WARREN COUNTY PERSONNEL MANUAL

August 2016

Commission Members

Warren County Commissioners from left to right:

Victor Hunt
Jennifer Jordan Pierce, Vice Chairman
Bertadean Baker
Tare Davis
Barry Richardson, Chairman

Mission Statement

The mission of the Warren County Board of
Commissioners is to provide leadership and support for an effective county government that seeks to enhance the quality of life
for the people of Warren County.

We believe the employees of Warren County play an integral role in the realization of our mission. Therefore, it is vital that we establish and maintain a culture that promotes teamwork, diversity, and consistency. We intend to facilitate workforce success through professional delivery of information and service that is centered around effective employee recruitment, comprehensive staff development, and ultimately, a high level of staff retention.

Warren County Board of Commissioners
August, 2016

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APPENDIX

ARTICLE I – GENERAL PURPOSE & SCOPE

Section 1-1. Purpose

The purpose of this personnel manual is to establish a personnel system that promotes a fair and effective means of employee recruitment, selection, development and retention, resulting in an effective and responsible workforce that is highly responsive to the needs of Warren County's citizens. This manual is established by Warren County under the authority granted in North Carolina General Statutes § 153A and § 126.

Section 1-2. Limitations

This manual does not create, in any way, a contract of employment with any employee. Nothing in this manual may be relied upon by any prospective or current employee to grant any property rights in his/her employment. Thus, with few exceptions, Warren County is an at-will employer. As such, the County reserves the right to terminate any employee at any time for any reason, and any employee may voluntarily leave the County's employment upon proper notice. Please refer to Section 9-2 Resignation.

Section 1-3. Coverage

A. All rules and regulations in this manual shall be binding on all County departments and the employees thereof except as specifically exempted herein.

B. The following departments and offices are exempted from and excluded from any policy in this manual that has been preempted by state or federal law which specifically governs the department or office:

1. Elected Officials;
2. County Manager;
3. Sheriff;
4. Local Health Department;
5. Register of Deeds;
6. Department of Social Services;
7. Tax Administrator;
8. Board of Elections;
9. Cooperative Extension;
10. Members of advisory boards and commissions, special boards, task forces, committees; and
11. Any other officials and/or employees who are exempt by law.

Section 1-4. Changes in Policy

This manual supersedes all previous employee manuals, memos, policies and ordinances formerly adopted by the County that refer to personnel administration. However, regarding departments whose Director is statutorily exempt (i.e. the Sheriff's Office, the Health Department, Department of Social Services and Register of Deeds), employees of these departments must consult with their Department Head to obtain the statutorily required policies and procedures adopted by their department—some of which may supersede one or more policies within this manual.

While every effort is made to keep the contents of this document current, the County reserves the right to modify, suspend, or terminate any of the policies, procedures, and/or benefits described in the manual with or without prior notice to employees. Personnel manual amendments will always govern and supersede any prior version.

Section 1-5. Definitions

Administrative Time Off - Time given to an employee to cover the time not at work due to an authorized County closing.

Adverse Action - An involuntary demotion, reduction in pay, transfer, suspension without pay, layoff, or dismissal.

Anniversary Date - The employee's original date of employment in a given position. For purposes of eligibility for and calculation of standard benefits, the anniversary date is calculated from the employee's first day of employment as a probationary Full-Time employee in any regular permanent position.

Appointing Authority - Any County board or official with the legal or delegated authority to make hiring decisions. Appointing authorities include the Warren County Board of County Commissioners, Warren County Health Board, Warren County Social Services Board, State Board of Elections, and Warren County Board of Elections. Additionally, the following individuals are endowed with appointing authority: County Manager, Sheriff, Register of Deeds, Health Director and Social Services Director.

Career Status Employee - A State employee or an employee of a local entity who is covered by N.C.G.S. § 126-5(a)(2) who: 1) Is in a permanent position, and; 2) Has been continuously employed by the State of North Carolina or a local entity as provided in N.C.G.S. § 126-5(a)(2) in a position subject to the North Carolina Human Resources Act for the immediate 12 preceding months.

Class - A position or group of positions having similar duties and responsibilities requiring similar qualifications, which can be properly designated by one title indicative of the nature of the work performed, and which carry the same pay range.

Competitive Service Employee - An employee of the Department of Social Services and the Health Department whose position is funded, at least in part, with federal grant-in-aid funds and is subject to the State Human Resources Act.

Cost of Living Increase - A percentile adjustment which, if approved by the Board of Commissioners, is applied to all salaries and/or pay ranges in the County.

Demotion - The reassignment of an employee from one job class to another where the pay grade and/or pay rate for the new position is lower than that of the former position. Generally, a demotion is a result of disciplinary action due to unacceptable personal conduct, unacceptable job performance, or grossly inefficient job performance; however, in some instances, a demotion may be voluntary.

Employee Classifications & Allocation of Positions:

Full-Time Employee - An employee, either regular or temporary, who is regularly scheduled to work thirty (30) hours or more per week.

Part-Time Employee - An employee, either regular or temporary, who is regularly scheduled to work less than thirty (30) hours per week.

Probationary Employee - A person appointed to a budgeted position who has not yet completed the probationary period.

Regular Employee - An employee who has successfully completed the prescribed probationary period, is paid on an hourly or salary basis, and is eligible for all standard benefits which accompany the regular position in which the employee is employed. With few exceptions, all County employee positions are subject to budget review and approval annually by the County and all employees' work and conduct must meet standards of performance and behavior. Therefore, reference to "regular" employees is not to be construed as a contract or right to perpetual funding or employment, and does not affect the "at-will" status of the employment relationship.

Seasonal Employee - A temporary, hourly employee who works in a position that is seasonal in nature and typically does not exceed a ten (10) month period of continuous employment in any calendar year nor exceed 999 hours. A seasonal employee is not eligible for County benefits.

Temporary Employee - An employee appointed to serve in a position for a definite period not to exceed 365 calendar days from the employee's hire date nor exceed 999 hours. A temporary employee is not eligible for County benefits and will be paid on an hourly basis.

Trainee - An employee, appointed to a regular position, designated by the Board of Commissioners as a Full-Time trainee. A person in this class does not meet the requirements for a specific position, but meets the minimum requirements for employment with the County. A Trainee may be hired at a pay rate lower than the approved rate in the pay plan. Upon successful completion of the probationary period, the trainee shall be considered a regular employee of the County and will receive a pay increase to the minimum pay rate for that position. Trainees are paid on an hourly or salary basis and are eligible for all standard benefits. Trainees serve as probationary employees for the duration of their training period.

Exempt Employee - An employee who is not entitled to minimum wage and/or overtime compensation under the Fair Labor Standards Act.

Fair Labor Standards Act (FLSA) - The Fair Labor Standards Act (FLSA) is a federal law, sometimes referred to as the "Wage and Hour Bill", which was enacted by Congress in 1938. The law regulates minimum wage and overtime compensation, as well as other wage and labor related issues, and is strictly adhered to by the County.

Fiscal Year - Warren County's fiscal year runs from July 1 through June 30.

General County Employee - An employee in County service who is not subject to the State Human Resources Act.

Grant-Funded Positions – Positions which are supported wholly or in part by financial grants or other non-County monies. Individuals occupying these positions are appointed for a specific period of time to perform particular services on behalf of the County. Employees occupying these positions may or may not be entitled to County benefits, depending on the provisions and/or regulations of the funding grant.

Grievance - A written claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. A grievance may involve alleged safety or health hazards; unsatisfactory physical facilities, surroundings, materials or equipment; unfair or discriminatory supervisory or disciplinary practices, or misapplication of work rules.

Hiring Rate - The pay rate of a position when initially hired into County service as established under the County's Pay Plan. Normally, this is the minimum of the pay range.

Immediate Family - This term includes spouse, mother, father, legal guardian, son, daughter, brother, sister, grandparents, grandchildren, as well as the various combinations of half, step, in-law, and (legally) adopted relationships that can be derived from those named above.

Independent Contractor - An individual who enters into a contract with the County to perform an agreed-upon function or service for the County that, based upon Internal Revenue Service guidance, has the status of independent contractor and not employee. Independent contractors are retained in accordance with negotiated terms of the contract; therefore, are not eligible for any benefits or compensation other than that which is specified in the contract, agreement, or Memorandum of Understanding, or otherwise required by federal or state laws and regulations. Additionally, this worker is solely liable for any and all employment-related taxes resulting from the contract with Warren County.

Job Classification Schedule - A listing of pay ranges arranged by sequential rates including minimum, mid-point, and maximum rates for each class assigned to a range. For the purposes of this definition, the terms "Pay Plan," "Salary Plan," and "Salary Schedule" may be used herein interchangeably.

Longevity Pay - Annual lump sum compensation intended to reward employees for service with the County. Such pay is *not* guaranteed each fiscal year but *may be* allotted at the discretion of the Board of Commissioners based on the County's fiscal obligations.

Maximum Salary Rate - The maximum salary authorized for an employee within an assigned pay grade.

Minimum Salary - The salary in Warren County's pay table that is associated with the lowest rate within a particular salary grade.

Non-Exempt Employee - An employee who is entitled to minimum wage and overtime compensation pursuant to the FLSA. (Overtime pay and/or compensatory time off is given to non-exempt employees for hours worked in excess of the standard work hours/periods established by the County for the specific position.)

Overtime - Work performed with the express authorization of the Supervisor in excess of 40 hours per week, as defined by the FLSA for the County's departments on a non-standard work week, and in excess of 37.5 hours per week for the County's departments that work a standard work week.

Part-time Employee - An employee who is regularly scheduled to work less than 30 hours per week. Part-time employees are paid on an hourly basis.

Regular Part-time Employee - An employee appointed to a permanently established position who is regularly scheduled to work less than 30 hours per week.

Temporary Part-time Employee - An employee appointed to a temporarily established position who is regularly scheduled to work less than 30 hours per week. The employee's length of employment is dependent upon performance of required job duties and responsibilities, but not to exceed 999 hours in 365 consecutive calendar days.

Pay Grade - A level within a pay and classification table into which job classes with similar characteristics based on a review of job factors are placed for compensation purposes. Pay grades have a minimum rate, a midpoint rate, and a maximum rate and define what an employer is willing to pay for a particular job. For the purposes of this definition, "Pay Grade" may be used interchangeably with the term "Salary Grade."

Pay Plan - A listing of pay ranges arranged by sequential rates including minimum, mid-point, and maximum rates for each class assigned to a range. For the purposes of this definition, "Pay Plan" may be used interchangeably with the terms "Salary Plan," and "Salary Schedule."

Pay Range - The hiring, minimum, mid-point and maximum pay rates for a given classification.

Pay Range Revision - The uniform raising or lowering of the salary ranges of every grade within the salary/pay plan.

Performance Evaluation - A periodic review of an employee's performance designed to recognize and reward quality work performance and to identify work deficiencies.

Position – A group of current duties and responsibilities assigned by competent authority requiring the full or part-time employment of one person. The existence of a position or its identity does not depend upon its being occupied by an employee.

Full-time Position – A position that has been approved by the Board of County Commissioners, the duties and responsibilities of which are required to be performed on a continuous basis, normally requiring full-time employment of at least thirty (30) hours per week.

Part-time Position – A position that has been approved by the Board of County Commissioners, the duties and responsibilities of which can be performed in less than thirty (30) hours per week.

Position Classification Plan - A plan approved by the Board of County Commissioners that assigns classes of positions to the appropriate pay grade.

Probationary Period – The required period of time an employee must serve before obtaining regular status when

entering County service or when changing positions after hire where an additional period of probation is required.

Promotion - The reassignment of an employee to a position or classification having a higher pay range than the former position or classification.

Reclassification - The reassignment of a single position or a group of positions to a higher or lower pay grade.

Salary Progression - A salary increase that is based upon service and is intended to move employees throughout their respective salary grades.

Serious Health Condition – The Family and Medical Leave Act defines the term "serious health condition" to mean an illness, injury, impairment, or physical or mental condition that requires an absence from work, school, or other regular activities for more than three (3) calendar days due to: a) inpatient care in a hospital, hospice, or residential medical care facility; or b) continuing treatment by a health care provider.

Standard Benefits - Standard benefits available to all regular full-time employees and probationary full-time employees, include: health insurance, dental insurance, life insurance, accidental death and dismemberment insurance, retirement benefits, credit union membership, deferred compensation plans, paid holidays, vacation leave, sick leave, other forms of paid leave and direct deposit. Other compensation related benefits are reserved for regular full-time employees only. Certain special allowances for part time employees and temporary employees are indicated in the relevant sections of this personnel policy.

Standard Work Hours – Standard work hours are the core business hours when County offices are open to the public. Designated work hours are Monday – Friday, 8:30 a.m. – 5:00 p.m. Certain offices operate under extended work hours and vary by department.

Standard Work Periods – Standard work periods for Warren County employees are as follows. The work period begins on Monday and continues through Sunday:

Category	Work Period	Standard Work Hours
Deputy Sheriff/Jailers	28 days	171 hours
Emergency Services	10 days	80 hours
Exempt Employees	7 days	37.5 hours
All Others	7 days	37.5 hours*

*It is noted that although the County's standard work week for most employees is 37.5 hours, overtime pay is not triggered for non-exempt employees until the employee has worked past the 40/hour per week requirement outlined in FLSA.

Temporary Position - A position for which the duties and responsibilities are required to be performed for a

designated period of time not to exceed 365 consecutive calendar days from employee's date of hire. Employees in temporary positions are not eligible for standard benefits.

Trainee – An employee appointed to a position in any class for which Office of State Human Resources personnel has established that the person does not have all of the experience required for a position.

Transfer – The reassignment of an employee from one position or department to another.

Work-Against Appointment - In departments whose employees are subject to the State Human Resources Act, the appointing authority may appoint an employee in a work-against situation, when qualified applicants are unavailable and there is no trainee provision for the class vacancy. In such cases, an employee lacking all the necessary qualifications is appointed to the position with the intent that the employee will gain the qualifications needed to meet the class requirements through on-the-job experience. Nevertheless, the employee must meet the minimum training and experience standard of the class to which initially appointed. A work-against appointment may not be made when applicants deemed suitable for the position are available who meet the education and experience requirements for the full class for the position in question.

For example, an applicant meeting the education and experience requirements for a Social Worker I classification may be hired in work-against status to fill a vacancy for a Social Worker II position for which the County has been unable to recruit a suitable applicant possessing the education and experience requirements of a Social Worker III position. An employee thus hired would be classified and paid as a Social Worker I until such time as the minimum education and experience requirements are met.

Section 1-6. Merit Principles

All appointments and promotions shall be made solely on the basis of merit. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same pay range. No applicant for County employment shall be deprived of employment opportunities or otherwise adversely affected because of such individual's race, color, religion, gender, national origin, political affiliation, non-disqualifying disability, or age.

Section 1-7. Responsibilities of the Board of County Commissioners

The Board of County Commissioners shall establish personnel policies, including the position classification and pay plan, and shall make and confirm appointments when required by law.

Section 1-8. Responsibilities of the County Manager

N.C.G.S. § 153A-81 authorizes the Board of Commissioners, among other things, to appoint a County Manager to oversee the County's day-to-day administration. As the chief administrator of County government, and pursuant to N.C.G.S. § 153A-82, the County Manager is responsible to the Board of County Commissioners for the administration and technical direction of all departments of County government under the Board's general control, including that of the personnel program. Thus, in overseeing the County's workforce, the County Manager (or his/her designee) shall perform all duties necessary to provide for the administration and maintenance of a fair and equitable human resources system.

Section 1-9. Responsibility of the Human Resources Manager

The Human Resources Manager, in accordance with the provisions of the North Carolina General Statutes 153A, Article 5, and, as employed and directed by the County Manager, is authorized to undertake all actions necessary to establish, implement, maintain, and when necessary, revise all elements of a fair and equitable human resources system in order to assure the hiring and retention of capable, diligent and honest County employees.

Section 1-10. Enforcement and Administration

The County Manager has the final authority and responsibility to enforce the rules and regulations set forth herein.

Because of particular personnel requirements of various departments of the County, each department is authorized to establish supplemental Standard Operating Procedures. All Standard Operating Procedures shall be subject to the approval of the County Manager, and shall not in any way conflict with the provisions of this manual, but shall be considered as a supplement to this manual.

ARTICLE II – EMPLOYEE RESPONSIBILITIES

Section 2-1. Codes of Behavior/Personal Conduct

It is the responsibility of every employee to conduct himself/herself in a manner that contributes to a workplace environment which advances the mission and goals of Warren County and fosters a harmonious working environment that encourages all employees to perform at their best. The County recognizes that unprofessional and unacceptable personal conduct affecting the workplace contributes to low employee morale, absenteeism, turnover, and loss of productivity. It also erodes the public's trust and the County's credibility within the community.

Section 2-1.1. Expectations

Every employee is expected to conduct himself/herself in a professional manner in the workplace. Any employee who continually: a) causes disruption in the workplace; b) causes degeneration in the general morale and atmosphere; c) generates and/or perpetuates gossip, or; d) exhibits and/or encourages others to exhibit to a disgruntled attitude, may be disciplined. Whenever there is a failure to abide by acceptable personal conduct standards, County management may take action, including disciplinary action, even if the conduct at issue does not rise to the level of *illegal* discrimination or harassment under state or federal law.

To that end, County employees are expected, in pertinent part, to:

- Know and observe all established County policies and procedures;
- Perform the job assigned as instructed by the Supervisor;
- Be prompt and consistent in reporting to work and devote full attention to work while on duty;
- Be truthful and honest in all their dealings while working with or on behalf of County employees, agents, vendors, clients, customers, consumers, and officers;
- Know and abide by the published safety rules of the County for one's own protection and that of fellow employees and the public;
- Be fair, courteous, and cooperative in dealing with the public and with fellow employees; and,
- Dress in a neat and professional manner.

Section 2-1.2. Prohibitions

Although not an exhaustive list, the following actions are strictly prohibited. Any employee discovered committing any of the following offenses while on duty is subject to discipline up to, and including, termination:

- Disrespecting or refusing to carry out the lawful instructions of a Supervisor or other authorized person;
- Theft or misuse of County property or services (e.g., mailing personal items, personal use of County car,

etc.);

- Intentionally falsifying County records;
- Bringing illegal drugs onto County property or being under the influence of alcohol or drugs while on duty;
- Fighting or provoking a fight on County property;
- Using abusive, obscene, profane or threatening language or engaging in immoral conduct while on duty and/or on County property;
- Possessing or carrying any weapon as described in N.C.G.S. 14-269 or N.C.G.S. 14-415.10 whether open or concealed, in any County building or on its appurtenant premises, in County motor vehicles, or on any County property. Exception: This does not apply to those individuals exempted under N.C.G.S. 14- 269(b);
- Operating a County vehicle without a valid driver's license;
- Failing to notify the County of any of the following events: a) the employee's being arrested and/or charged with a crime; b) the employee's loss of driving privileges (if driving is part of the employee's job with the County); c) the employee's loss of certification and/or licensing (if the certificate or license is required for employee's job or if said certificate or license was considered as part of employee's qualification/s for job; d) the employee's involvement in any workplace accident including, but not limited to, vehicular crashes and workplace injuries; or,
- Willful violation of safety rules and procedures.

Section 2-1.3. Failure in Performance of Duties

The following causes relating to failure in the performance of duties are representative of, but not limited to, those considered to be adequate grounds for disciplinary action up to and including dismissal:

1. inefficiency, negligence or incompetence in the performance of duties;
2. careless, negligent or improper use of County property or equipment;
3. discourteous treatment of the public or other employees;
4. absence without approved leave;
5. improper use of leave privileges;
6. pattern of failure to report for duty at assigned time and place;
7. guilty of conduct unbecoming to a public officer or employee;
8. participation in any action that would in any way seriously disrupt or disturb the normal operation of the agency, institution, department or any segment of local government;
9. trespassing on the property of any public official or employee for the purpose of improper or willful damage or destruction of property;
10. willful acts that would endanger the lives and property of others;
11. brutality while on the job;
12. acceptance of significant gifts in exchange for favors or influence;

13. betrayal of confidential information to unauthorized persons;
14. engaging in compatible employment or serving a conflicting interest; and
15. Taking part in a political activity that is restricted by Section 2-19.

In the event an employee is either charged with a criminal offense or becomes part of a criminal investigation which may lead to criminal charges against the employee, the employee is under an affirmative obligation to report such charges to the employee's Department Head within 24 hours, who then must report such to the County Manager. All traffic violations which may affect an employee's ability to perform the functions of his/her job must be reported within 24 hours of the employee's having received the citation. Failure to report is grounds for immediate discipline up to and including termination.

Section 2-2. Work Schedules

2-2.1. Standard Work Schedule

Full-time employees, with the exception of certain employees of the Warren County Sheriff's Office, Soil and Water Conservation, and Emergency Medical Services, normally work five 7½-hour days per work week. All non-exempt employees are subject to the overtime provisions of the Fair Labor Standards Act. Department Heads and other exempt employees shall work those hours necessary to insure the satisfactory performance of their duties and responsibilities. Schedules of part-time employees shall be determined by the Department Head. County departments shall be adequately staffed to serve the public between the hours of 8:30 a.m. and 5:00 p.m., with the exception of County departments with extended hours of operation in order to meet the needs of the public. When the activities of a particular department require a schedule other than the standard work week in order to meet work needs, the County Manager may authorize a deviation from the normal schedule.

2-2.2. Modified Work Schedules

Authorization of either a flex-schedule and/or of a temporary modified work schedule is at the discretion of the Department Head with approval of the County Manager. The schedule modification: 1) must not interrupt departmental function or the County's ability to provide efficient customer care, and; 2) may not generate extensive compensatory time or overtime. If approved, it is the Department Head's responsibility to report the new work schedule in writing to both Finance and Human Resources. Full-time employees working a monthly flex-schedule must maintain the standard 75 hours over each two-week period. Full-time employees working a daily flex-schedule must maintain 37.5 hours work in each week. As it pertains to employees subject to a 40 hour work week, full-time employees working a monthly flex schedule must maintain the standard 80 hours over each two-week period, and full-time employees working a daily flex-schedule must maintain 40 hours in each week.

Section 2-3. Breaks

Section 2-3.1. Lunch/Dinner Breaks

All Full-Time employees, with the exception of certain employees of the Warren County Sheriff's Office and Emergency Medical Services Division, are required to take a minimum 30 minute lunch/dinner break when working a minimum of 5.5 hours within a given day during the work week. This break is to be taken at a time approved by the Department Head. Deviations in duration of a lunch/dinner break shall require Department Head approval. Lunch/dinner breaks may not be missed to gain a shorter workday without Department Head approval.

Lunch/dinner breaks are not considered as hours worked. Approval of lunch/dinner break schedules must ensure the adequate staffing of all County offices during the normal lunch hours. Certain situations may require an employee to work through their lunch/dinner break. Part time employees shall receive lunch/dinner breaks as appropriate.

Section 2-3.2. Personal Breaks

All Full-Time employees are entitled to two (2) 15 minute personal breaks per day. Personal breaks are considered time worked. These breaks will be taken mid-morning and mid-afternoon but must be coordinated so that they do not interfere with County business or the continuous service to the public. Breaks are not intended to shorten the employees work day, and; break time may not be banked to be taken at another more convenient time.

Section 2-3.3. Smoking Breaks and Tobacco Use

Exercising the authority granted in NCGS § 130A-498,which allows local governments and authorities to restrict smoking in public places, Warren County, a public authority, has enacted a no smoking or tobacco use (including the prohibition of electronic cigarettes) policy inside all Warren County facilities. This includes a prohibition of all tobacco use in Warren County vehicles. Smoking and tobacco products may be used outside Warren County facilities but only in designated smoking areas.

All smoke breaks shall be considered personal breaks and must be taken in the same manner as detailed in Section 2-3.2 above.

Section 2-4. Hours Worked

Ordinary home-to-work travel will not be considered hours worked. Work related travel that occurs during an employee's workday shall be included as hours worked. If an employee has an out-of-town 1-day assignment, all time spent traveling between cities is counted as hours worked. If an employee has an out-of-town overnight assignment, all time spent traveling between cities is counted as hours worked only to the extent that travel occurs during hours of the day that the employee normally works.

Time spent at a work-related lecture, training session, certification program, or special meeting during the normal work schedule which is required by the Department Head or considered a regular part of the job shall be counted as hours worked. Also, an employee who attends a lecture, training session, certification program, or special meeting which takes place at a time other than during the normal work schedule is considered to be working. Special meetings include the required attendance at Board of County Commissioners' meetings and various advisory board meetings. Employees shall be compensated for required attendance of such meetings in accordance with the County's overtime/compensatory time policy.

With the exception of certain employees of the Warren County Sheriff's Office and Emergency Medical Services division, time spent for meals shall not be considered as hours worked.

