision**

Selection officials will briefly document, in writing, the reason the successful applicant was selected. This will be noted on the application in the space provided and will be filed in the related job application file.

If a suitable candidate is not found from the applicants, the position will be re-announced.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 2-5**

**SUBJECT: Employment Of Relatives**

It is the policy of the County to employ the best-qualified candidates. Applicants will not be disqualified simply because they have a close relative or family member already employed by the County. It is necessary that careful judgment be exercised by all supervisors and department heads before selecting applicants to be employed in the same division/department where they have a close relative.

It is also the policy of the County that a department head, supervisor, appointed or elected official shall not hire, promote, supervise, select, place, raise the pay, or complete a performance appraisal of any individual who is a close relative, or in any manner recommend, influence, or seek to influence these actions.

An applicant shall not be employed by the County if such employment will result in one family member having direct supervision over another close relative or where one member occupies a position which has direct influence and control of another's employment,

promotion, salary, administrative, and other related management or personnel consideration. To the extent that any relatives are employed by the County on the effective date of the policy, they shall be considered exceptions, ("grand-fathered"), to the policy and no adverse action shall be taken against any such related employees. However, in no event shall related persons who are "grand-fathered" under this policy be allowed to supervise their relative. The County retains the right to reassign employees to effect compliance with this policy.

Employment of close relatives may be permitted in emergency situations for temporary periods of time not to exceed 30 calendar days, with the approval of the County Administrator, in cases where other qualified applicants are not available for an essential task. For purposes of this policy, a close relative is considered to be:

- A spouse, father, mother, brother, sister, son, daughter, or any dependent living in the employee's household, half-brother, half-sister, nephew, niece, grandmother, grandfather, grandchildren, step-brothers and step-sisters, step-parents, step-grandparents, or step-grandchildren.
- An "in-law" in any of the above cases.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 2-6</b>
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**SUBJECT: New Employee Processing, Orientation, And Introductory Period**

**Processing Of New Employees And Orientation**

It is the policy of the County to provide a planned orientation program for all new employees. This program will provide for necessary in-processing, for bringing a new employee on board, as well as helping the new employee feel at home, a part of the team, and to provide information concerning the Administrator-Council form of government, the structure of the organization as well as what the organization and department expects of him/her, the "AT WILL" nature of their employment, personnel policies and procedures, codes of conduct and benefits packages available to him/her. When processing the new employee, he/she will be given the appropriate safety equipment and safety training.

**Introductory Period**

All new employees, as part of the employment-selection process, will be in an introductory period for the first six months. The purpose of this introductory period is to provide the new employee with a learning period and to give the County an opportunity to become familiar with the employee in order to determine whether the employee is suitable for the position. The County reserves the option to extend the introductory period of any new employee up to a maximum of 90 days if a supervisor, with the concurrence of the County Administrator, determines that an extension is warranted.

promotion, salary, administrative, and other related management or personnel consideration. To the extent that any relatives are employed by the County on the effective date of the policy, they shall be considered exceptions, ("grand-fathered"), to the policy and no adverse action shall be taken against any such related employees. However, in no event shall related persons who are "grand-fathered" under this policy be allowed to supervise their relative. The County retains the right to reassign employees to effect compliance with this policy.

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- A spouse, father, mother, brother, sister, son, daughter, or any dependent living in the employee's household, half-brother, half-sister, nephew, niece, grandmother, grandfather, grandchildren, step-brothers and step-sisters, step-parents, step-grandparents, or step-grandchildren.
- An "in-law" in any of the above cases.

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**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 2-6**

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<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 2-7</b>
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**SUBJECT:      Certification and Licensing**

Oconee County requires any employee whose job requires a special license or a special certification to maintain that license or certification as a condition of continued employment. All required certifications and licenses will be paid for by the County, and must be obtained within the specified time limit set for each position. Failure to obtain the required certification and/or license within the allotted time shall be grounds for termination. In the event an employee loses a required license or a certification, such employee shall have three (3) weeks from the date of the expiration of said license or certification to regain that certification or license. Failure to regain the certification or license may be grounds for termination, unless extenuating circumstances exist. An employee may, with the recommendation of the department head and the approval of the County Administrator, take a leave of absence without pay to seek recertification or reinstatement of a required license.



**SECTION 3**  
**WAGE AND SALARY ADMINISTRATION**

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 3-1</b>
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**SUBJECT: General Administration Of The Wage And Salary Program**

**Intent**

It is the County's policy to establish a sound wage and salary policy in order to:

- Attract and retain qualified employees.
- Provide a competitive salary structure that takes into consideration all jobs within the organization and jobs within the regional labor market, as well as individual employee contributions and service.
- Provide employees with the opportunity for advancement relative to individual ability, performance, conduct, expertise and organizational needs.
- Maintain control over payroll costs through effective management of the salary program.

### **Anniversary Review Date**

A salary review date is established for employees at the time of employment, which shall be their initial hire date or anniversary date. It is a date on which the employee may be eligible for a within-grade merit increase if funded by the County Council through the budget.

### **Red-Circled Pay Rate**

Red-circled pay rate is a rate of pay for an individual employee which has been frozen at his/her current level. An individual may acquire a red-circled pay rate as a result of a reduction in grade or salary rate. For example, if an employee's position is reclassified to a lower grade, his or her salary may be red-circled so that the employee's current salary level will not be adversely affected.

### **Effective Date Of Pay Changes And Related Personnel Actions**

In order to reduce the administrative burden associated with pay changes, dates of employment, promotions, etc., should be timed to become effective with the first day of a pay period.

### **Classification And Compensation Plan**

The County Council is responsible for the establishment and maintenance of the classification and compensation plan governing all jobs within the County which have not been excluded by the Council.

The purpose of this plan is to ensure that each employee is paid fairly and clearly understands through an approved job description what is expected in his/her particular job. This plan also ensures adequate and appropriate compensation for recruitment of new employees and the retention of current employees.

- All jobs are grouped by the type of work (occupational grouping) performed. For example: clerical, public safety, trades, and labor.
- Job duties and responsibilities may be evaluated periodically by the County. The evaluation process involves the analysis of the presence and level of common factors such as complexity and scope of work, job requirements (education and experience), responsibilities, freedom to act, supervision, and working conditions.

Wage and salary rates are structured into a schedule of grades and pay ranges that provide minimum, median, and maximum pay rates adequate to appropriately compensate all jobs. This structure may be revised, or the total structure moved upward or downward, in response to labor market trends, economic conditions, and the ability to pay.

Each job is given a specific pay grade and salary range ample enough to allow incentives for service, performance, special skills or critical organizational needs.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 3-2</b>
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**SUBJECT: Time, Method, And Place Of Payment Of Wages And Salaries**

**Deductions**

The County is required to make deductions from an employee's gross pay as specified by state and federal law or as the individual may specify at the time of hiring. The following are deductions that may be made from an employee's pay: federal income tax withholding, state income tax withholding, FIC A withholding, premiums for any medical and/or dependent insurance coverage, additional healthcare or savings account deductions, 401(k) contributions, (United Way), State retirement contributions, and any court-ordered deductions or garnishments. Any change in the employee's name, address, telephone number, marital status, or number of exemptions should be reported to Human Resources immediately to ensure proper credit for tax purposes. The employee's pay stub will set forth the deductions that have been made from the gross pay.

**Pay Period**

The normal pay period is biweekly.

**Method Of Payment**

Payroll check for employees who wish to continue to receive a check.

Electronic direct deposit, at the banking institution of the employee's choice for employees who wish to have this method of payment.

Should a payday fall on a holiday, a paycheck or direct deposit will be issued on the last working day before the holiday.

**Time of Payment**

The Friday following the end of the payroll period.

**Place Of Payment**

Paychecks are distributed by department heads at the various places of employment or at the County Human Resources Department.

## **Notification To Employees**

In accordance with State law, the preceding information shall be provided to each new employee on the date of employment and shall be published and posted at every separate work facility/location.

## **Payment Upon Termination Of Employment**

Any employee who is terminated from employment and whose termination is initiated by the County for any reason other than unavailability of work shall not be entitled to receive accrued, but unused, vacation time. Such accrued or unused vacation time will be forfeited under those circumstances. In addition, any employee who leaves employment without giving proper notice (two weeks) shall likewise forfeit any accrued, but unused, vacation pay. Finally, if an employee gives appropriate notice but has received any formal discipline within the last year, the employee may be required to forfeit accrued, but unused, vacation pay depending on the circumstances. The matter shall be reviewed by the County Administrator for a final decision. Any employee who is entitled to receive accrued, but unused, vacation pay shall be paid for that accrued and unused vacation pay along with all other wages due at the next scheduled payday and in the usual manner. If the separated employee does not pick up his/her paycheck, then the check will be forwarded by certified mail, return receipt requested, to his/her last-known address.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 3-3</b>
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### **SUBJECT: Initial Employment And Appointment**

Generally, a newly hired employee shall be paid the minimum rate of pay for his/her class. Exceptions may be granted upon the written prior approval of the County Administrator. If a new employee more than meets the minimum qualifications and will not accept appointment at the minimum rate of the class, the employee may be awarded 6% above minimum or in unusual cases at a higher rate. Cases should be thoroughly analyzed and measured against objective standards. In addition, every effort should first be made to recruit a qualified employee who will accept appointment at the minimum rate of the class. Consideration should be given to a review of the salaries of employees in the class whose present salaries are below the recruiting rate.

### **Performance and Compensation Review Date**

All employees normally shall be reviewed on an annual basis on or about their anniversary date. In the normal exercise of this policy, both performance and compensation are considered in the review. However, from time to time based on budget conditions, the salary increase component of the merit program may be suspended. The normal administration of execution for merit review should result in a near bell curve in the distribution of awards. Employees are rated marginal, satisfactory, above average or outstanding.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 3-4</b>
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**SUBJECT: Promotions**

A promotion is defined as a favorable personnel action resulting in an employee being selected to fill a position which is authorized as a higher grade or rate of pay. **The re-evaluation of a job that results in the assignment of a new pay grade or minor change in job title is not a promotion.**

When an employee is promoted to a position in a higher class, his or her salary will be increased to the minimum rate for the higher class. If a promoted employee more than meets the minimum qualifications and/or will not accept appointment as set forth herein, the employee may be appointed at the second step or, in unusual cases, at a higher step. Cases should be thoroughly analyzed and measured against objective standards. Promotional salary increases shall be effective on the first day of the payroll following the promotion.

**Statement Of General Policy**

It is the desire of the County to utilize each employee to their fullest potential and to encourage and foster professional development and advancement. To this end, selection officials shall fully consider all qualified employees, regardless of department or assignment, who apply for job vacancies. With the approval of the County Administrator, a department head may limit applications to qualified employees within their own department or to current County employees as deemed to be in the best interest of the County.

**Salary Determination**

The salary of an employee promoted or reclassified from one grade to another having a higher overlapping pay range shall be adjusted to the minimum of the new range or to four percent (4%) above his/her old salary, whichever is higher unless a different increase is authorized in writing by the County Administrator. The reclassification of a position to a grade having a lower pay range shall not result in a reduction of his/her salary unless otherwise authorized in writing by the County Administrator.

The reassignment of an employee to a position in the same grade or to a position in a different grade with the same pay range shall not change the employee's salary unless otherwise authorized in writing by the County Administrator

If the employee is scheduled to receive a salary increase in his/her former grade on the same date as a promotion, then the salary increase will be given before the promotional increase is determined.

When an employee is reduced in grade with no change in salary and subsequently promoted back to the same grade, the salary and review date will remain unchanged.

## **Temporary Promotions**

Temporary promotions may be made when an employee is selected to serve in an acting capacity. This promotion will be pre-approved by the County Administrator.

The employee's temporary rate of pay will be adjusted to a level equivalent to what would be earned if the employee received a regular promotion to the higher level. The policy provisions set forth above will be used to determine the rate of pay. This trial period will be based on budget control, qualifications, years of experience and education.

Upon expiration of the temporary promotion, the employee's pay rate will be adjusted to the former level, plus any pay raises which would have occurred otherwise.

<b>OCONEE COUNTY PERSONNEL MANUAL POLICY NUMBER 3-5</b>
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**SUBJECT:       Reduction In Grade**

**Grade Determination**

When an employee is voluntarily demoted to a position in a different pay grade, with a lower minimum salary, their pay shall be reduced four percent (4%) or to the maximum rate in the pay range to which they are demoted, whichever is lower, unless otherwise authorized by the County Administrator.

When an employee is involuntarily demoted due to misconduct or inability to perform essential functions of the job, their pay shall be reduced to the minimum level of pay for that position.

**Lateral Transfers**

Lateral transfers are not normally made, unless in the sole opinion of the County Management, it is in the best interest of the County's operation to do so. A lateral transfer is a transfer of an employee from one position in a salary grade to a different position in the same salary grade. Salary increases are not normally granted in such situations unless otherwise authorized in writing by the County Administrator.

**Reduction in Grade Because of Reclassification, Reorganization, Reduction In Force, and Similar Actions**

If actions of this type result in an employee being reassigned to a position with a lower classification (pay grade / salary range), the salary will be adjusted to the lower grade and given the same percentage increase above the new position's minimum salary that they were being paid in their previous position. Any exceptions to this policy will be determined at the discretion of the County Administrator.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 3-6**

**SUBJECT: Within-Grade Pay Increases**

**General Policy For Within-Grade Pay Increases**

It is the County's policy to periodically consider within-grade pay increases such as C.O.L.A.s or merit raises for those department under County Council, with the approval of County Council during the fiscal year budgeting process.

Employees who have received any type of disciplinary action within six months of the review date will not normally be granted a within-grade pay increase. Any employee so denied a within-grade pay increase will be evaluated again in six months. If there have been no additional disciplinary actions or documented poor performance, the employee shall be eligible for a within-grade pay increase.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 3-7**

**SUBJECT: Overtime And Compensatory Time**

The County recognizes that occasionally, nonexempt employees may be required to work overtime in order to provide essential government services or in the conduct of routine operations. It is the County's intent that employees who are required to work overtime receive proper compensation for their extra efforts. Since uncontrolled overtime can result in a substantial financial liability, the County must ensure that an adequate management system is instituted. Except for emergency situations or unpreventable circumstances, all over-time must be pre-approved by the County Administrator.

- A non-exempt employee shall be eligible to receive compensatory time off for any hours accounted for by that employee in excess of his or her normal workweek, up to 40 hours in a workweek. For example, assume an employee's normal workweek is 37 1/2 hours and they will work the following schedule:

MONDAY - 8 hours  
TUESDAY - 8 hours  
WEDNESDAY - 8 hours  
THURSDAY - 7 1/2 hours of holiday pay  
FRIDAY - 7 1/2 hours

The employee's total hours accounted for is 39 hours. The employee will be paid for 37 1/2 hours that week and shall be eligible to receive an additional 1 1/2 hours of compensated time off so long as the compensated time off is taken within the same payroll period. If not taken within that time, the employee, in the example above, shall be paid for that compensatory time at the employee's normal hourly rate of pay prevailing at the time the compensatory time accrued.



