

BRANCH COUNTY

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# Personnel Policy Manual

AS AMENDED September 8, 2009

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## PURPOSE OF THE PERSONNEL POLICY MANUAL

This manual was developed to describe some of the expectations of our non-union employees and to outline the policies, benefits, and procedures available to eligible employees. Employees should familiarize themselves with the contents of the Personnel Policy Manual as soon as possible, for it will answer many questions about employment with Branch County.

No personnel policy manual can anticipate every circumstance or question about policy. As time goes on, the need may arise and the Branch County Board of Commissioners reserves the right to revise, supplement, or rescind any policy or portion of the manual as it deems appropriate, in its sole and absolute discretion.

This Personnel Policy Manual supersedes any and all previous personnel policies created separately and collectively by the Branch County Board of Commissioners.

This Personnel Policy Manual shall be distributed to appropriate County personnel at the time of hire. Copies of subsequent updates of this manual shall be provided to appropriate County personnel as soon as possible after the adoption of such updates.

Branch County Board of Commissioners  
Effective January 1, 1999

## **SECTION 1: EMPLOYMENT CLASSIFICATIONS**

### **A. REGULAR FULL TIME EMPLOYEES**

Regular Full Time Employees are county employees who are scheduled to work at least thirty-five (35) hours per workweek but are not classified as casual or temporary employees.

### **B. REGULAR PART TIME EMPLOYEES**

Regular Part Time Employees are county employees who are scheduled to work less than thirty-five (35) hours and at least twenty (20) hours per workweek but are not classified as casual or temporary employees.

### **C. CASUAL EMPLOYEES**

Casual Employees are county employees who are scheduled to work on an intermittent or unpredictable basis.

### **D. TEMPORARY EMPLOYEES**

Temporary Employees are county employees who are hired as interim replacements or to temporarily supplement the work force for up to 120 days.

### **E. EXEMPT OR NONEXEMPT STATUS**

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT status may be changed only by submission of a written request to the Personnel Committee of the Branch County Board of Commissioners and its formal full Board approval.

## **SECTION 2: EMPLOYMENT POLICIES, PROCEDURES AND REQUIREMENTS**

### **A. EMPLOYMENT POLICIES**

1. Employment Relations. The Branch County Board of Commissioners believes that the work conditions, wages, and benefits it offers to its non-union employees are competitive with those offered by other employers in this area. If employees have concerns about work conditions or compensation,

they are strongly encouraged to voice these concerns openly and directly to their immediate supervisors.

2. Equal Opportunity Employer. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Branch County will be based on merit, qualifications, and abilities. The County does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, age, disability, or any other characteristic protected by law. The County will make reasonable accommodations for qualified individuals with known disabilities unless it would cause an undue hardship to the County. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

3. Job Posting. The County provides employees an opportunity to indicate their interest in open positions and advancement according to their skills and experience. Job openings will be posted and normally remain open for five (5) workdays. Each job posting will include the dates of the posting period, job title, department, grade level, essential duties and qualifications.

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

5. Hiring of Relatives. Relatives of persons currently employed by the County may be hired only if they will not be working directly for or supervising a relative. County employees can not be transferred into such a reporting relationship. Where conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or termination from employment. For purposes of this policy, a relative is a person who is related by blood or marriage.

6. Conflict of Interest. An actual or potential conflict of interest occurs when an employee is in the position to influence a decision that may result in personal gain for that employee or for a relative as a result of the County's business dealings. If employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to their immediate supervisor as soon as possible the existence of any or potential conflict of interest so that safeguards can be established to protect all parties. For the purposes of this policy a relative is any person related by blood or marriage.

7. Outside Employment. Employees may hold outside employment as long as such employment does not present a conflict of interest or in any way interfere with the efficient discharge of duties required to satisfactorily function in the position held with the County.



8. Pre-Employment Medical Exam. After an offer has been made to an applicant entering County employment, the new hire shall undergo a medical examination at the County's expense. The offer and assignment to duties is contingent upon a medical determination that the new hire is fit to perform the essential duties of the position, with or without reasonable accommodations. Information on employees' medical condition or history will be kept separate from other employee information and maintained confidentially.

9. Employment Anniversary Date. The Employment Anniversary Date is defined as the first working day of county employment and the corresponding date in each year thereafter.

10. Continuous Length of Service. Continuous Length of Service is defined as the period of time in which an employee continues in County employment without interruption subject to the conditions described in other sections of this manual.

11. Orientation. The County provides a six (6) month orientation period for new and rehired employees. Orientation is provided regarding the County employment and specific job duties. New employees will be provided instruction and guidance from the immediate supervisor and co-workers, as appropriate, during this period. Employees should seek job and performance clarification and actively participate in orientation to the County and their jobs during this period. During orientation, the employee will be observed and evaluated by his/her immediate supervisor on the basis of performance and ability to perform the job satisfactorily.