Section 2-5. Overtime

An employee must receive prior authorization from their immediate Supervisor prior to working any overtime. Overtime is compensated in accordance with the FLSA.

Section 2-6. Attendance and Punctuality

Regular attendance is essential to departmental operations. Employees are expected to report to work no later than their scheduled start time, to work all scheduled hours, and to work any required overtime. Excessive tardiness and poor attendance will not be tolerated due to the fact that both disrupt work flow, create an undue burden on co-workers, and interfere with the County's ability to serve its customers. Thus, excessive tardiness and/or poor attendance may result in disciplinary action up to, and including, dismissal.

Employees must contact their immediate Supervisor, by voice contact, no later than 30 minutes prior their scheduled start time when they are unable to report to work due to illness and as soon as practicable when they expect to be late for work due to unusual and unavoidable circumstances. Voicemail, email, and text messages are not appropriate forms of notification unless the employee has made every reasonable effort to speak directly to the Supervisor, **and the Supervisor or Department Head has authorized the use of voicemail, text messaging, and/or emailing as an appropriate means of notification.** Notification by another employee, friend, or relative is not acceptable except in an emergency situation where the employee is physically unable to make the notification himself/herself.

Section 2-7. Timesheets

All Warren County employees are required to complete timesheets. With the exception of certain employees of the Warren County Sheriff's Office, Emergency Medical Services Division, and part time employees, timesheets are completed and processed on a monthly basis. Timesheets must be signed by the employee's Supervisor or Department Head prior to submittal to payroll. Deadlines for timesheet submittal have been set in order for payroll to be processed in a timely manner. Failure to submit a timesheet by an employee to payroll by the deadline may result in the employee's paycheck being delayed or not processed.

Section 2-8. Safety and Health

The protection of employees and the public on County property is a shared responsibility of every County employee. Each employee is responsible for following good, safe work habits and compliance with health and safety regulations. Health and safety are to be placed first in importance in the performance of work duties. Failure to follow required procedures, directives, policies, rules, supervisory orders or safe work habits will result in disciplinary action up to and including dismissal.

Section 2-9. Reporting of Workplace Injuries

Employees are required to immediately report to their Supervisor any work-related accident or injury, or any work-related illness that occurs while on the job. If the employee requires medical attention as a result of the work-related accident, injury, or illness, the employee and Supervisor are required to follow the procedures set forth in the County's Workers' Compensation Policy.

The County's Worker's Compensation Administrator, Safety Officer, and the employee's Department Head shall also be notified of every injury or mishap regardless of the scope or severity of such injury or mishap. The employee's Department Head or his/her designee shall be responsible for completing all required forms documenting the injury or mishap. The incident must be reported to the County Manager's Office within 24 hours. Failure to make proper notice may lead to termination of employment.

Employees are also responsible for notifying their immediate Supervisor of any violation or deficiency in safe and healthy working conditions. Additionally, any known violation of the Occupational Safety and Health Act of North Carolina (OSHA) must be immediately reported to the Department Head who will then report such to the County Manager. Failure to report injury and/or violations shall subject an employee to discipline up to and including termination.

Section 2-10. Off-the-Job Injuries

An employee who sustains an injury or illness in connection with outside employment who is also receiving workers' compensation from that secondary employer shall not be entitled to receive Warren County workers' compensation benefits or accrue Warren County sick or vacation leave.

In cases where an injury off the job while working for a secondary employer results in temporary disability, an employee may:

- request a leave of absence without pay;
- request to use accrued sick or vacation leave; or
- be subject to termination by Warren County due to lack of availability for work, following a 3 month absence.

Section 2-11. Performance Evaluation

Each permanent full-time and permanent part time employee shall be subject to a mid-year and an annual performance evaluation. Temporary employees may also be subject to performance evaluations, at the discretion of their Department Head and/or the County Manager. Performance evaluations are utilized for purposes of recognizing and rewarding quality work performance, identifying deficiencies in work and ideas for improvement, fostering goal setting, open communication, promoting career development, maximizing individual employee potential, and ensuring the efficient and effective functioning of County government operations. Performance evaluations shall also serve as the basis for the award of salary progression and merit increases.

The County Manager shall establish rules and procedures governing performance evaluations. The Board of Commissioners shall establish rules and procedures regulating the award of salary progression, longevity pay, and merit increases. The evaluation document that departments use identifies the criteria for standards of work for all employees.

Written performance evaluations will be conducted for probationary employees after three and six months of employment. Probationary employees receiving a favorable performance evaluation with a rating of at least standard after six months shall become regular employees of the County. Those not being found satisfactory may have their probationary period extended or their employment terminated. Regular employees shall receive a performance evaluation semi-annually thereafter.

The Department Head or immediate Supervisor shall personally review each employee's performance evaluation with the employee. This meeting will serve to explain the basis for the rating given, identify strengths and/or weaknesses in the employee's work, and to give the employee an opportunity to respond to the rating given and make additional comments. Any employee who is dissatisfied with the rating given may submit a written rebuttal of his/her performance evaluation to his/her Supervisor's Supervisor for inclusion in his/her personnel file.

Additional performance evaluations may be scheduled as necessary by the immediate Supervisor or Department Head to address significant deficiencies in an employee's work. Results of performance evaluations shall be filed in the employee's personnel file. Performance evaluations may be used in determination of individuals selected for layoff or reduction in force efforts, as well as for the basis of awarding salary progression and merit increases.

A probationary or regular employee's absence from work due to sick leave, leave without pay, workers' compensation, or any other authorized leave, is cause to postpone the semi-annual performance review so as to allow adequate time for evaluation of performance. Performance reviews may be postponed for a time period equal to the length of the employee's absence provided such absence is greater than 30 working days. Periods of less than 30 work days shall not be cause for delay of performance evaluations.

A regular employee who disputes a performance evaluation that is below standard may submit a written appeal to the Human Resources Department within 5 business days of the date that he/she is notified of the below standard rating. It will be the employee's responsibility to demonstrate a level of performance that is above that which was received on the initial evaluation. All pertinent facts must be included in the employee's written appeal.

Section 2-12. Probationary Period

Every new employee must successfully complete their probationary period to earn regular employment status. The probationary period typically lasts for 6 months for general County employees, but may be extended for an additional 3 months for a total of 9 months, if necessary. Competitive service employees, i.e. Social Services and Health Department employees, law enforcement employees, and certain employees of the Emergency Medical Services division are subject to a 12-month probationary period. Employees in trainee or "work against" appointments may have different time frames established for their probationary period.

During the probationary period, Supervisors will review an employee's performance and communicate with the employee concerning performance progress. Before the end of the probationary period, the Supervisor will determine whether or not the employee is performing satisfactory work and meeting job expectations. The employee's progress (accomplishments, strengths, and weaknesses) will be discussed with the employee and a summary of this discussion should be documented in the employee's personnel file. The Supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed.

Disciplinary action, including demotion and/or dismissal, may be taken at any time during the probationary period of a new hire.

Employees promoted to a new position will serve a probationary period for that new position.

Section 2-13. Regular Status

Upon receiving a favorable performance evaluation by the immediate Supervisor and/or Department Head and approval by the County Manager or other appointing authority, the employee shall be considered to have successfully completed their probationary period and become a regular employee of the County. Regular employees are entitled to all privileges and benefits outlined in this personnel policy.

Section 2-14. Expectation of Ethical Conduct

The proper operation of County government requires that public officials and employees be independent, impartial, and responsible to the people, that governmental decisions and policy be made in the proper channels of the governmental structure, that public office not be used for personal gain, and that the public have confidence in the integrity of its government.

As public servants and holders of the public trust, all County employees are expected to uphold the highest standards of ethical conduct while fulfilling their job duties and responsibilities.

Section 2-15. Gifts & Favors

No official or employee shall grant any improper favor, service, or article of significant value in the discharge of his/her duties. Public employees are to serve all persons fairly and equitably without regard to personal or financial benefit. Therefore, all employees of Warren County are prohibited from accepting any gift (monetary or non-monetary) that exceeds a nominal value ($25). Non-monetary gifts may include: advertising items or souvenirs, honoraria for participating in meetings, and meals at banquets. Free meals not provided at banquets are prohibited from being accepted by Warren County employees. Any non-monetary gift received by an employee must be reported to their respective Department Head. All employees are strictly prohibited from accepting any type of direct or implied cash or monetary payment, gift or reward. All employees are strictly prohibited from soliciting or receiving any gift, reward, promise of reward, or anything of value, directly or indirectly, in exchange of , or consideration for, some action to be taken or not taken in the performance of the employee's duties. All employees are strictly prohibited from disclosing confidential information concerning the property or affairs of the County or using such information to advance the financial or other private interest of themselves or others.

Nominal gifts that are provided to a department or group of employees, such as seasonal fruit baskets, cookie tins, candy assortments, etc., may be accepted provided they are approved by the Department Head and made available to all employees of the department or group.

No official or employee of the County shall accept any gift, whether in the form of a service, a loan, an article of significant value, or a promise of any person, firm or corporation, that in the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the County. No official or employee shall accept any gift, favor, or article of significant value that may tend to influence that employee in the discharge of his/her duties. No County employee who is involved in making or administering a contract on behalf of the County may receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award. No County employee may accept work from any contractor or subcontractor who has been awarded a contract with the County, where that employee could be seen to be in position to have influenced the award.

If there is any doubt as to the acceptability of a gift or favor, it is in the best interest of the employee to refuse the

item or favor. If there is any doubt or question concerning a specific area that may present a conflict of interest, the issue should be brought to the attention of the County Manager who will consult with the County Attorney to make a determination.

Exempted from the prohibition are "honorariums for participation in meetings, advertising items or souvenirs of nominal value, or meals furnished at banquets". Also exempted are "customary gifts or favors between employees or offices and their friends and relatives" but these have to be reported to Department Heads.

Any County employee who violates this policy is subject to disciplinary action up to and including termination.

Section 2-16. Financial and Personal Disclosure

Any County official or employee who must officially consider any public matter involving his own financial or personal interests, or those of his immediate family, shall report such matter as well as the official's/employee's relationship therewith to the County Manager immediately (who will, in turn, notify the Board of Commissioners). If the County Manager is the official involved, he/she shall immediately report the matter to the Board of Commissioners advising of her/his conflict therewith. The official/employee shall also immediately abstain from acting on the matter until the Board of County Commissioners has reviewed the transaction. The Board of County Commissioners after consultation with the County Attorney, shall review such transactions to determine whether the transaction constitutes an actual or apparent conflict of interest.

Section 2-17. Disclosure of Confidential Information

No public official or employee shall disclose confidential information concerning the property, government, or affairs of the County in such a manner as to advance the financial or other private interests of himself/herself or others, except in accordance with public records law. Violation of this regulation constitutes grounds for immediate dismissal.

Section 2-18. Political Activity Restricted

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. The public has a right to expect excellent service from all County employees on an equal basis without regard to political affiliation. Each employee may join or affiliate with the civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the laws of the State of North Carolina and the NC Constitution and in accordance with laws of the United States of America and the Constitution.

However, no employee shall:

1. engage in any political or partisan activity while on duty or in uniform;
2. use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
3. coerce or compel contributions for political or partisan purposes by another County employee; or
4. use any supplies or equipment of the County for political or partisan purposes.

No employee can be required to contribute funds for political or partisan purposes as a duty or condition of employment, promotion, or tenure of office.

Under Federal law, the Hatch Act, all employees whose salary is completely funded by loans or grants made by the United States government or any federal agency are prohibited from being a candidate for public office in a partisan election. Any County employee who is considering running for office in a partisan election shall notify the Human Resources Manager. The employee will be provided with the proper procedures to follow to determine if their candidacy might be in violation of the Hatch Act.

Any employee who violates this Section is subject to disciplinary action up to and including termination.

Section 2-19. News Media

Warren County has a policy of cooperation with all branches of the news media as they strive to provide citizens with an accurate account of the activities of County government. To ensure the consistency of any statements to the media, all requests should be referred to the appropriate Department Head or the County Manager.

Section 2-20. Use of County Time, Equipment, and Supplies

County supplies and equipment are to be used exclusively for the County's business. During a County employee's working hours, he/she shall only conduct County business. The use of County time, supplies, or equipment for personal use or other purposes not related to the employee's duties and responsibilities to the County may be considered theft which is prohibited and may subject the employee to disciplinary action, up to and including dismissal.

Section 2-21. Use of County Vehicles/Fleet Policy

This policy is established to regulate the use of the County vehicles assigned to employees in the performance of their duties.

A. Use of County-Owned Vehicles

1. Permitted Uses:
   a. Only County employees or drivers authorized by departments may drive or operate County vehicles or equipment.
   b. County-owned vehicles will be used for official County business only.
   c. No passengers will be permitted unless they are on official County business.

2. Driver Requirements:
   a. The driver of any County-owned vehicle must have a valid operator's license that is in good standing. A commercial driver's license (CDL) is required for County employees who drive large vehicles or machinery as stipulated by the Division of Motor Vehicles.
   b. All employees who operate County vehicles or his/her personal vehicle for County business shall have their driving record checked. New employees shall be checked prior to their first day of employment, and all other employee drivers shall be checked every year. These record checks will be conducted by the County Safety Officer, a designee within the Warren County Sheriff's office, or a designee within the Human Resources Department.
   c. Employees will be responsible for any vehicle or equipment assigned to them.
   d. Employees driving County vehicles are required to obey all traffic laws.
   e. Vehicles are to be driven in a manner that creates a favorable impression with the public. Drivers

will exercise special precaution when:

- Children are playing on the roadway, in an alley, or near the curb;
- Passing schools, playgrounds, or school buses;
- Approaching pedestrians or persons on bicycles; and
- Adverse weather or road conditions are encountered.

f. No vehicle will be operated if any controlling mechanism (such as steering, brakes, headlights, horn, or windshield wipers) is not in proper working condition. Do not operate a vehicle that is not in proper mechanical condition. Report such conditions to your Supervisor/Department Head or Fleet Manager.

g. Drivers and all passengers must wear seat belts at all times.

h. Employees who are cited for a traffic/moving violation (such as excessive speeding, DWI, etc.) while operating a County vehicle must notify their Supervisor or Department Head immediately. The County will not pay traffic tickets or parking fines, including those received while using personal vehicles for County business. Employees found guilty of a moving violation may be subject to disciplinary action.

i. Smoking is prohibited in Warren County vehicles.

j. Cell phone use, including talking, texting, emailing, and social media use are prohibited while operating a County vehicle. Unlawful use of a mobile telephone for text messaging or electronic mail is established by N.C.G.S § 20-137.4A.

3. Vehicle Assignment:

a. A County vehicle is normally assigned to an individual at the start of his/her assigned work period and is the employee's responsibility until the completion of the period.

b. A County vehicle may be assigned to an individual employee who regularly requires the use of the vehicle both on and off duty. Such an assignment may be of a permanent nature (the length of employment) or for a specified time period, such as a week of on-call duty. To the extent possible, specific employee vehicle assignments should be made rather than the use of "pool" vehicles. Doing so should promote better accountability for vehicle condition and operation.

c. During vacation periods or leaves of absence longer than 5 days, an employee who is assigned a vehicle on a permanent or non-permanent basis will turn the vehicle in to his/her department.

4. Personal Use of County Vehicles

a. No employee may use a vehicle assigned to him/her for personal business, except for incidental purposes such as meals.

b. When a County vehicle is not being used for County business purposes, it is to be kept on County premises/property.

c. A County employee is prohibited from driving a County vehicle to his/her home unless the employee is subject to frequent and/or emergency duty after normal working hours or as allowed under the County's Travel Policy. Exceptions to this restriction will be made based on approval by the County Manager. Only employees in the following positions will be authorized to drive County vehicles to their homes:

- Emergency Services Director/Fire Marshall;
- Emergency Services Division Chief;
- Sheriff and Sheriff's Deputies;
- Public Works Director;
- Public Utilities Director, 1 on-call staff member & Operator of Responsible Charge, and;

- Animal Control on-call personnel only.

*Note: In order for an employee to be eligible for take-home privileges, the employee must reside within the State of North Carolina.

d. An employee's title or position will not be considered justification for taking a County vehicle home. Justification is based on the above types of need and without regard to official capacity.

B. Accidents

If a County-owned vehicle is involved in an accident, the driver's first duty is to stop the vehicle. Regardless of the situation, the following procedure must be followed in the event of an accident:

1. Immediately notify the local law enforcement agency in order to report any emergency needs, as well as to initiate their accident investigation for the purpose of subsequently obtaining their accident investigation report.
2. Notify your Supervisor or Department Head within the hour. If, as a result of the accident, you are rendered physically unable to make this notification within 1 hour, you must make the notification within 24 hours of the accident. Notification must include a thorough admission of any and all property damage, as well as any personal injury to the driver and/or any passenger, including possible Workers' Compensation claims. Additionally, if the employee is aware of injury to another vehicle or person involved in the accident, the employee is required to include such information in his/her notification.
3. While at the scene of the accident (if physically able), complete the Driver Report of Accident form found in the glove box of the County vehicle.
4. Complete a County Accident Report form within 48 hours. This report, along with the law enforcement agency's investigation report (obtained by the Department Head) are to be submitted the County Manager's Office. The Department Head is to ensure that this step is completed.
5. The Department involved in an accident is responsible for obtaining 2 damage estimates on the County vehicle within 72 hours of the accident.
6. Failure to promptly report accidents and provide the necessary information may result in disciplinary action such as, but not limited to, loss of driving privileges as it pertains to County vehicles, suspension of employment, demotion, or termination.

C. Disciplinary Policy For Accidents Involving County Vehicles

The Department Head, County Safety Officer, and/or Fleet Manager shall review all motor vehicle accidents involving county vehicles. Upon review of the accident, the Department Head and County Safety Officer will gather and analyze the factor(s) contributing to the accident to determine preventability on the part of the County driver. Each accident will be given one of the following designations, and the employee may be assigned points accordingly.

- Non-preventable — No points
- Questionable preventability — 2 points

- Preventable 4 points
- Definitely preventable/serious 8 points

An additional 6 points will be assigned to any driver who fails to promptly report an accident to his or her Supervisor and/or a law enforcement agency. Any employee involved in a moving vehicle accident not wearing a seat belt will receive an additional 4 points.

A uniform disciplinary procedure will result from the accumulation of points, based on a 24 month accumulation period.

- Written warning 4 points
- Written warning and mandatory driver training (safety DVD and/or other visual aids) 6 points
- Suspension from County vehicle operation for 1 - 3 days 8 points
- Suspension from County vehicle operation for 3 - 5 days and/or any other disciplinary action as may be appropriate, up to dismissal 12 points

The Department Head and County Safety Officer, in consultation with the Human Resources Manager will present the findings and recommendations to the County Manager, and if necessary, the County Attorney. Department Head should take appropriate disciplinary action in accordance with this and other policies.

D. Maintenance and Care of County Vehicles

Please refer to your departmental copy of the Warren County Vehicle Fleet Maintenance Procedures.

E. Vehicle Replacement

1. Sheriff's Office patrol cars, EMS ambulances, and other emergency vehicles will be eligible for replacement review at 120,000 miles, 5 years of service, or as mechanical conditions dictate. The Department Head will submit a Vehicle Replacement form for consideration in the upcoming/next budget cycle.
2. Departments with non-emergency vehicles will submit a Vehicle Request Form at 170,000 miles, 8 years of service, or as mechanical conditions dictate for consideration in the upcoming/next budget cycle.
3. Heavy vehicles are replaced as mechanical conditions dictate.

Section 2-22. Grooming, Dress, and Personal Appearance

The personal appearance of Warren County employees is important because the impression made by employees on visitors influences their image of Warren County as a whole. Therefore, employees are expected to maintain a neat,

well-groomed appearance at all times, to present themselves in a professional manner, and to avoid extremes in dress.

Employees are expected to use good judgment in their appearance and grooming, keeping in mind the nature of their work, their own safety and that of co-workers, and their need to interact with the public, vendors, and/or customers.

Employees who report to work improperly dressed or groomed may be instructed by their Supervisor or Department Head to return home to change. The time that the employee is absent from work for this purpose will be charged toward vacation leave or compensatory time if applicable, or must be made up by the employee.

General Guidelines:

For the purposes of clarifying what does or does not constitute appropriate dress, following ground rules have been devised to serve as a guide. In addition to these standards, Warren County reserves the right to address individual issues as they arise.

- Jewelry: Employees working with or near machinery or equipment should ensure that jewelry will not pose a risk to their safety or the safety of others.
- Hair: Hair must be neatly groomed.
- Visible tattoos and pierced body parts: Pierced parts of the body, other than ears, may not be used to display jewelry at the workplace. No vulgar tattoos shall be displayed at the workplace.

Examples of inappropriate dress are as follows:

- Short shorts or mini-skirts – more than 4 inches above the knee;
- Midriff or tank tops;
- Worn, ripped, excessively baggy, or low riding pants;
- Skin tight clothing;
- Blue denim jeans or denim-leggings;
- Spandex shorts, pants, or tops;
- Jogging suits or wind suits;
- Spaghetti strap sundresses,
- Other types of leggings
- Tee shirts, sweatshirts, or hats with inappropriate language, logos, or advertisements,
- Flip flops/beach shoes, and
- Athletic shoes.

Note: This list is not exhaustive. Exceptions: Employees who work in the field may wear blue denim jeans and athletic shoes. Athletic shoes may also be worn, if necessary, due to a health condition. The Department Head may also make exceptions due to special work circumstances.

Casual Day: Friday of each week is designated as Casual Day. Employees have the option of dressing down on Friday. On Casual Day employees are allowed to wear the following:

- Blue denim jeans

- Holiday sweatshirts only during the holiday season
- Athletic shoes

All other items listed as inappropriate are still inappropriate on Casual Friday.
Special Note: When attending meetings outside the office or when attending scheduled in-house meetings with visitors on Casual Day, professional attire must be worn.

Section 2-23. Outside or Secondary Employment

The work of the County takes priority over other occupational interests of employees. No outside and/or secondary employment may interfere with or cause a conflict of interest with County business.

All outside and/or secondary employment for salaries, wages, or commission, and all self-employment must be reported in writing to and approved by the employee's Department Head and County Manager before such work is to begin. (In the event, employee had other employment prior to obtaining employment with the County, in which the employee intends or desires to continue while employed with the County, employee must report such secondary/additional work to their Department Head within 1 week of obtaining employment with the County.) The Department Head, in turn, will report potentially conflicting employment to the County Manager. The County Manager will determine whether the outside work would create a conflict of interest or otherwise be incompatible with County service. Department Heads, except those whose appointment is otherwise provided for by law, shall report outside employment to the County Manager for approval. Any outside business or personal business commitments during regularly scheduled work hours are prohibited unless the employee uses approved vacation leave.

Outside or secondary employment that conflicts with the employee's availability or ability to perform their job for the County; or, creates or is perceived to create a conflict of interest is prohibited. A conflict of interest exists when an employee engages in any employment or business, whether direct or indirect, that is incompatible with the proper discharge of his or her job functions with the County. A conflict of interest exists when an employee:

A. has a financial interest as owner, member, partner, officer, employer, stockholder, or other participant in a private business or professional enterprise that will be affected by the outcome of any matter under consideration before him or her in his or her capacity as a Warren County employee;
B. has an interest in speculative or investment activities that will benefit from the use of confidential information obtained as a County employee;
C. utilizes property, either real or personal, owned by the County in any business venture or enterprise that results in private gain, monetary or otherwise to the County employee.

Employees of the Sheriff's Office must adhere to all rules, regulations, and guidelines established by the Sheriff regarding secondary employment.

The County Manager (or the Sheriff, in the case of employees of the Office of the Sheriff) shall be responsible for final interpretation of conflicts of interest matters, and approval of requests for outside or secondary employment. Written documentation and approval of the employee's outside employment shall be filed in the employee's personnel file.

Unreported or unauthorized incidents of conflicting outside or secondary employment will be grounds for disciplinary action up to and including dismissal. The assumption of outside employment without prior reporting

may be deemed unacceptable conduct and subject the employee to disciplinary action, up to and including dismissal.

Full-time Warren County employees are prohibited from working for wages on a full-time or part-time basis in a different Warren County agency or Department as long as they are employed in their primary capacity with the County.

Section 2-24. Limitation of Employment of Relatives

For the purposes of this policy, immediate family is defined as spouse, mother, father, guardian, children, sister, uncle, aunt, brother, grandparents, grandchildren plus the various combinations of half, step, in-law and adopted relationships that can be derived from those named. Those who are engaged to be married are also subject to the limitations set by this policy.

The following provisions are applicable to all employees:

A. Members of an immediate family may not be employed in the same department or unit/section of a department.

B. Members of an immediate family may not fall under any aspect of a Supervisor's scope of responsibility. This restriction includes involvement of family members in writing or reviewing employee performance evaluations.