- Non- Exempt employees shall be paid for all hours worked over 40 in a workweek at time and a half their normal rate of pay in compliance with Federal law. Overtime is to be paid in the payroll period accrued. Employees shall not be permitted to accrue compensatory time for hours worked over 40 in a workweek. It should be noted that if an employee works more than 40 hours in the first week of a payroll cycle, the employee may be given time off in the second week of that same payroll cycle at 1 1/2 hours off for each hour over 40 that was worked in the first week without incurring any overtime liability. For example, if an employee worked 44 hours in the first week of the payroll cycle, the employee may be given 6 hours off with pay the next week without incurring any overtime liability. Thus the employee would work 44 hours in the first week, 34 hours in the second week, but would be paid for 80 hours in the two-week cycle. This only applies within the same payroll period. Employees may not bridge payroll periods.
- Employees should schedule compensatory hours off with their department head, who shall retain discretion to schedule compensatory time off for employees.

### **Reporting Of Hours And Computing Overtime**

- Supervisors, department heads, and appointed or elected officials are responsible for
- ensuring that all hours that are worked are properly recorded and reported and that leave time, compensatory time, and holiday hours that are used are reported on each employee's time card, which is maintained by the Human Resources Department.
- All compensatory/overtime hours must include proper notation of why time was utilized on the comment line of the departmental time sheet, turned into the Human Resources Department.
- The actual computing of overtime hours, compensatory time credits, and approved cash payments are computed by payroll personnel.

Except in cases of unpreventable circumstances, emergencies, or organizational necessity, unauthorized working of overtime by non-exempt employees is considered a violation of policy and may lead to discipline, up to and including discharge.

## **Oconee County Standby Procedure**

Standard Operating Procedure Effective Oct. 2005; Updated Jan. 2011

Procedures: In general the standby technician shall abide by the guidelines as outlined in the Oconee County Personnel Manual, with special attention given to Policy Numbers 1-10 and 3-8

1. The standby technician shall be allowed to drive a county vehicle to and from home during the standby assignment. The standby technician shall use the county truck to get to the scene within 35 minutes. The standby technician will not leave the scene while an unsafe condition exists, UNLESS appropriate replacement staff is on the scene.
2. The standby technician shall be responsible for ensuring that the county vehicle has the proper equipment and supplies to deal with most unsafe conditions.
3. In most cases, the standby technician shall try to make the unsafe condition safe using the minimum staff and equipment possible. The standby technician can call up to three other technicians for assistance. If the job will require more than three extra persons to complete or if the job takes longer than three hours to complete, the Roads and Bridges Manager or Public Works Director must authorize the additional staff or time. Clean up work and finish work should be scheduled with the Roads and Bridges Manager to be completed during normal working hours.
4. Should multiple unsafe conditions exist, the Roads and Bridges Manager or Public Works Director should be consulted to assist with evaluating Priorities. In general, life safety issues shall have the highest priority.
5. The standby technician is responsible for filling out a Standby Duty Report for each condition / occurrence. If no calls were received during the Duty assignment a "no event" report should be completed.

At the discretion of the Department Director, the standby technician may accrue one hour of comp time for each day standby duty is assigned. This accrual is contingent upon satisfactory completion of the Standby Duty Report and responsiveness to calls.

## **SECTION 4 LEAVE PROVISIONS**

<b>OCONEE COUNTY PERSONNEL MANUAL Policy Number 4-1</b>
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**SUBJECT: Leaves Of Absence**

The County grants unpaid leave for periods of absence in accordance with the terms of this policy. Without County permission, an employee may not work for any other employer during his or her leave of absence from the County.

### **Family Medical Leave Of Absence (employee)**

*Scope.* This type of leave permits an employee to take up to 12 weeks of leave in any given 12-month period. This leave may be extended up to a total of six months if necessitated by a medically verified temporary period of incapacity, illness, or injury. Under this policy, leaves of absence for pregnancy, childbirth, or related conditions shall be subject to the same eligibility, terms, and conditions that are applicable to leaves of absence for all other types of medical conditions. All nonmedical requests for extended leaves from work will be handled under the provisions for nonmedical leaves of absence.

### **Terms And Conditions Of Leave.**

1. Medical leaves of absence are available only to employees who have been on the County payroll for a period of 12 months and who have worked at least 1250 hours in the preceding 12 months. Exceptions may be made when necessary to reasonably accommodate individuals with disabilities; however, the reinstatement and benefits provisions of this policy may not apply in such cases.
2. A medical leave of absence will be granted to an employee upon request supported by a medical certification indicating that the employee has a serious health condition. Recertification of the employee's medical condition is required as set out in this policy. A separate certification is required for any extension of the leave of absence. Additionally, the County may request that an employee take a medical leave of absence when the employee becomes medically unable to perform the essential functions of his or her job or if the employee's medical condition could affect the work, safety, or health of any employee or the property of the County.
3. Medical leaves are permitted only for periods of actual medically necessitated absence. While on medical leave, the employee must report to the County at least once every two weeks concerning his or her medical status in accordance with the certification provisions of this policy. The County may require the employee to furnish a physician's statement or to be examined by a County-approved physician to verify continuing inability to work if such question arises. If an employee fails to comply with the provisions of this paragraph, his or her absence will be treated as an unexcused absence and the employee will be subject to disciplinary action, up to and including discharge.

4. An eligible employee may take up to a maximum of 12 weeks of leave in a 12-month period under the medical leave provisions of this policy (up to 6 months if an extension has been granted). The County will measure the 12-month period under this policy as a "rolling" 12 months measured backward from the date an employee uses any leave under this policy. Therefore, leave taken under the medical leave provisions or the family leave provisions of this policy within the 12 preceding months will reduce the amount of leave entitlement under this provision.
5. If an employee has accumulated vacation (Policy No. 4-2), sick leave (Policy No. 4-5), or other paid leave, the County requires the employee to use paid leave first and take the remainder of the leave period as unpaid leave.

### **Family Medical Leave Of Absence (Family Member)**

**Scope.** A leave of absence for a definite period of time, not to exceed 12 weeks in any given 12-month period, may be granted for the following reasons:

1. For the birth of the employee's child or in order to care for the employee's child born within the preceding 12 months. However, such leave must be concluded within 12 months of the birth of the child.
2. In order for the employee to secure the placement of a child with him or her through adoption or foster care. Such leave also is available in order to care for a child who has been placed with the employee through adoption or foster care, but only within 12 months of the placement of the child with the employee.
3. In order to care for the spouse, child, or parent (but not a parent-in-law) of the employee, if such spouse, child, or parent has a serious health condition.

### **Terms And Conditions Of Leave.**

1. A family leave of absence is available only to an employee who has been on the County's payroll for 12 months and who has worked 1250 hours during the 12-month period preceding the commencement of the leave.
2. An eligible employee may take up to a maximum of 12 weeks of leave in a 12-month period under the family leave provisions of this policy. The County will measure the 12-month period under this policy as a "rolling" 12 months measured backward from the date an employee uses any leave under this policy. Therefore, leave taken under the medical leave provisions or the family leave provisions of this policy within the 12 preceding months will reduce the amount of leave entitlement under this provision.
3. If an employee has accumulated vacation (Policy No. 4-2) or other paid leave, the County requires the employee to use paid leave first and take the remainder of the leave period as unpaid leave. An employee may utilize one day of sick leave per week to compensate them for absences due to doctor's appointments for family members. An employee may not use more than one sick day per week, unless properly authorized by the County Administrator.
4. A husband and wife who are both employed by the County may be limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken for the birth

of the employees' child, for the placement of a child with the employees through adoption or foster care, or to care for a parent with a serious health condition.

### **Terms And Definitions**

1. The term "disability" as used in this policy means a physical or mental impairment that substantially limits the employee in a major life activity.
2. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
  - a. **Inpatient care** in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care.
  - b. **Continuing treatment** by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
    - (1) A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity related to the same condition that also involves:
      - (a) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders or on referral by a health care provider.
      - (b) Treatment by a health care provider on at least one occasion that results in a regimen of continuing treatment under the supervision of the health care provider.
    - (2) Any period of incapacity caused by pregnancy or for prenatal care.
    - (3) Any period of incapacity or treatment for such incapacity because of a chronic serious health condition. A chronic serious health condition is one which:
      - (a) Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider.
      - (b) Continues over an extended period of time.
      - (c) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
    - (4) A period of incapacity that is permanent or long-term because of a condition for which treatment may not be effective but for which the employee or family member is under the continuing supervision of a health care provider (e.g., Alzheimer's, a severe stroke, terminal cancer, etc.)

- (5) Any period of absence to receive multiple treatments by a health care provider or by a provider of health care services under the orders of or on referral by a health care provider, either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment (e.g., radiation for cancer, dialysis for kidney disease, etc.).

### **Notice/Designation/Certification**

- (1) For any medical or family leave that is foreseeable (including intermittent and reduced leave schedule), an employee must provide written notice of the need for such leave at least 30 days in advance. If a 30-day notice is not practicable because of unforeseen circumstances, notice must be given as soon as practicable (normally within two business days of learning of the need for such leave). The notice should include the reasons for the requested leave (including the nature of the medical condition if requesting medical leave), the anticipated duration of such leave, and the anticipated start of the leave. Failure to give timely notice of the need for leave may result in a delay in the start of the leave and/or may result in the employee's absence being treated as unexcused, thereby subjecting the employee to disciplinary action, up to and including discharge.
- (2) To the extent a paid leave of absence under workers' compensation or under the County's disability plan (or other similar County-provided leave) can be considered FMLA-qualifying, the County may count the leave of absence against the employee's leave entitlement under this policy. However, in such a situation, the provisions in this policy requiring substitution of accumulated vacation or other paid leave are not applicable.
- (3) An employee who requests leave (a) to care for the employee's spouse, child, or parent, or (b) because of the employee's own serious health condition or disability must furnish medical certification justifying the need for such leave. In addition, if an employee requests a leave of absence based upon the birth of a child or placement of a child through adoption or foster care, the County may require proper legal certification of such birth or placement. When the need for leave is foreseeable and at least 30 days' notice has been provided, the employee must provide certification to the County prior to the time the leave commences. However, when the need for leave is not foreseeable (i.e., the employee is unable to give 30 days' notice), the employee must provide certification to the County within 15 days of the request or provide a reasonable explanation for any delay. If the employee fails to provide the required certification in a timely manner, the County may deny leave until such certification is submitted. In such a case, the employee's absence may be treated as unexcused, thereby subjecting the employee to disciplinary action, up to and including discharge.
- (4) Medical certification should be provided on the Medical Certification Form given to the employee-at the time he or she requests leave. (In the alternative, certification should be provided on Department of Labor Form WH-380.) This form must be filled out in its entirety by the appropriate health care provider and should be signed by the health care provider and the employee.

- (5) If the County has reason to doubt the validity of the medical certification, it may require, at its own expense, that the eligible employee obtain the opinion of a second health care provider designated by the County. The health care provider will not be employed on a regular basis by the County.
- (6) If there is a conflict between the opinions of the first and second health care provider, the County may require, at its own expense, that the employee obtain the opinion of a third health care provider designated by the County and the employee jointly. The opinion of the third health care provider is final.
- (7) Recertification of the employee's or family member's medical condition is required every 30 days. However, if the medical certification provided to the County states that the minimum duration of the period of incapacity or period of treatment is more than 30 days, then recertification is not required until that minimum duration has passed. If the employee requests an extension of leave, if the circumstances described by the original certification have changed significantly, or if the County receives information that casts doubt upon the continuing validity of the original certification, the County may require recertification of the employee's or family member's medical condition regardless of whether the 30-day time period has elapsed.
- (8) An employee on leave is required to report to the County at least once every two weeks regarding his or her intent to return to work. If the employee gives unequivocal notice of intent not to return to work, the employee's employment will be terminated and the employee's entitlement to reinstatement and health benefits will cease. Also, the employee may be required to reimburse the County for all premiums paid for health benefits, as provided in the policy.
- (9) Prior to being reinstated to his or her job, an employee on medical leave must submit certification that he or she is fit for duty and able to perform the essential functions of his or her position.

### **Intermittent Leave And Reduced Work Schedule**

1. An employee may take leave intermittently or on a reduced schedule only under the following circumstances, unless otherwise agreed to by the County:
  - a. The employee has a disability that substantially limits him or her in a major life activity and intermittent medical leave is necessary to accommodate such employee in the performance of the essential functions of his or her position.
  - b. The employee has a serious health condition that requires intermittent medical leave.
  - c. The employee has a spouse, child, or parent with a serious health condition that requires intermittent family leave.

2. In the event that intermittent leave or a reduced work schedule is medically necessary as a result of the employee's own serious health condition or the serious health condition of the employee's spouse, child, or parent, the employee is required to provide certification from a health care provider of the medical necessity of such leave, including the duration and schedule of such leave.

### **Reinstatement**

- (1) An employee returning from a leave of absence under this policy that does not exceed 12 weeks is entitled to reinstatement to his or her former position, if available. If the employee's former position is not available, the employee will be reinstated to a position with equivalent employment benefits, pay, and other terms and conditions of employment. Refusal of an offer of reinstatement will be treated as a voluntary resignation.
- (2) An employee returning from a leave of absence under this policy exceeding 12 weeks will be restored to an available position for which the employee is qualified. However, there is no guarantee of reinstatement for an employee on a leave of absence that exceeds 12 weeks.
- (3) A salaried employee whose compensation is in the top 10 percent of all employees is not entitled to reinstatement if:
  - a. The denial of reinstatement is necessary to prevent substantial and grievous economic injury to the County.
  - b. The County notifies the employee of its intent to deny reinstatement on such basis.
  - c. The employee, after the leave has commenced, elects not to return to employment after receiving such notice.

### **Termination**

1. An employee who does not return to work after remaining on medical leave for
2. 6 months or on family leave for 12 weeks is subject to termination. An individual investigation will be conducted by the County in each such situation to determine if the employee has a disability that can be reasonably accommodated by the County.
1. An employee who does not return to work on his next regularly scheduled workday after a leave of absence under this policy ends or who does not provide a physician's note extending the leave will be considered to have voluntarily resigned, absent extenuating circumstances.