Before completion of the orientation period, the employee's overall performance shall be evaluated. Upon receiving a satisfactory performance evaluation, an employee may be upgraded from orientation status and become eligible for the County's employee benefit package, except as otherwise provided in this manual. At the County's discretion, an employee's orientation may be extended to provide for further evaluation.

12. Work Schedule. Work schedules may vary throughout the County. Immediate supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

13. Performance Evaluations. Immediate supervisors and employees are encouraged to discuss job performance and goals on an informal, day-to-day basis. The immediate supervisor may prepare the formal evaluations at the end of the six-month probationary period and then every subsequent year following the hire or reassignment of employees.

14. Breaks and Lunch Periods. Employees will be granted two (2) paid fifteen-minute breaks during the full workday. Employees will have an unpaid lunch period for each full workday. The timing of the breaks and lunch periods will be at the discretion of the department head and in compliance with labor law.

B. PERSONNEL FILE PROCEDURE

1. Contents of the Personnel File. The County maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, performance evaluations, documentation of reassignments and salary increases, and other employment records. Employee medical records shall be maintained separately and apart from other employee personnel records.

2. Inspection of the Personnel File. Personnel Files are the property of the County and access to the information they contain is restricted. Generally only the immediate supervisor, department head, and other County personnel who have a legitimate reason, as determined by the county administrator, to review the information in a personnel file are allowed to do so. Employees are entitled to inspect the contents of their personnel files. Employees who wish to inspect their own personnel file should contact the payroll office. With reasonable advance notice, employees can review the content of their personnel files in the presence of a payroll office clerk.

3. Personnel Data Changes. Employees are responsible for promptly notifying the payroll department of any changes in personnel data. Personal information such as mailing addresses, telephone numbers, individuals to be contacted in the event of an emergency, and dependents covered by county provided insurance should be accurate and up to date.

C. PERSONAL CONDUCT REQUIREMENTS

1. General Statement of Policy. County employment is at-will. Any employee may leave employment at any time or be terminated at any time, with or without reason. No person or Board Committee has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing statement. No such agreement contrary to the foregoing shall be enforceable unless reduced to writing, approved by the Branch County Board of Commissioners, and executed by the Chairman of the Board. The County may develop disciplinary guidelines. These guidelines are meant to promote understanding of the County's disciplinary philosophy and provide examples of improper conduct. They serve as an instructive but non-binding standard for the County, who will determine what discipline, if any, is necessary, based on the individual circumstances of each situation. However, these guidelines do not alter the right of an employee or the County to terminate an employee's employment at any time, with or without reason and with or without notice.

2. Personal Appearance. Employees are expected to present a clean and neat appearance and to dress according to the requirements of their position. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

3. County Phone and Fax Usage. Employees should practice discretion when making personal phone calls and sending faxes. Employee shall be required to reimburse the County for any charges resulting from their personal use of the telephone or fax machine.

4. Smoking Policy. In keeping with the County's intent to provide a safe and healthful workplace, smoking is prohibited in any county-owned facility, except in designated smoking areas.

5. Drugs and Alcohol in the Workplace. It is the County's desire to provide a drug-free, safe and healthful workplace. Employees may not use, possess, distribute, sell, or be under the influence of illegal drugs or alcohol while on county-owned premises or while conducting county business-related activities off site.

6. Sexual Harassment in the Workplace. The County has adopted a policy prohibiting harassment and discrimination. In short, this policy prohibits harassment and discrimination based on sex, race, color, national origin, age, religion, marital status, pregnancy, disability, height or weight. This policy relates to all of County's employment practices. We ask that you read this policy carefully and contact the County if you have any questions concerning it. Copies of this policy shall be distributed on a regular basis. However, if you have misplaced a copy or would like another, please do not hesitate to see the County Administrator in order to obtain an additional copy.

7. Attendance and Punctuality at Work. To maintain a safe and productive work environment, the County Expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the County. When employees can not avoid being late to work or are unable to work as scheduled, they should notify their immediate supervisor as soon as possible in advance of anticipated tardiness or absence and when possible, at least two hours before the start of their shift.

8. Solicitation. In an effort to ensure a productive and harmonious work environment, persons not employed by the County may not distribute literature or products in the workplace at any time for any purpose. Employees may not solicit during working time. (Working time does not include lunch periods or breaks of employees.)

9. Use of County Equipment and Vehicles. Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using County property, employees are expected to exercise care and follow operating and safety standards and guidelines. Employees are not to engage in the improper, careless, negligent, destructive, or unsafe use or operation of County equipment and vehicles. Use of the County vehicle must align with their job responsibilities and duties while conducting County business.