C. No one in a supervisory position with hiring authority shall hire members of their immediate family to work in any area under their scope of responsibility.

D. Employees who become immediate family members after their initial hiring will not be in jeopardy of losing their jobs if they are not supervised by or do not supervise the immediate family member. However, if this occurs the employee will be considered for any vacancy for which they are qualified or they will be given 6 months to seek other employment prior to termination.

The provisions of this section shall not be retroactive, and no action will be taken concerning those members of the same family employed in conflict with the previous paragraphs prior to the adoption of this policy.

Pursuant to N.C.G.S. § 153A-103(1), the Board of County Commissioners shall approve any appointment made by the Sheriff or the Register of Deeds of a relative by blood or marriage who is of nearer kinship than first cousin.

Section 2-25. Drug-Free Workplace & Drug and Alcohol Testing

Warren County's Drug Free Workplace policy establishes zero tolerance. It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants. For more information on this policy, refer to the Warren County Drug-free Workplace/Drug and Alcohol Testing Policy that is located in the appendix of this Personnel Manual, and; which is provided to all new hires and on a periodic basis to all employees as part of Warren County's ongoing drug and alcohol awareness training. This policy is also available on the County's website and copies may be obtained through Human Resources.

Any employee's violation of this policy shall result in disciplinary action up to and including termination.

Section 2-26. Notification of Criminal Charges

In the event a County employee is arrested or is under criminal investigation by a local, state or federal agency, the employee must notify his/her immediate Supervisor within 24 hours.

It is the responsibility of the Department Head to report each incident to the County Manager immediately upon notification by the employee.

Section 2-27. Unlawful Workplace Harassment

Warren County prohibits, in any form, the harassment (sexual or otherwise) of County employees or applicants—whether by management, elected or appointed officials, or by other employees. As such, every County Department must endorse and establish a "zero tolerance" attitude and ready-response to any such behavior, insuring that each Department therefore shall be free of harassment.

A. **Non-sexual Harassment**: Criminal harassment is defined as: "Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose." N.C.G.S. § 14-277.3A(b)(2). It is also unlawful "To use in telephonic communications any words or language of a profane, vulgar, lewd, lascivious or indecent character, nature or connotation[.]" N.C.G.S. § 14-196(1).

   Though carrying no criminal consequences, harassment is further defined as: the unwelcome and "inappropriate comments or behavior toward Supervisors, subordinates, coworkers, vendors, customers, or to the general public relating to any federally protected characteristic that creates a hostile work environment." N.C.G.S. § 96-14.6(c)(7).

B. **Hostile Work Environment**: a) an environment in which an employee's behavior and/or statements have direct employment consequences on another employee which result from the other employee's acceptance or rejection of the statements/behavior toward them, or; b) an environment in which the statements or behavior creates an intimidating, abusive or offensive environment, or; c) where the statements or behavior interfere with another employee's performance. Whether such a hostile work environment exists is determined by looking at all of the circumstances, including the frequency of the allegedly harassing conduct, its severity, whether it is physically threatening or humiliating, whether it unreasonably interferes with an employee's work performance, and; whether a reasonably prudent person would find it hostile or abusive.

C. **Sexual harassment** is defined as intentional, deliberate, unsolicited, and unwelcome verbal and/or physical conduct of a sexual nature or with sexual implications:

   1. that has or may have direct employment consequences resulting from the acceptance or rejection of such conduct, or;
   2. that creates an intimidating, hostile or offensive working environment, or;
   3. that has the purpose or effect of unreasonably interfering with an individual's work performance.

Sexual harassment does not include personal compliments welcomed by the recipient, or social interaction or relationships freely entered into by County employees or prospective employees. However, the County explicitly prohibits County employees in supervisory positions to engage in dating and/or relationships of a sexual nature with any other County employee working under that Supervisor's authority—regardless of whether the relationship is consensual. In such cases, both the Supervisor and the employee are hereby obligated to report such relationship to the County Manager. Failure to report such relationship by either of the parties involved shall be grounds for discipline up to, and including, termination.

D. Retaliation

No hardship, no loss of benefit, and no penalty may be imposed on an employee as punishment for:

- filing or responding to a bona fide complaint of discrimination by harassment;
- appearing as a witness in the investigation of a complaint; or
- serving as an investigator.

Victims of harassment or employees who are aware of the occurrence of harassment are urged to notify the Human Resources Manager, the County Manager, or the County Attorney immediately. Employees, male or female, who feel they have been subjected to sexual harassment may file a complaint directly with the Warren County Manager's Office or other appointing authority within thirty (30) days of its occurrence.

Warren County employees serving in management positions, who are aware of any cases of sexual harassment in the workplace, are responsible for reporting such cases to the Warren County Manager's Office or the Warren County Board of Commissioners.

All complaints will be treated confidentially and will be investigated and analyzed promptly upon receipt of the complaint. The County Manager or other appointing authority shall advise the employee and appropriate management officials of the outcome of the investigation. The County Manager or other appointing authority shall take any actions he/she deems necessary to preserve the integrity of the County and to insure the efficiency and effectiveness of county operations.

The County of Warren will not take actions against employees who, in good faith, exercise their rights under the law.

Each year every employee shall be required to read and sign a statement, signifying they have read and understand the County's Harassment policy, to be filed in his/her Human Resources' employment file.

For any complaint of harassment made by employee against the County Manager, County Attorney, or any elected official of the County, the complaint shall be filed with the Board of Commissioners. The Board, through its Personnel Committee, shall follow the procedures outlined in this policy for investigation and resolution.

Section 2-28. Workplace Violence

Warren County has established a zero tolerance for workplace violence and/ or the threat of workplace violence by employees. It is the County's intent to provide a safe workplace that is free from violence for all employees, in

keeping with the Federal Occupational Safety and Health Act of 1970, which requires employers to provide their employees with a safe and healthy work environment. Violent acts against employees, whether committed while on-duty or off-duty, have the potential to impact an employee's ability to perform assigned duties. The County will not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.

A. Prohibited Conduct

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

a) Causing physical injury to another person;
b) Making threatening remarks;
c) Aggressive or hostile behavior that creates a reasonable fear of injury to another person or unreasonably subjects another individual to emotional distress;
d) Intentionally damaging County property or property of another employee;
e) Possession of explosive or other device designed to injure or destroy persons or property while on County property or while on County business;
f) Carrying an explosive or other device designed to injure or destroy persons or property in a County-owned vehicle;
g) Committing acts motivated by, or related to, sexual harassment or domestic violence;
h) Harassing surveillance ,also known as stalking, the willful, malicious and repeated following of another person and making credible threat with intent to place the other person in reasonable fear of his/her safety;
i) Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the County.

B. County Manager, Department Heads, and Supervisor Roles and Responsibilities

a. Ensure all employees review this policy;
b. Facilitate, support and track the attendance of employees at mandatory workplace violence training, as available;
c. Learn to recognize the signs of conflict, understand County policies, and take appropriate action;
d. Take appropriate steps to resolve differences through conflict resolution, mediation, or other communications techniques;
e. Report all acts and threats of violence;
f. Take the necessary action to maintain or restore a safe working environment;
g. Without endangering personal safety, take all reasonable steps to protect employees from the source of violence;
h. Properly document and investigate all incidents of violence or threatened violence;
i. Take the necessary disciplinary action and document; and
j. Make information available on work place violence and prevention.

C. Role and Responsibilities of Employees

Employees are expected to treat others with respect and consideration. They are expected to show good judgment in the areas of inter-personal relationships and avoid behavior which may be interpreted as violent, or offensive, which violates another person's right to a workplace free of intimidation and violence.

Employees shall cooperate in every investigation of workplace violence. This includes, but is not limited to: coming forward with evidence, whether favorable or unfavorable to a person accused of violence in the workplace, and the employee shall fully and truthfully answer questions during the course of an investigation on violence and or intimidation.

Employees will:

a. Attend workplace violence training as offered.
b. Resolve differences through conflict resolution, mediation, or other communications techniques, as appropriate and when possible.
c. Report to their immediate Supervisor, or through the supervisory chain, acts of violence or threats of violence. The initial report shall be done on a Supervisor's Workplace Violence Investigation Form. Reports should include statements from the victim or any other witnesses to the incident.
d. Refrain from exhibiting violent behaviors in the workplace.
e. Report to their direct Supervisor, their Department Head, the Human Resources Manager if they become aware of any signs of potential violence. Failure to report knowledge of potential violations by an employee of any provision of this policy may lead to disciplinary action up to and including termination.

D. Reporting Procedures

All workplace violence events or potentially dangerous situations must be reported immediately to a Supervisor, the Human Resources Manager, and/or the Safety Officer. Whoever is informed directly has an obligation to ensure that the Human Resources Manager, the Safety Officer, and the County Manager are promptly informed of the incident. Injuries resulting from a workplace violence incident must be reported to the Safety Officer in accordance with OSHA standards.

Reports may be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis.

It is the purpose of this policy to provide all Warren County employees with a process and procedure to report violations of the Workplace Violence Policy without fear of reprisal and to require Department Heads and/or employees to report any violation of the policy within 24 hours.

E. No Retaliation

Episodes of workplace violence can only be eliminated if employees are willing and able to report threats, violent acts, or unsafe conditions. To encourage employees to come forward without the fear of retaliation, the County promises to promptly investigate all complaints of retaliation and impose appropriate disciplinary action, up to and including dismissal.

Warren County forbids retaliation against any person for reporting or complaining about a violation of this policy or for cooperating in any investigation pursuant to the policy or for filing a complaint relating to workplace violence, assisting in making a complaint, or cooperating in any investigation with or by the County. Any such retaliation will be considered a violation of this policy. If an employee feels he or she has been the subject of retaliation, he or she is required to notify a Supervisor or the Human Resources Manager.

F. Risk Reduction Measures

1. **Hiring**: Warren County takes reasonable measures to conduct background investigations to review candidates' backgrounds and reduce the risk of hiring individuals with a history of violent behavior.

2. **Safety**: The County conducts inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

3. **Individual Situations**: While there is no expectation that employees be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their Supervisor if any employee exhibits behavior which could be a sign of a potentially dangerous situation.

G. Recognizing Inappropriate Behavior

Inappropriate behavior is often a warning sign of potential hostility or violence, when left unchecked it can escalate to higher levels. Employees who exhibit the following behaviors should be reported and disciplined in accordance with this policy:

- Unwelcome name-calling, obscene language, and other abusive behavior
- Intimidation through direct or veiled verbal threats
- Throwing objects in the workplace due to anger regardless of the size or type of object being thrown or whether a person is the target of a thrown object
- Physically touching another employee in an intimidating, malicious, or sexually harassing manner. That includes such acts as hitting, slapping, poking, kicking, pinching, grabbing, and pushing.

Other behaviors may include:

- Displaying overt signs of extreme stress, resentment, hostility, or anger
- Making threatening remarks
- Sudden or significant deterioration of performance
- Displaying irrational or inappropriate behavior
- Irrational beliefs and ideas

- Verbal, nonverbal or written threats or intimidation
- Expressions of a plan to hurt himself/herself or others
- Externalization of blame
- Unreciprocated romantic obsession
- Taking up much of Supervisor's time with behavior or performance problems
- Fear reaction among co-workers/clients
- Displays of unwarranted anger
- New or increased source of stress at home or work
- Inability to take criticism
- Feelings of being victimized
- Intoxication from alcohol or other substances
- Expressions of hopelessness or heightened anxiety
- Productivity and/or attendance problems
- Violence towards inanimate objects
- Stealing or sabotaging projects or equipment
- Lack of concern for the safety of others or self

H. Dangerous/Emergency Situations

Employees who confront or encounter an armed and dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm. If a Supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

I. Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Violent conduct has a potential adverse impact on the employee's ability or the ability of another employee to perform assigned duties and responsibilities. Any employee determined to have committed such acts, or to have otherwise violated this policy, either while on duty or when off-duty, will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on or off County property will be reported to the proper authorities.

J. Discipline

An employee who engages in prohibited behavior may be subject to discipline up to and including dismissal. In addition, certain actions may cause the employee to be held legally liable under state and/or federal law.

A violation of this policy shall be considered unacceptable personal conduct and may subject the employee to disciplinary action up to and including dismissal.

K. Post Incident

Dealing with or being exposed to a threat or violent act can be unsettling. The County may suggest debriefing and counseling through the County's group health insurance carrier to reduce the stress and tension following such an

act.

Methods will be employed to communicate to employees that the threat or violent act has been properly resolved and normal safety has been restored.

A post-incident analysis will be conducted by the Safety Committee to evaluate the overall response and to develop reasonable strategies for any future incidents.

L. Safety Officer

This policy applies to all County employees during the discharge of their duties. To implement this policy, the County Manager has appointed a Safety Officer with the following duties:

- to develop and maintain a written County Workplace Violence Policy and Procedures;
- to develop procedures and devise strategies to periodically evaluate and review procedures to correct deficiencies or reflect changing conditions;
- to provide training to County employees and explain the County Workplace Violence Policy and Procedures; and
- to investigate threats or other violent acts and to serve as a resource to management.

ARTICLE III – MISCELLANEOUS POLICIES AND PROCEDURES

Section 3-1. Travel Policy

The intent of this policy is to make uniform provisions for the reimbursement of necessary expenses of County employees and board members who are required to travel in the performance of their duties for Warren County.

The respective Department Heads are responsible for the administration of the provisions of this policy and are authorized to approve travel reimbursements except where otherwise stated.

Definitions:

Authorizing Party – All requests shall be approved in accordance with this policy. The employee's Department Head is the party responsible for authorizing travel and approving expense reports. This authority may be delegated to a Supervisor by the Department Dead. The County Manager shall approve all Department Head travel, and a designated member of the Board of Commissioners (usually the Chair) shall approve travel of the County Manager and other Board members.

Third-Party Paid Travel – When it has been established that a third party (i.e., the State or grantor agency) will reimburse the County for all or any portion of an employee/board member's travel expenses, this information must be provided in writing to the Finance Office at the time the "Authorization for Overnight Travel" form is submitted.

Necessary Expenses – All reasonable charges incurred by an employee caused by travel in the interest of the County, including transportation, meals, registrations, internet access, taxi fares for business purposes, and parking fees will be reimbursed. Non-allowable expenses include fines, alcoholic beverages or illegal expenses, valet parking (unless there is no other available option or if the employee is handicapped), laundry charges, personal telephone calls (with the exception of 1 "safe arrival" call not to exceed $5.00), movie rentals, tips or similar personal expenses.

Duty Station – The location at which the employee spends the majority of his or her working hours.

Travel Period – The month in which the travel takes place.

Authorized Transportation Modes – Following are authorized modes of transportation available to employees and officials traveling on County business:

A. County-owned vehicles. Should be used when a vehicle is available to an employee. When a County vehicle is used it should be picked up at the duty station on the day of travel. However if the meeting destination is closer to your home than your duty station or if your departure time is before 7:00 a.m., a County vehicle can be driven home the night before the meeting and returned the next working day.
B. A County vehicle should be used for all travel when a vehicle is available (i.e., to a conference, seminar, meeting, and for local travel). It is the responsibility of the Department Head to ensure this policy is administered. If no County vehicle is available, use of a personal vehicle must be approved in advance by the Department Head in order to receive mileage reimbursement. In addition, when making trips for local travel (post office, interdepartmental mail, etc.) and a County vehicle is not available contact another

department in the vicinity of your office to coordinate the use of their vehicle or contact the Buildings and Grounds Department for assistance with your in-town interdepartmental task.

C. Reimbursement may be approved for direct expenses for County owned vehicles when charges cannot be made to the County, and County gas or services is not available.
D. A privately owned vehicle may be used when a County vehicle is not available. Reimbursement for expenses is limited to the approved mileage allowance.
E. Public transportation/air travel will be reimbursed for coach fare with every effort being made to take advantage of the greatest discounts available. Employee may be allowed air travel if cost of airfare plus any fees for parking, taxi or rental cars does not exceed cost of driving personal vehicle.
F. Rental cars will be allowed only when no other, more economical mode of transportation is available and must be approved in advance by the authorizing party. A receipt from the rental company is necessary for reimbursement.

Mileage Allowance – The amount authorized to be paid on a per-mile basis for travel in a privately owned vehicle.

A. Mileage is computed from the duty station or from home to the conference/workshop location, whichever is less.
B. The mileage allowance shall increase/decrease in accordance with the mileage rate for the State of North Carolina. Upon recommendation from the Finance Director, the County Manager will adjust the rate accordingly.
C. Mileage verification using Mapquest.com or Google maps should be attached to all travel requests.
D. Employees attending the same meeting/workshop should carpool. If an employee chooses not to carpool and drives separately, mileage reimbursement will not be allowed. Extenuating circumstances must be approved in advance.

Meal Allowance – Employee/Board member should contact the County Manager's office or the Finance Director to learn of the current meal reimbursement schedule for overnight travel. Meals will be reimbursed only for overnight travel required to accomplish overnight business of the County, and; the reimbursement schedule amounts are inclusive of tips. The number of meals for which an allowance is due on days of partial travel shall be determined as follows and must be prior-approved on the Authorization for Overnight Travel Form/Request:

Breakfast - Depart duty station prior to 7:00 a.m. (if the calculation does not allow for breakfast, it also does not allow for a hotel accommodation the night before.

Lunch - Depart from duty station prior to 11:00 a.m. on day of departure.
Return to duty station after 1:30 p.m. on day of return.

Dinner - Return to duty station after 8:00 p.m. on day of return.

No receipts are required for meals. No reimbursement will be made for a meal included in a registration fee.

Non-overnight Travel – In order to comply with IRS regulations, there will be no meal reimbursement during travel that does not require overnight travel. However, if a registration fee for a one-day program includes a

meal, or if lunch or dinner is a part of a meeting or conference, the full cost of the registration is reimbursed, inclusive of the meal.

Travel Expense Reports - Expense reports should be submitted monthly, by the 5th day of the month following the month of travel. Travel reimbursement checks are written to employees on the 10th of the month following the travel period. Expenses should be itemized for each day. All expense reports should be signed by the Supervisor before submission to the Finance Office. All unsigned expense reports will be returned to the department for signature and may result in a check not being issued by the 10th of the month. If funds are due the County, funds must be submitted to the Finance Office with the expense statement. Expense statements must include original receipts for allowable charges, such as registration (if paid by the employee), hotel, parking, airfare, car rental, taxi fares, etc. One "safe arrival" personal phone call, not to exceed $5.00, will be allowed if documented.

Section 3-2. Bloodborne Pathogens

Warren County has adopted plans and procedures to comply with all requisite provisions of the Occupational Exposure to Bloodborne Pathogens Standard (hereafter referred to as The Standard) issued by the U.S. Department of Labor's Occupation Safety and Health Administration, and the approved plan requirements related thereto which are promulgated by the North Carolina Department of Labor. These plans are located in appropriate departments.

All employees of the County who are occupationally exposed to blood or other potentially infectious materials as defined in the regulations are covered under provisions of this policy.

Each department shall maintain a copy of the exposure control plan, addressing exposure determination, procedures for evaluation of the circumstances surrounding an exposure incident, and the schedule methods for implementing compliance with the various sections of The Standard. This plan is updated on an annual basis.

The designee maintains a listing of exposure determination for all job classifications grouped into two exposure groups. The first group includes classifications in which all classifications have occupational exposure, and the second includes classifications where some employees have occupational exposure associated with specific listed tasks.

All occupationally exposed employees of Warren County will be provided information and training prescribed under the Standard, which will occur during working hours at no cost to the employee. This training will be provided at initial assignment and at least annually thereafter. Additional training is provided when existing tasks are modified or new tasks are introduced which affect employees' exposure.

Hepatitis B vaccine and vaccination series are available to all employees who have occupational exposure, in addition to post-exposure evaluation and follow up services, as well as any booster doses subsequently recommended by the U.S. Public Health Service. Each of the foregoing services is provided at no cost to employees at reasonable times and places, and is performed by or under the supervision of a licensed physician or licensed health care professional that is qualified to provide these services.

- The hepatitis vaccine and vaccination series is available within 10 days of initial assignment to employees who have occupational exposure to blood or other potentially infectious materials unless the employee has (1) previously received the complete hepatitis B vaccination series, (2) antibody testing reveals that the

employee is immune, or (3) medical reasons prevent the employee from receiving the hepatitis B vaccination series.

- All employees will be provided with a copy of a health care professional's written opinion stating whether a hepatitis B vaccination is indicated, and whether the employee has received such vaccination.

- All employees with occupational exposure are provided personal protective equipment by the County at no cost to the employee.

- Complete and accurate records are maintained for all employees concerning occupational exposure, as prescribed by the Standard, for which the retention period is throughout the period of employment, and for 30 years thereafter.

- Any employee determined to be occupationally exposed who declines to accept hepatitis B vaccination must sign a declination statement and release of liability after appropriate prescribed training regarding hepatitis B, hepatitis B vaccination, the efficacy, safety method of administration, benefits of hepatitis B vaccination, and that the vaccine and vaccination are provided free of charge.

- Any employee, who declines vaccination, executes a declination and release of liability thereafter and who remains occupationally at risk, can request vaccination at a later date. If subsequently requested, the same provisions will apply with respect to the receipt of services at no cost to the employee.

Section 3-3. Adverse Weather Policy

County offices shall remain open for the full scheduled working day to provide support services to citizens, businesses, and industries, unless authorization for early closing or other deviation for adverse weather conditions is received from the County Manager's office. During periods of adverse weather, the County Manager is responsible for making a determination about operating hours of County offices. The County Manager makes this determination based on the severity of weather conditions at the time, the weather forecast, and road conditions. The determination is not based on the closing of Warren County Schools. If the County Manager is not available, the responsibility for making the decision to close/delay County offices will be made in the following progression: Acting County Manager in conjunction with the Emergency Management Director; Emergency Management Director in conjunction with the Chairman of the Warren County Board of Commissioners.

It is the responsibility of employees to make a good faith effort to come to work during these times. All departments and offices will be given advance notice of any authorized closings by way of Code Red Notification or announcement on local radio and television stations.

In order for an employee to be considered for Administrative Leave he/she must meet the following criteria:

- the day in which adverse weather alters the County Offices' standard work day must be a day on which the employee would normally work; and
- the hours during which the County offices are closed must fall within the employee's normally scheduled work day.

Upon an official County closing due to adverse weather, the hours closed will be considered administrative leave

time. The following rules apply:

- Employees who leave work before an official early closing time, as well as, employees who report for work late after a delayed opening will be required to use vacation leave, compensatory time, or leave without pay for those hours not deemed administrative leave time.
- Employees who do not report for work at all will be required to use accrued vacation leave, compensatory time, or leave without pay for days or hours taken and are ineligible for administrative leave.
- Employees in a pre-approved leave status (sick or vacation leave) shall be eligible for administrative leave. Employees in pre-approved leave without pay shall not be eligible for administrative leave.

Certain employees, considered essential personnel, work in positions that are critical to providing services to the citizens of the County regardless of the weather conditions and whether or not the County offices are operating. Due to the nature of their job duties and responsibilities, the following County departments do not close due to adverse weather:

- Emergency Medical Services
- Emergency Management
- Sheriff's Office
- Detention Facility
- E-911 Central Communications
- Animal Control Shelter

The following departments will have designated personnel on stand-by to report to work when called by his/her Supervisor should it be deemed necessary to provide services:

- Public Utilities
- Public Works
- Buildings & Grounds Maintenance

Designated personnel who, when called to report to work, are unable to travel safely to and from the work site must inform his/her Supervisor to determine if alternate transportation can be arranged or if another employee is available and able to travel to and from the work site.

Section 3-4. Information Technology Use

This policy covers the use of all technology resources belonging to Warren County, whether individually controlled or shared, stand-alone or networked. It includes, but is not limited to pagers, radios, all computer systems of any size and function and their attached peripherals, telephones, cellular phones, copiers, scanners, fax machines, voicemail systems, e-mail systems, network resources and internet resources. All technology resources owned by the County are in place to enable the County to provide its services in a timely and efficient manner. This is the primary function of these resources and any activity or action that interferes with this purpose is prohibited. Ethical and legal standards that apply to information technology resources derive directly from standards of common sense and common courtesy that apply to the use of any shared resources. Because technology systems are constantly evolving, Warren County requires its employees to use a common sense approach to the rules set forth below, complying not only with the letter, but also the spirit, of this policy.

3-4.1. Information Access and Ownership

All technology resources and all information transmitted by, received from, or stored on Warren County's systems are the property of Warren County and are subject to inspection by County officials. Such resources include, but are not limited to: computers, monitors, photocopy machines, printers, fax machines, and flash drives. Employees do not have any expectation of or right to privacy with respect to any electronic correspondence, files, documents, images, created, stored, displayed, received or sent on the County's technology systems. The County reserves the right to review, monitor, and inspect use of its technology resources without advance notice. If the County determines that an employee has used technology resources in a manner that violates this policy or other Warren County policies, the County will take appropriate disciplinary action up to and including dismissal.