### **Benefits While On Leave**

An employee is not paid during any period of absence covered by this policy (except to the extent accrued paid leave is substituted for unpaid FMLA leave). Furthermore, no benefits except group health insurance will continue while an employee is on any type of



leave of absence, except to the extent such benefits are provided to individuals on other types of leave in accordance with established County policy. Unless he or she chooses not to do so, an employee on leave of absence shall continue to be covered for up to 12 weeks under the County's group health care plan and will have all rights of election under such plan at the same level and under the same conditions as provided prior to the employee's taking leave. If the County changes its group health care plan or adopts a new health care plan, an employee on leave will be entitled to the new or changed plan or benefits on the same terms as if he or she were not on leave. If an employee on leave under this policy chooses not to continue group health coverage during the leave, then upon return from leave, the employee will be reinstated to group health coverage on the same terms as prior to having taken the leave. This shall include family and dependent coverage without any qualifying period, physical examination, exclusions of preexisting conditions, or other similar limitations.

If an employee on leave fails to return to work after the leave expires, the County may recover all health care premiums paid in order to continue group health plan coverage for that employee, unless the reason the employee fails to return is because of:

- a. The continuation, recurrence, or onset of a serious health condition or disability that would entitle the employee to leave under this policy.
- b. Other circumstances beyond the employee's control.

When an employee fails to return to work because of the continuation, recurrence, or onset of a serious health condition or disability that would entitle the employee to leave under this policy, the County may require medical certification of such continuation or recurrence.

To the extent the County's group health care plan requires participants to pay some portion of their health insurance premiums, an employee on leave under this policy who chooses to continue his or her coverage under the County's group health plan must continue to pay the employee share of premiums—that is, the employee must pay the same share of premiums for such coverage that he or she would be required to pay if he or she were not on leave and on the same due dates that would be applicable if he or she were not on leave.

- a. If leave taken under this policy is paid leave, the employee's share of premiums will be paid using the same method as is applicable to employees who are not on paid leave.
- b. If leave taken under this policy is unpaid leave, an employee on leave must make premium payments.
- c. If payment of the employee's share of premiums is not received within 30 days of the due date, the County reserves the right to cancel the employee's health insurance coverage. At least 15 days prior to cancellation, the County will notify the employee in writing that coverage will be cancelled on a specific date unless payment is received by that date.

- d. Notwithstanding paragraph 2 of this section, if the County paid part or all of a health care premium that was required to be paid by an employee on leave, the County is entitled to recover the employee's share of such premium.

## **Other Non-medical Leaves Of Absence**

### **Military Leave**

Appropriate military leaves of absence will be granted by the County pursuant to state and federal law.

### **Bereavement Leave**

The County recognizes the problems involved when a member of one's immediate family passes away. To lend assistance, the County grants paid time off to regular, full-time employees, up to a maximum of three scheduled workdays, in order to arrange for and/or attend the funeral service. The purpose of this policy is to provide compensation to an employee for the day before the funeral, the day of the funeral and the day after the funeral. If the employee is not scheduled to work one of those days, then the employee will not be compensated for that day. Verification of the reason for the absence may be required upon request of the employee's supervisor or the Human Resources Department. Pay for each day of bereavement leave will be made at the employee's current straight-time rate of pay for a scheduled day's work, not to exceed eight hours. For the purpose of this policy, "immediate family" is defined as being the employee's spouse, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparent, grandchild, stepparent, stepchild, stepbrother, stepsister, or any dependent living in the employee's household.

If the employee wishes to attend the funeral of a person who is not named above, he/she should request a personal leave of absence from the department head explaining the nature of his or her relationship with the deceased (e.g., aunt, uncle, cousin, close friend, etc.). The employee will receive no pay for the period of time he or she is on leave unless accrued but unused vacation time is available. (See Policy 4-2.) Normally, such leaves will be granted for only one day and only after approval by the County Administrator.

In unusual circumstances, additional leave time without pay may be granted upon the approval of the County Administrator.

When a death occurs in an employee's family while the employee is on annual or sick leave, the period of sick leave will be extended accordingly.

## **Jury Duty**

The County recognizes jury duty as a civic responsibility and an opportunity for meaningful service. Accordingly, an employee who is summoned to report for jury duty shall be excused from employment for the days required to serve as a juror. Employees who serve will be compensated at their normal rate of pay up to a maximum of ten working days, unless extended by County Council. Should the trial be scheduled to last longer than 10 working days, the employee should advise the court of the County's policy limit on jury pay. However, an employee will not be compensated for more than 8 hours in any one-day or for more than 40 hours in any week. Any travel reimbursements paid by the court shall be retained by the employee.

In order to receive pay under this section, an employee must submit a statement from the clerk of the court showing the length of service as a juror and the pay received.

If on any day during jury duty the employee is excused by the court and it is possible to complete at least two hours of that employee's normal scheduled workday, the employee is required to report to work.

Jury duty leave will also be granted if an employee is subpoenaed to appear in court as a witness as long as the employee gives his or her supervisor reasonable notice in advance in writing. Personal leave or annual leave must be taken for any court appearance other than jury duty or appearance in court as a part of their job with the County.

All time spent in court as a witness in connection with an employee's official duties shall be counted as hours worked and included in the total hours worked for the week. Court attendance occurring on a day off or holiday shall be treated in the same manner as for employees who work on their day off or on a holiday.

Section 14-7-850 of the South Carolina Code of Laws provides that local government officers are exempt from jury service while in the actual discharge of their duties as such officers. Notaries public are not considered to be state officers for the purpose of this exemption.

## **Voting Leave**

When an employee is required to work the hours when polls are open for voting and would thus be prevented from casting a ballot in a national, state, or local election in the county in which he/she resides, and if the employee requests such time off in advance, he/she will be released from work for the period of time necessary to visit the appropriate poll, cast a ballot, and return to work.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 4-2**

**SUBJECT: Vacation**

**Entitlement**

Vacation may be used by employees who are regular full-time or regular part-time employees who have satisfactorily completed their introductory six (6) month period of employment. Newly hired individuals begin to accumulate vacation credit following the first full month of employment, but cannot utilize such vacation until completion of their introductory period. Accrued vacation may be used prior to the end of the introductory period only on the basis of an emergency situation and must be approved by the County Administrator.

Vacation time is earned on a monthly basis, and is accrued at the end of each month. Earning rates are determined by continuous years of service.

**Earning Rate**

Vacation year

The vacation year begins on an employee's anniversary date and ends on the anniversary date the following year.

Creditable service

In determining the years of service for which an employee will earn vacation credit, only the current employment status with the County will be used.

Vacation is earned at the rate (expressed in work days) indicated below:

<b>YEARS OF SERVICE</b>	<b>NUMBER OF DAYS EARNED PER CALENDAR YEAR</b>
1 year	5
2-5 years	10
6-7 years	11
8-9 years	12
10-13 years	13
14-19 years	15
20 years or more	20

Permanent part-time employees who are scheduled to work an average of at least 20 hours per week shall earn credit for vacation at a rate based on the above schedule and in proportion to the percentage of the regular workweek that they are scheduled to work.

- For example, a permanent part-time employee who works an average of 25 hours per week with one continuous year of service would earn vacation equal to one of his regularly scheduled workweeks (25 hours) at the end of one year of service.
- Vacation taken by an employee shall be paid based on the average number of hours worked per day in a normal work week by that employee times the number of days of vacation taken. Vacation pay shall be based on the employee's base rate of pay.

Upon separation from employment, all vacation accrued, but unused, by an employee shall be liquidated by a lump-sum payment at his/her regular rate of pay unless the employee (a) fails to give two weeks' notice of his or her resignation, (b) has been disciplined in writing by the County for any reason during the preceding twelve (12) months; or (c) has been discharged by the County for any reason other than lack of work.

When a recognized holiday falls during a vacation period, that day will not be counted as a day of vacation.

### **Accumulation**

Employees shall be permitted to carry over from one calendar year to the next any unused earned vacation up to a total accumulation of forty-five (45) days. Vacation is earned on an employee's anniversary date of employment with the County. Employees may not carry over more than 45 days at any one time. Once an employee reaches 45 days of vacation, that employee will not accrue any additional days until the total number of accrued vacation days drops below 45 days. At that time, an employee may accrue additional vacation days up to a maximum of 45 days.

### **Granting of Vacation To Employees**

A vacation request form will be submitted by the employee, through the employee's immediate supervisor to his/her department head for approval.

A vacation request form will be submitted by the department head 48 hours in advance, through the County Administrator's Office for approval by the County Administrator.

In an emergency or when circumstances make a written/advance request impractical, a verbal request and approval may be made. Documentation will be accomplished at the earliest practical time.

## **Department Heads**

Department heads are the approving authority for subordinates' vacation requests. Department heads will designate a reasonable time frame for submission of vacation requests, taking into account work requirements, scheduling, and shift operations, etc. The County Administrator is the vacation-approving authority for department heads.

- Approved vacation request forms will be forwarded with the appropriate departmental time sheet to the Human Resources Office.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 4-3</b>
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**SUBJECT: Sick Leave**

### **Entitlement**

Sick leave is accrued and used by employees who are:

- Regular full-time and regular part-time employees.

Employees are granted sick leave for:

- Periods when he/she is unable to work due to illness or injury.

For the purpose of this policy, any disability which is caused by pregnancy or other childbearing complications shall be treated the same as any other illness or injury.

- Personal medical and dental appointments, optical examinations (including fitting for glasses), or other treatment by recognized practitioners. Treatment and counseling associated with emotional, mental illness, alcoholism, and drug problems are also included. Time off for such appointments shall be subject to the approval of the employee's supervisor and the needs of the County.
- The illness or medical/dental appointment of immediate family. Immediate family member is defined as employee's spouse, child, (including stepchildren and adopted children) and/or parent, or stepparent. Utilizing accrued Sick leave for family members should be approved by the Department Head. Usage of more than 3 days should be addressed under the Family and Medical Leave guidelines.
- With regard to medical and dental appointments, employees are expected to work the remainder of a day if the appointment permits.
- Exposure to a contagious disease, which can be transmitted to others.

### **Earning Rate**

Sick leave is earned at the rate of one normal workday for that employee per calendar month of employment. An employee must be employed for a full calendar month after date of hire before they begin accumulating sick leave.

### **Accumulation**

Employees are authorized to accumulate up to a maximum of 90 days of sick leave that may be carried over from calendar year to calendar year.

Upon termination of employment, for any reason, an employee will forfeit all right to receive accrued, but unused, sick leave. Any remaining accrued, but unused sick leave will be credited towards the employee's years of service with the South Carolina Retirement System upon active retirement from Oconee County.

When a recognized holiday falls during a sick leave period, that day will not be counted as a day of sick leave.

When an employee becomes sick during vacation, he/she is entitled to substitute sick leave to cover the period of illness. Upon return from vacation, individuals must promptly report his/her situation to his/her immediate supervisor and submit a written request for substitution. A physician's certificate is required for three consecutive sick leave days or at the discretion of the County Administrator. Sick leave exceeding three consecutive sick days, or three days for the same medical condition may require the implementation of the FMLA.

Employees earn sick leave credit on a prorated basis for each pay period in which they work.

### **Transfer of Leave**

Employees are authorized to transfer accumulated sick time to another employee who has exhausted his or her sick time, vacation or other paid leave and is personally experiencing an extreme medical emergency or long-term illness, related to the employee's spouse, child or parent is experiencing an extreme medical emergency or long term illness. The employee who transfers leave time to another employee shall lose the number of days of accumulated leave that is transferred. The transfer of leave time shall be done on a volunteer basis. All donations of leave under this policy are subject to the approval of the County Administrator.

### **Physician's Certification**

A physician's certificate verifying that an employee was incapacitated due to illness or injury is required if the absence is three consecutive working days. In addition, a physician's certificate may be required if an absence due to illness or injury occurs on the day immediately before or after a scheduled holiday. A doctor's certificate may also be required in conjunction with a leave permitted in Policy 4-1. or at any other time, for any absence, at the discretion of the department head or County Administrator.

### **Notification Of Illness**

Employees are required to notify their immediate supervisor (or representative if the supervisor is not available) as soon as possible prior to the start of the workday if they are unable to work or will be late to work. In an emergency, notification should be made as soon as it is practical and may be made by someone other than the employee. Failure to provide notification within two hours after the start of work, without a reasonable excuse, is grounds to refuse approval of sick leave. Employees are required to keep their Supervisor apprised of their situation and anticipated date of return.

### **Emergency Treatment Of Employees Injured During Work Hours**

Initial emergency medical treatment provided to employees who are injured while on the job shall be considered as hours worked (up to one regular duty day).



**Oconee County Human Resources  
415 South Pine Street  
Walhalla, South Carolina 29691  
(864) 638-4252  
An Equal Opportunity/Affirmative Action Employer**

**SICK LEAVE TRANSFERAL REQUEST**

I \_\_\_\_\_, wish to donate \_\_\_\_\_ hours of my sick  
time to \_\_\_\_\_. I understand that this  
time will be deducted from my sick leave balance, reducing my leave accordingly.

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(Employee Signature)

(Date)

---

(Witness)

OCONEE COUNTY PERSONNEL MANUAL

POLICY NUMBER 4-3

Effective: 10/26/2015

**SUBJECT: Sick Leave/ Transfer of Leave (paragraph)**

Employees are authorized to transfer accumulated sick time to another employee who has exhausted his or her sick time, vacation or other paid leave and is personally experiencing an extreme medical emergency or long-term illness, related to the employees' spouse; child or parent is experiencing an extreme medical emergency or long term illness. The employee who transfers leave time to another employee shall lose the number of days of accumulated leave that is transferred. The transfer of leave time shall be done on a volunteer basis. All donations of leave under this policy are subject to the approval of the County Administrator.

Donated sick time will be capped at 17 days.

OCONEE COUNTY PERSONNEL MANUAL

POLICY NUMBER 4-3

**SUBJECT: SHORT TERM DISABILITY BENEFITS**

Short term voluntary disability insurance benefit will be offered thru SUN LIFE. Employee is required to purchase short term disability for this benefit to be extended to the employee.

To qualify for this compensation benefit, employees must have purchased this benefit, be full time and covered under the County's medical plan. The disabled employee must notify the Human Resources Office and be absent on a qualified medical leave accompanied with the appropriate physician's statement for a minimum of (15) fifteen calendar days.

As soon as employee is aware of absence will be longer than 15 calendar days, employee must complete a disability application with SUNLIFE thru the Human Resources Office.

The qualified employee may elect to utilize accumulated or donated leave time as an option in order to receive fully salary during his/her disability period or portion of disqualified from the short term compensation, only for the period in which they chose to utilize accumulated leave time.

Donated sick time will be capped at 17 days.

Oconee County no longer provides self-funding of \$200 per week for short term disability.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

T. Scott Moulder, Oconee County Administrator

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 4-3**

**SUBJECT: SHORT TERM DISABILITY BENEFITS**

The short term disability benefit will be a self-funded and self-administered benefit in an effort to more efficiently address employee needs.