10. Political Activity. Employees shall not engage in political activities during those hours when he/she is being compensated for the performance of his/her duties as a public employee.

11. Department Work Rules. Each department head may compile a set of work rules covering employee conduct on the job and a code of ethics. Such work rules and codes of ethics are subject to the approval of the Board of Commissioners. Each employee will be given a copy of applicable work rules and code of ethics.

D. EMPLOYEE PROMOTION

The rate of pay, for employees who have been promoted to a higher level position, will be adjusted to the minimum of the rate of pay range of the higher level or to that salary step on the higher level above their current rate of pay, whichever is higher.

E. EMPLOYEE RECLASSIFICATION

The rate of pay, for employees who have been reclassified to a position in a higher salary rate level, will be adjusted to the minimum of the rate of pay of the higher level or to that salary step on the higher level above their current rate of pay, whichever is higher.

The rate of pay, for employees who have been reclassified to a position in a lower salary rate level, will be paid at the current level or adjusted to the maximum of the rate of pay of the lower level, whichever is lower.

F. EMPLOYEE TRANSFER

The rate of pay, for employees who have transferred to a position in the same salary rate level, will remain unchanged.

G. WORK RELATED TRAVEL

Employees who use their own personal vehicles for County business will be reimbursed at the rate established by the County.

H. STAFF DEVELOPMENT

The County encourages employees to develop professionally through training and education. Subject to appropriate supervisory approval and department budgetary constraints, employees will be assisted to attend needed training and education events. The County may reimburse the employee for part or all of the costs of specialty training for which the employee benefits. As a condition of reimbursement, the County may require the employee to sign an agreement to repay the County for the training should the employee leave the County's employment within two (2) years of the completion of the specialty training.

**SECTION 3: COMPENSATION POLICIES**

A. MONETARY COMPENSATION

1. Rate Determination. The Branch County Board of Commissioners will annually adopt an employee compensation schedule.

2. Starting Wage. A newly hired employee will start at the minimum of the approved salary range for the position for which they were hired. A department head may recommend to the Board of Commissioners for its consideration and approval that an employee be started above the starting wage but not at a wage exceeding the maximum of the salary range.

3. Credit Transfer. A department head may recommend to the Board of Commissioners for its consideration and approval that a county employee transferring from a full time county position not covered by this personnel policy manual to a regular full time position may be credited with their prior county service for salary and fringe purposes.

B. PAY PERIODS

1. Schedule. All employees are paid bi-weekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. If the regular payday falls on a county holiday, employees will receive their paychecks the last day of work prior to the holiday.

2. Payroll Reporting Responsibility. Each department head is responsible for generating accurate payroll reporting records for their department. Payroll records should be completed to reflect time worked, vacation leave, sick leave, personal days, holidays, and other leaves with or without pay. The employee and department head must sign each payroll report (Bi-Weekly Time Record) before forwarding to the payroll office for processing.

C. OVERTIME

1. Compensation for Overtime. Nonexempt employees who work in excess of forty (40) hours in a workweek will be compensated at one and one-half their regular rate of pay.

2. Prior Approval Requirement. Employee must receive prior approval from their immediate supervisor or department head for overtime work.

D. COMP TIME

1. Purpose and Eligibility. Nonexempt employees who work in excess of forty (40) hours in a workweek will have the option of receiving comp time off in lieu of monetary compensation for overtime. Comp time will be granted at a rate of one and one-half hours for each hour of overtime in excess of forty (40) in any one workweek. Exempt employees are not eligible for comp time.

2. Amount Accrued. Each eligible employee may accrue up to forty (40) hours of comp time. Employees will be compensated in wages for any subsequent overtime hours worked until the number of accrued hours of comp time falls below the limit.

3. Requesting Use of Comp Time. Employees who request the use of accrued comp time will be permitted to use the time off within a reasonable time after making the request, or at some mutually agreed time, if the original request would unduly disrupt department operational needs and staffing requirements. Employees are required to use comp time before using accrued vacation leave, sick leave, or personal days.

4. Upon Termination. Upon termination of employment, employees will be paid for all unused comp time at the rate of pay at termination.

E. LONGEVITY COMPENSATION

1. Purpose and Eligibility. Longevity Compensation is granted to regular full time employees and regular part time employees based on their accumulated years of full time service since their employee anniversary date. Casual and temporary employees are not granted longevity compensation.

2. Amount Granted. The amount of longevity compensation granted to eligible employees varies with the length and amount of accumulated service from their anniversary date as shown in the following schedule:

5 Years of Service	=	\$125
6 Years of Service	=	\$150
7 Years of Service	=	\$175
8 Years of Service	=	\$200
9 Years of Service	=	\$225
10 Years of Service	=	\$250
11 Years of Service	=	\$275
12 Years of Service	=	\$300
13 Years of Service	=	\$325
14 Years of Service	=	\$350
15 Years of Service	=	\$375
16 Years of Service	=	\$400
17 Years of Service	=	\$425
18 Years of Service	=	\$450
19 Years of Service	=	\$475
20 Years Plus of Service	=	\$500

3. Payment Schedule. Longevity compensation payments will be made by separate check to eligible employees during the first payday following the employee's anniversary date.