3-4.2. Personal Use

Personal use of a County-owned technology resource by employees is allowed with the following restrictions:

A. Employees should be aware that personal use of a County-owned technology resource is subject to all of the rules in this policy including inspection and monitoring;
B. There must be no cost to the County;
C. Use must be conducted on an employee's own time and at the discretion of the employee's Supervisor; however, personal telephone calls on non-cellular phones or personal use of e-mail on an occasional basis may be permitted providing that such does not interfere with the employee's obligation to carry out their County duties in a timely and effective manner;
D. Use must not interfere with other employees performing their jobs or undermine the use of County resources for official purposes;
E. Use of the County's technology resources for operating a personal business of any kind is strictly prohibited;
F. Use of the County's technology for the pursuit of higher education during working time is prohibited;
G. Individuals who are not employees of Warren County (including an employee's family or friends) are not allowed to use the County's technology resources other than public access stations;
H. Personal use of County resources by an employee neither expresses nor implies sponsorship or endorsement by Warren County;
I. County-owned technology shall not be used to "download" or view pornography or for any criminal purpose. Any employee found to violate this sub-paragraph shall be subject to immediate termination.

3-4.3. Security

Each employee is responsible for all actions taken while using his/her user profile, password, or access code. Therefore, these should be kept confidential and only shared when authorized by supervisory personnel to meet the needs of a work section. This should be the exception and not the rule.

Any file, program, or document received on media (diskettes, CD-ROM, tapes, or portable memory storage devices), through the Internet (including e-mail) or through file transfer must be virus checked immediately. Employees should be cautious when receiving any e-mail message not expected that contains an attachment. Employees can assist the County in preventing viruses from infecting the County's network by not opening any questionable communication from an unknown sender or any attachment with a questionable title or extension. Each individual employee is responsible for the prevention of the spread of viruses.

Employees are not authorized to install or download any software without the express approval of the County's Information Technology Administrator. This policy includes but is not limited to shareware, freeware, personal software or Internet distributed programs.

Applicable software copyright laws must be followed.

3-4.4. Appropriate Use

When employees use County technology resources, they are representing the County and are obligated to use good judgment in how they conduct and express themselves. Employees are expected to use County technology resources in a responsible and professional manner. Employees must not use these resources in an illegal, malicious, inappropriate or obscene manner.

3-4.5. Email

Warren County provides an E-mail system to employees for their use in performing their duties for the County. All employees of the County are responsible for using the E-mail system in an effective, ethical, and lawful manner. It is County policy that the E-mail system, like other County assets, be used for the benefit of the County. All E-mail use should be in line with the County's overall government policies. Warren County reserves the right to monitor and/or log all network activity with or without notice, including all web site communications, and therefore, users should have no expectations of privacy in the use of these resources.

Employees are strictly prohibited from using the E-mail system for anonymous or pseudonymous posting, sending unsolicited junk e-mail or chain letters ("spam"), or for sending any material that contains viruses, Trojan horses, worms or any other harmful program. Electronic mail is a public record when sent or received in normal business process according to North Carolina General Statutes.

Use of the system in violation of this or other Warren County policies is prohibited and may lead to disciplinary action, up to and including dismissal. Employees are required to execute an acknowledgement of the County's Information Technology Use policy at the time of hire and as part of their annual review each year. Said acknowledgment/s shall become part of the employee's personnel file.

3-4.6. Internet Access

Warren County provides Internet (to include LAN) access to employees for their use in performing their duties for Warren County. All employees of Warren County are responsible for using Internet resources in an effective, ethical, and lawful manner. It is Warren County's policy that the Internet resources, like other Warren County assets, be used for the benefit of Warren County. All Internet use should be congruent with Warren County's overall government policies. Warren County reserves the right to monitor and/or log all network activity with or without notice, including all website communications; therefore, users should have no expectations of privacy in the use of these resources.

Warren County prohibits employees from using the Internet to access instant messaging or Internet Relay Chat. Using the Internet to receive broadcast of non-business audio or video is prohibited. Employees should refer to the Employee Use of E-mail and Internet Access Policy for additional information. Use of the system in violation of this or other Warren County policies is prohibited and may lead to disciplinary action, up to and including termination.

3-4.7. Social Media Usage

Purpose

The role of technology in the workplace is constantly expanding and now includes social media communication tools that facilitate interactive information sharing, interoperability, and collaboration. Commonly used social media websites, such as, but not limited to: Facebook©, Twitter©, MySpace™, YouTube©, Flickr®, LinkedIn®, Blogger, and Periscope have large, loyal user bases and are, thus, increasingly important outreach and communication tools for government entities from the federal to the local level.

Moreover, a social networking presence has become a hallmark of a vibrant and transparent communications strategy. Social networking, when used properly, may improve interactivity between Warren County and the public, and it reaches populations that do not consume traditional media as frequently as others do. Therefore, County departments may enhance their communications strategies by using social networking websites if approved by the IT Administrator. In doing so, however, County departments should take care to choose the types of social networks that make the most sense for their type of information and that give emphasis to tools that provide more information across multiple outlets to the broadest audience.

Important requirement: A Warren County Department may not use social networking sites until signing this document and receiving approval by the Warren County IT Administrator.

All communication tools should be used in ways that maximize transparency, maintain the security of the network, and are appropriately professional. Social media is no exception. Therefore, the application of social media within County departments must be done thoughtfully and in a manner that will minimize risk. In addition, social media users should be aware that these types of communications are considered public records and, consequently, must be kept for a certain period of time in compliance with the public records law. These guidelines are intended to ensure that County departments' social networking sites[1] are secure and appropriately used and managed by outlining "best practices" for the use of social media in Warren County Government. Thus, the guidelines are designed to

[1] This document is not meant to address one particular form of social media, rather social media in general, as technology will inevitably change and new tools will emerge.

protect County employees and ensure consistency across departments when approved to incorporate social media into their mission.

Guidelines:

Implementation
Every department should have a clear communications strategy and should take the time to determine if and how social media fits into this strategy. A person designated by the Department Head, and approved by the IT Administrator, should spearhead this activity and, in doing so, should consider the following questions when determining whether use of social media is appropriate:

- Who is the media meant to reach? Is this my target audience?
- What is the department attempting to communicate? Can it be effectively communicated using this media?
- Does the department want to elicit feedback from citizens? What media is best suited to allow for the type of interaction desired?
- Who is responsible for managing the department's account? Will this person represent the department appropriately? Have they been properly trained in the use of social media?
- What are the departments' responsibilities regarding collection and records retention including preservation of social media content? What does the records retention schedule require for these records? How will we collect and store the media content?

When a department decides and is approved to use a form of social media that is deemed beneficial to its mission, it should first establish employee boundaries for using the service consistent with this policy and any Warren County computer use policies. It is important for department Supervisors to communicate expectations of appropriate usage for the media within the workplace.

There should be an authorization process for employees wishing to create an account for the benefit of the department, with the Web Administrator designated by the Department Head as the authority to oversee and confirm decisions. In this role, the individual must evaluate all requests for usage, verify staff being authorized to use social media tools with the Department Head, and confirm completion of online training for social media. The Web Administrator should also be responsible for maintaining a list of all social networking application domain names in use, the names of all employee administrators of these accounts, as well as the associated user identifications and passwords currently active within their respective departments. Should the employee who administers the account be removed as administrator, or separates employment, the Warren County IT Administrator should immediately change all passwords and account information to maintain department control. Departments must send the name of the person designated to oversee department sites along with site name and type to the County IT Administrator who is responsible for maintaining a master list.

The IT Department can help determine the best method to archive the content. Any department-related social networking usage implemented prior to the release of this document should be reviewed by the Department Head and Web Administrator to make sure it is brought into compliance with these guidelines.

In summary, all employees involved with a department's social media will:

- Confirm decisions regarding social media sites including authorization of sites with the department's Web Administrator.

- The Web Administrator, with the Department Head and approval by the IT Administrator, will evaluate requests for usage.
- The Department Head and Web Administrator will verify staff being authorized to use social media tools.
- The Web Administrator will maintain a list of social media domains, active account logins and passwords.
- The Department Head will notify the IT Administrator to change passwords if the employee designated as the Web Administrator is removed as administrator in order to maintain department control.
- All appropriate personnel will ensure social media material is archived including providing a list of all social media URLs and contact information.

Acceptable Use

All use of social networking sites by County departments must be consistent with applicable state, federal, and local laws, regulations, and policies including all information technology security policies. This includes the department and countywide acceptable use policies and any applicable Records Retention and Disposition Schedules or policies, procedures, standards, or guidelines promulgated by the North Carolina Department of Cultural Resources. All usage should be governed by these policies as well as the guidelines within this document.

Separate Personal and Professional Accounts:
Employees should be mindful of blurring their personal and professional lives when administering social media sites.

Personal Use:
Employees are allowed to have personal social networking sites. However, **employees should never use their County email account or password in conjunction with a personal social networking site,** and employees should never refer or link back to their own personal site from any employer-sponsored site. Personal use of social media is also subject to the following restrictions:

1. Employees are prohibited from revealing any Warren County confidential or proprietary information, trade secrets, or any other confidential material while engaging in social media.
2. Employees shall not engage in any social media activities that may harm or tarnish the image, reputation and/or goodwill of Warren County and/or any of its employees, County Commissioners, vendors, or customers. Employees are also prohibited from making any discriminatory, disparaging, defamatory, or harassing comments when using social media or otherwise engaging in any conduct prohibited by Warren County's Non-Discrimination/Anti-Harassment policy. Please refer to Section 2-27 of this manual.
3. Employees may also not attribute personal statements, opinions, or beliefs to Warren County when engaged in social media. If an employee is expressing his or her beliefs and/or opinions in social media, the employee may not, expressly or implicitly, represent themselves as an employee or representative of Warren County. Employees assume any and all risk associated with social media.
4. Employees are prohibited from accessing personal social media outlets during working hours unless they are on a personal break and using a personal electronic device.

Any employee who violates this policy may be subject to disciplinary action.

Apart from following all laws pertaining to the handling and disclosure of copyrighted or exported controlled

materials, Warren County's trademarks, logos, and any other Warren County intellectual property may also not be used in connection with any social media unless specially authorized by the Department Head or the County Manager.

Professional Use:
All department-related communication through social media outlets should remain professional in nature and should always be conducted in accordance with the department's and Warren County's Information Technology Use policy. Refer to Section 3-4 Information Technology Use. Employees must not use County-sponsored social networking sites for political purposes, to conduct private commercial transactions or to engage in private business activities. Sites containing anything racially or sexually discriminating or of a political or religious nature are prohibited. Employees should be mindful that inappropriate usage of social media can be grounds for disciplinary action. Thus, if an account is used for business, the entire account, regardless of any personal views, is subject to these best practices guidelines, including the collection and preservation provisions.

Be Clear As To Identity:
When creating department-related social media accounts that require individual identification, County employees should use their actual name, not pseudonyms. However, using actual names can come with some risks. Any employee using his/her name as part of a County department's application of social media should be mindful of the following:

- Do not assume privacy. Only post information that you are comfortable disclosing.
- Use different passwords for different accounts (both social media and existing work accounts). Using one password for all accounts increases the vulnerability of the accounts being compromised.

Terms of Service:
Employees should be aware of the Terms of Service (TOS) of the particular form of media. Each form of social media has its own unique TOS that regulate how users interact using that particular form of media. Any employee using a form of social media on behalf of a County department should consult the most current TOS in order to avoid violations. If the TOS contradict department policy and the Warren County Information Technology Policy, then the IT Administrator should be made aware and a decision should be made about whether use of such media is appropriate.

Content of Posts and Comments:
Employees using social media to communicate on behalf of a County department should be mindful that any statements made are on behalf of County government; therefore, employees should use discretion before posting or commenting. Once these comments or posts are made they can be seen by anyone and may not be able to be "taken back." Consequently, communication should include no form of profanity, obscenity, or copyright violations. Likewise, confidential or non-public information should not be shared.

Employees should always consider whether it is appropriate to post an opinion, commit oneself or one's department to a course of action, or discuss areas outside of one's expertise. If there is any question or hesitation regarding the content of a potential comment or post, it is better not to post. There should be great care given to screening any communication made on behalf of the department using social media as improper posting and use of social media tools can result in disciplinary action.

Posts and Comments Are Public Records:
Like e-mail, communication via department-related social networking websites is a public record. This means that

both the posts of the employee administrator and any feedback by other employees or non-employees, including citizens, can become part of the public record. Because others might not be aware of the public records law, agencies should include the following statement (or some version of it) somewhere on the social networking website:

Representatives of Warren County Government communicate via this website. Consequently any communication via this site (whether by a County employee or the general public) may be subject to monitoring and disclosure to third parties and is considered public record.

Security

From a security standpoint, departments should be mindful of how to best prevent fraud or unauthorized access to either the social media site or the County network. In almost every case where an attacker accesses a system without authorization, they do so with the intent to cause harm. The harm intended may be mild, such as:

- making unofficial posts, tweets, or messages—possibly of an embarrassing nature—that will be seen by the public as official messages;
- using the compromised site to spread malware; or
- encouraging users to either click links or download unwanted applications that the attacker has added to the site.

In some cases, the intended harm may be more serious. For instance, attackers could access the network and obtain information that could be used to compromise or disable the County system, or defame County employees or citizens. In this scenario, attackers could acquire information such as:

- confidential information about County employees or citizens;
- sensitive security information;
- data about public safety plans; or
- defenses currently in place against attacks on public facilities.

Thus, security is an ever-present concern that must be addressed.

Methods Used to Breach IT Security:

It is important to note that security related to social media is fundamentally a behavioral issue, not a technology issue. In general, employees unwittingly providing information to third parties pose a risk to the core County network. Consequently, employees should know the major threats they may face and how to avoid falling prey. Prevalent social media security risks include third-party spear phishing, social engineering, spoofing, and web applet attacks.

Consequently, due to the relative vulnerability of social media sites to these security exploits, it is important to be cautious when using such sites. In order to prevent potential harm, users of social networking sites should minimize the amount of information an attacker is likely to gain from a successful attack. For example, individual user IDs and passwords should not be duplicated across multiple sites. In this way, if one site is compromised, the attacker cannot also gain access to other sites for which the user is authorized.

In particular, because of the importance of proper operation of the County network and the sensitivity of information stored on County systems within the network, a County employee must never use a current County

password as a password on any other site.

If departments or employees participate in social networking, they should:

- ensure that employees are made aware of which information to share, with whom they can share it, and what not to share;
- provide security awareness training to educate users about the risks of information disclosure when using social media, and make them aware of various attack mechanisms as described in this policy;
- ensure employees are aware of Privacy Act requirements and restrictions. Educate users about social networking usage policies and privacy controls to help them better control their own privacy in any profile they use for work-related activities and more effectively protect against inadvertent disclosure of sensitive department information; and,
- educate users about specific social media threats before they are granted access to social media websites.

RECORDS MANAGEMENT AND PRESERVATON

Communication through department-related social media is considered a public record under NCGS, Chapter 132 and will be managed as such.

- All comments or posts made to County department account walls or pages are public, not private.
- In the spirit of transparency in county government, account administrators who receive messages through the private message service offered by the social media site should direct the user to contact them at a public e-mail address maintained by their department. Alternatively, account administrators could reply to the inquiry using their County e-mail account. Agencies should set all privacy settings to moderate. Comments expressing an opposing view point must be allowed. Departments should only remove comments that are spam or comments that would not be acceptable in a public forum such as a commissioner's public hearing.

Departments must assume responsibility for public records and adhere to the schedule of collection for social networking Web sites set by the North Carolina State Archives.

CONCLUSION

Social media is an effective and efficient way for departments to communicate with and participate in the larger community. It will continue to shape and support the way departments communicate and collaborate with constituents as they strive to provide an accountable and transparent government. As departments use social media, they need to strike a balance between providing access to information and securing the County's core network. To find that balance, each department needs to assess its risk. This policy is meant to help departments and their users understand these risks and outline some best practices for social media usage. Every department should adopt these tools and provide their employees support and guidance to use them productively and intelligently.

Any questions regarding this policy should be addressed with the County IT Administrator.

Definitions:

Copyrighted material – includes materials that may be protected by Copyright Law (for example, a cartoon, article, or excerpt from a book). In other words, if the information or material is copyrighted, it may not be publicly circulated without prior authorization from the copyright holder.

Cross-Site Scripting (XSS) - a security vulnerability which allows attackers to insert code into a target user's web page.

E-mail message – a single electronic mail message sent directly to another user.

Identity Spoofing - involves one person, system, or website successfully masquerading as another by falsifying identity-related information and thereby being treated as a trusted user or system by another user or program.

Post – comment made to a user's social networking page or site. For example, Facebook users can post to another user's "wall."

Record – data or information in a fixed form that is created or received in the course of individual or institutional activity and set aside (preserved) as evidence of that activity for future reference. A record has fixed content, structure, and context. (SAA Glossary)

Retention and disposition schedule – a document that identifies and describes an organization's records, usually at the series level, provides instructions for the disposition of records throughout their life cycle. (SAA Glossary)

Social engineering – an attack that involves gathering and using personal information about a target in a deceitful manner in order to convince the target to provide the attacker permission to obtain or access restricted information.

Social networking – the use of a variety of Web sites that allow users to share content, interact, and develop communities around similar interests.

Spear phishing – an attack targeting a specific user or group of users, attempting to deceive the user(s) into performing a routine action, such as opening a document or clicking a link, which the phisher has booby-trapped to launch an attack.

Terms of Service (TOS) – rules by which one must agree to abide in order to use a service. It is generally assumed such terms are legally binding.

URL Spoofing - an attack in which a legitimate web page is reproduced on a server under the control of the attacker and then a target is directed to this site, thinking that they are on the legitimate site.

Web Applets - code routines, scripts or utilities that interact dynamically with web pages to provide additional functionality to the user.

3-4.8. Cellular Phones

Personal cell phone use, i.e., talking, texting, emailing, personal social medial use, is discouraged during the work day to limit interference with employees accomplishing their job duties. Personal cell phone use needs to be limited to personal break time. Emergency situations may require deviation from the policy.

County issued cell phones are to be used to conduct County business only. Misuse could lead to disciplinary action.

3-4.9. Maintaining Security

Keys and employee identification badges are issued to Warren County employees to promote the security of Warren County buildings, offices, equipment and supplies, and records and to protect Warren County from theft or damage to these assets.

Section 3-5. Keys

Warren County employees will be issued only those keys necessary for work-related purposes. Approval of the issuance of keys must be given by the appropriate Department Head. Keys to Warren County buildings and other facilities and equipment are the property of Warren County and must be returned immediately upon request by Warren County or separation from employment. An employee who loses or misplaces a Warren County-provided key must report this situation immediately to his or her Supervisor.

Employees will be responsible for maintaining their Warren County-provided keys in a safe manner. Unauthorized copying of keys is prohibited. If additional keys are needed, a request must be made through the employee's Department Head. Keys shall not be issued to persons who are not Warren County employees, unless approved by Warren County's designated Safety Officer.

Section 3.6. Employee Identification Badges

Employee identification badges will be issued to all permanent full-time and part-time Warren County employees as part of the new hire orientation process conducted by the Human Resources Department. All employees are required to wear a County issued employee identification badge at all times when conducting Warren County business at County owned/operated facilities, in County owned vehicles, or in the field. The only exception to the requirement to wear Warren County identification badges is when the wearing of the badge constitutes a potential safety hazard or seriously impedes upon the satisfactory performance of duties.

Anyone who loses or misplaces his/her Warren County-issued employee identification badge must report this situation immediately to his or her Supervisor and arrange for reissue. There will be a $10.00 fee charged to employees to replace an identification badge for any reason, with the exception of the following:

- Official name change (official documentation required);
- Employee receives a transfer, promotion, demotion, etc. to a different department/position or within the same department;
- Any other reason deemed appropriate and submitted in writing to the Human Resources Manager by the employee's department director.

Upon termination or resignation from County employment, employees must turn in all identification badges to his/her immediate Supervisor who will forward them to the Human Resources Manager for final disposition.

Section 3-7. Surrender of Property

An employee who is terminated either voluntarily or involuntarily shall be required to return all items of equipment, including uniforms, owned by Warren County. If items such as uniforms are not returned, cost of the items may be withheld from the final paycheck, with the written agreement of the employee.

Section 3-8. Immigration Law Requirements

All employees are required to furnish proof of citizenship or other required documents indicating a legal right to work in the United States. I-9 forms shall be maintained in accordance with Federal law. Immigration status for all applicants for employment shall be ascertained using the federal E-verify system.

Section 3-9. Failure to Obtain or Maintain Required Licenses, Registrations and/or Certifications

Depending on the position, some assigned duties may be performed only by persons who are duly licensed, registered or certified as required by the relevant law, rule or regulation. Employees in such positions are responsible for maintaining current, valid credentials as required by law, rule or regulation, and must inform their Supervisor immediately of any change in certification or license. Failure to obtain or maintain the required credentials is a basis for immediate dismissal without prior warning.

Section 3-10. Driver's License Requirements & Driving Record

Employees who operate Warren County vehicles as part of the essential duties of their position are required to meet the minimum driving standards set by Warren County and have possession of an appropriate driver's license valid in the State of North Carolina. Some positions may require a North Carolina Commercial Driver's License. Any employee whose license is revoked, suspended, or lost must notify his/her Department Head immediately. The employee will be unable to resume operating a Warren County vehicle until providing proof of a valid driver's license coverage to the Department Head and Human Resources. Employees who are not able to perform essential job duties due to the suspension or revocation of their driver's license may be subject to immediate dismissal.

Section 3-11. Employees Observing Other Holidays

Employees may wish to be away from work on certain days for religious observances or observance of other holidays not designated as a paid holiday for Warren County employees. It is the policy of Warren County that Department Heads arrange the work schedule so that a regular or probationary Full-Time employee may take annual/vacation leave when requested because that day is an important religious observance or other holiday for that employee. No such requests for annual/vacation leave or leave without pay shall be denied unless it would interfere with normal daily operations of the department by creating an emergency condition that cannot be resolved in any other manner.

Section 3-12. Fraud Policy

3-12.1 Scope of Policy

This policy applies to any fraud, or suspected fraud, involving employees, administrators, and elected officials, as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or other parties with a business relationship with Warren County. This policy also applies to employees and appointed members of local boards, agencies and commissions over which the Warren County Board of Commissioners has authority to require general policies to be followed.

3-12.2 Policy

Warren County administration and all levels of management are responsible for the prevention and detection of fraud, misappropriations, and other inappropriate conduct. Fraud is defined, in this policy as: 1) a willful or deliberate act or failure to act with the intention of obtaining an unauthorized benefit; 2) an intentional deception put forth for the purpose of obtaining unauthorized benefit and/or an unlawful advantage, or; 3) a breach of confidence, perpetrated for profit and /or gain some unfair or dishonest advantage.

3-12.3. Actions Constituting Fraud include, but are not limited to, the following:

- Any dishonest or fraudulent act;
- Forgery or alteration of a check, bank draft, or any other financial document;
- Forgery or alteration of any document or account belonging to the County;
- Theft of a check or any other intentional and wrongful diversion of a payment not rightfully belonging to the person or entity to which it was diverted;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Accepting or seeking anything of material value from vendors, contractors, or other persons or entities which provide or are in process of bidding to provide services and/or materials to the County;
- Profiteering as a result of insider knowledge of agency operations;
- Confidential information sold or used to conduct an outside business activity;
- Selling information maintained by the County for personal gain while employed by the County;
- Disclosing confidential activities engaged in or contemplated by the agency,
- Disclosing confidential information to outside parties;
- Taking advantage of a title/position in such a way as to gain a profit that otherwise would be unattainable.
- Destruction, removal or inappropriate use of County records, furniture, fixtures, and/or equipment.
- Authorizing or receiving compensation for hours not worked;
- Any similar or related inappropriate conduct.

Other actions Constituting Fraud and Covered by this Policy include, but are not limited to Waste, Abuse and Theft.

Refer to the appendix for the full Fraud Policy.

ARTICLE IV—THE CLASSIFICATION PLAN

Section 4-1. Adoption

Positions in Warren County are grouped together into job classes that share the same job title on the basis of their similarity based on the duties and requirements of each position as specified in the job, or class description. The Board of Commissioners is responsible for adopting a classification plan that assigns all positions to a series of job classes based on the results of a job evaluation system.