To qualify for this compensation benefit, employees must be full time and covered under the County's medical plan. The disabled employee must notify the Human Resources Office and be absent on a qualified medical leave accompanied with the appropriate physician's statements for a minimum period of (30), thirty calendar days. After completing the qualifying period, the payable benefit of \$200.00 (two hundred dollars) per week for up to 22 weeks, or for the period of disability, will be remitted to the employee. The compensation will be processed in the Human Resources office. The disabled employee will not be paid the county benefit for the first 30 qualifying days.

The qualified employee may elect to utilize accumulated or donated leave time as an option in order to receive full salary during his/her disability period or portion of his/her disability period. If the employee elects to utilize such time they will be disqualified from the short term compensation, only for the period in which they chose to utilize accumulated leave time. Both compensations must not be utilized at the same time. The choice of non-election of the \$200.00 per week short term benefit will not disqualify the employee from the option of the long term disability plan offered by Hartford Insurance.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 4-4**

**SUBJECT: Holidays**

**Observance**

The following days are observed as paid holidays:

<b>HOLIDAY</b>	<b>WHEN OBSERVED</b>
New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
President's Day	Third Monday in February
Confederate Memorial Day	May 10 <sup>th</sup>
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	Fourth Friday in November
Christmas Eve	December 24 <sup>th</sup>
Christmas Day	December 25 <sup>th</sup>
Day after Christmas	December 26 <sup>th</sup>

Holidays occurring on Saturday are observed on the preceding Friday, and holidays occurring on Sunday are observed on the following Monday. Any holiday that an employee does not-work will not be included as hours worked for determining overtime during that workweek.

**Administration**

All regular full-time employees are entitled to paid holidays. Regular part-time employees are entitled to holidays which fall on a day they are regularly scheduled to work and in the amount of time they are normally scheduled to work.

Holidays are not charged against vacation leave if they occur while an employee is on vacation leave. Holidays are not charged against sick leave, if they occur while an employee is out on approved leave.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 4-4**

**SUBJECT: Holidays**

**Observance**

The following days are observed as paid holidays:

<b>HOLIDAY</b>	<b>WHEN OBSERVED</b>
New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
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Confederate Memorial Day	May 10 <sup>th</sup>
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Veteran's Day	November 11
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Christmas Eve	December 24 <sup>th</sup>
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Holidays occurring on Saturday are observed on the preceding Friday, and holidays occurring on Sunday are observed on the following Monday. Any holiday that an employee does not-work will not be included as hours worked for determining overtime during that workweek.

**Administration**

All regular full-time employees are entitled to paid holidays. Regular part-time employees are entitled to holidays which fall on a day they are regularly scheduled to work and in the amount of time they are normally scheduled to work.

Holidays are not charged against vacation leave if they occur while an employee is on vacation leave. Holidays are not charged against sick leave, if they occur while an employee is out on approved leave.

Terminating employees whose last day of employment falls on a holiday do not receive holiday pay unless they actually worked that day.

Employees do not receive holiday pay when the first day of leave without pay starts on a holiday or the day following, or if the leave without pay ends on a holiday or the preceding day.

If an employee works on a holiday, in addition to the pay for that day of work, the employee may take one day off with pay within 60 days of the holiday after approved by the employee's Supervisor/Department Head. Such accrued, but unused, holiday leave will be forfeited upon termination.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 4-5</b>
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**SUBJECT: Administrative Leave**

The County recognizes that from time to time, there may be a need to grant employee absences for purposes which are not solely for the benefit of the employee. The nature of these absences are generally characterized by one or more of the following:

- Direct or indirect benefits to the County which would otherwise not be available.
- In the best interest of the government.
- Promotes or contributes to the public interest or welfare of the citizens of the community.

Administrative leave is granted at the discretion of the County Administrator, after considering the benefits gained and work requirements of the employee. Such leave may be paid or unpaid at the discretion of the County Administrator.

The County Administrator has the responsibility and authority to make the determination of the appropriateness of granting administrative leave under this policy. The Supervisor may delegate, by written memorandum, restrictive authority to Department Heads to make appropriate determination and approval of administrative leave in specified circumstances or purposes.

**Examples Of Appropriate Use Of Administrative Leave**

Direct or indirect benefits to the County in the form of expanding the job-related knowledge or ability of an employee resulting from attendance of professional association seminars, conferences, college courses or other similar training.

The best interest of the government may be served by granting extra time to an employee in recognition of significant contributions to the County.

Granting a morning or afternoon off for employees who donate blood, without compensation, to the American Red Cross or other similar nonprofit organizations provides a

service for the public interest and general welfare. Granting employees not involved in public safety or road clearing operations administrative leave during time of hazardous weather conditions reduces the unnecessary risk of harm and injury.

An employee who has been arrested or who has otherwise been involved in conduct that may have an adverse impact on the public image of the County or its employees, or which in any way adversely impacts the County, its operation, or its image, may be placed on administrative leave for a period of time deemed appropriate by the County Administrator.

### **Application Procedures**

Regular employees may submit a request for administrative leave outlining the purposes and benefits of such leave. The leave request will be submitted and processed in the same manner as vacation leave. The duration of any administrative leave under this policy will be determined at the sole discretion of the County Administrator.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 4-6</b>
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### **SUBJECT: Inclement Weather**

The County makes every effort to remain operational in case of inclement weather. However, while employees are urged to report to work as close to the beginning of their regular shift as possible on bad weather days, no one should take unnecessary chances.

On occasions of severe weather conditions, employees should listen to the designated radio station or designated television station for announcements as to when the County will be operating. Only the Chief Administrative Officer of the County is authorized to cancel County operations because of inclement weather.

Hourly County employees who do work on days that the County Administrator has canceled County operations because of inclement weather will be paid for all hours worked on that day. In addition, these employees shall receive comp time for the hours they work when County operations are cancelled. Comp time must be taken by the employee within six (6) months of the date that comp time was earned or it shall be forfeited. The employee and his/her supervisor shall work together to schedule the taking of comp time.

This policy shall NOT apply to employees under the supervision of the Oconee County Sheriff. The Oconee County Sheriff may use comp time at his discretion.

An unforeseen emergency situation may cause the closing of a certain area, facility, or office of the County, (i.e. power, water, bomb threats etc.). Only the employees in that effected area would receive pay for the work hours missed.

## **SECTION 5 EMPLOYEE BENEFITS**

<b>OCONEE COUNTY PERSONNEL MANUAL Policy Number 5-1</b>
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### **SUBJECT: Benefits**

The following is a general description of the benefits available to the County's employees. It is only intended to provide general information about benefits that may be offered to employees. This manual is not an official plan document for any employee benefit plan and is not intended to provide specific information with regard to the benefits described below. It is also not a guarantee of any benefit described below. Any errors in this manual are not binding on the benefit plans described below. **IF YOU HAVE ANY QUESTIONS ABOUT ELIGIBILITY, BENEFITS, OR COVERAGE REGARDING ANY OF THE BENEFITS DESCRIBED BELOW, YOU SHOULD REFER TO THE OFFICIAL PLAN DOCUMENTS, SUMMARY PLAN DESCRIPTIONS, OR INSURANCE POLICIES.** If you have additional questions, or need assistance, contact the Human Resources Department.

### **Retirement Programs**

All regular, full-time employees and qualifying part-time employees of the County are required to participate in the following retirement program:

- State of South Carolina Retirement System

### **Credit For Previous Service**

Personnel with prior service in the regular State of South Carolina retirement programs are eligible for reinstatement of previous service.

Employees with prior United States military service are eligible to purchase into the South Carolina Retirement System. Details for prior credit of service are contained in publications produced by the State of South Carolina Retirement System.

### **Part-Time And Temporary Employees**

Part-time and temporary employees who are members of one of the retirement systems because of other full-time employment (e.g., teachers) will make appropriate contributions to the retirement system from salaries paid during their employment status with the County.



## **Employee Orientation Of Retirement Benefits**

At the time of initial in-processing, all new employees eligible for coverage under the retirement system will be briefed on the provisions of the system, cost, and benefits. Each employee will be provided with a retirement system brochure.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 5-2</b>
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**SUBJECT: Group Health, Life, Accident And Dismemberment Insurance**

### **Basic Coverage Of Employees**

It is the policy of the County to provide basic group health/medical, dental, short term and long term disability insurance to all regular, full-time employees whose workweek consists of at least 30 hours.

An employee shall be eligible for coverage on the first day of the month following a 90-day waiting period after the employee's date of hire.

### **Optional Coverage For Dependents**

All employees eligible for basic coverage may elect to purchase coverage for their dependents through payroll deductions. The County underwrites a portion of the cost of dependent care. Dependent coverage may be added or discontinued in accordance with the group policy provisions.

### **Enrollment**

At the time of initial in processing, all eligible employees will be provided the forms necessary for enrollment in all insurance programs and information brochures explaining coverage benefits. Dependent coverage will also be explained, brochures and election/enrollment forms will be provided, and the method and amount of payments for coverage will be explained.

For further details, see the Summary Plan Description or contact the Human Resources Department.

## **SECTION 6 PERSONNEL ACTIONS**

<b>OCONEE COUNTY PERSONNEL MANUAL Policy Number 6-1</b>
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### **SUBJECT: Termination Of Employment**

The County recognizes that conditions may develop which require the termination of an employee or a reduction in staff.

EMPLOYMENT WITH THE COUNTY IS TERMINABLE AT THE WILL OF EITHER THE EMPLOYEE OR THE ORGANIZATION AT ANY TIME. THIS JURISDICTION RESERVES THE RIGHT TO DETERMINE WHAT GROUNDS OR REASONS CONSTITUTE SUFFICIENT JUSTIFICATION FOR TERMINATION OF EMPLOYMENT. WHILE THE CIRCUMSTANCES OF A PARTICULAR CASE MAY RESULT IN TERMINATION FOR THE FIRST OFFENSE, OTHER CASES MAY RESULT IN OTHER FORMS OF DISCIPLINARY ACTION.

THIS PERSONNEL MANUAL CONTAINS GUIDELINES FOR DETERMINING PROPER DISPOSITION OF DISCIPLINE, INCLUDING SITUATIONS WHICH MAY RESULT IN THE TERMINATION OF EMPLOYMENT. THESE PRACTICES DO NOT NECESSARILY ADDRESS ALL CIRCUMSTANCES WHICH MAY RESULT IN TERMINATION OF EMPLOYMENT.

### **Termination Of Temporary And Introductory Employees**

Due to the nature of the employment relationship, individuals in this status may be terminated at any time without the provision of a due process hearing. As much advance notice as possible will be provided.

### **Voluntary Terminations**

A voluntary termination is a separation from the organization at the expressed or implied desire of the employee.

- Resignation.

Employees who resign are requested to provide two weeks' notice of their intention and to provide a written notice of such intention. Employees are asked to furnish reasons for their resignation. Failure to provide two weeks' notice may affect future re-employment. A failure to provide appropriate notice will result in the forfeiture of accrued, but unused, vacation.

- Retirement.

- Not returning within the specified time period after a leave of absence. Written notice of separation will be mailed to the employee's last known address.
- Missing work for three consecutive days without notification or after a threat to quit will be considered a voluntary termination. Written notice of separation will be mailed to the employee's last known address.

### **Involuntary Terminations**

An involuntary termination is a separation from the organization at the initiation of management. They are classified as follows:

- **Release.**  
Separation due to the inability to perform job assignments in an appropriate and satisfactory manner. A release, although involuntary, does not always reflect negatively toward the individual.
- **Layoff.**  
Separation resulting from a reduction in the work force, either permanent or indefinite. Paid notice is provided to the employee as soon as possible and will be at least two weeks.
- **Dismissal.**  
Separation resulting from the performance, conduct, or behavior of an employee, without regard to whether prior warnings have been issued concerning the employee's performance, conduct, or behavior.
- **Medical Disability Separation.**  
Substantial medical evidence demonstrating that an employee cannot perform the essential functions of his/her assigned job in a satisfactory manner, with or without accommodation, and cannot accept a similar position within the organization.
- The County Administrator reserves the right to offer a minimal severance package, if in the best interest of the County.

### **Administrative Review Of Terminations**

Except in the case of resignations, the County Administrator or his/her designee will make a final "administrative review" of each separation, before it is implemented.

### **References For Former Employees**

When an employee is separated by resignation, layoff, release, retirement, or lack of work for temporary positions, the Human Resources Department, with the assistance of the former employee's supervisor, will provide letters of reference to help him/her obtain future employment.

All inquiries from prospective employers or their agents will be referred to the

Human Resources Department. No one else is authorized to release any information about a former employee. The release of unauthorized information can jeopardize the former employee's right to privacy and may subject this jurisdiction to legal action.

The Human Resources Department will not release any information, except for confirming the dates of employment, without the former employee's written consent or request which must be provided.

### **Exit Interviews**

Sufficient notice is requested of those employees planning to leave employment with the County. Additionally, employees are requested to discuss their employment with the County, as well as their reasons for leaving, in an exit interview conducted by the Human Resources Department.

At the exit interview, all of the County's property should be returned, and matters such as final pay, continuation or termination of benefits, and other personnel matters will be arranged. Please remember that it is important to keep a current address on file with the County to maintain communication concerning post-termination benefits.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 6-2</b>
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### **SUBJECT: Layoffs**

If it becomes necessary to reduce the work force, consideration for retention will be based on the following priorities:

- Those employees who possess skills and abilities that are desired by the County.
- Those employees with the best records of performance.
- Those employees with the greatest seniority.

The County Council and AA/EO Coordinator will review the impact of the layoff on the organization's Affirmative Action Plan.

### **Recall**

Employees who have been separated as a result of layoffs are eligible for reinstatement to future vacancies for one year after separation. Priority consideration will be given in the order specified above.

### **Written Notification**

The County Administrator or his designee is responsible for preparing written notification of separation. If the employee is not available at the workplace, the notification will be forwarded to the last-known address by certified mail.

**SECTION 7**  
**RULES OF CONDUCT, DISCIPLINE**  
**AND GRIEVANCE PROCEDURES**

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 7-1</b>
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**SUBJECT:      Employee Grievance And Appeal Procedure**

It is the County's policy to provide a means to resolve work situations or problems that may arise from the employment relationship. All regular employees who feel they have been treated improperly are entitled to present a grievance or appeal without fear of recrimination. Any employee may avail themselves of the first two steps in this process. Employees may avail themselves of Step 3 in this process only if they have successfully completed their introductory period.

Step One - Discussion Between Employee and Immediate Supervisor.

- The employee should first discuss the problem or grievance with his/her immediate supervisor, unless the situation concerns the employee's immediate supervisor. In this case, the employee may go directly to their department head at Step 2.
- The supervisor will investigate the matter and seek an appropriate solution to the situation. The supervisor may seek advice and counsel from higher levels of management. A written response to the employee will be provided within three working days.