F. JURY SERVICE

1. Purpose and Eligibility. Jury Service Compensation is available to eligible employees to encourage employees to fulfill their civic responsibility by serving jury duty when required. Regular full time employees and regular part time employees are eligible for jury service compensation.

2. Amount Compensated. Eligible employees will receive their regular compensation plus mileage reimbursement during their jury service. Employees, in return, will turn in all compensation, minus mileage reimbursement, provided through the court system over to the Treasurer's Office.

3. Giving Notice. Employees should give reasonable advance notice to their immediate supervisor of their summons to serve as a possible juror. Employees should also give periodic updates in respect to anticipated jury service completion time.

4. Maintenance of Benefits. All paid leave benefits: vacation leave, sick leave, and holidays will continue to accrue during jury service. All insurance plans the employee participated in prior to the jury service will continue during the jury service.

G. DEFERRED COMPENSATION

The County offers a “457” or deferred compensation plan that allows employees to put pre-tax dollars away for future retirement needs. All employees are eligible for benefits that are subject to state and federal regulations. Employee participation is voluntary. Refer to the Summary Plan Description for further details concerning this policy.

H. RETIREMENT PROGRAM

The County offers a retirement program for regular full time and regular part time employees who work in excess of 1,000 hours per year. Employee contributions and the county finance the retirement program. Employees are eligible for retirement benefits that are subject to state and federal regulation as well as plan specifications. Employee participation is voluntary. Refer to the Summary Plan Description for further details concerning this policy.

## **SECTION 4: INSURANCE BENEFITS**

A. HEALTH INSURANCE

1. Purpose and Eligibility. The County provides access to health (medical and dental) insurance for eligible employees and their families. Regular full time employees are eligible for county paid coverage under the county’s plan. Regular part time, who are scheduled to work at least twenty (20) hours per week, are eligible to purchase their health insurance through the county’s plan. Casual and temporary employees are not eligible for health insurance.

2. Start of Coverage. Application for health insurance coverage should be made with the payroll office upon hiring. Coverage for eligible employee should become effective the first sign up date following the first full calendar month of service. Refer to the Summary Plan Description for further details concerning this policy.

B. LIFE INSURANCE

1. Purpose and Eligibility. The County provides term life insurance in the amount of \$25,000 for eligible employees. Regular full time employees are eligible for life insurance coverage. Regular part time, casual, and temporary employees are not eligible for life insurance.



2. Accidental Death and Dismemberment Coverage. As part of the county's life insurance plan, each regular full time employee is also covered up to \$10,000 for accidental death and dismemberment.

C. SHORT TERM DISABILITY INSURANCE

1. Purpose and Eligibility. The County provides short-term (up to 26 weeks) disability insurance for eligible employees who are unable to work because of a qualifying disability due to injury or illness. Regular full time employees are eligible under the county's short-term disability plan. Regular part time, casual, and temporary employees are not eligible for short-term disability insurance.

2. Scope of the Plan. Eligible employees may participate in the short-term disability plan subject to all terms and conditions of the agreement between the county and insurance carrier.

3. Relationship to Worker's Compensation. Disabilities covered by worker's compensation are excluded from the County's short-term disability plan coverage.

E. UNEMPLOYMENT INSURANCE

The County participates in the state/federal unemployment insurance program. All employees are eligible for benefits that are subject to state and federal regulations.

F. WORKER'S COMPENSATION

The County provides a comprehensive worker's compensation program that covers employee injuries or illnesses sustained in the course of employment that requires medical, surgical, or hospital treatment. All employees are eligible for benefits that are subject to applicable legal requirements. All work related injuries or illnesses are to be promptly reported to the payroll office.

G. FICA

The County participates in the federal Social Security Plan. All employees shall supply the payroll department with the necessary information for reporting.

H. COBRA REQUIREMENT

1. Purpose and Eligibility. The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives regular full time employees and regular part time employee (who have participated in the health insurance plan) the

opportunity to continue health insurance coverage when a “qualifying event” would normally result in the loss of health insurance eligibility.

2. Qualifying Event Defined. Under COBRA, qualifying event is defined as resignation, termination of employment, or death of an employee; reduction of employee’s work hours or a leave of absence; an employee’s divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

3. Payment of Costs. Under COBRA, the employee or beneficiary pays the full cost of coverage at the county’s health insurance premium rates plus an administration fee.