Section 4-2. Maintenance of the Classification Plan

The Human Resources Manager, as directed by the County Manager, is responsible for maintaining the classification plan to ensure that it accurately reflects the duties performed by employees in the job classes to which their positions are assigned. Department Heads are responsible for providing Human Resources with documentation of substantive changes in the nature of duties, responsibilities, working conditions or other factors that could affect the classification of any existing position under their supervision.

When the Human Resources Manager determines through a job audit and/or job evaluation that substantial change has occurred in the nature or level of duties and responsibilities of an existing position, a recommendation is prepared for the County Manager to revise or reassign the existing position to the appropriate job class within the existing classification plan, to amend the classification plan by establishing a new job class to which the position may be assigned, or to take other action as needed.

Human Resources maintains all official class descriptions for all positions and maintains a record of all budgeted and authorized positions.

Section 4-3. Class Specifications & Classification of New Positions

Class specifications are written to include a specific title for the class, a summary statement of the type of work, typical examples of work performed, desirable qualifications needed at the time of appointment, and any special requirements for appointment. Class specifications should be considered descriptive rather than restrictive in content, and should be interpreted as a whole. The typical examples of duties in a class specification should be considered as representative, not exhaustive, of all possible work assignment.

The Human Resources Manager, as directed by the County Manager, is responsible for reviewing and making recommendations to assign a new position to an existing job class or to a newly created job class. The recommendation must consider documentation furnished by the Department Head outlining the duties, responsibilities, typical tasks, and qualifications proposed for the position and the results of a job audit and job evaluation to be conducted by the Human Resources Manager or a designee.

Section 4-4. Allocation of Positions

The County Manager or his/her designee shall allocate each regular position to the appropriate class in the plan. In addition, the County Manager shall recommend amendments to the classification plan as needed. Some temporary positions will be excluded from the position classification plan.

ARTICLE V—THE PAY PLAN (See Full Salary Administration Policy in Appendix)

Section 5-1. Adoption

The pay plan refers to the schedule of pay grades established for all job classes within Warren County's classification plan. Each pay grade consists of a minimum, midpoint, and maximum rate of pay. The pay grade defines the lower and upper limits that Warren County is willing to pay for positions assigned to that pay grade. Each pay grade is assigned a pay grade number that is unique to Warren County's pay plan. Progression within a pay grade is based on merit which is tied to an employee's performance. The Board of Commissioners is responsible for adopting the pay plan.

Section 5-2. Maintenance of the Pay Plan

The County Manager is responsible for the administration and maintenance of the pay plan. The pay plan is intended to provide equitable compensation for all positions, reflecting differences in duties and responsibilities, the rates of pay for comparable positions in private and public employment in the area, changes in the cost of living, the financial conditions of Warren County, and other factors. The County Manager or his/her designee is authorized to make comparative studies of all factors affecting the pay plan and to recommend annual pay plan adjustments to the Board of Commissioners.

When the Human Resources Manager determines through periodic market analysis and/or salary surveys that a reasonable change has occurred in the pay level of an existing position, a recommendation may be prepared for the County Manager to revise or reassign the respective position to a more appropriate pay grade within the existing pay grade table, or to take other action as needed. The County Manager is authorized to approve pay grade changes to maintain the pay plan.

Section 5-3. Starting Salaries

Depending on qualifications, an employee may be hired at a salary that falls between the minimum and the midpoint of the assigned pay grade. Prior to making an offer of employment, the Human Resources Manager, in consultation with the Department Head, will submit a recommended starting salary to the County Manager for approval. The starting salary recommendation may consider factors including but not limited to the candidate's education, training and special certifications, relevant experience, and the salaries and relative experience of current staff in comparable positions. Appointment of an employee at a salary rate above the midpoint rate established for the job class must be approved by the County Manager.

Section 5-4. Salary of Trainee

A person hired for a particular position that is subject to the State Human Resources Act who does not meet all the established requirements of the position as determined by the Office of State Human Resources may be appointed with an annual salary of twelve dollars ($12) below the annual minimum pay established for the pay grade and designated as a trainee. The training salary will remain in effect for the duration of the period indicated by the Office of State Human Resources.

Section 5-5. Salary of Employee in Work-Against Status

The salary of an employee hired in a work-against situation will coincide with the classification level within which the employee falls as determined by the Office of State Human Resources. The length of time the employee will be assigned to that classification level will also be established by the Office of State Human Resources.

Section 5-6. Annual Pay Rate Adjustments

Taking into account the budgetary confines of the County, the Board of Commissioners may consider annual recommendations from the County Manager to adjust the pay plan or pay grades within the pay plan as needed to reflect changes in the cost of living and to maintain pay rates for positions at a level comparable with rates paid by other public and private employers. Warren County will use the data published by the U.S. Department of Labor Bureau of Labor Statistics for guidance on consumer price index of change for the previous calendar year.

Section 5-7. Pay Rate upon Licensure and/or Certification Advancement

Licensure or certification advancement should not be confused with promotions or job reclassification as defined above. Licensure or certification advancement focuses on an employee's potential to secure advanced license(s) or certification(s) while maintaining the same position number. It is the intent of this form of advancement to encourage professional growth and progression as it pertains to a particular profession. For example, Emergency Medical Technicians-Basic are encouraged to seek advanced training to the Emergency Medical Technicians-Paramedic level in order to provide the highest level of care possible to citizens of the County.

Upon presentation of the official advanced license or certification from an accredited institution of higher learning or prior approved program or course of study, licensure or certification advancement requests will be approved by the County Manager, and the position/salary will be upgraded as necessary.

Section 5-8. Pay Rates for Promotions, Demotions & Reclassifications, Voluntary Reassignments & Interim Appointments.

The pay rate of an employee may be adjusted when the employee is promoted, demoted, reassigned, or reclassified as set forth below.

5-8.1. Promotion

The amount of the promotional increase should be based upon and computed as follows:

- The number of grade levels promoted;
- The relationship of the employee's new salary to others in the same job with similar amounts of skill and experience in the performance of the assigned duties;
- The percentage increase for promotions is determined by multiplying the percentage difference between the grades in the approved Warren County Job Classification Schedule times the number of grades promoted;
- If, after the initial percentage increase per grade calculation, the incumbent's rate is below the new grade

minimum, the new rate of pay will be the grade minimum; and

- The percentage difference between the grades in the approved Warren County Job Classification Schedule to compute promotional increases is a maximum and smaller amounts should be used to avoid creating internal inequities.

5-8.2. Demotion

Employees who are demoted will receive a salary reduction equal to the percentage difference between the grades in the approved Warren County Job Classification Schedule times the number of grades demoted. This resulting decreased salary should not exceed the range maximum, in which case the salary will be reduced to the range maximum.

Employees who are demoted are eligible to receive the full portion of any salary increase, regardless of the timing of the demotion, provided that the increase does not exceed the salary range maximum.

5-8.3. Reclassification

When a substantial change in current job duties within a job category merits reclassification, in consultation with the Human Resources Manager, the job description may be revised and the job category assigned to the proper pay grade.

If, as a result of reclassification, a job is changed to a **higher** salary grade, incumbents who are below the new salary grade minimum will be moved to the minimum. If an incumbent's salary falls within the new pay grade, no salary treatment will be initiated.

If, as a result of reclassification, a job is changed to a **lower** salary grade, incumbents who are at or above the new salary maximum will receive no salary increase.

All requests for Job Reclassification must be approved by the Warren County Board of Commissioners.

5-8.4. Reassignment

An employee voluntarily or involuntarily transferring from a position in one class to a position in another class assigned to the same pay grade will continue to receive the same salary. When an employee is temporarily transferred from a position in one class to a position assigned to a higher class, the employee may be paid at a higher rate as long as the temporary transfer is in effect. The higher rate of pay is not applicable for an employee filling in for another employee while on vacation or sick leave unless it is for an extended period of time. Extended period of time is defined as more than 3 weeks.

5-8.5. Interim Appointments

Employees serving in an interim or acting capacity may receive an annual salary increase up to $5,000. The new pay rate cannot exceed the maximum pay rate established for the pay range of the new appointment. Criteria involved in determining the amount of compensation shall include consideration of a) the difference between the existing job and that being filled on a temporary basis, and; b) the degree to which the employee is expected to fulfill all the duties of the temporary assignment.

Any increase received by an employee for functioning in an interim or acting capacity will cease when the employee no longer functions in that capacity.

Any deviation from the pay practices detailed in this section must be requested in writing and approved by the County Manager.

Refer to Salary Administration Policy in appendix for references to promotions, demotions, and reclassifications.

Section 5-9. Overtime Pay

It is Warren County's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and to prohibit improper deductions from pay, whether for lack of work or for any other reason.

The Human Resources Manager is assigned responsibility to designate each job class as exempt or non-exempt in accordance with the provisions of the Fair Labor Standards Act (FLSA).

Overtime work may periodically be necessary to ensure the best interest of the County. Such instances may include cases where excessive hours of work are necessary due to weather conditions, seasonal activity, emergencies, status of vacancies, or other situations as designated by the County Manager. All overtime must be authorized in advance by the employee's Department Head or a Supervisor who has been designated to make such decisions.

Employees are expected to work during all assigned periods, exclusive of bona fide breaks, meal times, or unscheduled hours. Employees are not to perform work during such non-work breaks, meal times, or unscheduled hours unless given approval by their immediate Supervisor or Department Head, except in cases of extreme emergency.

An extreme emergency exists when an employee is called upon to perform work for Warren County that could prevent damage to property or persons, or which requires immediate attention that cannot possibly be postponed. Employees who work excess hours due to an emergency shall advise the immediate Supervisor or Department Head immediately.

All non-exempt employees shall receive straight time pay for the standard work period (37.5 hours per week or alternative 40 hours per week). All non-exempt employees will accrue compensatory time off on an hour for hour basis for each hour worked beyond the standard work period of 37.5 hours per week. All non-exempt employees will accrue compensatory time off at a rate of time and one half for hours worked in excess of 40 hours within a work period.

Authorized Overtime work shall be compensated as follows:

For the purposes of this policy, overtime hours are outlined in the chart below:

Hours worked	Method of calculation	Title
37.6 to 40 hours	Hour for hour	Standard Compensatory Time
40 hours plus	Time and 1 half	Premium Compensatory Time

Employees who work in public safety or emergency response divisions may accrue no more than 480 hours of compensatory time off within a 1 year period (fiscal year). Other employees may accrue no more than 240 hours within a 1 year period (fiscal year). Non-exempt public safety or emergency response employees who accrue in excess of 480 hours or general employees who accrue in excess of 240 hours of compensatory time shall be paid out for only those hours that exceed 480 or 240 at the end of the fiscal year. Upon separation of employment, payment will be made for any compensatory time balances.

Employees requesting to use accrued compensatory time must make a specific request to their immediate Supervisor or Department Head. Use of such time will be allowed within a reasonable period following the request as long as it does not unduly disrupt the operations of the unit, department, or Warren County.

Deputies of the Warren County Sheriff's Office shall be paid overtime in the following manner: When an employee shall be required to work more than 171 hours within the normal 28 day work period, he/she shall be eligible for overtime pay. Such overtime pay shall be reflected in the employee's next regular paycheck at the rate of time and a half.

Non-exempt employees who arrive at work early, stay late, work weekends, or take work home will not be compensated for such work unless overtime work is authorized by the immediate Supervisor, Department Head, or County Manager.

When specific, extraordinary working conditions warrant (i.e., extreme weather conditions, acts of terrorism, declaration of state of emergency, status of vacancies), the County Manager, if funding is available, may authorize non-exempt employees to be paid for overtime, rather than accumulate compensatory time for the hours worked. The employees' (with the exception of Law Enforcement, Detention Officers, E-911 Central Communications, and certain Emergency Medical Services employees) regular hourly equivalent salaried rate is calculated by dividing the annual Full-time salary by 1,950 or 2,080.

In order to ensure that the principles of public accountability are followed, Warren County recognizes compensatory time as a benefit will be extended to exempt employees as well. Exempt employees shall accrue compensatory time on an hour for hour basis for any hours worked in excess of the applicable work period. The unabridged Compensatory Time for Exempt Employees Policy can be found in the appendix.

Paid holidays or hours during which an employee does not physically work, including but not limited to paid vacation and sick leave, will not be counted as hours worked in computing overtime. Time actually worked on a Warren County designated holiday will be considered time worked for the purposes of computing overtime compensation. Non-exempt employees who work overtime will be paid for all overtime incurred during the pay period in which the overtime was worked, unless permission to convert to compensatory time is requested and granted.

Warren County has the right to adjust work schedules to stay within budget constraints.

Section 5-10. On-Call

In many areas of County business, Warren County provides continuous twenty-four (24) hour a day, seven day a week service to our citizens. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. In those areas of service, one of the conditions of employment with the County is the employee's acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal.

Warren County will compensate non-exempt, hourly employees who are scheduled for standby duty when the employee is called in to work by guaranteeing a minimum of 2 hours per day, when the actual response takes less than 2 hours, with these exceptions:

- If the response exceeds two hours, the actual time will apply.
- If an employee is called back within one hour of their regular start time or end time, the two hour minimum does not apply; however, the employee's start time for that day will reflect the early arrival.
- If the employee is not called in to work, the employee will not receive any guaranteed hours.
- The two hour minimum applies only one time within a given work day; if called back a second time, the actual time applies.
- The overtime was previously scheduled.

On-call schedules must be approved by the immediate Supervisor or Department Head.

Compensation for on-call employees shall be determined by the County Manager and shall consist of either compensatory time off or a flat payment for the time period on-call.

Non-exempt employees not approved for on-call standby time who may find themselves called back to work in an emergency situation will be compensated as outlined in this section.

Section 5-11. Pay Periods

All employees shall be paid on a semi-monthly basis, with the 15th and the last calendar day of the month as the designated paydays. If a payday falls on a weekend or a holiday, employees will be paid on the last working day prior thereto. Full-time employees are paid via direct deposit and will receive electronic pay notification. Any employee who has a discrepancy in their pay should report the discrepancy to their Supervisor immediately who will work to resolve the matter with the County Finance Department.

In the event the County discovers an employee has been mistakenly overpaid, the County shall have the authority and obligation to recoup the overpayment from the employee, as permitted by law.

Section 5-12. Effective Date of Salary Changes

Salary changes should be approved to take effect on the first day of the pay period. When approved by the Board of Commissioners, an annual cost of living increase will go into effect the first full pay period in July.

Section 5-13. Longevity Pay

A longevity bonus may be provided annually prior to all regular employees who have successfully completed 2 years of continuous employment with Warren County, based on their years of service and subject to the availability of funding and budget approval. All full-time and permanent part-time employees shall be eligible to receive longevity pay based on the following:

- Longevity pay will be disbursed to an employee during the pay period following the anniversary date.
- Service with other local government or state agencies shall not be added to Warren County service for the purpose of increasing longevity.
- The bonus will be based on continuous years of service as calculated using the anniversary date of employment.
- Employees must be on active payroll status or approved paid or unpaid leave in good standing to be eligible.
- Longevity pay shall be made in accordance with the following schedule:

Years of Service	Amount Received
2 to 5 years	$200
6 to 10 years	$300
1 1 to 15 years	$400
16 to 20 years	$500
21 years plus	$600

Please see the unabridged Longevity Pay Policy in the appendix.

Section 5-14. Salary Progression Pay

It is the intent of this policy to provide career employees an opportunity for salary progression within the designated salary grades dependent upon the completion of County service. All full-time employees and permanent part-time employees are eligible for salary progression when they have successfully completed a minimum of 2 consecutive years of service with Warren County and shall be eligible for consideration to receive an initial salary progression increase. The increase shall be granted on the anniversary date during the fiscal year within which the anniversary falls. Permanent employees will be eligible for salary progression every other year thereafter within the fiscal year during which the anniversary falls. Fiscal year is defined as July 1st through June 30th.

Employees must have achieved a minimum overall performance appraisal score of 3.0 on the previous annual performance evaluation in order to be eligible for salary progression during the initial

consideration period or during any subsequent consideration period. Employees whose salaries are at or above the salary grade maximum for their job classifications are not eligible for a salary progression increase.

Guidelines:

All permanent employees covered by this policy are eligible for a salary increase in an amount up to 2.5% of the base salary dependent upon individual job performance, continued service with Warren County, and the pool of funds approved for salary progression by the Warren County Board of Commissioners and funded in the annual budget.

Permanent employees who have completed 2 to 4 years of service will receive an increase up to 1%. Employees who have completed 5 to 7 years of service will receive an increase up to 1.5%. Permanent employees who have completed 8 to 10 years of service will receive an increase up to 2.5%. Employees who have completed more than 10 years of service will receive an annual increase up to 2% every other year for the duration of employment with the County. Employees whose salaries are at or above the salary grade maximum for their job classifications are not eligible for a salary progression increase.

Please see the unabridged Salary Progression Policy in the appendix.

ARTICLE VI—TIME AWAY FROM WORK

Section 6-1. Paid Holidays Observed

Warren County follows the same holiday schedule as observed by the State of North Carolina, which includes the following observed holidays:

New Year's Day	January 1st
Martin Luther King Day	3rd Monday in January
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veterans' Day	November 11th
Thanksgiving	4th Thursday and Friday in November
Christmas	December 25th (plus two additional work days)

When a designated holiday falls on Saturday, the preceding Friday will be observed. When the holiday falls on Sunday, the following Monday will be observed. The Board of Commissioners reserves the right to adjust the County's holiday schedule as deemed necessary.

Any holiday falling on Saturday or Sunday will be observed on Friday or Monday based on the day observed by the State of North Carolina. If employees are assigned to a work schedule other than Monday to Friday, the holiday will be observed the day on which it actually occurs. Employees who are required to work on a scheduled holiday, will, at the discretion of the Department Head, receive payment for the holiday, or receive an equivalent day off to be taken no later than the next pay period. Under no circumstances will an employee receive payment for a holiday and an equivalent day off. Regular part-time employees will receive paid holidays on a pro-rata basis only if the holiday is observed on a regularly scheduled work day. Temporary and seasonal employees are not eligible for paid holidays.

Employees required to perform work on regularly scheduled holidays may be granted compensatory time in addition to holiday pay (1 day's pay).

Warren County Central Communications employees will observe the holiday schedule as stated above; however, pay and/or compensatory time off will be calculated in the following manner:

Those individuals working the actual holiday shall receive compensatory time or pay at a rate of time and one half. Those employees not working on the holiday and who have not completed the 40 hour work week shall receive holiday pay (1 day's pay). Those employees who have completed a 40 hour work week or who will complete the same during the standard pay week shall be given an additional 8 hour period off, or may receive 8 hours of pay at the regular rate. (Option to be determined at the Supervisor's discretion.)

Sheriff's Deputies shall adhere to the following:

Employees required to work on any Board approved holiday, or if the holiday falls on his/her scheduled day off will

be given at the discretion of the Sheriff, a day off which must be taken within the next 28 day work period. Overtime for holidays will be paid only if time exceeds 171 hours within a work period.

Emergency Medical Technicians shall adhere to the policies established for their department.

6-1.1 Birthday Recognition

All full-time and permanent part-time employees assigned to a regular budgeted position will receive one day off with pay in recognition of his/her birthday. That day must be taken within 30 days before or 30 days after the employee's legal birthday. If not taken during the allotted timeframe, that day will be forfeited. If the employee separates employment prior to using the day for birthday recognition, he/she will not be paid out for the unused day.

Section 6-2. Vacation Leave

Vacation leave is a benefit granted by Warren County to eligible employees. Employees must schedule vacation leave at least 1 week in advance in order to maintain efficiency and adequate staff coverage within the department. Vacation leave is earned by regular full-time and permanent part-time employees working each pay period based on years of service to Warren County. Permanent part-time employees will earn a prorata share of vacation leave. Eligible employees begin accruing vacation leave at hire; however, an employee must be employed six (6) months before the employee is eligible to take paid vacation leave, unless authorized and approved by the Department Head. The Human Resources Manager must be notified of any employee requesting more than two weeks of consecutive vacation leave prior to the approval of the leave.

The following chart provides the rate at which regular and probationary full-time employees working the **standard 37.5 hour work** week shall accumulate vacation:

Length of Service	Monthly Earnings (Hours)	Annual Earnings (Hours)	Annual Earnings (Days)
Less than 2 years	7.42	89	11 days, 6.5 hrs.
2 years but less than 5 years	8.67	104	13 days, 6.5 hrs.
5 years but less than 10 years	10.53	126	16 days, 6.0 hrs.
10 years but less than 15 years	12.42	149	19 days, 6.5 hrs.
15 years but less than 20 years	14.28	171	22 days, 6.0 hrs.
20 or more years	16.17	194	25 days, 6.5 hrs.

Regular and probationary full-time employees working a 40 hour work week shall accumulate vacation according to the following schedule:

Length of Service	Monthly Earnings (Hours)	Annual Earnings (Hours)	Annual Earnings (Days)
Less than 2 years	7.83	94	11 days, 6.0 hrs.
2 years but less than 5 years	9.17	110	13 days, 6.0 hrs.
5 years but less than 10 years	11.17	134	16 days, 6.0 hrs.

10 years but less than 15 years	13.17	158	19 days, 6.0 hrs.
15 years but less than 20 years	15.17	182	22 days, 6.0 hrs.
20 or more years	17.17	206	25 days, 6.0 hrs.

Employees subject to a fluctuating 40 hour workweek may accrue annual/vacation leave at a modified rate.

The 12 month period between January 1st and December 31st is established as the leave year.

Employees must be in pay status before the 15th of the month and worked one half or more of the regularly scheduled workdays within the month in order to earn vacation leave for that month. If an employee is not in pay status for as much as one-half of the scheduled working days of the month, no vacation leave will be credited for that month. To be in pay status, an employee must be either working or taking vacation, administrative leave, sick leave, or utilizing compensatory time. An employee who is out due to workers' compensation leave will not accrue vacation leave. An employee who has separated employment does not earn vacation leave beyond such employee's last working day.

Vacation will be credited to the employee's leave account on the 15th day of any given month. Vacation leave may not be taken until it has been earned and credited to the employee's vacation leave account. Thus, in the event leave has been approved by mistake (i.e. the employee's Supervisor mistakenly believes the employee has leave time available to take), such leave if taken shall be *unpaid* leave. If employee has already been paid for leave time which he/she did not have available, the County shall have the obligation and authority to reimburse itself for the unearned paid leave from the employee's next paycheck upon the County's discovery of the unearned leave having been paid out.

Vacation leave may be utilized upon the death of an immediate family member of the employee; however, this leave shall not exceed 5 days for any one occurrence and may only be taken after the employee has exhausted his/her bereavement leave (Section 6-7). Additional vacation leave usage may be authorized by the Department Head or County Manager under exceptional circumstances.

Section 6-3. Maximum Accumulation of Vacation Leave

The maximum accumulation of accrued vacation leave for regular full time employees is 30 days in any fiscal year, that is: 225 hours for employees who work 37.5 hours per week and 240 hours for employees who work 40 hours per week. If, on December 31st, an employee has accrued vacation leave in excess of the allowed maximum accumulation amount as of the last pay period of the calendar year, the employee's excess vacation leave will be converted to sick leave on an hour-for-hour basis. The converted sick leave must be used in the same manner as accrued sick leave, and; unused sick leave will be allowed to be applied as creditable service for employees who are members of the NC Local Government Employees Retirement System ("LGERS"), subject to the provisions of the retirement system.

Employees are strongly encouraged to plan vacations early when the intent is to avoid rolling over vacation time. Vacation requests late in the fiscal year may not be granted when multiple requests are made from within the same department and/or work section due to the need to continue with a high level of service to our citizens. If an employee has excess leave accumulation during the latter part of the fiscal year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having vacation leave scheduled or in receiving any exception to the maximum accumulation. Employees are not eligible to receive pay

for excess vacation time not taken.

Furthermore, the County has no obligation to approve leave during the month of December for the sole purpose of avoiding conversion of vacation leave.

Section 6- 4. Payout of Vacation Leave

6-4.1. Upon Separation

Any employee who is separated from employment shall be paid for vacation leave accrued to the date of separation not to exceed a maximum of 30 days, that is, 225 hours for employees who work 37.5 hours per week or 240 hours for employees who work 40 hours per week.

6-4.2. Upon Death

The estate of an eligible employee who dies while employed by Warren County shall be entitled to payment for all the unpaid accrued vacation leave, not to exceed a maximum of 225 hours or 240 hours (dependent on the applicable work week), at the time of death.

Under this subsection, with the exception of employees who are members of the LGERS, all accrued vacation leave in excess of the maximum 225 or 240 hours allowed is forfeited resulting in a zero balance for any employee or deceased employee. Accrued leave of employee-members of LGERS may be utilized as creditable service as allowed by the LGERS.