Step Two - Discussion Between Employee and Department Head.

- If the supervisor is unable to resolve the situation, or if the employee is not satisfied with the solution, he/she may present the matter, in writing, to the department head within five working days. If the situation concerns the employee's department head, the employee may go directly to the County Administrator at step 3 by presenting the matter, in writing, within five working days.
- The Department Head will investigate the problem, collecting all relevant facts and provide the employee with a written response within three working days.

Step Three - Five-Member Panel.

If a satisfactory resolution of the grievance is not reached at Step 1 or 2, the employee may request that the grievance be processed for review at Step 3. The grievance must be submitted in writing to the County Administrator within five working days of the decision at Step 2. The County Administrator shall notify the Grievance Committee and facilitate the hearing before the Grievance Committee.

In the event that an employee is terminated thereby making Steps 1 and 2 inapplicable, the employee may, within fifteen (15) days of termination, file a grievance under Step 3.

Step 3 of the grievance procedure is available for resolution of employment issues concerning the following: dismissal, suspension, involuntary transfers, promotions and demotions. Compensation is not deemed to be a proper subject for consideration under the grievance procedure except as it may apply to alleged inequities within a department of the County. In addition, verbal warnings/oral counseling or written reprimands shall not be deemed a proper subject for consideration under the grievance procedure.

The County Administrator shall appoint a Committee composed of five members to be known as the Grievance Committee. The Committee shall be appointed so that it will produce a cross-section of the County's employees. The Committee members shall serve terms of office of three years, except that of the members initially appointed, one shall serve for one year, two shall serve for two years, and two shall serve for three years. Positions that become vacant shall be filled on an interim basis for the remainder of the unexpired term. Whenever a grievance comes before the Committee initiated by or involving an employee of a department of which a Committee member also is an employee, such member shall be disqualified from participating in the hearing.

The Committee shall select a Chairman from among its own members. The Chairman shall serve as the presiding officer at all meetings unless he/she designates another Committee member to act in his/her absence.

A quorum shall consist of at least three members, and no hearing shall be held without a quorum.

In most instances, the employee (Claimant) will present to the Committee testimony regarding his/her grievance and what remedy claimant seeks, as well as any additional relevant testimony or witness.

The presiding officer will have control of the proceedings. He/she shall take whatever action is necessary to ensure an equitable, orderly, and expeditious hearing. Parties shall abide by his/her rulings concerning conduct of the hearing, except when a Committee member objects to a decision to accept evidence, in which case the majority vote of the Committee will govern. The Committee shall have the authority to call for files, records, and papers pertinent to any investigation; to determine the order of the testimony and the appearance of witnesses; to call additional witnesses; and to secure the services of a recording secretary.

The Chairman of the Grievance Committee will, within five working days after completion of the hearing, submit a written report and recommendation of the hearing to the County Administrator or the elected official with hiring and firing authority. If the County Administrator or elected official approves the report and recommendation of the Grievance Committee, the decision of the Committee shall be final and a copy of the decision shall be sent to the affected employee and the appropriate Supervisor/Department Head. If, however, the County Administrator or elected official rejects the decision of the Grievance Committee, the County Administrator or elected official shall conduct any further investigation he/she deems necessary and render his/her own written decision within seven working days. The decision of the County Administrator or elected official shall be final.

## **Grievance Hearing and Order of Proceedings**

### **Grievance Hearing Proceedings (to be held in Council Chambers)**

The Chairperson will call the meeting to order (proceedings shall be recorded as a matter of record,) and read a statement of the matter to be heard; and

When applicable appropriate the County's legal counsel or a representative from the human resources department will present the timeline of events as the County understands them; and

The Claimant requesting the grievance shall be granted a maximum of twenty (20) minutes to present their case before the Committee, specifically stating what they desire to be the outcome of the proceedings; and

Once the Claimant has finished his or her presentation, the supervising employee or Department Head shall be granted a maximum of twenty (20) minutes to present their case before the Committee; and

At this time any additional witnesses shall be called and given not more than a total of (20) minutes to speak; time shall be evenly divided amongst those present to speak. A general statement of relevancy shall be asked for by the Chairperson prior to each submittal; and

- a. The Claimant shall call or present any additional testimony and/or evidence; and
- b. The County shall call or present any additional testimony and/or evidence; and

Once all parties have presented their concerns to the Committee, Committee Members may ask questions pertaining to the issue at hand; and

The claimant requesting the grievance shall be granted a maximum of five (5) minutes for a closing statement; and

The Chairperson shall adjourn the hearing.

### **Grievance Committee Deliberations (Closed Session, limited to Committee Members)**

The Committee shall meet in closed sessions to discuss the issues and evidence presented; and

The committee shall render a decision in writing as outlined in the Oconee County Personnel Policy and Procedure Manual

## **General Guidelines**

Human Resources shall be responsible for organizing and scheduling the hearing, to include all contact and notifications for the hearing with all hearing participants; and

Grievance Hearings shall be closed hearings restricted to only those parties directly involved, which may include any legal representation as outlined in the Oconee County Personnel Policy and Procedure Manual; and

Grievance Committee members shall have no contact pertaining to the matter at hand with any of the parties to the hearing prior to the formal hearing; and

Discussions relating to the matter shall not be entertained by the Committee outside of the hearing proceedings; and

Only evidence and testimony directly pertaining to the grievance will be considered by the Committee; and

No debate shall occur between the party requesting the grievance, the human resource department, or the supervising employee; and

The Chairperson, for good cause shown, may extend the time limits set out in this section.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 7-2</b>
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**SUBJECT: Employee Code of Conduct And Discipline**

### **Intent**

Positive discipline is the preferred means to resolve problems related to conduct and performance. However, situations may occur which require a different course of action.

**THIS POLICY IN NO WAY INFERS A CONTRACTUAL OBLIGATION TO FOLLOW ANY CERTAIN PROCEDURE. THE COUNTY RETAINS THE RIGHT TO UTILIZE ANY FORM OF DISCIPLINE IT DEEMS APPROPRIATE.**

### **General**

This jurisdiction has adopted a positive discipline policy that allows an employee every opportunity to meet the requirements, policies, rules, and regulations necessary



for continued employment. At the same time, the jurisdiction recognizes that some violations are of such a serious nature that immediate discharge is appropriate. Any action which will result in loss of pay, reduction in grade, or which places an individual's job in jeopardy must ordinarily be reviewed by the Human Resources Director and approved by the County Administrator.

### **Positive Discipline Examples**

Examples of conduct calling for the: appropriate use of positive discipline include, but are not limited to: tardiness; unauthorized absences; failure to follow instructions, procedures, or standards; improper care, use or abuse of organizational property and equipment; abusive, vulgar, or threatening language; disregard of safety rules; and others of a similar nature. Examples of discipline that may be utilized by the County include an oral counseling, a written counseling, a written reprimand, and/or a short, paid, (maximum of one week) decision-making leave. The decision making leave gives the employee time off to think about the situation.

### **Termination Examples**

There may be occasions where an employee's performance, behavior, or conduct leads the County to conclude, in its sole discretion, that termination is appropriate. Examples of the type of conduct that may lead to termination include, but are not limited to: theft; intoxication on duty; use, possession or sale of narcotics or other controlled or dangerous substances; fighting on duty; any form of harassment; insubordination: refusal to perform assigned work;" falsification of records; sleeping on the job; and unauthorized possession of firearms or other weapons; or reckless endangerment through actions or operations of equipment or machinery. This list is not all-inclusive but rather is illustrative of the type of conduct that may lead to termination.

### **Acknowledgement of Signature**

The County may periodically conduct oral or written evaluations of employees' performance. Employees must sign written evaluations. The employee's signature does not necessarily indicate agreement with the contents of the evaluation; only that he/she has been made aware of the document. While favorable performance evaluations may be a factor in determining wage increase, no employee is entitled to a wage increase because he/she receives a favorable evaluation.

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 whether or not the employee agrees with the action. An employee who refuses to sign such a document will be relieved of all duty until the document is signed. If the document has not been signed and returned by the end of the employee's next scheduled work day, the County will consider the employee to have resigned.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 7-3</b>
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**SUBJECT: Substance Abuse**

**I. PURPOSE**

As a part of its commitment to safeguard the health of its employees, to provide a safe place for its employees to work, and to promote a drug-free organization, the County of Oconee establishes this policy on the use or abuse of alcohol, drugs, or other psychoactive substances by its employees. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased healthcare and benefit costs, increased work theft, decreased morale, decreased productivity, and a decline in the quality of services provided by the County. The County has established this policy to detect users and remove abusers of alcohol and drugs. It is also the policy of the County to prevent the use and/or presence of these substances in the workplace and to assist employees in overcoming any dependence on drugs and/or alcohol in accordance with the guidelines set forth within.

**THE POLICIES AND PROCEDURES CONTAINED HEREIN ARE NOT INTENDED TO CREATE A CONTRACT OF EMPLOYMENT BETWEEN OCONEE COUNTY AND ANY EMPLOYEE. NOTHING IN THE SUBSTANCE ABUSE POLICY AND PROCEDURE SHALL BIND THE COUNTY OR ANY EMPLOYEE TO A SPECIFIC OR DEFINITE PERIOD OF EMPLOYMENT. ANY EMPLOYEE IS COMPLETELY FREE TO LEAVE THE COUNTY AT ANY TIME, AND THE COUNTY ALSO HAS THE SAME RIGHT TO END THE EMPLOYMENT RELATIONSHIP AT ANY TIME.**

**II. SCOPE**

All County employees, including management and administrative employees are covered by this policy. As a condition of employment, employees are required to abide by the terms of this policy. This substance abuse policy primarily governs actions in the areas of alcohol and drugs. Other County policies may be applicable in these areas to the extent they do not conflict with this policy.

**III. DEFINITIONS**

- A. Applicant**—any individual tentatively selected for employment with the County and, if employed, will occupy a sensitive position.
- B. Medical Review Officer**—the individual responsible for receiving laboratory results generated from the County's Drug Testing Policy who is a licensed physician with knowledge of substance abuse disorders and who has the appropriate medical training to

interpret and evaluate all positive test results together with an individual's medical history and any other relevant biomedical information.

**C. Legal Drugs**—prescribed or over-the-counter drugs that are legally obtained by an individual and used for the purpose and in the dosage for which they were prescribed and/or sold.

**D. Illegal Drugs**—controlled substances included in Schedule I or II, as defined by Section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under Chapter 13 of that Title. These include, but are not limited to, marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

**E. Random Testing**—a system of non-scheduled drug testing imposed without individualized advanced notification. This program may be either: Uniform, an announced testing of employees in sensitive positions; or A statistically random sampling of such employees based on a neutral criterion, such as social security numbers or employee identification numbers.

**F. Employees In Sensitive Positions**— employees in positions within the County that may involve law enforcement, security, the protection of life and property, public health or safety, or other functions requiring a high degree of trust and confidence, including but not limited to road department employees, rock quarry employees, solid waste employees, motor pool employees, public service building employees, and any other employees using any kind of motorized or moving equipment.

**G. Supervisor**—an employee having authority to hire, direct, assign, promote, reward, transfer, lay off, recall, suspend, discipline, remove other employees, or adjust employee grievances or effectively recommend such action, if the exercise of authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment.

**H. Verified Positive Test Result**—a test result that was positive on an initial immunoassay test, confirmed by a Gas Chromatography/Mass Spectrometry assay and reviewed and verified by the Medical Review Officer in accordance with this policy.

#### **IV. NOTICE**

##### **A. General Notice of Substance Abuse Policy**

A general notice from the County announcing this policy will be provided to all employees no later than 60 days prior to the implementation date of the policy. The notice shall explain:

- 1) The purpose of the policy.
- 2) That the policy will include testing.
- 3) That those who hold positions selected for random testing will also receive

an individual notice, prior to the commencement of testing, indicating that their position has been designated "sensitive."

- 4) The circumstances under which testing may occur.
- 5) That an opportunity will be afforded to submit medical documentation of lawful use of otherwise illegal drugs.
- 6) That the laboratory assessment is a series of tests that are highly accurate and reliable and that as an added safeguard, laboratory results are reviewed by the Medical Review Officer.
- 7) That positive test results verified by the Medical Review Officer may be disclosed only to the employee, the appropriate County officials necessary to process an adverse action against the employee, or a court of law or administrative tribunal in any adverse personnel action.

#### **B. Individual Notice**

In addition to the information provided in the general notice, an individual notice will be distributed to all employees in sensitive positions explaining the following:

- 1.) That the employee's position has been designated as a sensitive position.
- 2.) That the employee will have the opportunity to voluntarily admit to being a user of illegal drugs and to receive counseling or rehabilitation and shall not be subject to disciplinary action.
- 3.) That the employee's position will be subject to random testing no sooner than 30 days following the notice.

#### **C. Signed Acknowledgment**

Each employee in a sensitive position shall be asked to acknowledge in writing that the employee has received and read the notice which states that the employee's position has been designated for random testing and that refusal to submit to testing will result in initiation of disciplinary action, up to and including discharge. If the employee refuses to sign the acknowledgment, the employee's supervisor shall note on the acknowledgment form that the employee received the notice. This acknowledgment, which is advisory only, shall be centrally collected for easy retrieval by the County. An employee's failure to sign the notice shall not preclude testing that employee or otherwise affect the implementation of this policy, since the general 60-day notice will previously have notified all County employees of the County's substance abuse policy. The employee must always be escorted to the collection site by his/her supervisor or designee.

#### **D. Administrative Relief**

If an employee believes his/her position has been wrongly designated a sensitive position, that employee may file an administrative appeal to the Administrator, which has the authority to remove the employee's position from the sensitive position list. The

appeal must be submitted by the employee in writing to the Administrator within 15 calendar days of notification setting forth all relevant information. County Administrator shall review the appeal based upon the criteria applied in designating that employee's position as a sensitive position. The Administrator's decision is final.

**E. Notice To Applicants**

- 1) All applicants will be given a copy of the County's general notice regarding its testing policy.
- 2) Every vacancy announcement for sensitive positions shall state:
  - All applicants tentatively selected for this position will be required to submit to urinalysis to screen for illegal drug use prior to appointment.

In addition, each applicant will be notified that appointment to the position will be contingent upon a negative drug test result. Any applicant who tests positive for illegal drugs or refuses to take a drug test will not be hired. Failure of the vacancy announcement to contain this statement notice will not preclude applicant testing if advanced written notice is provided applicants in some other manner.