## **SECTION 5: EMPLOYEE LEAVE POLICIES**

### **A. VACATION LEAVE**

1. Purpose & Eligibility. Vacation Leave with pay is available to eligible employees to provide for opportunities for rest, relaxation and personal pursuits. Regular full time employees and regular part time employees are eligible for vacation leave on a pro-rata basis. Casual and temporary employees do not accrue vacation leave.

2. Amount Accrued. The amount of vacation leave employees accrue each year varies with the length of employment. The following accrual schedule assumes a forty-hour workweek:

1st year of service = Five days or 1.54 hours per pay period  
2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, & 5<sup>th</sup> years of service = Ten days or 3.08 hours per pay period  
6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> & 10<sup>th</sup> years of service = Fifteen days or 4.62 hours per pay period

11<sup>th</sup> year of service = Sixteen days or 4.92 hours per pay period  
12<sup>th</sup> year of service = Seventeen days or 5.23 hours per pay period  
13<sup>th</sup> year of service = Eighteen (17) days or 5.54 hours per pay period  
14<sup>th</sup> year of service = Nineteen (18) days or 5.85 hours per pay period  
15<sup>th</sup> year of service or more = Twenty days or 6.15 hours per pay period  
After fifteen years of service = Twenty (20) days or 6.15 hours per pay period

3. Start of Accrual. Employees begin to accrue vacation leave from the date of employment. Earned vacation leave is available for use at the end of the orientation period.

4. Vacation Leave and Leaves without Pay. Employees who are on a leave without pay do not accrue any additional vacation leave until their return to service.

5. Requesting a Vacation Leave. Employee should request advanced approval from their immediate supervisor to utilize accrued vacation leave. Requests will be reviewed based on a number of factors, including department operational needs and staffing requirements.

6. Rate of Payout. Vacation leave will be paid out at the employee's pay rate at the time of vacation.

7. Maximum Accrual. Employee may accrue vacation leave up to a maximum of 240 hours. Once an employee has accrued the maximum, no additional vacation leave will be accrued until the employee has used vacation leave to reduce their total below the maximum.

8. Upon Termination. Upon termination of employment, employees will be paid for all unused accrued vacation leave that has been earned through the last day of work.

B. SICK LEAVE

1. Purpose & Eligibility. Sick Leave with pay is available to eligible employees for periods of temporary absences due to illnesses, injuries, or medical appointments of the employee or their immediate family. The immediate family, for purposes of sick leave, is defined as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse, grandparents, or grandchildren. Regular full time and regular part time employees are eligible for sick leave on a pro-rata basis. Casual and temporary employees do not accrue sick leave.

2. Amount Accrued. Each regular full time employee shall accrue sick leave at the rate of one (1) working day per each completed month of service. Accrual per pay period will vary dependent upon the number of hours normally worked by the full-time employee in a work week.

3. Start of Accrual. Employees begin to accrue sick leave from the date of employment. Earned sick leave is available for use at the end of the orientation period.

4. Sick Leave and Leaves without Pay. Employees who are on a leave without pay do not accrue any additional sick leave until their return to service.

5. Notification of Supervisor. Employees should notify their immediate supervisor before the scheduled start of the workday if possible. The immediate supervisor must also be contacted on each additional day of absence.

6. Absence from Work Longer than Three Days. Employees who are off on sick leave three or more consecutive workdays may be required by their immediate supervisor to submit a physician's verification of illness prior to returning to service.

7. Rate of Payout. Sick leave is paid at the employee's pay rate at the time of illness or injury. Sick leave can be used to supplement payments that an employee is eligible to receive from the short-term disability policy or worker's compensation. The combination of any such disability payments and sick leave cannot exceed the employee's normal weekly earnings.

8. Maximum Accrual. Employees will be allowed to accrue sick leave up to a maximum of 480 hours. Once an employee has accrued the maximum, no additional sick leave will be accrued until the employee has used sick leave to reduce their total below the maximum.

9. Upon Termination. Upon termination of employment, employees will be paid one-half of unused accrued sick leave, up to 240 hours.

C. PERSONAL DAYS

1. Purpose & Eligibility. Personal Days with pay are available to eligible employees who wish to take time off from work duties to fulfill personal obligations. Regular full time and regular part time employees are eligible for personal days on a pro-rata basis. Casual and temporary employees do not receive personal days.

2. Amount Received. After the completion of his or her orientation period, each regular full time employee shall receive two (2) personal days at the beginning of each calendar year. Assuming a forty-hour workweek this would be sixteen (16) hours per calendar year.

3. Requesting a Personal Day(s). Employees should request advance approval from their immediate supervisor to utilize personal days. Requests will be reviewed based on a number of factors, including department operational needs and staffing requirements.