Section 6-5. Accumulation of Vacation Leave – Re-employment

Any regular full-time or permanent part-time employee who separates from County service in good standing and is re-employed as a regular or probationary full-time or part-time employee within 1 year may receive previous credit time for the purpose of accumulating vacation leave. The total months of previous service time will be recognized at the date of re-employment.

Section 6-6. Sick Leave

Sick leave is a benefit granted by Warren County to eligible employees. Regular full-time employees on a 37.5 hour work week accumulate sick leave at a rate of 7.5 hours per month. Regular full-time employees on a 40 hour work week accumulate sick leave at a rate of 8 hours per month. Regular full-time employees subject to a fluctuating 40-hour work week may accrue sick leave at a modified rate. Employees must be in pay status before the 15th of the month and work one half or more of the regularly scheduled workdays in a month in order to earn sick leave for that month. However, Part-time, seasonal, and/or temporary employees do not earn sick leave benefits.

Sick leave will be granted to an employee absent from work for any of the following reasons: sickness, bodily injury, required physical or dental examination or treatment, the actual period of temporary disability caused by or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom, or exposure to a contagious disease, when continuing work might jeopardize the health of others. In addition, sick leave may be utilized upon the death of an immediate family member of the employee; however, this leave shall not exceed 5 days for any one

occurrence and may only be taken after the employee has exhausted his/her bereavement leave. Additional sick leave usage may be authorized by the Department Head or County Manager under exceptional circumstances.

Sick leave may also be used when an employee must care for a member of the immediate family, but may not exceed 3 days for any one occurrence. Immediate family for the purposes of this policy means; spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, plus the various combinations of half, step, in-law and adopted relationships that can be derived from these named. Notification of the desire to take sick leave should be submitted to the immediate Supervisor prior to the leave. However, in the case of an unforeseen emergency, notification should be made no later than 30 minutes after the beginning of a scheduled work day.

6-6.1. Sick Leave upon Separation

Upon separation of employment with Warren County, no payment will be for any portion of sick leave credits.

6-6.2. Retirement Credit

Sick leave earned monthly is allowed as creditable service at the time of retirement to employees who are members of the North Carolina Local Government Employees Retirement System. Retirement system regulations shall be applied when accumulated sick leave is to be converted to creditable service upon retirement.

6-6.3. Sick Leave Verification

Medical verification of the employee or family member's illness may be required if/when leave abuse is suspected or the Supervisor observes a pattern of absenteeism. In addition, employees may be required to furnish medical certification completed by a licensed health care provider whenever the employee is out on sick leave for 3 or more days of work. Such certification must state the kind/nature of sickness or injury and that the employee (or immediate family member) has been incapacitated thereby for the period of absence. In the case of an employee who is returning from sick leave, the Supervisor or Department Head may ask for confirmation from the health care provider certifying cure or stating that the employee is again physically able to perform his/her assigned duties.

Where an employee advises his/her Supervisor or Department Head regarding necessary restrictions on his work or duties and any necessary accommodations, the Department Head may also require certification from the physician.

6-6.4. Abuse of Sick Leave

When a Supervisor or Department Head has reason to believe an employee may be abusing sick leave privileges, the employee shall be advised that a medical certificate shall be required for each subsequent absence for which sick leave is requested. If the employee's leave pattern does not improve, the employee shall be advised in writing by the Supervisor or Department Head that all subsequent requests for sick leave shall be supported by a medical certificate.

In those instances where a medical certificate is required, the employee generally will have two days after returning to work to supply the certificate. The employee's refusal to comply may be grounds for denying sick leave and for charging the employee with vacation leave or leave without pay. Claiming sick leave when physically fit or other misuse of sick leave shall be cause for disciplinary action up to and including dismissal.

6-6.5. Reinstatement of Sick Leave upon Re-employment

Any regular full-time employee who separates from County service in good standing and is re-employed in a regular full-time position may have all previously earned sick leave credits reinstated.

6-6.6. Transfer of Sick Leave

Any member of the North Carolina Local Government Employees' Retirement System or the North Carolina State Employees' Retirement System who terminates his/her employment with another North Carolina governmental agency and/or entity and is hired within 3 years by Warren County as a probationary full-time employee may transfer his/her sick leave credit to Warren County according to the following provisions:

- An unlimited number of hours will be accepted.
- The total number of hours transferred will be added to the employee's record after completion of the standard 6 month County determined probationary period. (An extension of the probationary period may apply.)
- Verification of said accumulated sick leave must be received in writing from the previous jurisdiction.
- The transfer must be completed within 3 years of the employee's last work day with the previous agency/entity.

Section 6-7. Bereavement Leave

Any full-time and permanent part-time employee who has a death in his/her immediate family (as defined by this policy) may take up to 3 consecutive days of bereavement leave. For the purposes of this policy, an immediate family member is spouse, child, sibling, or parent.

If bereavement leave is not taken in any one fiscal year, it does NOT accumulate and carry forward into the next fiscal year. If additional time is required, the employee may use sick, vacation leave, or compensatory time, if available, subject to supervisory approval.

Verification of the family member's passing may be requested.

Section 6-8. Compensatory Time (Non-Exempt Employees)

Compensatory time will be accrued for all hours worked over the standard work period or approved alternative work period. Compensatory time is accrued for hours worked in excess of the standard work period of 37.5 hours at a rate of hour for hour up to 40 hours. Time accrued for any hours worked in excess of 40 hours within any work period will be calculated at a rate of time one half. See chart below:

Hours worked	Method of calculation	Title
37.6 to 40 hours	Hour for hour	Standard Compensatory Time
40 hours plus	Time and 1 half	Premium Compensatory Time

6-8.1. Eligibility for Compensatory Time

Each non-exempt regular or probationary full-time employee of Warren County shall receive compensatory time according to the Fair Labor Standards Act. Regular part time employees, probationary part-time employees and temporary employees (full or part-time) shall not receive compensatory time.

Exempt employees are designated by the County Manager in accordance with FLSA. Exempt employees may include certain executive, professional, and administrative employees. Exempt employees are eligible for compensatory time on an hour for hour basis regardless of the number of hours worked within a work week. This is a privilege granted by Warren County and is subject to change. Please refer to the Compensatory Time for Exempt Employees Policy located in the appendix.

6-8.2. Use of Compensatory Time

Compensatory time will be used before other forms of leave. Employees wishing to use accrued compensatory time must request it from their Supervisor. Use of such time will be allowed within a reasonable period following the request as long as the use does not unduly disrupt the operations of the County. Department Heads will be responsible for administering the compensatory policies by allowing employees to take accrued compensatory time in a timely manner so that compensatory hours will not accrue to excessive levels.

Employees are required to use compensatory time before using other forms of paid leave. Upon separation of employment, payment will be made for any compensatory time balances.

Employees approved to earn compensatory time must maintain a record of all hours worked and account for their full work period either in hours worked or leave taken.

All employees will be assigned a standard work period schedule when hired for employment. The defined work week for Warren County government, with the exception of certain employees of the Warren County Sheriff's Office and Emergency Medical Services Division, shall be the seven consecutive days beginning at 12:00 a.m. on Sunday morning and terminating at 11:59 p.m. the following Saturday night. Non-exempt employees shall not work more than 37.5 hours within a standard work week or more than 40 hours within an alternative work week without being compensated according to the provisions outlined in this section. Certain employees of the Warren County Sheriff's Office shall be subject to a 28 day standard work period. In determining the number of hours worked by an employee within a standard work period, time spent on vacation leave, sick leave, and holidays will not be counted as time worked.

Employees that work a flexible work week earn compensatory time off on an hour for hour basis.

Compensatory time should be taken within 3 months of the time it is earned. This provision applies to exempt and non-exempt employees.

The Warren County Finance Office shall maintain records regarding each employee's time worked and overtime records.

Section 6-9. Voluntary Shared Leave

It is the intent of this policy to allow one or more employee(s) to assist another employee by voluntarily donating leave in cases of extremely serious and prolonged health conditions where personal illness or injury requires the employee to be away from work to the point of exhausting all forms of paid leave.

Shared leave may not be utilized for incidental, normal, short-term or sporadic medical conditions such as colds, stomach viruses, flu, allergies, or similar conditions unless they require inpatient care or continuing treatment by a health care provider. Absences from work resulting from Worker's Compensation claims are also excluded. The County Manager, with input from the Human Resources Manager, shall have the final authority to make determinations on a case-by-case basis of when this policy may be applied.

Definitions

Health Condition - For the purposes of this policy, health condition pertains to the health condition of an employee, spouse or child that is likely to require an employee's absence from duty for a prolonged period of time. Health condition means an illness, injury or impairment, or physical or mental condition that involves any period of incapacity. The period of incapacity may be as a result of inpatient care due to, but not limited to, pregnancy; in connection with the treatment of a chronic condition such as asthma, diabetes, epilepsy; or that which is long-term or permanent in nature, such as cancer.

Prolonged Period of Time - A prolonged period of time is considered to be a minimum of 15 consecutive workdays.

Extremely Serious and Prolonged Health Conditions - Extremely serious and prolonged health conditions shall include, but are not limited to: conditions associated with life threatening injury or illness, serious complications arising from medically necessary surgery, or the treatment of chronic conditions such as asthma, diabetes, or epilepsy. Such extremely serious and prolonged health conditions also include treatment of conditions that are long-term or permanent in nature such as cancer or AIDS.

Health Care Provider - The following qualify as health care providers. This list is not exhaustive.

- Licensed doctors of medicine, optometry, ophthalmology, or podiatry;
- Clinical psychologists;
- Chiropractors (in certain cases);
- Nurse-midwives;
- Official Christian Science practitioners;
- Dentists;
- Nurse practitioners;
- Clinical social workers.

Spouse - Spouse means a husband, wife, or partner as defined or recognized under North Carolina state law for the purposes of marriage.

Child - Child means a biological, adopted, legal ward, or step or foster son or daughter. The child must be under the age of 18 or age 18 and older and incapable of self-care due to a mental or physical disability at the time that voluntary shared leave is requested. This term does not include sons or daughters "in-law."

Voluntary Shared Leave - Voluntary shared leave may be in the form of sick leave and vacation leave accrued to any regular full-time employee of Warren County Government.

Eligibility for Donated Leave

Regular full-time employees who have successfully completed their probationary period shall be eligible for consideration to receive voluntary shared leave. The employee must have exhausted all available forms of paid leave such as sick leave and vacation leave, as well as any accrued compensatory time before requesting consideration for receipt of voluntary shared leave.

Use of voluntary shared leave must be for the sickness or injury of the employee, spouse or child.

Sick leave or vacation leave may be voluntarily donated by full-time employees. After the donation, the donating employee must still have a minimum of forty (40) hours of sick leave if the donation is to be taken from the donating employee's accrued sick leave balance. After the donation, the donating employee must still have a minimum of forty (40) hours of vacation leave if the donation is to be taken from the donating employee's accrued vacation leave balance.

Guidelines:

1. Leave must be donated on an individual basis from one eligible employee to another eligible employee in accordance with the provisions of this policy.
2. The employee donating leave cannot receive any form of remuneration for the leave donated. Only sick leave and vacation leave can be donated.
3. Voluntary shared leave may not be used without prior written approval of the County Manager, or the Human Resources Manager with the approval of the County Manager.
4. If the recipient employee separates from employment due to resignation, termination, retirement, or death, participation in the program ends immediately, and the donated leave balance will be returned to the donor employee(s) whose donated leave has not been applied to the recipient employee's leave balance.
5. Leave can only be donated in whole day increments (7.5 or 8 hours).
6. Leave balances will be verified by the Human Resources Department in conjunction with the Finance Office.
7. Donated leave will be retained by the recipient employee until such time that it is applied to the recipient employee's approved period of absence resulting from his or her current, ongoing health condition. If the recipient employee separates from employment or dies while employed with Warren County, the remaining unused donated leave will revert to the donor employee(s) whose donated leave has not yet been applied to the recipient employee's leave balance.
8. Once leave is shared, it cannot be retracted by the donor employee. All approved and completed donations are final and will not be reassigned except as provided in Section 7 above.
9. Voluntary Shared Leave is NOT job protected leave and in no way conveys any guarantees above and beyond those provided by the Family and Medical Leave Act.
10. It shall be the County Manager's responsibility to review the facts of each request for Voluntary Shared Leave and to make a fair and impartial determination, with input from the Human Resources Manager,

regarding approval or denial of the request. If the request for Voluntary Shared Leave is denied, the employee may not file a grievance or appeal the determination, as the County Manager's decision is final.

Please refer to the unabridged policy in the appendix.

Section 6-10. Family and Medical Leave

Under the Family and Medical Leave Act of 1993 as amended (FMLA), eligible employees may be granted up to a total of 12 weeks of unpaid leave per 12-month period as determined below, for any of the following reasons:

A. The birth of employee's child and to care for the newborn child;
B. Placement with the employee of a child for adoption or foster;
C. Care for employee's parent (in-laws not included unless the in-law is the parent of a Covered Military Member},spouse, or child (under age 18, or age 18 or older and incapable of self-care because of a disability) with a serious health condition;
D. Serious health condition that renders employee unable to perform the job; or
E. Any qualifying exigency arising from the fact that employee's spouse, child, or parent is on, or has been notified of an impending call to covered active duty status in support of a contingency operation requiring deployment to a foreign country. The following reasons may constitute qualifying exigencies : short notice deployment; attendance at certain military programs related to active duty assignment; change in childcare obligations due to active duty assignment; attendance at counseling sessions that are needed as a result of an active duty assignment; short-term temporary rest and recuperation leave of a Covered Military Member during a time of deployment; attendance at certain other post-deployment activities; care for a military member's parent who is incapable of self-care when the care is necessitated by the Covered Military Member's covered active duty; and other activities as agreed by the company and employee.

Additionally, under the FMLA, eligible employees may be granted up to a total of 26 weeks of unpaid leave during a single 12-month period to care for a spouse, child, parent (in-laws not included}, or next of kin (nearest blood relative) who is a current member of the Armed Forces or covered veteran and has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, or has injuries or illnesses that existed before the beginning of the member's active duty which were aggravated by active duty in the Armed Forces, provided that such injury or illness renders the service member medically unfit to perform the duties of the service member's office, grade, rank or rating for which the service member is undergoing medical treatment, recuperation or therapy , or the service member is in outpatient status, or is on the temporary disability retired list. This type of leave is referred to in this policy as "Service Member Family Leave". During the single 12-month period in which Service Member Family Leave may be taken, eligible employees are limited to a combined total of 26 weeks of unpaid leave for any reason under the FMLA; however, no more than 12 of those weeks may be taken for non-Service Member Family Leave.

All qualifying leave will be administered in accordance with the FMLA as amended.

6-10.1. Eligible Employees

Eligible employees are employees with at least 12-months cumulative service with Warren County who have worked at least 1,250 hours during the preceding 12 months. To qualify for medical leave, the health condition or treatment(s) must be such that it requires the employee to be absent from work on a recurring basis for more than three (3) days for treatment or recovery. Anyone absent due to illness or injury for more than 3 consecutive days

(full days) must be evaluated for FMLA.

6-10.2. Leave Requests/Extensions

Employees requesting leave must obtain the appropriate forms from human resources and submit the completed forms no less than 30 days before the requested leave is to begin when the need for leave is foreseeable. In circumstances when 30-day's notice is not possible, then employees must provide notice as soon as practicable and in most cases must comply with Warren County's normal call-in procedures. If the leave is for planned medical treatment (whether for the employee or family member), employees must consult with Warren County in advance and make a reasonable effort to schedule the treatment so as to avoid any undue burden on Warren County or disruption to service delivery. Failure to provide proper notice in accordance with this provision may result in the delay or denial of FMLA leave.

Employees must provide sufficient information for Warren County to determine if the leave may qualify for FMLA protection, and the anticipated timing and duration of the leave. Employees must also inform Warren County if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees who fail to return to work upon the expiration of any approved period of FMLA leave will be subject to termination. Employees who cannot return to work at such time due to the continuation of circumstances must request an extension of the FMLA leave as soon as the need for the extension is known or in no event later than the expiration of the approved leave period.

6-10.3. Certifications

Upon request, employees requesting leave because of their own sickness or that of a parent, child, or spouse must provide medical certification or recertification from an appropriate healthcare provider. Employees requesting Service Member Family Leave because a spouse, child, parent, or next of kin has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, also must provide medical certification from an appropriate healthcare provider of the service member, or provide a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave. Employees must contact human resources to obtain certification forms.

Employees are responsible for paying for any certification or recertification. Warren County, at its own cost, may require a second or third opinion in the case of employee's own health condition or that of a parent, child or spouse. Upon request, employees must provide a physician's statement certifying their ability to return to work and perform the essential functions of their job. Failure to provide timely or complete certifications may result in denial of leave or return to work.

Upon request, employees requiring leave because a spouse, child, or parent is on, or has been notified of an impending call to, active duty in the Armed Forces in support of a contingency operation must provide a certification of such duty or call to duty, including a copy of the active duty orders or other military issued documentation.

6-10.4. Periodic Status Report

Upon request, employees on FMLA leave will be required to report periodically, as directed, on their status and

intention to return to work. Failure to report as directed may result in discontinuation of leave approval, denial of return to work or other disciplinary action, including termination.

6-10.5. Intermittent or Reduced Leave

Intermittent leave (leave taken in separate blocks of time) or reduced schedule leave (leave taken on a part-time basis) may be taken when medically necessary or in the case of Active Duty Leave or Service Member Family Leave. Upon request, employees must provide medical certification that intermittent or reduced schedule leave is medically necessary, the expected duration of the leave and, if the leave is necessary for planned medical treatment, the dates on which such treatment is expected and the duration of the medical treatment. Employees must make a reasonable effort to schedule leave for planned medical treatment so as not to unduly disrupt operations. Employee's taking such leave for planned medical treatment may be required to transfer temporarily to an alternative position with equivalent pay and benefits for the duration of the leave.

6-10.6. Newborn, Adoption, and Foster Care Leave

This leave must be completed within one year of the child's birth or placement and may not be taken on an intermittent or reduced schedule.

6-10.7. Spouses' Combined Leave

Employees who are married to one another are each entitled to 12 weeks of leave during the 12-month period if the leave is taken for: 1) birth of employee's child or to care for the newborn child; 2) placement with the employee of a child for adoption or foster care; or 3) care of the employee's parent with a serious health condition. If leave is taken to care for an ill child or spouse, each spouse is entitled to 12 total weeks of leave.

Employees who are married to one another are each entitled to 26 weeks of leave during the single 12-month period during which Service Member Family Leave may be taken if either Service Member Family Member Leave or a combination of Service Member Family Leave and FMLA leave for the birth, adoption or foster placement of a child or care for the child after birth or placement, or care of the employee's parent with a serious health condition, is taken.

6-10.8. FMLA Calculation Method

For the purpose of determining available FMLA leave for reasons other than Service Member Family Leave, the 12-month period during which employees may be eligible for FMLA leave will be calculated on a 12-month period measured backward from the date the FMLA leave is requested to begin.

For purposes of Service Member Family Leave, the single 12-month period during which the leave may be taken begins on the first day the eligible employee takes such leave to care for a covered service member and ends 12 months after that date.

For the purposes of determining available Service Member Family Leave, the 12-month period during which employees may be eligible will be calculated on a 12-month period measured forward from the date the employee's leave to care for the covered service member begins.

6-10.9. Substitution of Paid Leave

The employee may choose to substitute accrued paid leave when available (including sick leave, vacation leave, and compensatory time) for part or all of the unpaid leave, running FMLA with the paid leave concurrently. Compensatory time, if available, will be used first. Once exhausted, sick leave will be used. Vacation leave will be used next.

If the employee does not have a balance of compensatory time, and if both sick leave and vacation leave are exhausted prior to the end of the FMLA leave, the employee will go into an unpaid leave status.

6-10.10. Benefits Continuation

Employee benefits will continue during FMLA leave. Warren County will continue to pay the customary portions of the monthly premiums for the covered employee. Employees who have elected spouse, child, or family coverage or optional supplemental insurance must continue to pay those premiums in order to maintain the coverage. Human Resources will advise the employee of their respective premium amount(s) and due date(s).As long as the employee is receiving a paycheck, these amounts will continue to be automatically deducted; however, any employee in an unpaid status must pay the employee's elected coverage in the same manner and amount. Failure of the employee to pay his/her share of the premium will result in the suspension of coverage for health care benefits and the termination of coverage for any non-health care benefits for the period of non-payment. If the employee chooses not to return from leave, under certain circumstances, the employee may be required to repay Warren County's portion of the premium payment.

6-10.11. Reinstatement

Under most circumstances, employees who return to work immediately after the expiration of this leave and who do not exceed the amount of leave permitted under the FMLA will be reinstated to either the same or equivalent pay and benefits. Certain highly compensated employees are eligible for leave but are not guaranteed restoration to their position and may be denied reinstatement.

A physician's release may be required for the employee to return from leave.

6-10.12. Additional Information

Employees who desire to take Family and Medical leave should contact Human Resources for information concerning their eligibility for such leave under the FMLA of 1993, as amended. For more information regarding employee rights under the FMLA, employees may also refer to the U.S. Department of Labor's Notice to Employees of Rights under FMLA which is posted throughout our facilities and available in human resources.

6-10.13. Problem Resolution

It is the policy of Warren County not to discharge or discriminate against any employee exercising his/her rights under the Family and Medical Leave Act. Any employee that feels he/she has been treated unfairly should follow the Grievance Procedure detailed in this policy manual.

6-10.14. Military Exigency

"Military Exigency" is a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military service member (Reserve or National Guard) under a call or order to federal active duty in support of a contingency operation.

Qualifying events are:

- deployment of service member with 7 or fewer days' notice;
- military ceremonies and events such as family assistance or informational programs related to the family member's active duty or call to active duty;
- urgent, immediate childcare or arranging for alternative childcare for the children of service members;
- attending school or daycare meetings relating to the child of a service member;
- making financial or legal arrangements related to a family member's active duty status or call to active duty; or
- post-deployment activities for a period of 90 days after the termination of the service member's active duty status.

6-10.15. Military Caregiver Leave

An employee whose spouse, son, daughter, parent or next of kin is a current service member who is undergoing treatment, therapy, recuperation or outpatient treatment or has temporary disability retirement for injury or illness sustained in the line of duty, is eligible for 26 weeks of leave in a single 12 month period. During a single 12 month period, the employee is eligible for a total of 26 weeks of all types of FMLA leave.

If an employee is out on worker's compensation leave drawing temporary total disability, the time away from work is considered as Family Medical Leave.

Section 6-11. Leave Entitlement and Options

Under the FMLA, eligible employees are entitled to up to 12 work weeks of unpaid leave. This policy gives eligible employees the option of using paid vacation or sick leave, as appropriate, as well as unpaid leave, against the FMLA leave entitlement. Any use of leave as FMLA-designated leave, paid or unpaid, within the applicable 12-month period shall be deducted from the employee's FMLA leave entitlement. The method used in determining the 12-month period in which the employee is entitled to this leave is the 12-month period measured forward from the date an employee uses any FMLA leave. Under this method, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks that has not been used during the immediately preceding 12 months entitlement. Earned compensatory time, vacation leave, sick leave, or unpaid leave may be used for any of the "qualifying reasons" listed above.

A husband and wife who are both County employees are individually eligible for 12 weeks of FMLA leave during the applicable 12-month period for the birth or placement of a child for adoption or foster care, the care of the child after birth or placement, or for the care of a parent with a serious health condition.

Section 6-12. Intermittent or Reduced Work Schedule Leave

FMLA leave does not have to be taken as a continuous 12-week leave. An employee may request intermittent time off or a reduced work schedule in cases of a serious health condition of the employee or immediate family member, when medically necessary. Leave for the birth, adoption or foster care of a child does not qualify for an intermittent or reduced schedule leave unless the Human Resources Manager, Supervisor and employee agree otherwise.

Intermittent leave is taken in separate blocks of time because of a single illness or injury and may include leave for periods from an hour or more to several weeks. Examples of intermittent leave include leave taken on an occasional basis for medical appointments or leave taken several days at a time spread over a period of months, such as for chemotherapy. A reduced work schedule leave is a leave schedule that reduces an employee's usual number of hours per work week or work day, generally from full-time to part-time.

In those situations where intermittent leave or a reduced work schedule leave is approved, the hours missed from the employee's usual workweek will be charged against the FMLA 12-week entitlement on a pro rata basis. Intermittent leave example: If an employee who normally works five days a week takes off one day, the employee would have used 1/5 of a week of FMLA leave. Reduced work schedule leave examples: An employee who works half-days on a reduced schedule will have used 1/2 of a FMLA leave week; an employee who normally works 30 hours/week, but works a reduced schedule of 20 hours/week will have used 1/3 of a FMLA week.