**F. Notification To Employees Subject To Certain Types Of Testing**

Employees subject to reasonable suspicion testing, post-accident testing, or follow-up testing shall receive notice, during the new hire orientation process, prior to testing that includes all of the following information:

- 1) The specific reasons for the test;
- 2) Assurance that the quality of testing procedures is tightly controlled, that the test used to confirm use of illegal drugs is highly reliable, and that test results will be handled with maximum respect for individual privacy consistent with safety and security;
- 3) Notice of the opportunity and procedures for submitting supplemental medical documentation that may support a legitimate use for a specific drug; and
- 4) The consequences of a confirmed positive test result or refusal to be tested, including disciplinary action.

**V. ALCOHOL USE PROHIBITIONS**

**A. Consumption On County Property**

The consumption of alcohol on County property or during regularly established working hours is prohibited and will result in disciplinary action up to and including discharge.

**B. Personal Possession**

- 1) The personal possession (for example, on the person or in a desk, toolbox, vehicle, or locker) of alcohol during work time or on County property will result in

disciplinary action, up to and including discharge.

- 2) The possession of alcohol in a personal vehicle on County property is not prohibited, provided such possession is in compliance with this policy as well as state and local laws.

#### **C. Reporting To Work Under The Influence**

It is against County policy to report to work or to work under the influence of alcohol.

#### **D. Testing For Alcohol**

- 1) Any employee who, in the judgment of a supervisor, is considered to be under the influence of alcohol (i.e., the employee's ability to perform the job safely and effectively is affected by the use of alcohol) will be required to submit to an alcohol test by breathalyzer.
- 2) An alcohol test result of 0.02 or higher will be considered positive.
- 3) An employee may, at his/her own expense, request further confirmation through analysis of a blood sample.

#### **E. Removal From Service**

- 1) An employee who is considered to be under the influence of alcohol will be removed immediately from the workplace. The County will take further action (i.e., removal from service and/or disciplinary action) based on the results of the breathalyzer and/or blood test, relevant medical, prior alcohol offenses, information, work history, and other relevant factors.
- 2) Any employee in a sensitive position who is not perceived to be under the influence of alcohol but who displays evidence of alcohol consumption, such as the smell of alcohol on the breath, will be immediately removed from the workplace. The County will investigate the situation and will take appropriate action based on the results of the investigation, the employee's work history, and other relevant factors.

#### **F. Arrest For Alcohol-Related Incident**

Employees arrested for an alcohol-related incident must immediately notify their supervisors or the Personnel Director of the arrest if the incident occurs:

- 1) During scheduled working hours
- 2) While operating a County vehicle on County or personal business; or
- 3) While operating a personal vehicle on County business.

Failure to notify an appropriate County official may result in disciplinary action, up to and including discharge.

## **VI DISCIPLINARY ACTION FOR ALCOHOL POLICY VIOLATION**

Employees may be discharged for any violation of the County's alcohol policy.

## **VII DRUG USE PROHIBITIONS**

### **A. On-Duty Or On-County Property Violations**

The use, sale, purchase, possession, manufacture, distribution, trafficking, or dispensation of illegal drugs on County property or during regularly established work hours is against County policy and is cause for immediate discharge.

### **B. Reporting To Work Under The Influence Of Drugs**

It is also against County policy to report to work or to work under the influence of illegal drugs. Employees who violate this policy are subject to disciplinary action, up to and including discharge, or may be referred to the County's EAP.

### **C. Legal Drugs**

Legal drugs may also affect the safety of the employee, fellow employees, or members of the public. Therefore, any employee who is taking any legal drug that might impair safety, performance, or any motor functions must advise his/her supervisor before reporting to work under such medication. A failure to do so may result in disciplinary action. If the County determines that such use does not pose a safety risk, the employee will be permitted to work. If such use impairs the employee's ability to safely or effectively perform his/her job, the County may temporarily reassign the employee or grant a leave of absence during the period of treatment. If the above measures are impractical, the County, in its discretion, may also suspend or terminate any employee whose use of a prescription drug inhibits or interferes with proper or safe job performance. Improper use of "legal drugs" is prohibited and may result in disciplinary action.

## **VIII. DRUG TESTING**

### **A. General Provisions**

The extent to which employees are tested and the criteria for testing shall be determined based upon the nature of the department's mission and its employees duties, the efficient use of the County resources, and the danger to the public health and safety that could result from the failure of an employee to adequately discharge the duties of his/her position. The County's program provides for five types of testing: (1) random; (2) reasonable suspicion; pre-employment/pre-appointment; (4) post-accident; and (5) follow-up. The type of testing requirements to which an employee will be subject is dependent on the safety and/or security-sensitive nature of the employee's position.

### **B. Categories Of Employees**

Two categories of employees, as specified below, have been established for the

purpose of determining which positions will be subject to specific types of testing. Appendix A sets forth which positions within the County are in each category.

1. Safety/Security Sensitive Positions

a. These are positions characterized by critical safety or security responsibilities as related to the mission of the County and its departments. The job functions associated with these positions

have a direct and immediate impact on public health and safety, the protection of life and property, or law enforcement. These positions require the highest degree of trust and confidence.

Employees in these positions are subject to rigorous testing requirements. The County will establish written justification for classifications of a position as "sensitive" specifying the adverse

consequences that would likely occur if an incumbent in that position were to use illegal drugs. All employees in sensitive positions are subject to: (1) random testing; (2) reasonable

suspicion testing; (3) post-accident testing; and (4) follow-up testing. All applicants for sensitive positions are subject to pre-employment/pre-appointment testing.

b. In determining which departments or positions will be subject to random testing, the County will consider the extent to which the department or position:

- 1) Considers its mission inconsistent with illegal drug use;
- 2) Is engaged in law enforcement, corrections or public safety;
- 3) Authorizes employees to carry firearms;
- 4) Requires employees to engage in activities affecting public health or safety;
- 5) Involves the custody of or access to classified information; or
- 6) Must foster public trust by preserving employee's reputation for integrity, honesty, and responsibility.

Each determination by the County to classify a particular job occupation as sensitive shall be supported by a justification statement clearly describing why the job is safety/security critical and specifying the adverse consequences that would likely occur if an incumbent in that position were to use illegal drugs. A current justification statement for each sensitive position shall remain on file with the Human Resources Department, which shall review each justification statement to ensure overall consistency with this policy and among varying occupations throughout the County and make appropriate recommendations.

c. The County Administrator, with the assistance of the County Human Resources Department will develop and approve a list of all positions considered to be "sensitive" positions. The list of sensitive positions shall be approved by County Administrator prior to implementation of the random testing provisions of this policy. Administrative appeals contesting classification of a position as "sensitive" shall be permitted as set forth in Section IV.D of this policy.



## **2. All Positions Not Classified As Sensitive**

All other employees (i.e., those in non-sensitive positions) are subject to: (1) reasonable suspicion testing; and (2) post-accident testing.

## **IX. TYPES OF TESTING**

### **A. Testing Of Applicants For Sensitive Positions**

- 1) All applicants for sensitive positions will be tested for the presence of illegal drugs as a part of the application process. This includes current employees in non-sensitive positions who are applying for sensitive positions and all external applicants for sensitive positions.
- 2) Applicants will be advised of the County's substance abuse policy and testing requirements in writing prior to an offer of hire or referral for a physical and/or drug test.
- 3) If an applicant refuses to provide a urine specimen or tampers in any way with any test, he/she will not be considered for employment, and the employment application process will be terminated.
- 4) If an applicant's test is positive, the applicant will not be considered for employment at that time and will be informed that he/she has failed to meet medical standards. The applicant will be offered referral to professional evaluation at the applicant's own expense. If the applicant asks what substance was detected by the test, he/she shall be told in a confidential manner.
- 5) Any applicant who refuses to provide a urine specimen or who fails to pass the pre-employment drug test shall be ineligible for hire for a period of 12 months.

### **B. Reasonable Suspicion Testing**

- 1) Employees may be asked to submit to a drug test if the County has reason to believe that an employee is using illegal drugs. Such belief must be based on specific objective facts and reasonable inferences drawn from these facts in the light of experience. Reasonable suspicion does not require certainty; however, mere "hunches" are not sufficient to meet this standard. Only a management official will order reasonable suspicion testing. The management official will escort the employee for testing.
- 2) Factors that would establish cause to conduct reasonable suspicion testing include, but are not limited to, the following:
  - a. Direct observation of drug-related activity;
  - b. A pattern of abnormal conduct;
  - c. Unusual, irrational, or erratic behavior;

- d. Physical symptoms of being under the influence of a drug;
- e. Unexplained, increased, or excessive absenteeism or tardiness;
- f. Sudden changes in work performance;
- g. Repeated failure to follow instructions or operating procedures;
- h. Unexplained or excessive negligence or carelessness;
- i. Discovery or presence of drugs in an employee's possession or near the employee's workplace.
- j. Odor of and/or residual odor peculiar to some drug or controlled substance;
- k. Arrest or conviction for a drug-related crime;
- l. Information provided either by reliable and credible sources or independently corroborated; and
- m. Evidence that an employee has tampered with a prior drug test.

3. If a supervisor has a reasonable suspicion that an employee is using illegal drugs, he/she must report his/her findings and observations to the department head and the County Human Resources Director. Factors that substantiate this belief shall be documented. This documentation will be retained in the personnel or adverse action file or other system of records, if appropriate.

Upon approval by the Human Resources Director and/or other appropriate County officials, the employee will be asked to consent to a drug test and sign a form acknowledging his/her consent.

### **C. Random Testing**

- 1) Employees in safety sensitive positions will be required to submit to drug testing on a random basis.
- 2) Selection of employees for random testing shall be conducted through the use of a random number generator or other neutral selection process.
- 3) When an employee is selected for random testing, both the employee and the employee's supervisor shall be notified on the day the test is scheduled to occur. The supervisor must immediately notify the employee, and must escort the employee to the collection site. The supervisor shall explain to the employee that the employee is under no suspicion of taking drugs and that the employee's name was selected randomly pursuant to this policy.
- 4) An employee selected for random drug testing may obtain a deferral of testing only if the employee's supervisor and the agency or department head concur that a compelling need necessitates a deferral on the grounds that the employee is:
  - a. In a leave status (sick, annual, administrative, or leave without pay); or
  - b. On official travel status away from the test site or is about to embark on official travel scheduled prior to testing notification.
- 5) An employee whose random drug test is deferred will be subject to an unannounced test within the following 60 days.

#### **D. Post-Accident Testing**

Testing for the presence of drugs will be conducted following an accident or other occurrence that involves one or more of the following covered events: a fatality; bodily injury; damage to vehicles; and/or damage to other property.

Determination of Post Accident Testing shall be made in the following manner:

- 1) First, the appropriate County official will determine whether the accident is a covered event as listed above. This determination shall be based on review of all available facts.
- 2) Second, following a determination that the accident qualifies as a covered event, the County official shall take all practical steps to identify each employee whose work performance may have been a contributing factor to the accident.
- 3) Third, after identification of each employee as specified in paragraph 2. the County official shall exclude from testing any employee so identified when specific and objective information collected in the course of review of the known facts surrounding the accident shows that the employee's work performance at or about the time of the accident could not have been a contributing factor.
- 4) No employee shall be subject to testing until the procedures specified in paragraphs 1, 2, and 3 above are satisfied.
- 5) After the process of determination, as specified in paragraphs 1, 2, and 3 has been completed, and the determination qualifies as a covered event, notification must be given to the employee. Immediately upon notification, the employee will be escorted to the collection site by the supervisor.

#### **E. Additional Testing**

Additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations.

### **X. COLLECTION, TESTING, AND REPORTING PROCEDURES**

#### **A. Collection Site**

- 1) A designated collection site will be provided where employees and job applicants will present themselves for the purpose of providing urine specimens to be analyzed for illegal drug use. The site will possess all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage, and transportation (shipping) of urine specimens to the drug-testing laboratory.
- 2) Employees will be asked by their supervisor or other appropriate County

official to report to the collection site. Employees who are believed to be under the influence of drugs or alcohol, will be transported to the collection site by the employees' supervisors or other appropriate County officials.

- 3) Procedures will provide for the collection site to be secure. A collection site facility dedicated solely to urine collection shall be secure at all times. In cases where a facility cannot be dedicated solely for the purpose of urine collection, the portion of the facility being used for such testing shall be secured during collection. Drug Testing Control Forms (known as chain-of-custody forms) will be properly executed by authorized collection site personnel upon receipt of specimens. The handling and transportation of urine specimens from one authorized individual or place to another will always be accomplished through the use of chain-of-custody procedures. No unauthorized personnel shall be permitted in any part of the collection site where urine specimens are collected or stored.

## **B. Specimen Collection Process**

The procedures contained in this policy are designed to provide consideration for individual privacy in conjunction with a controlled drug-testing program. The procedures set forth below apply to all six types of testing (i.e., random, unannounced, reasonable suspicion, pre-employment/pre-appointment, post-accident, and follow-up).

### **1. Consent**

All applicants and employees required to submit to drug or alcohol testing will be asked to sign a Consent Testing form. If the individual refuses to sign the consent form, he/she will be referred to counseling and/or rehabilitation or may be discharged. An individual shall not be tested if he/she refuses to sign the consent form.

### **2. Chain Of Custody**

- a. To ensure the urine sample provided by an individual is properly identified and not accidentally confused with any other sample, strict procedures shall be used when collecting and transferring the sample. The total of the procedures (i.e., the official transfers from the individual providing the sample to the drug testing laboratory) including storage of confirmed positive samples at the laboratory is known as the chain of custody.
- b. While performing the collection part of the chain-of-custody procedures, the urine specimen and chain-of-custody documents shall be under the control of the collector. The collector shall not leave his/her workstation without securing the specimen and chain- of-custody form. The specimen should be packaged for mailing before the collector leaves the site.
- c. The collector and the individual providing the specimen shall always have the container or specimen bottle within sight before and after the individual has urinated.

The container shall be tightly capped, properly sealed, and labeled. The chain-of-custody form shall be utilized for maintaining control and accountability from point of collection to final disposition of specimens. With each transfer of possession, the chain-of-custody form shall be dated, signed by the individual releasing the specimen, signed by the individual accepting the specimen, and the purpose for transferring possession noted. Every effort shall be made to minimize the number of persons handling the specimens.

- d. Applicants and employees will be given an opportunity prior to testing to list all drugs they have recently taken including prescribed drugs and to explain the circumstances of the use of those drugs in writing on the drug testing control form. This listing and explanation, if any, shall be kept in confidence unless there is a positive test result. If there is a positive test result, it will be reviewed on a need-to-know basis.
- e. After collection of urine specimens, collectors shall arrange to ship the specimens to the drug-testing laboratory. The specimen containers shall be securely sealed to eliminate the possibility of tampering. The collector shall sign and date across the tape label sealing the container and ensure that the chain-of-custody documentation is completed and attached to each sealed container. In preparing the specimen container for shipment to the laboratory, an outer mailing wrapper or box shall be placed around each sealed container and sealed again with an outer custody label.