4. Rate of Payout. Personal days are paid at the employee's pay rate at the time the personal days are used.

5. Failure to Use Personal Days. An employee who fails to use the granted personal days within the calendar year will lose them. Personal days cannot be carried from one calendar year to the next.

6. Upon Termination. Upon termination of employment, employees will not be paid for any unused personal hours.

D. BEREAVEMENT LEAVE

1. Purpose & Eligibility. Bereavement Leave with pay is available to eligible employees who need immediate time off to deal with death in their immediate family. The immediate family for purposes of bereavement leave is defined as employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse, grandparents or grandchildren. Regular full time and regular part time employees are eligible for bereavement leave on a pro-rata basis. Casual and temporary employees are not eligible for paid bereavement leave.

2. Amount Available. After the completion of his or her orientation period, each regular full time employee may be granted up to five (5) working days per calendar year. Assuming a forty-hour workweek this would be up to forty (40) hours per calendar year.

3. Requesting Bereavement Leave. Employees should request approval from their immediate supervisor.

4. Rate of Payout. Bereavement leave is paid at the employee's rate at the time of the bereavement leave.

5. Failure to Use Bereavement Leave. Bereavement leave cannot be carried from one calendar year to the next.

6. Upon Termination. There is no accrued Bereavement leave for employees upon termination.

E. FAMILY AND MEDICAL LEAVE

1. Purpose & Eligibility. Family and Medical Leave without pay, as specified in federal law (Family and Medical Leave Act of 1993), is available to eligible employees who wish to take time off from work duties to attend to the personal circumstances as outlined in the law. Employees are eligible to take family and medical leave if they have worked a minimum of 1250 hours in the preceding 12-month period before leave is requested. The County has a separate Family and Medical Leave Policy which is provided to eligible employees. If you need an additional copy, please see the County Administrator.

F. EDUCATIONAL LEAVE

1. Purpose & Eligibility. Educational Leave without pay is available to eligible employees who wish to take time off from work duties to pursue professional educational goals. The department head determines eligibility for educational leave with concurrence from the Personnel Committee.

2. Amount Received. Eligible employees may request educational leave for a defined period of length. Requests will be evaluated based on a number of factors, including department operational needs and staffing requirements.

3. Requesting an Educational Leave. Employees should request an educational leave from their immediate supervisor. Each request for educational leave should be in writing.

4. Rate of Payout. Educational leave will be unpaid unless the employee has accrued vacation leave, sick leave, or personal days to utilize.

5. Suspension of Benefits. All paid leave benefits: vacation leave, sick leave, and personal days will be suspended during the unpaid educational leave.

#### G. MILITARY LEAVE

1. Purpose & Eligibility. Military Leave without pay is granted to employees who are absent from work because of short term and long term service in U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state laws.

2. Amount Received. Employees may request up to ten (10) days per calendar year for use as short term military leave. Employees may request an indefinite period of time for use as long term military leave.

3. Requesting Military Leave. Employee must give advance notice to their immediate supervisor, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

4. Rate of Payout. Military Leave will be unpaid unless the employee has accrued vacation leave, sick leave, or personal days to utilize.

5. Continuation of Benefits: All paid leave benefits: vacation leave, sick leave, and personal days will continue to accrue during the unpaid military leave. Continuation of health insurance is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the health insurance plan for which the employee is eligible.

#### H. SABBATICAL LEAVE

1. Purpose & Eligibility. Sabbatical Leave without pay is available to employees wishing to take time off from work duties to pursue personal enrichment activities. Regular full time and regular part time employees are eligible for sabbatical leave. Casual and temporary employees are not eligible for sabbatical leave.

2. Amount Received. Eligible employees may request to take up to three months of sabbatical leave each calendar year. Requests will be evaluated based on a number of factors, including department operational needs and staffing requirements.
3. Requesting Sabbatical Leave. Employees should request sabbatical leave from their immediate supervisor. Each request for sabbatical leave shall be in writing.
4. Rate of Payout: Sabbatical leave will be unpaid unless the employee has accrued vacation leave, sick leave, or personal days to utilize.
5. Suspension of Benefits: All paid leave benefits: vacation leave, sick leave, and personal days will be suspended during the unpaid sabbatical leave. Employees will be responsible for the cost of health insurance benefits.