When intermittent leave is foreseeable, the employee shall notify his/her immediate Supervisor or Department Head and attempt to schedule the leave so as not to unduly disrupt the department's operations. After consultation with the Human Resources Manager or designee, a Department Head may temporarily reassign an employee on an intermittent or reduced work schedule leave to an alternative position which better accommodates the recurring periods of leave.

The County may discipline or dismiss an employee on an intermittent or reduced work schedule leave for poor performance or for excessive absenteeism unrelated to the basis for the FMLA leave.

Furthermore, the County reserves the right to temporarily assign the employee to an equivalent position with equivalent benefits, pay, seniority, and other terms and conditions of employment if the new position better accommodates recurring periods of leave.

Exempt employees who use unpaid FMLA leave on an intermittent or reduced work schedule basis will have their salary reduced according to the hours of leave without pay used, without compromising their exempt status under the Fair Labor Standards Act.

Section 6-13. Employee Responsibility

Regardless of the reason for the FMLA leave or whether leave is paid or unpaid, the employee is responsible for properly requesting and using FMLA leave as follows:

- Inform the Department Head and Supervisor, if applicable, as soon as practicable of intent or need to use FMLA leave (at least 30 days prior if possible).
- Provide information about the reason(s) for FMLA for a determination of whether the leave would qualify as a deduction against the 12-week entitlement under the FMLA.

- Submit a completed Warren County Family Medical Leave Request form to the Department Head and/or Human Resources at least 30 days prior to leave if practicable.
- Provide the appropriate medical certification (or legal certification of adoption or foster child placement) as soon as practicable before taking the leave, considering the facts of the case, but no longer than 15 calendar days after receipt of FMLA leave information packet.
- Continue to timely pay premiums on voluntary health and dental insurance and optional benefits programs, if continued coverage during the leave is desired.
- Provide periodic reports to Supervisor, as instructed, regarding intent to return to work.
- Prior to returning to work provide a physician's note that states eligibility to return and date of return.
- Provide reasonable notice of a need to extend FMLA leave beyond the planned conclusion of such leave.
- Provide a fitness for duty certification prior to return to work, including limitations, if any, as required.

Leave Request Notice: It is expected that requests for leave are made well in advance of the leave; however, it is understood there will be some cases in which the request cannot be made in advance. Whether proper notice has been given will be decided on a case-by-case basis, following notice requirements prescribed in the FMLA. If the employee fails to give proper notice and has no reasonable excuse, the County may delay the leave. If the employee fails to provide notice that the leave was for FMLA reasons and to present medical certification to that effect within the prescribed time period, the employee may not be entitled to the protections of the FMLA and may be subject to disciplinary actions. If an absence which begins as other than FMLA leave later develops in to an FMLA qualifying absence, the entire portion of the leave period that qualifies under FMLA may be counted as FMLA leave.

Section 6-14. County Responsibility

It is the County's responsibility to evaluate an employee's absence of at least 3 full, consecutive calendar days for eligibility for Family and Medical leave. It is also the County's responsibility to designate leave as FMLA leave. This obligation supersedes an employee's desire not to use his or her FMLA entitlement. The key to designating FMLA leave is the qualifying reason(s), not the employee's decision or reluctance to use FMLA leave. The designation must be based on information obtained from the employee or an employee's representative. FMLA leave designation is a responsibility shared between the employee's department and the Human Resources Office, as follows:

The Supervisor/Department Head has responsibility for the following:

- Receive notice of employee's intent to use FMLA leave.
- Absent notice of intent, when an employee is on leave, after a period of 5work days, require the employee to provide sufficient information to establish whether the leave is for a FMLA-qualifying reason (unless the absence is known to be for a non-FMLA qualifying reason).
- Absent notice of intent, review time and attendance reports to identify potential FMLA situations and make contact with Human Resources.
- Consult immediately with the Human Resources Office about the application of the FMLA to the circumstances presented.
- Upon receipt of employee's notice, if applicable, give the employee the appropriate leave request forms and notice documents with instruction to timely return completed forms.
- Clearly communicate to the employee what the department's expectations for the employee's continuing contact or notice regarding return to work.

- Keep the Human Resources Office informed of any developments.
- Design intermittent or reduced work schedules if requested by the employee and if feasible.
- Work with the employee upon reinstatement to facilitate a smooth transition back into the work environment.

The Human Resources Department or designee has responsibility for the following:

- Upon receipt of employee's notice, if applicable, give the employee the appropriate leave request forms and notice documents with instruction to timely return completed forms.
- Receive notice of intent or leave request, medical certification and supporting documentation.
- Designate leave as FMLA leave once it is confirmed that the leave is being taken for a qualifying FMLA reason and give written notice of the designation to the employee in accordance the FMLA deadlines for such notice.
- Notify or ensure that the Supervisor/department director notifies, employee of specific rights, including those relating to the continuation of benefits and reinstatement, as well as employee obligations and the consequences of a failure to meet these obligations.
- Advise the Supervisor/department director on the application of the FMLA regulations to the employee's situation.
- Maintain records of FMLA usage and remaining entitlements.
- Assist the Supervisor/department director with arrangements for intermittent or reduced schedule, when required.
- Maintain postings about the FMLA in various locations throughout the County organization.
- Maintain all records related to the employee's leave under FMLA (keeping all medical documentation separate from the employee's personnel file).

Provisional Designation: Where leave must begin prior to confirmation of an FMLA qualifying event, the leave will be provisionally designated and so communicated to the employee in writing. Upon receipt of the requested information or medical certification which confirms that the leave either is or is not for an FMLA reason, the provisional designation will either be withdrawn or made final by providing written notice to the employee.

Retroactive Leave Designation: FMLA leave can be designated retroactively in only two (2) instances: if the employee was absent for an FMLA reason and the Supervisor did not learn of it until after the employee's return to work, provided the employee so notifies the Supervisor within two (2) working days of the return to work, or if the Supervisor has been provided information concerning the reason for the leave, but has been unable to confirm FMLA entitlement, provided a provisional designation of FMLA qualification has been communicated to the employee.

Section 6-15. Required Medical Certification

For leaves related to serious health conditions or child birth, the employee is required to provide medical certification(s) from the employee's or family member's qualified health care provider.

"Qualified health care provider" may be any licensed physician, dentist, podiatrist, clinical psychologist or optometrist authorized to practice in North Carolina. In some cases, other health care providers may be recognized for the purpose of awarding leave under the FMLA.

Re-certifications: The County may require medical re-certifications every thirty (30) days to justify the ongoing need for time off or modified work schedules.

Second and Third Medical Opinions: The County may require a second medical opinion at the County's expense. In the case of conflicting opinions, the opinion of a third health care provider, agreed upon by both employee and the Human Resources Manager or designee and paid by the County, shall be final.

Fitness for Duty/Return to Work Certification: For some job classifications, the County may require the employee obtain a fit-for-duty certification from the health care provider, at the employee's expense. If an employee fails to provide a requested such certification, reinstatement will be delayed until the employee complies. If the certification is not submitted within fifteen (15) calendar days of the request where practicable, reinstatement may be denied. The County reserves the right to have the employee examined by another health care provider, at the County's expense.

Certification of Treatment Scheduling: The employee must make reasonable efforts to schedule any medical treatments so as not to unduly disrupt the operations of the employee's department or work unit. During the course of the treatment and as the Human Resources Manager or designee deems appropriate, the employee may be required to provide certification from the appropriate health care provider of the unavailability of treatment during non-work time, or at times that are less disruptive to the operations of the employee's unit.

Family Relationship Certification: The County may require an employee to certify the family relationship if the need for leave is pursuant to the adoption, foster care placement, or birth of a child or to care for the employee's parent.

Section 6-16. Abuse of FMLA Leave

The Human Resources Manager or designee shall review, investigate and resolve suspected cases of bad faith, fraud or abuse of the FMLA leave program. Abuses of the FMLA leave program may result in, but are not limited to, revocation of the leave, refusal to restore the employee to his/her job; recovery of County costs for paid leave and insurance benefits, and disciplinary action up to and including dismissal.

Outside employment while on FMLA leave will be treated the same as when an employee is discovered to have outside employment while on any other paid or unpaid leave.

Section 6-17. Extension of Leave

Employees who fail to return to work upon the expiration of any approved period of FMLA leave will be subject to termination. Employees who cannot return to work at such time due to the continuation of the circumstances that necessitated the approved FMLA leave or the onset of other FMLA qualifying circumstances must request an extension of the FMLA leave as soon as the need for the extension is known or in no event later than the expiration of the approved leave period. If the total 12 weeks of leave allowed under FMLA have been exhausted, no extension of FMLA protection can be granted. However, in that instance, employees may request a medical leave of absence. That request will be submitted to the Department Head in writing. Supporting medical documentation from the health care provider should be submitted along with the request for the medical leave of absence. Failure to provide such documentation may result in the employee's leave being delayed, denied, or revoked.

The Department Head will review the information and will approve or deny the request within 5 business days of

receiving the request for extension. Any request for a medical leave of absence that exceeds 6 months must be forwarded to the County Manager for approval or denial. If the extension is approved, employees will not be subject to the same benefit and job protection as afforded them under the Family and Medical Leave Act of 1993, as amended.

Section 6-18. Failure to Return or Resignation Following Family and Medical Leave

Failure to report for duty at the expiration of the Family and Medical Leave period, unless an extension has been granted, shall be considered a resignation. If the employee does not intend to return to work, notice shall be given to the immediate Supervisor or Department Head as soon as intent to not return to work is determined, at which point the employment relationship will be considered terminated.

Section 6-19. Status of Benefits While on FMLA Leave

Before an employee leaves work due to FMLA, they must contact to the Human Resources Department to discuss their benefits and payment options.

Employees may retain coverage under the County's group health and dental insurance plans for the duration of FMLA leave. The County will continue to pay the employer portion of these insurance premiums. Employees using paid FMLA leave will continue to have their portion of the insurance premiums payroll-deducted. Employees using unpaid FMLA leave are responsible for payment of the employee portion of the insurance premiums under the same conditions which apply to employees in other types of leave without pay.

Non-health benefits (voluntary life insurance, AFLAC, Colonial, etc.) may also be continued during family and medical leave at the employee's expense. Payments of Benefits (health and voluntary) for employees and dependents are expected in a timely manner. The obligation to maintain health insurance coverage for an employee's dependents stops if an employee's premium payment is more than 30 days late. The County shall provide 15 days' notice that the coverage will cease. At the end of an employee's family and medical leave, all benefits will be resumed in the same manner and at the same levels provided when the leave began, and will be subject to any changes in benefit levels affecting the entire County work force that may have taken place during the period of leave. Upon return from leave, an employee will not be required to re-qualify for any benefits the employee enjoyed before leave began.

Continuation of retirement contributions is not mandated by the FMLA. All terms and conditions relevant to participation in the retirement system shall be in accordance with the rules established by the N. C. Local Governmental Employees' Retirement System or the N. C. Law Enforcement Officers' Retirement Fund.

Personal and sick leave accruals and retirement service credit will continue during any period of paid leave. However, no leave or retirement service credit will accrue during any period of leave without pay.

Section 6-20. Job Protection

Employees returning to work at the conclusion of FMLA leave will be restored to their former position, or one with similar pay, benefits and terms and conditions of employment they enjoyed prior to the FMLA leave.

If there are reductions in force while the employee is on FMLA leave, and the employee would have lost his/her

position if not on leave, except as provided under the reduction in force policy on reinstatement, there is no obligation to restore the employee to his/her former or equivalent position.

Section 6-21. Use of Available Compensatory Leave, Vacation Leave, Sick Leave, and Leave without Pay

A regular or probationary full-time employee may use all available compensatory time, sick leave, or vacation leave prior to taking leave without pay under FMLA. The County may count the amount of available leave time toward the employee's 12 week Family and Medical leave entitlement.

Vacation leave and sick leave will not be accrued during leave without pay. For calculation of seniority and/or determination of rate of accrual of leave any period without pay will be treated as continuous service.

Section 6-22. Record Keeping

Records and documents relating to medical certifications, recertification or medical histories of employees and/or employees' family members, created for purposes of Family and Medical Leave, shall be maintained as confidential medical records in separate files\records from the usual personnel files, and if Americans with Disabilities Act (ADA) is also applicable, such records shall be maintained in conformance with ADA confidentiality requirements, except that:

- Supervisors and managers may be informed regarding necessary restrictions on the work duties of an employee and necessary accommodations;
- First aid and safety personnel may be informed (when appropriate) if the employee's medical condition might require emergency treatment; or
- Government officials investigating compliance with FMLA (or other pertinent laws) shall be provided relevant information upon request.

Section 6-23. Leave Without Pay Policy

Regular full-time and part-time employees, working at least 1,040 hours annually, may request a leave of absence without pay for absence from work not covered by any other type of eligible paid leave, including personal or family illness, pregnancy and related conditions, or for special work that will permit Warren County to profit by the experience gained or the work performed so long as all other paid leave balances are exhausted.

Requests for leave without pay must be submitted in writing to the employee's Supervisor or Department Head. If the Department Head recommends approval, then the request will be forwarded to the Human Resources Manager who will forward the request to the County Manager for review. The following requirements apply:

- Leave may be granted to an employee for a period of up to six (6) months upon the approval of the County Manager.
- Accrued vacation, sick and compensatory leave must be exhausted prior to taking any leave without pay.
- An employee's vacation and sick leave accrual are suspended during the period of unpaid leave until the employee returns to work.
- Leave without pay will run concurrent with any eligible Family and Medical Leave.
- An employee who fails to report promptly at the end of the unpaid leave, unless otherwise prohibited by law

or regulation, is presumed to have resigned.

Employees granted leave without pay are responsible for paying all benefit plan premiums, including the employee's portion, during the period of leave without pay. Failure of the employee to pay any required benefit plan premium timely will result in termination of the benefit due to non-payment of premium.

When a period of leave without pay ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position of the same classification, seniority, and pay.

6-23.1 Effect on Benefits

Employees on leave without pay will not accrue vacation leave or sick leave. They also will not receive holiday pay.

The evaluation of an employee who is on leave without pay since their last evaluation will be delayed the amount of time the employee is out.

Section 6-24. Military Leave

Employees who are members of the National Guard or Armed Forces Reserve will be allowed 2 calendar weeks for a total of 14 days of military training leave annually. This leave is with full pay.

Employees who are required to attend inactive duty training (weekend duty) may be granted accrued vacation leave or unpaid leave for assignments requiring their absence from their position on Friday afternoon.

If such military duty is required beyond the 2 calendar weeks annual training period provided hereby, the employee will be eligible to take accumulated vacation leave or be placed in a leave without pay status. While taking military leave with partial pay or without pay, the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the County during this period.

Employees who are Guardspersons and/or Reservists have all job rights specified in the Veterans Readjustment Assistance Act and The Uniformed Services Employment and Reemployment Act (USERRA).

Employees are required to provide copies of official orders for all periods of active duty training to Human Resources prior to leaving unless doing so poses a security risk.

Section 6-25. Civil Leave (Jury Duty)

Warren County recognizes that jury duty is a civic responsibility. Civil leave will be granted during regularly scheduled working hours to regular (and probationary) employees who are summoned to attend court as a juror or witness, except when involved in personal litigation. In no case will your employment be affected if you perform jury duty. On rare occasions when the summons to jury duty occurs at a time when the County might experience a significant impact on citizens or staffing from the loss of the employee to jury duty, a County representative may write a letter to the court requesting the postponement of the employee's jury duty.

The employee shall be entitled to all fees or travel allowances received for jury or witness duty. The employee must submit documentation verifying jury duty with the date and time of attendance to his/her Department Head.

Employees must provide a copy of the jury duty summons to Human Resources and the employee's Supervisor within one day of receiving the summons and proof of service each day served.

- If you report for jury duty and are dismissed, you are expected to report for work for the remainder of each day on which this occurs.
- If you call and are advised not to report to the court on any day of the jury duty, you are required to report to work.
- Jury duty pay may be retained by the employee. Employees who are on Jury Duty and are scheduled for work on night shifts the same workday shall be protected from loss of pay for the entire twenty-four (24) hour period. The employee must notify the Supervisor of the date and time of the appearance, provide a copy of the respective subpoena, and return to work immediately after release from court and submit proof of appearance to the Supervisor upon completion of such service.

When a County employee attends court in connection with his/her official duties, no leave is required. However, any employee required to serve as a witness as a result of his or her official duties must remit to the County any witness fees ordered paid by the court. The County compensates employees for travel, room and board, and special expenses incurred while serving as witnesses in connection with their official duties.

While on civil leave, benefits and leave shall accrue as though on regular duty.

Section 6-26. Workers' Compensation Leave

The purpose of Workers' Compensation is to provide the County's benefits for those employees injured on the job as a result of a compensable accident who will lose time from work.

Workers' compensation is provided by statute to all County employees. It is regulated by the North Carolina Industrial Commission. Workers' Compensation provides payment of medical expenses and two-thirds (2/3) of weekly loss of earnings up to a maximum established yearly by the Commission. The burden of proof is on the employee to establish as fact that he/she suffered an injury by accident and that it arose out of and in the course of County employment. Some occupational diseases are recognized as long as the disease is due to causes and conditions characteristic to the employment.

It is the responsibility of the employee to immediately report to his/her Supervisor or Department Head any injury or illness as described above. This information must then be reported immediately to the County Manager's Office and appropriate paperwork completed. All medical treatment must be approved by the workers' compensation insurance administrator. In case of an emergency, the employee should be transported immediately to the nearest emergency medical facility. The employee's Supervisor or Department Head shall contact the emergency facility with instructions on submitting the medical records and charges.

6-26.1. Compensation

The employee and Department Head must contact the County Manager's Office immediately. The Workers' Compensation Administrator will complete a Notification of Potential Workers' Compensation/FMLA form and forward it to the Finance Office. The Department Head must submit a Status Sheet placing the employee on Workers' Compensation leave and reinstating the employee as appropriate.

The Workers' Compensation Act provides that no compensation will be due to injured employees for the first 7 calendar days away from work, unless subsequent leave exceeds 21 calendar days. No compensation will be paid for time away from work without authorization by the approved treating physician.

Workers' Compensation pays up to two-thirds (2/3) of average weekly wages as established at the time of injury.

The employee is not required to pay any medical charges on the approved workers' compensation claim. All payments made on a compensable claim must be approved by the Industrial Commission. All medical charges must be submitted to the Administrator for payment on the proper forms approved by the Commission.

Leave on the Day of Injury – No leave is charged on the day of the injury if the treating physician instructs the employee not to return to work; otherwise the employee is expected to return to work. If the employee is not to return to work, he/she shall:

- obtain a written statement from the physician indicating that the employee must not return to work and
- present the statement to the Supervisor as soon as possible.

An employee may take leave without pay for the entire period of disability, and receive any workers' compensation benefits to which he/she is entitled. If the absence is expected to extend beyond 21 calendar days, the employee must go immediately into leave without pay status and begin receiving workers' compensation benefits on day 1.

An employee with a workers' compensation injury/illness that is not expected to extend beyond 21 calendar days shall be permitted to use available paid sick and/or vacation leave. Once the employee begins receiving workers' compensation pay, he/she must endorse these checks and turn the duplicate compensation over to the County. Under no condition is the employee entitled to more than 100% of his/her regular salary. The employee's leave credits will be reinstated on a pro rata amount based upon the amount of the Workers' Compensation check in relation to the employee's regular salary.

6-26.2. Definitions

Accident: An unplanned event that results in personal injury or property damage. An accident results in an interruption in the normal work routine caused by said accident.

Compensation: The monetary relief for loss of wages due to work related injury; also, payment for disability ratings given when disabling injuries occur. Types of compensation paid to employees covered by the Act are:

- compensation for disability dependent upon extent of injury;
- compensation in stipulated amounts for loss of some part of the body;

- compensation for death;
- compensation for bodily disfigurement.

Disability: Incapacity because of an accidental injury to earn wages which the employee was receiving at the time of the injury in the same or any other employment. The types of disability are:

- **Permanent Partial Disability** - Any injury which results in the complete loss or loss of use of any member or part of the body. A disability rating, stated in percentage, is given by the treating physician when the employee has reached maximum medical improvement.
- **Permanent Total Disability** - Any injury other than death which results in the complete and permanent total incapacity of the employee from following any gainful occupation.
- **Temporary Partial Disability** - Any injury or disability which renders the employee able to work but at a lesser rate of earnings than that of his average weekly wage of his occupation at the time of the accident.
- **Temporary Total Disability** - Any disability which renders the injured employee unable to perform a regularly established job on one or more calendar days following the day of injury.

First Aid Treatment: One-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, etc., which do not ordinarily require medical care.

Injury: Injury and personal injury shall mean only those injuries caused by accident arising out of and in the course of the employment. With respect to back injuries and hernias, however, injury shall mean those which arise out of and in the course of the work assigned resulting directly from a specific traumatic incident.

Lost Workday: Any day for which the employee is unable to earn or is not paid a full day's wage as a result of the injury or illness. These days are counted on a calendar basis and are used to determine when an employee may begin to draw compensation.

The Workers' Compensation law provides medical benefits and disability compensation including a weekly compensation benefit for time lost. The weekly benefit is equal to 66 and 2/3% of the employee's average weekly earnings up to a maximum established by the Industrial Commission each year. When an employee is injured, he/she must go on workers' compensation leave and receive workers' compensation weekly benefits after the waiting period required by statute (G.S. 97-28).

All Warren County Government employees are covered under the Workers' Compensation Program. It also includes all County elected officials. It covers Full-Time employees, part time employees, and temporary employees.

The law provides medical and disability compensation including a weekly compensation benefit for time lost from work which is 66 and 2/3% of the employee's average weekly wage up to a maximum established annually by the North Carolina Industrial Commission. There is a 7 calendar day waiting period where no compensation for lost time will be allowed. During this time, employees may elect to go on leave without pay or use any sick or annual/vacation leave accrued prior to the injury.

An employee who is injured on the job or contracts an occupational disease as defined in the Workers' Compensation Act must notify his or her Supervisor immediately and complete the proper forms as soon as possible. An explanation of workers' compensation coverage, including the employees' entitlements, rights and duties may be found in the Warren County Local Government Workers' Compensation Employee Handbook, a copy of which may be obtained from the County's Workers' Compensation Administrator or from your Department Head.

The Supervisor/Department Head has the responsibility of ensuring that the employee receives medical treatment immediately and notifying the agency Workers' Compensation Administrator, or designee, as soon as possible in order to begin the process of administering the claim. The Supervisor should be aware of where to direct the employee for medical treatment (unless it is a life threatening emergency). The County's Workers' Compensation Administrator will provide the names of the selected physicians/facilities. The following are the primary responsibilities typically carried out by the agency Workers' Compensation Administrator:

- Administer an effective and efficient Workers' Compensation program.
- Effectively communicate Workers' Compensation policy and procedures to all employees.
- Facilitate good employee relations with respect to Workers' Compensation claims.
- Maintain a thorough working knowledge of the Workers' Compensation Act and Industrial Commission rules, regulations, and procedures.
- Assure that injury notices are received from Supervisors/Department Heads in a timely manner.
- Ensure completion of appropriate/required forms.
- Coordinate Workers' Compensation claims accident investigations with the Supervisor, Safety Officer, and workers' compensation carrier when applicable.
- Coordinate pay for all employees that are involved in a Workers' Compensation claim.
- Develop and administer an effective return-to-work program.
- Coordinate department participation of Industrial Commission hearings when necessary.
- Assure accurate salary continuation of employees involved in Workers' Compensation cases, where applicable.

6-26.3. Smallpox Policy Requirements

On June 12, 2003, the State of North Carolina passed Session Law 2003-169- Adverse Reactions to Smallpox Vaccination. As a result, Workers' Compensation benefits now specifically include infection with smallpox, infection with Variola (the virus in smallpox), or any adverse medical reaction when the infection or adverse reaction is due to the employee receiving an employment vaccination against smallpox, as an occupational disease for purposes of Workers' Compensation Leave. This policy provision applies only to employees who receive an employment vaccination against smallpox pursuant to the Homeland Security Act and the National Smallpox Vaccination Program.

If an employee participates in the above program to take the vaccine and as a result of taking that vaccine becomes ill, such that absence from work is required, the employee shall be granted additional paid sick leave days for such absence, up to 7 days, to cover the waiting period under the Workers' Compensation Act.

Should an employee contract Variola (the virus in the smallpox vaccine) by living in the same house as someone who has been vaccinated as part of the program, such employee shall be permitted to use available paid sick and/or vacation leave for any time away from work. No additional time will be provided.

If the injury results in a period of disability which causes the Workers' Compensation weekly benefits to be allowed retroactively to the date of the disability, the amount of compensation paid by the Plan Administrator for the first seven days shall be deducted from the employee's future County salary.

Temporary employees and part-time employees will go directly to leave without pay status and will receive all benefits for which they are eligible under the Workers' Compensation Act.