### **3. Individual Privacy And Specimen Control**

Collection of urine specimens shall allow individual privacy unless there is reason to believe that a particular individual may alter or substitute the specimen to be provided. Precautions shall be taken to ensure that a urine specimen has not been adulterated or diluted during the collection procedure and that all information on the urine bottle and the chain-of-custody form can be identified as belonging to a given individual. Collection of urine specimens shall not be made under observation unless the County has reason to believe that a particular individual may alter or substitute the specimen.

#### **C. Laboratory Analysis Procedures**

##### **1. Certified Laboratory**

All specimens collected by the County pursuant to this policy shall be tested by a laboratory certified by the United States Department of Health and Human Services' Substance Abuse and Mental Health Services Administration ("SAMHSA").

##### **2. Policy**

- a. All samples will first be subjected to an initial screening process to detect the presence of drugs. Those samples having a negative screen (no illegal or illicitly used substance present) will be considered to have tested negative, and no further testing will be

done on that sample. Those samples that test positive on the first screen will be tested more extensively by means of Gas Chromatography/Mass Spectrometry (GC/MS) to eliminate any false positive tests.

- b. The laboratory will ensure the chain-of-custody procedures are adhered to from the time of receipt of urine samples until testing is completed and results reported. The same chain-of-custody procedures shall be adhered to during the storage period.

### 3. Specimen Storage

Negative samples will be discarded by the laboratory. Only samples testing positive after both the screening and confirmation tests will be considered positive for purposes of retaining the specimen. Positive samples will be retained at the laboratory in a frozen state for at least 365 days. Within this 365-day period, the County may request the laboratory to retain the specimen for an additional period of time. This ensures that the urine samples will be available for possible retest during any administrative or judicial proceeding. If the laboratory does not receive a request to retain the specimen during the initial 365-day period, the specimen may be discarded.

### 4. Internal/External Quality Assurance Program

Blind samples may be randomly intermingled by the County and the testing laboratory with individual specimen samples and analyzed in the same manner to ensure the accuracy of the laboratory-testing program.

## **D. Medical Review Officer (MRO)**

- 1) The MRO will be a licensed physician with knowledge of substance abuse disorders. The MRO is responsible for the receipt, review, and interpretation of all confirmed positive test results submitted to the County from the drug-testing laboratory. His/her review will be performed prior to the transmission of any positive test results to the Personnel Director, a department head, or any other County official.
- 2) A positive test result does not automatically identify an employee or applicant as an illegal drug user. The MRO shall undertake the examination of alternative medical explanations for a positive test result. This action could include the conduct of individual medical interviews, review of the individual's medical history, or the review of any other relevant biomedical factors. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication.
- 3) Individuals are not entitled, however, to present evidence to the MRO in a trial-type administrative proceeding, although the MRO has the discretion to accept evidence in any manner he/she deems most efficient or necessary. If the MRO determines there is no justification for the positive result, such result will then be considered a verified positive test result. The MRO shall immediately contact the Personnel Director and/or department head upon obtaining a verified

positive test result.

- 4) If the MRO determines there is a legitimate medical explanation for the positive test result, the MRO may deem that the result is consistent with legal drug use and take no further action other than reporting the test result as negative. In addition, based on review of inspection reports, quality control data, multiple samples, and other pertinent information, the MRO may determine that the result is scientifically insufficient for further action and declare the individual's test result as negative.
- 5) Test results shall be reported to the MRO within an average of five working days of receipt of specimens at the laboratory. All specimens negative on initial test or negative on the confirmatory test shall be reported as negative. Only specimens confirmed positive shall be reported as positive to the MRO. Results shall be transmitted to the MRO in a manner designed to ensure confidentiality of the information. It is not permitted to provide results verbally by telephone. A certified copy of the original chain-of-custody form, signed by the laboratory certifying official, shall be sent to the MRO. Copies of all analytical results shall be available from the laboratory when requested.

#### **E. Independent Testing**

An employee or applicant who tests positive may request a second analysis of the original sample. That test will be conducted at the same laboratory used by the County at the individual's expense. The individual can also request a separate retest at another SAMHSA-certified laboratory. In such instances, the laboratory used by the County will send a portion of the original sample to a laboratory designated by the individual. The cost of this test shall be paid by the individual. The MRO will not consider the results of urine samples that are not obtained and processed in accordance with this policy.

#### **F. Reporting Test Results**

1. Notification To Employees/Applicants

Employees and applicants will receive written notification of drug test results.

2. Disclosure Of Results

The results of a drug test of an applicant or County employee shall not be disclosed without the prior written consent of the individual unless the disclosure would be:

- a. To the MRO;
- b. To someone who is providing the employee with counseling or treatment services;
- c. To the Personnel Department, supervisor, or other County official having authority to take adverse personnel action against such employee; and/or
- d. Pursuant to an order of a court of competent jurisdiction.

### 3. Notification To County

Notification concerning test results will ordinarily be made to appropriate County officials, the County Personnel Department, and the employee.

#### **G. Range Of Drugs**

##### 1. Drugs Covered

Tests will be conducted for the illegal use of the following drugs considered to be a controlled substance included in Schedule I or II as defined by Section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under Chapter 13 of that Title.

- a. Marijuana;
- b. Cocaine;
- c. Opiates;
- d. Amphetamines; and
- e. Phencyclidine (PCP).

##### 2. Inclusion Of Other Drugs

Before including any additional drugs (or classes of drugs) listed in Schedule I or II of the Controlled Substance Act in its testing program, the County will petition County Council for written approval. When conducting reasonable suspicion testing, follow-up testing, or post-accident testing, the County may test for any drug identified in Schedule I or II of the Controlled Substance Act.

## **IX DISCIPLINARY ACTION**

### A. General

- 1) This chapter sets forth the appropriate disciplinary procedures and actions that County officials will follow in administering the County's drug program.
- 2) A determination by the County to discharge an employee on the basis of illegal drug use is warranted since such illegal drug use is inconsistent with the mission of the County.
- 3) Prior to initiating any disciplinary action against any employee, supervisors and/or other County officials shall secure guidance from the Personnel Department which may, in turn, contact appropriate legal counsel.



**B. Actions Based Upon On-Duty Or On-County Property Use, Sale, Manufacture, Possession, Distribution, Or Dispensation Of Illegal Drugs And Drug Trafficking**

1. Upon learning that an employee has used, sold, purchased, possessed, manufactured, distributed, dispensed, or engaged in trafficking of illegal drugs on duty or on County property, the supervisor shall be responsible for documenting all relevant details to support the disciplinary action taken against such an employee based on that use.
2. The supervisor shall initiate action to discharge the employee.
3. Given the nature of the offense, no opportunity for counseling or rehabilitation will be offered.

**C. Actions Based On Failure To Comply With Procedures During Collection**

**1. Failure Of Employee To Report To Designated Collection Site**

- a. Upon notification that an employee has failed to appear for a scheduled urine specimen collection, the supervisor shall discuss with the employee the reason(s) for failing to appear. If the employee provides a legitimate reason for failing to report, no disciplinary action may be taken.
- b. If an employee in a sensitive position does not provide a legitimate reason for failing to report, the supervisor shall document the failure in writing and initiate action to discharge the employee.
- c. If an employee in a non-sensitive position does not provide a legitimate reason for failing to report, the supervisor shall document the failure in writing and initiate appropriate disciplinary action, up to and including discharge.
- d. Given the nature of this offense, there is no obligation to offer the employee an opportunity for counseling or rehabilitation.

**2. Refusal Of Employee To Provide A Specimen At The Collection Site**

- a. Upon notification that an employee has refused to provide a specimen at the collection site, the supervisor shall be responsible for documenting all relevant details to support any disciplinary action taken against an employee because of refusal to provide a specimen, including the employee's reason(s).
- b. The supervisor shall initiate action to discharge an employee in a sensitive position.
- c. The supervisor shall initiate appropriate disciplinary action against an employee in a non-sensitive position.
- d. Given the nature of the offense, there is no obligation to offer the employee an opportunity for counseling or rehabilitation.

### 3. Tampering/Adulteration/Substitution Of Urine Samples By Employee

- a. Upon notification that an employee has tampered with, adulterated, or substituted his/her sample, the supervisor shall be responsible for documenting all relevant details to support any disciplinary action taken against an employee because of tampering, adulteration, or substitution of a urine sample.
- b. The supervisor shall initiate action to discharge an employee in a sensitive position.
- c. The supervisor shall initiate appropriate disciplinary action against an employee in a non-sensitive position.
- d. Given the nature of the offense, there is no obligation to offer the employee an opportunity for counseling or rehabilitation.

#### D. Actions Based On Verified Positive Urinalysis Findings

Upon receipt of a first verified positive urinalysis finding that an employee uses illegal drugs or a first determination that an employee uses illegal drugs, the employee may be terminated from his/her position.

## XII REHABILITATION

### A. Self-Referral

An employee who voluntarily identifies himself or herself as a drug user prior to being identified through other means will not be disciplined if he/she meets all of the following criteria:

- 1) Obtains counseling and completes rehabilitation.
- 2) In the case of an employee in a sensitive position, agrees to follow-up testing for a one-year period after return to safety or security duties or completion of the rehabilitation program, whichever is later; in the case of an employee in a non-sensitive position, agrees to follow-up testing for a one-year period after completion of the rehabilitation program.
- 3) Thereafter refrains from using illegal drugs.

### B. Reassignment To Other Duties

An employee in a sensitive position who voluntarily identifies himself or herself as a drug user prior to being identified through other means will be assigned non-safety-related or non-security-related duties. The employee may be removed from service if there are no non-sensitive positions to which the employee may be transferred. An employee assigned to non-safety-related or non-security-related duties may be returned to safety-related or security-related duties when an appropriate County official determines such action would not pose a danger to public health or safety.

### **XIII. CONFIDENTIALITY**

#### **A. Policy**

County employees and the drug-testing laboratory involved in any aspect of the County drug program shall maintain strict standards of confidentiality in carrying out their responsibilities. This includes:

- 1) Maintaining maximum respect for individual privacy consistent with safety and security issues;
- 2) The handling of test results; and
- 3) All contacts with medical and health personnel, EAP counselors, etc.

#### **B. Procedures To Protect Confidentiality**

The following procedures to protect the confidentiality of negative and confirmed positive test results and related medical and rehabilitation records shall be observed.

##### **1. Test Results**

The results of a drug test of a County employee shall not be disclosed without the prior written consent of such employee unless the disclosure would be:

- a To the employee's MRO;
- b To the administrator of any facility or program in which the employee is receiving counseling or treatment or is otherwise participating;
- c To the supervisory or appropriate County official having authority to take adverse personnel action against such employee; or
- d Pursuant to an order of court of competent jurisdiction

##### **2. Employee Treatment Records**

Records of the identity, diagnosis, prognosis, or treatment of any employee who enters a rehabilitation program which are maintained in connection with this program are patient records that must be kept confidential and shall be disclosed only by consent of the patient or as otherwise permitted by law. Drug abuse treatment records may be disclosed without the consent of the employee only:

- To medical personnel to the extent necessary to meet a genuine medical emergency;
- To qualified personnel for conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify any individual employee in any report of such research, audit, or evaluation, or otherwise disclose employee identities in any manner;
- When authorized by an appropriate court order granted after application

showing good cause.

Medical and health personnel or counselors shall report to the County when an employee refuses to participate in or cooperate with any prescribed treatment or counseling or fails to satisfactorily complete such treatment.

Any other disclosures may be made only with the written consent of the employee. Any disclosure without such consent is strictly prohibited. Such consensual disclosure may be made for verification of treatment or a general evaluation of treatment progress.

#### **XIV. INVESTIGATION**

##### **A. Searches**

1. To ensure that drugs and alcohol do not enter or affect the workplace, the County reserves the right to search an employee's workplace including an employee's office, desk, or file cabinets.
2. Searches will be conducted only where the County has a reasonable suspicion that an employee has violated the County's substance abuse policy.

##### **B. Refusal To Consent**

Failure to consent to or cooperate with such a search will be grounds for disciplinary action up to and including discharge or denial of access to County premises.

##### **C. Privacy**

All searches under this policy will occur with the utmost discretion and consideration for the employee involved.

##### **D. Prosecution**

Because the primary concern is the safety of its employees and their working environment, the County will not normally prosecute in matters involving illegal substances. However, the County will turn over all confiscated drugs, alcohol, and other psychoactive substances to the proper authorities and, in some cases, may cooperate with law enforcement authorities in the prosecution of drug-related activity.

#### **XV ARREST OR CONVICTION FOR DRUG-RELATED CRIME**

##### **A. Investigation**

If an employee is arrested for or convicted of a drug-related crime, the County will investigate all of the circumstances, and County officials may utilize the drug testing procedure if cause is established by the investigation to believe that an employee may be under the influence of illegal drugs. In most cases, an arrest for a drug-related crime

constitutes cause under this policy. The following procedures will apply:

- 1) After investigation, an employee may be suspended without pay.
- 2) If convicted of a drug-related crime, an employee will be terminated.
- 3) If an employee has been suspended and the case has been dismissed or otherwise disposed of, the County will make a determination as to whether to authorize the employee's return to work based on its own investigation. If an employee in a sensitive position is authorized to return to work, the employee must agree in writing to unannounced periodic testing for a period of one year.

Because of the seriousness of such situations, the County reserves the right to alter or change its policy or decisions on a given situation depending upon its investigation and the totality of the circumstances.

A. Reporting of Conviction

As a condition of employment, an employee shall notify his/her supervisor, department head, or the County's Personnel Director of any criminal drug statute conviction for a violation that occurred on County premises. The employee must give notice to the County within five days of such conviction.

**XVI. CONCLUSION**

The County's substance abuse policy has been prepared so as not to conflict with public policy and, further, not to be discriminatory or abusive. A drug-free workplace should be the goal of every employer in America. Drug and alcohol testing is only one of the several steps that must be taken to achieve this objective. When incorporated into a comprehensive anti-drug effort, testing can go a long way in combating drug and alcohol abuse in the workplace.

**THIS POLICY SUPERSEDES ANY INFORMATION PROVIDED TO APPLICANTS AND/OR EMPLOYEES, EITHER WRITTEN OR ORAL.**

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 7-4</b>
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**SUBJECT: Computer/Internet/E-Mail Policy**

For purposes of this policy, the term "COMPUTER SYSTEM" is defined as any County-owned computer, peripheral, or network, including, but not limited to, a handheld, laptop, desktop, server, printer, scanner, router, hub, data transmission line, or any device connected to any component of the system. Non-County-owned equipment connected to any component of a County-owned computer system is included in this definition. This policy applies to all officers, employees, appointed and elected officials of the County of Oconee, whether during normal business hours and whether on County of Oconee premises or elsewhere. As used in this document, "County" refers to the County of Oconee, a local government entity of the State of South Carolina.