I. Voluntary Emergency Leave Bank

1. Purpose & Eligibility. The purpose of the Voluntary Emergency Leave Bank (VELB) is to provide regular full time employees with access to a supplemental allotment of paid leave in order to enable an employee who is absent due to a serious injury or prolonged serious illness, as defined by the Family Medical Leave Act, to continue to receive pay during an approved leave or limited work schedule. Eligible employees must have exhausted or are within 40 accrued leave hours of exhausting all vacation, sick, and personal leave.
2. Amount Received. Eligible employees can draw compensation from their specific VELB to supplement what a normal work week would be for them. Once a VELB is exhausted there is no further compensation through the VELB.
3. Requesting a VELB. Eligible employees or their department head must make written request to have a VELB set-up specifically for their use through the County Administrator's Office. The County Administrator will make an eligibility determination based on this policy. The County Administrator will give written notice to the rest of the employees regarding the setting up of a specific VELB for the eligible employee. Each employee can voluntarily donate up to 40 hours of his or her accrued vacation leave to the specific VELB. All employee donations to the VELB are irrevocable.
4. Rate of Payout: Donations to the VELB must be made in whole hour increments. Vacation hours donated by an employee will be converted to their monetary equivalent based on the donating employee's hourly rate of pay. Such monetary amount will be recorded in the specific VELB. The eligible employee shall draw hours from the VELB based on their rate of pay.

5. Conclusion of a VELB. A specific VELB is concluded when it has been exhausted or is no longer needed by a determination of the County Administrator. At the conclusion of a VELB any unused amounts are reconverted to accrued vacation hours and returned to the donating employees.

## **SECTION 6: HOLIDAY POLICY**

### **HOLIDAY PAY**

1. Purpose & Eligibility. The County has designated 12 ½ days for observance of holidays. These holidays are granted with pay for eligible employees. Regular full time employees and regular part time employees are eligible for holiday pay on a pro-rata basis. Casual and temporary employees are not eligible for holiday pay.

2. Designated Holidays. The following days are designated as holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Good Friday (starting at noon)
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving
- Day after Thanksgiving
- Christmas Eve Day
- Christmas Day
- New Year's Eve Day

3. Scheduling. When one of the above holidays falls on a Sunday, the following Monday will be observed as the holiday. When the holiday falls on a Saturday, the preceding Friday will be observed as the holiday.

4. Rate of Payout. Holiday days will be paid out at the employee's pay rate at the time of the holiday.

5. Compensation for a Holiday Worked: FLSA non-exempt Employees required to work will be compensated at one and one-half the employee's pay rate for the time worked.



## **SECTION 7: TERMINATION PROCEDURES**

### **A. RESIGNATION**

Resignation is a voluntary act initiated by the employee to discontinue employment with the county. All employees should give at least ten (10) working days notice of their intention to terminate employment with the county.

### **B. DISCHARGE**

Disciplinary action, when warranted, will be initiated by a department head or his/her designee. The following guidelines are meant to promote understanding of the County's disciplinary philosophy and provide examples of improper conduct. They serve as an instructive but non-binding standard for the County, which will determine what discipline, if any, is necessary based on the individual circumstances of each situation. The County intends to engage in progressive discipline, up to and including termination, where appropriate. However, these guidelines do not alter the right of an employee or the Company to terminate an employee's employment at any time, with or without reason or notice.

The County has established certain rules of conduct to be followed if it is to operate in a safe, efficient and orderly manner. As employee cooperation is essential, each employee must familiarize himself/herself with the Rules of Conduct listed below. Based on common sense and good judgment, these rules are designed to protect the effectiveness and integrity of the County and the safety, health and well-being of the County's employees.

An employee committing any of the following offenses may be subject to disciplinary action ranging from oral reprimand to written reprimand to suspension to involuntary termination. It should be noted that this list is not all inclusive, as there may be other reasons which may result in disciplinary action. Likewise, violation of these rules is not the only basis for termination.

- A) Conflict of interest that is not disclosed and is not approved.
- B) Unjustified or excessive absenteeism or tardiness.
- C) Working overtime without prior approval of your supervisor.
- D) Theft, unauthorized removal or destruction of property that belongs to the County or a fellow employee.
- E) Unsatisfactory job performance.
- F) Refusal to follow the lawful directions of your supervisor.
- G) Disorderly conduct.
- H) Endangering your personal safety or the safety of others.
- I) Falsification of employment records; i.e., job application, work records, and/or time sheets.
- J) Violation of Company rules or policies.

- K) Possession, use, purchase or sale of illegal substances.
- L) Use of alcohol or any illegal substance during working hours or while on County premises.
- M) Fighting/violent acts or threats.
- N) Possession of dangerous weapons on the job, such as firearms.
- O) Unsatisfactory driving record affecting employability.
- P) Conviction of felony or any other crime.

C. PROGRESSIVE DISCIPLINE

It is the intention of the County to utilize disciplinary action in a constructive manner with the goal of motivating the employee toward proper conduct in the future.

Toward this end, disciplinary actions, as a general rule, will be taken progressively in the order listed below. However, the County reserves the discretion to react to a situation as circumstances may require. This may result in prompt termination or other discipline of an employee without engaging in progressive discipline.