- 1) Acceptable use of the Oconee County computer systems include only those activities which provide governmental services to the people of Oconee County. Acceptable use of the computer systems and networks owned or operated by Oconee County imposed certain responsibilities and obligations on County employees and officials, and such use is subject to the state of South Carolina's government policies, as well as local, state and federal laws. Acceptable use of the County's computer systems and network resources must always be ethical, responsible, efficient and legal. Acceptable use of Oconee County's computer resources must always demonstrate respect for intellectual property, the County's ownership of information, and systems security mechanisms. Acceptable use of the County's computer systems must never result in the intimidation, harassment, and/or the unwarranted annoyance of other County employees.
- 2) Users may be subject to limitations on their uses of County computer systems as determined by the appropriate supervising authority (County Administrator, Department head, Information Services, or their designee).
- 3) Use of a computer system or network services provided by the County may be subject to monitoring for security and/or network management reasons and to ensure that users are utilizing the system responsibly. The County retains the right, with or without cause and with or without notice, to access or monitor any information or communications stored on or passing through a computer system. Users of these services are therefore advised of this potential monitoring, agree to this practice, and understand that they have no expectation of privacy regarding any information or communications stored on or passing through the computer system. Oconee County has the right, but not the duty, to monitor communications passing through its computer systems, at its sole discretion. Employees should never place information they intend to be personal or private on any County of Oconee computer system. County employees and officials have no expectation of privacy with regard to any information sent or received over the County's computer system.
- 4) Users who violate any copyright declarations or software licensing requirements are acting outside the course and scope of their employment or other authority and Oconee

County, South Carolina is relieved of any legal responsibility therefore. Users will be personally responsible and liable for such infringing activities.

- 5) The use of County of Oconee computer systems is a privilege, not a right. By participating in the use of networks and computer systems provided by Oconee County, users agree to be subject to and abide by this policy regarding their use. Willful violation of the principles and provisions of this policy may result in loss of privileges and disciplinary action, including suspension without pay or termination from employment.
- 6) All users share responsibility for ensuring system security, protecting valuable data, and controlling access to confidential information.
- 7) This document may be updated on an as-needed basis and is subject to annual review.

If there are any questions or specific needs for going outside the limitations on usage, submit them **THROUGH YOUR DEPARTMENT HEAD** for approval, and they will forward on to the Information Services Department if warranted.

8) Users shall:

- a. Use the computer system and network only for official County business and access only files and data that are their own, that are publicly available, or to which they have authorized access.
- b. Refrain from monopolizing systems, overloading networks with excessive data, or wasting computer time, connect time, disk space, printer paper, manuals, or other resources.
- c. Protect their USERID, passwords, and system from unauthorized use.
- d. Assume responsibility for any charges associated with billable services unless appropriate authorization has been obtained.
- e. Exercise appropriate discretion in composing and sending any e-mail messages.  
Electronic mail messages transmitted on County-owned equipment and networks may be subject to public release pursuant to the Freedom of Information Act or subpoena. Forwarding personal communications of another should be done only with the author's consent.
- f. Comply with instructions for virus protection, password selection and security, and other security matters as directed by Information Technology. This will include, but is not limited to, using approved virus scanning software to check computer files from outside sources.
- g. Report any violations of this policy by others to their immediate supervisor, department head, or Information Technology.

Users shall not:

- a. Use any computer system for illegal, unlawful, or immoral purposes or to support or assist such purposes. Examples of this would be the transmission, accessing, dissemination, or intentional or knowing receipt of violent, threatening, harassing, defrauding, sexually explicit, vulgar, pornographic, obscene, or otherwise illegal or unlawful materials. This may include photographs, cartoons, jokes or other visual depictions, written material, or audio output. Displaying images, sound, or text that disrupts, harasses, or distresses other users or employees is forbidden.
- b. Use mail or messaging services to harass, intimidate, or otherwise annoy another person or to send messages expressing potentially offensive, libelous, slanderous, discriminatory, or defamatory comments about individuals, social policies, or religion.
- c. Use any computer system or network for private, recreational, or non governmental purposes, including, but not limited to, the conduct of personal commercial transactions, solicitations or promotions, playing games, gambling, downloading music files, listening to internet radio, etc.
- d. Use the computer system or networks for commercial or partisan political purposes.
- e. Use the computer system or networks or other County equipment for personal gain such as selling access to a USERID or by performing work for profit with County resources in a manner not authorized by the County.
- f. Use the network to disrupt network users, services, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer "worms" and viruses, and sustained high volume network traffic, which substantially hinders others in their use of the network.
- g. Attempt to circumvent or subvert any computer system or network security measures or otherwise gain or attempt to gain unauthorized access into a computer system or files.
- h. Intercept network traffic for any purpose unless engaged in authorized network administrative duties.
- i. Make, download, reproduce, disseminate, or use illegal copies of software, text, images, or other mediums in violation of fair use provisions, software licenses, copyright, or trademark laws or store such copies on County systems or transmit them over County networks. This includes MP3 music files.
- j. Divulge your County e-mail/web address for non-County business. This includes, but is not limited to, registering for promotional items, contests, drawings, and surveys.
- k. Participate in chain mails. This includes sending mail to ALL that is not of emergency or pressing interest to County employees.
- l. Use e-mail or instant messaging systems other than those provided by the County. Some third-party web mail and instant messaging programs have security flaws and can potentially bring in harmful code. Use of these will be considered willful circumvention of security and dealt with severely.
- m. Damage computer system hardware, software, or data, nor alter hardware, software, or data without authorization.
- n. Allow access to any computer system or network by unauthorized persons or provide passwords or information about security measures to others.



**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 7-5**

**SUBJECT: Fraternization**

While the County has no desire to interfere with the private lives of its employees, or their off-duty conduct, the County reserves the right to take whatever action is appropriate, in its discretion, to protect its interests where such conduct poses a negative impact upon the work environment. The following guidelines are in effect to address potential problems such as appearances of bias, financial, procurement or contract oversight, favoritism, conflicts of interest, interference with the productivity of the individuals involved or coworkers, and charges of sexual harassment:

- 1) The County strictly prohibits supervisors and department heads from dating or engaging in romantic or sexual relationships with employees who report directly or indirectly to them.
- 2) The terms "dating" and "romantic relationships" include, but are not necessarily limited to, casual dating, serious dating, casual sexual involvement where the parties have no intention of carrying on a long-term relationship, cohabitation, and any other conduct or behavior normally associated with romantic or sexual relationships.
- 3) The restrictions on romantic relationships apply regardless of the sexual orientation of the employees involved. This applies equally to opposite-sex and same-sex relationships.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 7-6**

**SUBJECT: No Solicitation**

In an effort to ensure a productive and harmonious work environment, persons employed by, or agencies affiliated with the County may not solicit or distribute literature in the workplace at any time for any purpose.

While the County recognizes that employees may have interests in events and organizations outside the workplace, employees will not be permitted to solicit or distribute literature concerning outside activities during work time. To govern the solicitation of employees or the distribution of literature to employees on County property, the following rules have been established:

- Solicitation or distribution of literature by employees during working time that in any way interferes with work is prohibited.
- Distribution of literature by employees in work areas is prohibited.
- Solicitation or distribution of literature by nonemployees on County premises is

prohibited except for insurance and benefit enrollment by authorized agents of the County, or for a large, recognized charitable agency, typically the United Way. Distribution of literature by employees on County property in non-work areas during working time that in any way interferes with work is prohibited.

For the purpose of these rules, "working time" is defined as those periods that are designated by the County generally, or by its supervisors to the employee by an assigned job task by the employee.

<b>OCONEE COUNTY PERSONNEL MANUAL</b> <b>Policy Number 7-7</b>
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**SUBJECT: Workplace Violence**

It is the policy of the County that each of its employees has the right to a workplace free from violence. This policy and procedure is designed to help keep actual or perceived threats of harm from our workplace. For purposes of this policy, violence is defined as any act in which one person seeks to hurt or intimidate another through the use of physical contact, verbal harassment, or manipulation. This includes actions of employees, supervisors, customers, suppliers, or any other person.

The County is committed to maintaining a safe working environment. The County will not condone actual or perceived threats of harm to its employees, customers, vendors, or visitors while they are on County premises.

To support the County's objective to provide a safe and healthy work environment, the County will:

- Take prompt action, up to and including discharge, against any employee who engages in threatening behavior, acts of violence, or who uses threatening language or gestures.
- Take appropriate action against former employees, customers, contractors, or visitors who engage in threatening or violent behavior.
- Prohibit former employees, customers, contractors, supervisors or visitors from bringing firearms or other weapons onto County property (except for licensed security personnel and law enforcement officials).

The County believes that enforcement of this zero-tolerance policy is in everyone's best interest. Our objective is to provide a workplace in which people can feel safe and secure. The County Administrator will ensure that appropriate actions are taken to comply with this policy. Everyone with whom we come into contact in our work deserves to be treated with courtesy and respect. This means that we treat each other, our suppliers, and all others in this fashion and that we can expect the same treatment in return.

It is the County's belief that by helping to prevent violence in the workplace and in the family, the County is helping to foster a safer, more productive and better workplace society in which to live and work.

**OCONEE COUNTY PERSONNEL MANUAL**

**Policy Number 7-8**

**SUBJECT: Professional Attire Guidelines**

While it is the intent of Oconee County that all employees dress for their own comfort during works hours, the professional image of our organization is maintained, in part, by the image that our employees present to citizens, vendors, and other visitors.

Employees working in office areas should dress conservatively and professionally. Skirts and dresses should not be any shorter than two (2) inches above the knee. Employees may wear slacks or Capri type pants. Blue jeans, T-shirts, and leggings are not appropriate office dress. Dress jeans will be acceptable.

On approved casual days, employees may dress in casual clothing, including blue jeans and T-shirts, although dress standards still require a neat, clean appearance. Overalls and painters pants are not acceptable. Employees in special meetings should wear appropriate business attire. Exceptions will be considered by the Administrator, i.e. medical reasons or inclement weather days, etc.

Employees working in our County Parks and Building Inspectors in Building Codes may wear blue jeans and T-shirts as well as shorts that are no more than three (3) inches above the knee. Cutoffs are not allowed. No open-toe shoes may be worn in these areas. This is a safety issue and all appropriate safety equipment must be worn.

Under no circumstances may employees wear halter tops, strapless tops, spaghetti straps, tank tops, cropped tops, tee shirts, shirts with offensive wording or screen prints on them, clothing that shows undergarments (sheer), torn clothing, or clothing with holes in it. All clothing must be clean, neat, and fit properly. (NOTE: This includes "rapper style" pants.) Also, no flip-flops may be worn for shoes, while dress sandals will be allowed as long as they do not present a safety issue.

Uniforms are provided for those employees whose jobs require uniforms. Uniformed employees must wear neat and clean uniforms at all times.

For all employees, professional appearance also means that the organization expects the employee to maintain good hygiene and grooming while working. Facial hair is permitted as long as it is neat and well trimmed. Necklaces, bracelets and earrings are acceptable; however, no piercing through the nose, eyebrow, tongue, or other body parts visible to the public may be worn while working. Any tattoos must be discreet in size or covered at all times and may not be offensive in nature. Clothing or jewelry may not constitute a safety hazard. All employees should practice common sense rules of neatness, good taste, and comfort. Provocative clothing is prohibited. Oconee County reserves the right to determine appropriate dress at all times and in all circumstances and may send employees home to change clothes should it be determined their dress is not appropriate. Employees will be required to use their available accrued vacation to cover the absence. The enforcement of this policy will be administered by the County Administrator and department heads, only.

**OCONEE COUNTY PERSONNEL MANUAL**  
**Policy Number 7-9**

**SUBJECT: Fitness and Employee Wellness Program**

**Optional Coverage of Employees**

It is the current policy of the County to provide partial reimbursement for an optional gym membership (the "Fitness Program"), as part of the County Wellness Program, to all regular, full-time employees (employees only, and not spouses or dependents) whose workweek consists of at least 30 hours, on a reimbursement basis in an amount not to exceed \$40.00 or actual cost, whichever is less, per employee membership per month. The County will also provide reimbursement to eligible employees for initial membership costs for such gym, not to exceed \$50.00. Employees who elect to participate in the Fitness Program will need to provide a copy of their gym contract or gym membership agreement to Administrative Services to receive reimbursement for initial membership costs, and to qualify for monthly reimbursement, as stated herein.

It is important to note that the Fitness Program is strictly voluntary on the part of the employee, who should consult with his or her own physician as to ability to safely participate in the program. Participation in the Fitness Program of the County's Wellness Program will have no bearing, in any regard, on the employment relationship. Participation in the Fitness Program will be on the employee's personal time and will not be considered part of the employee's work time or job duties or requirements, in any form, manner, or degree, whatsoever.

An employee shall be eligible for coverage for the Fitness Program on the first day of the month following a 90-day waiting period after the employee's date of hire, and following execution by that employee of a waiver and release agreement for participation in the Fitness Program. All eligible employees may elect to receive reimbursement (up to the stated maximum, or actual monthly cost, whichever is less, in addition to initial membership costs) for this program on a monthly basis on the first accounts payable check cycle following submission, by the employee, to Administrative Services, of a fitness participation report, as specified herein, for a preceding month .


**Participation**

Once an employee is enrolled in the Fitness Program it will be necessary for the employee to provide a monthly fitness participation report from the gym or Fitness Program, or attendance report in any other format, so long as it is signed and dated by a management representative of the gym or Fitness Program, showing dates and times of attendance at the gym or Fitness Program, in order to be eligible for reimbursement, as set forth herein, for that month. Employees will be expected to regularly attend the gym or Fitness Program as a condition of their on-going eligibility to participate in this extremely worthwhile program. Regular attendance will be considered as being a minimum average of at least once a week, for an hour minimum per week, during each monthly period unless the employee is on vacation or is in any approved leave status of one week or longer, and provides documentation to that effect to the County.

**Enrollment**

At the time of initial application and processing for the Fitness Program, all eligible employees will be provided the forms necessary for enrollment in this fitness program, and instructions for receiving reimbursement, as set forth herein, for at least part of the program costs. Any amounts reimbursed to eligible employees for Fitness Program costs, as detailed herein, are considered "additional compensation" to the employee and will be reflected on annual income statements, such as W-2 Forms.

Oconee County reserves the right to discontinue this program at any time. An employee may opt out of the program at any time. In either event, termination of the program will be immediate, and the County will only reimburse actual expenses already accrued at that point, in accordance with the guidelines set forth herein.

Signed  Date 7/22/13

T. Scott Moulder, County Administrator