The precise disciplinary actions taken by the County, their sequence, and the time lapse between disciplinary actions may vary depending upon such factors as the nature of the problem, its degree of seriousness and the past performance of the employee.

- ◆ Oral Reprimand is a verbal notice to an employee that his/her behavior or performance must be improved or corrected. The oral reprimand will also define the improvement or corrective action required and inform the employee that failure to comply with the oral warning will result in more serious action. The Department Head shall record the date and subject of the oral reprimand, and shall place a confirmation of oral reprimand in the employee's personnel file.
- ◆ Written Reprimand is a written notice to an employee that his/her behavior or performance must be improved or corrected. Such notice shall contain a statement of the cause for the action, improvement or corrective action required of the employee, time frames for such action and possible results of the employee's failure to comply. Written reprimands shall be placed in the employee's personnel file.
- ◆ Suspension is the temporary removal of an employee from duty, with or without pay. Suspension shall be used when other means have been tried without success and it is believed that suspension will bring about the required improvement in the employee's behavior or performance, or when the situation is sufficiently serious to warrant such action.

- ◆ Involuntary termination is the removal of an employee from the employ of the County. Employees who have been involuntarily terminated are not eligible for rehire.
- ◆ Suspension with Pay. It may be necessary to separate an employee from the workplace while an investigation of an allegation against the employee is taking place. At such times, the employee will be placed on suspension with pay pending the investigation. The employee will retain all other fringe benefits during this time.

D. LAYOFF

Layoff is a non-voluntary act initiated by the employer to discontinue the employment of the employee with the County for non-disciplinary reasons. Employees may be laid off for the lack of sufficient work or funds.

Employees shall be laid off and recalled according to seniority within their department provided they have the present ability, skill and qualifications to perform in the positions which remain filled.

E. RETURN OF COUNTY PROPERTY

Employees are responsible for all county property and materials issued to them or in their possession or control. Employees must return all county property and materials immediately upon request or termination. Where permitted by applicable laws, the county may withhold from the employee's check or final paycheck the cost of any items that are not returned when required.

## **SECTION 8: GRIEVANCE AND APPEAL PROCEDURES**

A. PROBLEM RESOLUTION STATEMENT

The Branch County Board of Commissioners encourages an open and frank atmosphere in which any work-related problem, complaint, suggestion, or question receives a timely response from management.

Not every problem, complaint, suggestion, or question can be addressed to everyone's total satisfaction, but through understanding and discussion, employees and management can develop confidence and trust in each other.

Where appropriate, the following grievance and appeal procedures are superseded by applicable state laws and rules.

B. GRIEVANCE AND APPEAL PROCEDURES

1. Purpose. The purpose of this procedure is to outline for employees and management the proper steps involved when employees believe that a condition of employment or a decision affected them is unjust or inequitable.

2. Step 1. Employee presents the issue verbally to their Department Head within five (5) workdays after the occurrence of the alleged incident. The Department Head shall respond back verbally, and in writing, to the employee within five (5) workdays of the initial presentation of the issue.

3. Step 2. If the issue can not be resolved in Step 1, the employee has the option of submitting a written grievance to their Department Head within ten (10) workdays after receiving verbal notification from their Department Head. A written grievance shall include: the name of the employee affected, what event happened, when the alleged incident occurred, what condition of employment or decision is unjust or inequitable, and what adjustment is being requested. The Department Head shall respond back in writing within ten (10) workdays of receiving the written grievance.

4. Step 3. If the grievance can not be resolved in Step 2, the employee has the option of submitting the written grievance to the Personnel/Finance Committee of the Branch County Board of Commissioners within ten (10) workdays after receiving their Department Head's written response. The Personnel Committee shall schedule to meet with the employee at their next regular scheduled meeting in order to review the grievance. The Personnel Committee shall respond back in writing within five (5) days after reviewing the grievance.

5. Freedom from Reprisal. No employee shall be penalized, formally or informally, for voicing a complaint in a reasonable manner or for using the grievance and appeal procedure outlined above.

**ACKNOWLEDGMENT OF RECEIPT AND REVIEW OF  
PERSONNEL POLICIES MANUAL**

This is to acknowledge that I have received and read a copy of the Branch County Personnel Policies Manual for employees and fully understand its contents. I agree to conform to the policies and procedures as stated in the Manual. I also understand that the information and policies contained in the Manual may be changed from time-to-time by the County with reasonable notice and that I may be given amended pages to include in the Manual.

I understand that this manual supersedes any and all prior oral and written communications concerning my employment. I acknowledge that my employment may be terminated at any time, with or without reason and with or without notice, by me or by the County. I understand that only the Board of Commissioners has authority to enter into an employment agreement with me and that any such agreement must be in writing signed by the County Administrator and approved by the Board of Commissioners.

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Employee's Signature

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Date

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Employee's Signature

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Date