6-26.4. Effect on Benefits

The employee or an immediate family member must contact the Finance Office within five (5) business days from the injury to discuss the benefit payment option. Failure to comply with this requirement may cause benefits to be terminated.

An employee in a leave without pay status due to Worker's Compensation shall retain all sick and vacation leave while receiving workers' compensation benefits. Vacation and Sick leave does not continue to accrue while out on leave.
Upon reinstatement, an employee's salary will be computed on the basis of the last salary plus any salary increase to which the employee would have been entitled during the absence covered by the workers' compensation benefits.

Individual health and life insurance provided for the employee by the County during regular pay status will be provided while on workers' compensation leave. Dependent insurance and voluntary benefits may be continued at the employee's expense.

Warren County personnel policies shall continue to apply to an employee on workers' compensation leave in the same manner as they would apply to any employee who continues to work, or is absent while on some other form of leave.

While on workers' compensation leave, an employee does not receive retirement credits.

6-26.5. Procedures for Reporting Mishaps/Incidents/Injury

To ensure compliance with state and federal workers' compensation and injury/illness record keeping regulations, we have updated our mishap reporting procedures. It is essential that we receive these reports in a complete and timely manner to file employee's workers' compensation as well as complete OSHA 301 records. It is also critical to the County safety program that employees report all mishaps regardless of injury or damage, as this assists us in identifying potential hazards, unsafe work practices and unsafe behaviors. If we can identify and mitigate or abate these hazards, we can reduce costly and injury producing mishaps.

Department Heads and Supervisors should encourage reporting of mishaps and identify hazards to help create a safety oriented work environment.

For any mishap/incident that involves employee injury, potential injury or damage to County property;

The employee shall:

- Seek medical attention immediately if needed;
- Notify Supervisor/Department Head immediately;
- Complete the "Employee's Report of Injury" form and return to Supervisor within 24 hours of the incident;
- Complete Form 18, North Carolina Industrial Commission Notice of Accident to Employer and Claim of Employee, Representative, or Dependent (not required).

The Supervisor/Department Head shall:

- Notify the County Safety Officer within 24 hours;
- Notify the Workers' Compensation Administrator within 24 hours;
- Ensure completeness of "Employee's Report of Injury" form;
- Complete Supervisor's Investigation Report, and request assistance from Safety Officer or Workers' Compensation Administrator if needed;
- Forward the "Employee's Report of Injury" form and Supervisors Investigation Report to the Workers' Compensation Administrator within 24 hours of incident.

NOTE: All hospital or physician bills resulting from injury to an employee shall be directed to the Warren County Manager's Office. These bills are not to be mailed to the employees' department or their home address.

Section 6-27. Warren County Return-to-Work Policy

It is Warren County's goal to return employees to work who have an on-the-job injury or illness as soon as they are medically able to return. To do so is in the best interest of the employee and Warren County. This program is designed to raise the consciousness of everyone as to the need to provide transitional duty to injured/ill employees, and the benefits that can come from such a program for all involved. This Return-To-Work (RTW) Program promotes rehabilitation and enhances the recovery process of employees experiencing work-related injuries or illnesses, while maximizing productivity and controlling related expenditures. This Return-To-Work Program will also foster compliance with the Americans with Disabilities Act and associated

guidelines. This will be accomplished through a partnership including the injured employee, medical providers, and a multi-disciplined team of key County personnel working together toward the common goal of expediting the employee's return to physical and psychological well-being.

The goals of the program are to:

- fulfill our moral, ethical and legal responsibilities to Warren County employees,
- create positive workplace morale through communication and support for the injured worker;
- minimize the potential for re-injury or permanent disability;
- reduce medical and disability costs to Warren County; and
- increase productivity by decreasing lost work time.

As such, our primary goal is to return employees, to the extent feasible, to their regular job. Where the employee faces temporary medical restrictions, Warren County will, if feasible, modify the employee's regular job or, if necessary, place the employee on another productive job. It is the County's goal to work with employees to get them back to work in their regular job as quickly as possible. If an employee is injured while working for Warren County, it is the employee's responsibility to report the injury **immediately** to the employee's Supervisor and follow the return to work program following this policy.

A determination will be made by the Workers' Compensation Administrator and Department Head as to whether or not a modified duty work assignment that is consistent with the treating physician's work release can be provided.

- All work provided will be consistent with the treating physician's recommendations and will not exceed the limitations set by the treating physician. The employee agrees not to work beyond his/her physical limitations and will immediately bring any such assignment to the attention of the Workers' Compensation Administrator.
- While in the Modified Duty Program, the employee will dress in the appropriate attire for the modified duty work environment.

When feasible, every effort will be made to accommodate the needs of the employee by modifying his/her present work setting. However, work availability may make it necessary to transfer an employee from one job function to another. Pay will be at the rate of the employee's appointed position classification. It is the option of Warren County to change regular days off and work hours while in the Modified Duty Program. If a modified duty position is offered, but the employee, for personal reasons, is unable to work the new shift, or refuses the position, the Supervisor & Human Resources Manager must meet with the employee in order to discuss the options.

- If an employee is unable to report to work for personal reasons, he/she must call and report to the Workers' Compensation Administrator who will notify the Department Head and Supervisor of the employee's status.
- If the employee's medical status changes, it must be reported immediately to the Workers' Compensation Administrator. All changes in medical status must be reviewed by the Coordinator for assessment of restrictions.

When an injured/ill employee is released to participate in the modified duty program, he/she does not have the

option to substitute paid sick leave because he/she does not personally feel ready to perform modified duty. When employees are released to their regular job duties, the information will be provided to the Workers' Compensation Administrator for distribution and to facilitate placement of the vacant modified duty position.

6-27.1. Return to Work Basic Procedures - In Case Of On-The-Job Injury

The following procedures are to be followed in the event of a job-related injury or illness that results in time away from work for the injured/ill employee.

1. An employee who is injured at work must *immediately* report the incident to his/her immediate Supervisor.

2. The Supervisor must:

- Obtain immediate appropriate medical attention for the injured worker;
- Follow the requirements for reporting job-related injuries and illnesses; and
- Complete an incident investigation report.

3. When an injured employee is unable to return to work on the day following the injury, the Supervisor is responsible for notifying the Department Head and the Workers' Compensation Administrator. The Workers' Compensation Administrator will review information about the case with the Supervisor including information received from the doctor. The Workers' Compensation Administrator, Supervisor, and Department Head will decide jointly if appropriate work is available that accommodates the injured employee's medical restrictions.

4. If modified duty work is not available in the injured employee's Department, the Workers' Compensation Administrator will determine if appropriate work meeting the employee's medical restrictions is available in other Departments. The Workers' Compensation Administrator is responsible for facilitating discussions among Department Heads to assure placement of injured workers in modified positions to the extent feasible.

5. The injured worker is responsible for following medical instructions on and off the job.

6. Following an injured worker's return to work, the Supervisor and the Workers' Compensation Administrator will monitor the injured worker's progress to assure that restrictions are carefully followed and to assist in resolving any difficulties. The injured worker must immediately report any difficulties with performing assigned work. The Supervisor and RTW Coordinator will work with the injured employee and the medical community to determine the appropriate course of action in resolving any problems.

7. No permanent jobs will be created to accommodate a disability from a work related injury.

8. Modified Duty Program assignments will be for no longer than two weeks without medical review. Modified duty can extend up to ninety days. Extensions up to an additional ninety days will be allowed only with physician recommendation and monitoring on a

fifteen to twenty day cycle.

9. While in the Modified Duty Program, a status review involving management and the employee will be performed at two-week intervals or as deemed necessary by the Workers' Compensation Administrator. The status review will take into account the employee's medical condition and restrictions, the availability of suitable work, and any other pertinent information in determining whether the modified duty assignment will be continued for another two-week period.

10. The Workers' Compensation Administrator is responsible for scheduling and tracking management and medical reviews.

11. Employees may be required to move from one modified duty assignment to another if his/her health status changes or if an assignment is completed prior to recovery.

12. All employees will abide by the work/safety rules at the location of the modified duty assignment.

6-27.2. Prompt Reporting Is Essential

Early recovery from injury has been shown to be closely related to early application of effective medical treatment. This requires immediate notification of any injury—however slight. It is the policy of Warren County that all on-the-job injuries by every employee be immediately reported to the Workers' Compensation Administrator. Failure to give the company immediate notice of a job-related injury would be a serious violation of County policy.

Upon notification, you will be assisted in obtaining immediate and occupationally specialized medical treatment at no charge to you. Tell the physician: the injury is work-related and the name of your employer.

Section 6-28. Fraud

All reported injuries will be treated as legitimate unless a routine investigation reveals otherwise. You should be aware that Workers' Compensation fraud carries a jail sentence and a fine and is not tolerated by Warren County. When fraud forces Workers' Compensation costs to rise, there is less money for other employee benefits. If you suspect fraud, please report it to the Workers' Compensation Administrator.

Section 6-29. Educational Involvement Leave

Warren County wishes to encourage its employees to become involved in supporting student education in Warren County. The purpose of this policy is to encourage Warren County employees to support students and educators in the school system through the use of voluntary paid educational involvement leave. Please refer to the unabridged policy located in the appendix of this manual.

6-30. Educational Leave

A leave of absence at full or partial pay for a period not to exceed 60 days may be granted upon the recommendation of the Department Head and with the approval of the County Manager to take courses of study which will better equip the employee to perform his/her duties for Warren County. In order for the employee to be

in pay status, he/she must use accrued vacation leave or compensatory time. A leave of absence at full or partial pay for a period not to exceed 1 year may be granted upon the recommendation of the Department Head and County Manager with the approval of the Board of County Commissioners. This form of leave is not meant to allow an employee to obtain a degree.

Employees granted education leave and pay, shall agree to return to the service of Warren County upon completion of their training and remain in the County's employ for a period equal to twice the educational leave or reimburse the County for all compensation received while on educational leave. As part of the employee's agreement, the employee shall be required to execute a written contract and confession of judgment entitling the County to reimbursement by law should the employee fail to return to County service or fail to remain in service with the County for the agreed-upon period of time.

Warren County wishes to encourage its employees to take courses to enhance their job knowledge. A regular Full-Time employee may be granted educational leave during working hours to attend an academic or technical course which will better equip the employee to perform his/her assigned duties. The course must be offered by an accredited college, university, technical institute, community college, or trade school.

An employee may be granted leave for one course at a time, and not more than two courses per calendar year.

Educational Leave will be reviewed each semester by the Department Head with a recommendation to the County designee. An employee on approved educational leave will be expected to work, as normally scheduled, when not in class or performing school related functions.

An employee on approved educational leave with full pay shall continue to earn leave credits and any other benefits to which County employees are entitled. An employee on approved educational leave with partial pay shall earn prorated leave credits.

6-31. In-Service Training

A regular or probationary Full-Time employee authorized by his/her Department Head to enroll and attend a training seminar or workshop, or achieve certification in his/her field shall be considered in regular pay status. All expenses related to such training shall be covered by the County. Any travel expenses associated with such training shall be reimbursed in accordance with the County's travel policy.

6-32. Conference Attendance

A regular or probationary employee may attend professional conferences, workshops, or meetings directly related to the employee's field of work.

Requests for conference attendance shall be approved by the employee's Department Head. The County Manager shall approve Department Head requests for conference attendance.

The County shall reimburse the employee for approved fees and related expenses of the conference.

Section 6-33. Unauthorized Leave

All employees must receive prior authorization for leave. In cases of illness or emergency, the employee shall

notify his/her immediate Supervisor or Department Head as soon as possible but within 2 hours of the beginning of the work day. Failure to do so without good reason shall be cause for disapproval of leave for which the employee might have been eligible and may be cause for disciplinary action.

An employee who is absent from duty for three consecutive days without notification to the immediate Supervisor or Department Head shall be considered to have resigned, unless failure to notify was beyond the employee's control. The County Manager shall have final authority for determination of employee status.

ARTICLE VII—EMPLOYEE BENEFITS

Section 7-1. Insurance Benefits

Warren County provides individual health, dental, life and accidental death and dismemberment insurance to all full-time regular employees and full-time probationary employees. The County pays the full cost of the insurance coverage premiums for the individual employee only. Employees may choose to provide dependent health, dental and life coverage in accordance with the insurance contract. However, all premiums for dependent insurance coverage are paid 100% by the employee. Any employee may refuse health and dental coverage but will not receive compensation in lieu of such refusal.

Employees shall be enrolled in the insurance programs in accordance with the provisions of the insurance contracts. Coverage, deductibles, benefits, etc. are outlined in the employee insurance handbook available from the Warren County Human Resources Department.

Coverage shall start on the first of the month following the first day of employment. However, employees must opt to allow payroll deductions for any dependent premium/s due.

Employees who terminate their employment during any given month will be removed from the insurance plan (including any dependent coverage) at 12:01 a.m. on the last day of the month in which their employment ends. These employees will be entitled to Consolidated Omnibus Budget Recovery Act (COBRA) coverage as provided by law. Contact the Human Resources Manager for more information.

Section 7-2. Retirement Benefits

Each regular or probationary employee (full or part-time) working a minimum of 1,000 hours per year will be enrolled in the North Carolina Local Government Employees
Retirement System.

Employees contribute through payroll deduction the required percentage (6%) of their gross salary each month to the system. The County contributes an actuarially determined percentage of the gross payroll each month to the retirement system.

Monthly payments at retirement are based on salary, age, and years of credit. Retirement benefits, payment options, death benefits, transfer to other local state agencies, and other provisions of the retirement system are outlined in the North Carolina Local Government Employees' Retirement System Handbook and the North Carolina Local Government Employees' Retirement System Handbook for Law Enforcement Officers available at the Warren County Human Resources Department.

Unused accumulated sick leave hours will transfer to the Retirement System at the time of retirement. These hours will be used to add additional service time for employees. Please see the North Carolina Local Government Employees' Retirement System Handbook for more details.

The Retirement System also pays a death benefit for employees. See
https://www.nctreasurer.com/ret/Benefits%20Handbooks/LGERShandbook.pdf for more details.

Section 7-3. Supplemental Retirement Income Plan

These plans are designed to supplement the employee's retirement income by allowing the employee to contribute by payroll deduction to a supplemental retirement income plan.

All employees who are members of the Local Government Employees Retirement System may voluntarily participate in the North Carolina Supplemental Retirement Income Plan 401(k).

All sworn law enforcement officers automatically become members of the Supplemental Retirement Income Plan for Law Enforcement Offices when hired for County employment. Under this plan, the County contributes 5% of each officer's salary to a North Carolina 401(k) retirement plan for each officer.

Section 7-4. Law Enforcement Officers' Special Separation Allowance

The County will provide a special separation allowance to qualified officers who retire early or leave service early. The officers must have completed:

- 30 years or more of creditable service;
- have attained 55 years of age and completed 5 or more years of creditable service,
- must not yet be age 62 or;
- must have completed at least 5 years of continuous service as a law enforcement officer immediately before service retirement.

Payment of the separation allowance will cease if the officer reaches ages 62, dies, or is reemployed in any capacity by the State of North Carolina or any of its political subdivisions.

The officer must complete and sign an annual affidavit stating that they are not re-employed in any capacity in violation of the requirements of this policy.

Section 7-5. Pre-65 Retiree Health Insurance Benefits

It is the desire of the Warren County Board of Commissioners to offer Warren County retirees and County Commissioners meeting the eligibility requirements outlined below the option to participate in Health/Dental benefits after retirement through Warren County's Group Benefits Plan.

Eligibility Requirements

1. Retirees must have at least 20 years of continuous employment with Warren County Government and be at least 60 years of age at retirement, or have at least 30 years of creditable service in the Local/State Government Retirement System with at least 20 years of continuous employment with Warren County Government and be at least 55 years of age at retirement to be eligible for this benefit.

2. Retirees meeting the years of employment requirements, but who do not meet the age requirements set forth in Section 1 will be eligible to enroll in the County's Group Benefits Insurance Plan upon

reaching the required age.

3. County Commissioners must have served a minimum of 3 consecutive terms (12 years) on the Warren County Board of Commissioners and be at least 60 years of age to be eligible for this benefit.

4. Retirees and County Commissioners will pay 100% of the premiums for health and dental insurance based on the County's group insurance rates.

5. Health and dental benefits through the County's Group Benefits Plan will be available to eligible retirees and County Commissioners up to age 65. Coverage terminates upon reaching age 65 and becoming eligible for Medicare.

Section 7-6. Death Benefit

Under the Local Government Retirement System, if an employee dies while still in active service or within 180 days of the last day of service, a lump-sum payment equal to the employee's highest 12 consecutive months' of salary during the preceding 24 months before death will be payable, provided the member has completed one year of contributing membership services. The payment will be no less than $25, 000 but no more than $50,000.

The employee may also be eligible for County-provided Accidental Death and Dismemberment Insurance, a benefit equal to $20,000.

Section 7-7. Credit Union

Membership in the Local Government Employees Credit Union is open to all general County employees and their family members for various loan services, checking, and savings accounts.

Section 7-8. Direct Deposit

It is mandatory that full-time employees have payroll checks directly deposited into the bank account of their choice.

Section 7-9. Pre-tax Premium Plan

Section 125 of the Internal Revenue Code allows employees to spend pre-tax dollars on insurance premiums and deductibles, and uncovered health expenses. The employee's taxable income is less and take home pay is increased.

ARTICLE VIII — RECRUITMENT AND SELECTION

Section 8-1. Statement of Equal Employment Opportunity

Warren County is an equal opportunity employer. In accordance with anti-discrimination laws, it is the purpose of this policy to effectuate these principles and mandates. It is the policy of Warren County to maintain a systematic, consistent recruitment program to promote equal employment opportunities, and to identify and attract the most qualified applicants for County employment. Warren County prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, national origin, age, disability, political affiliation, or genetic information. County employees are treated equitably without regard to non-merit factors throughout their employment.

Warren County's policy of equal employment opportunity and anti-discrimination applies to all aspects of the relationship between Warren County and its employees, including:

- recruitment and selection of new employees of the County;
- selection of employees for promotion, training, transfer, demotion, and/or reduction-in-force;
- administration of disciplinary policies or termination for cause;
- working conditions;
- wages and salary administration.

The policies and principles of equal employment opportunity shall also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and/or any other persons or firms doing business for or with Warren County.

Section 8-2. Americans with Disabilities Act and Genetic Information Nondiscrimination Act

It is the policy of the County to comply with the relevant and applicable provisions of the Americans with Disabilities Act (ADA), the Americans with Disabilities Act Amendments Act (ADAAA), and the Genetic Information Nondiscrimination Act (GINA). The County will not discriminate against any qualified employee or applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability as defined by the ADA, ADAAA, or GINA. The County will also make reasonable accommodations wherever necessary for any employee or applicant with a disability, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense.

Section 8-3. Age Discrimination in Employment Act (ADEA)

Equal employment opportunity as to age applies only to persons who are age 40 or over. State and Federal laws forbid employment discrimination on the basis of age for these persons. It is unlawful "to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his/her compensation, terms, or privileges of employment, because of such individual's age". Warren County shall abide by the ADEA.

Section 8-4. Bona Fide Occupational Qualifications (BFOQ)

Under the bona fide occupational qualification (BFOQ) exception in Title VII, an employer may discriminate on the basis of age, religion, sex, or national origin in those certain instances where age, religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise, and such qualification/s affects the employee's ability to do the job. However, such discrimination will come under the utmost scrutiny to be certain it conforms to the law's exception.

Section 8-5. Vacant Positions

Vacancies may be posted internally or externally. Vacant positions must remain open for receipt of applications for at least seven business days from the date the vacancy is announced by the relevant department. The Department Head may require the position to remain open until a sufficient number of qualified applicants are identified.

A vacant position may be filled by:

- promoting an eligible employee within the County,
- re-assigning a qualified employee within the County, or
- selecting a qualified individual from a pool of applicants.

Section 8-6. Applications for Employment

All persons expressing interest in employment with Warren County will be given the opportunity to file an application for any position for which applications are being advertised and received. A separate Warren County employment application must be completed for each position for which the individual wishes to apply. Positions within the Department of Social Services and Health Department are only required to complete the State PD 107 Application. Applications for all departments will be accepted by the Employment Security Commission and at the Warren County Human Resources Department.

Any employee who knowingly and willfully: a) asserts false or misleading information; b) fails to disclose dishonorable military service; c) fails to disclose any criminal charge or conviction, or; d) conceals prior employment history or other requested information, on an application for County employment may be subjected to disciplinary action up to and including immediate dismissal from employment. Dismissal shall be mandatory where the applicant asserts false or misleading information in order to meet position qualifications. Application forms for County employment shall include a statement informing applicants of the consequences of such fraudulent disclosure or lack of disclosure.

Section 8-7. Qualification Standards

All applicants must meet the minimum training, education, experience, certification, and license requirements established for the position, with the exception of trainee or work-against appointments, in order to be considered for employment. In addition, applicants must meet other minimum standards of character, aptitude, ability to meet the public and physical condition as may be required for the position.

If training and experience are among the criteria for employment in a position, the appointing authority shall determine a procedure for the evaluation of the training and experience of the various applicants. The appraisal

system shall give due regard to recency, quality, and quantity of the applicant's training and experience. This procedure shall allow for equitable substitution of training for experience, and experience for training, within the limits stated in the position specifications.

Consideration may be given to trainee or work-against appointments when there is a perceived absence of qualified applicants from which to make a selection. In this instance, the deficiencies may be eliminated through on-the-job training and job experience. A trainee or work-against appointment may not be made when at least two applicants are available who meet the education and experience requirements for the full class of the position in question.

Section 8-8. Process and Selection

The selection of applicants shall be based upon consideration of their qualifications for the position to be filled. Selection procedures may vary according to the position and may include preliminary screening of qualifications, written or oral examination, structured interviews, assessment center, or other job-related methods of determining the best qualified applicants. All selection methods developed and utilized by the Department Heads and/or the Human Resources Department shall be valid measures of performance. The same selection process will be used with all applicants for the same position vacancy.

Section 8-9. Applicant Drug and Alcohol Testing

All applicants for positions with Warren County Government will be subject to applicable provisions of the Warren County Drug-Free Workplace/Drug and Alcohol Testing Policy.

Section 8-10. Probationary Period of Employment

A probationary period is required for all new employees in a permanent position. The initial standard County determined probationary period shall have a duration of 6 months (12 months for Emergency Medical Technicians, law enforcement, and employees of the Department of Social Services and Health Department). General County employees may be subject to the possibility of a 3-month extension at the discretion of the Department Head and approved by the County Manager. The probationary period shall be regarded as an integral part of the selection process and shall be utilized for closely observing the employee's work, and for securing the most effective adjustment of a new employee whose performance or conduct is not satisfactory. Each person selected for appointment shall be made aware of the requirements for the probationary period and the conditions of probationary status.

No employee shall remain on probation for more than 9 months, except an Emergency Medical Technician, law enforcement personnel, or an employee of the Department of Social Services or Health Department, who shall not serve in a probationary status for more than 12 months.

If at any time during the probationary period the County Manager or other appointing authority determines that the services of the employee have been unsatisfactory and show no promise of improvement to an acceptable level, the probationary employee may be separated from his/her position by the County Manager or other appointing authority without the right of appeal or hearing. The employee shall be notified in writing as to the effective date of separation.

Employees who have successfully completed the probationary period will be notified in writing of their status as a regular employee.

Section 8-11. New Personnel Orientation

The immediate Supervisor or Department Head must schedule an orientation to Warren County Government with the Warren County Human Resources Department for all new personnel. This orientation must be conducted on or before the employee's first day of employment with the County. This session will consist of a general orientation to personnel policies, all County benefits, and procedures in practice in Warren County. Department Heads must also orient all new employees to the Hazard Communication Program on or before the employee's first day of employment with the County.

Section 8-12. Promotion

Recognizing the need of each employee to fulfill his/her maximum potential, the County will promote from within whenever feasible. When job vacancies occur, first consideration will be given to regular employees already in service with the County. Current employees are encouraged to apply for vacant County positions for which they are qualified. If a vacancy occurs and a regular employee wishes to be considered for the appointment, the employee must forward an application to the Human Resources Department during the recruitment period for the position.

All County vacancies will be posted in the Warren County Administration Building for at least 7 calendar days. Employees promoted to a position within their current department or in a different department shall be required to serve a new probationary period.

Section 8-13. Transfer

When job vacancies occur, first consideration will be given to regular employees already in service with the County. Current employees are encouraged to apply for vacant County positions for which they are qualified. If a vacancy occurs and a regular employee wishes to be considered for the appointment, the employee must forward an application and/or resume to the appropriate Department Head during the recruitment period for the position.

All County vacancies will be posted in the Warren County Administration Building for at least 7 calendar days. Employees transferred to a position within their current department or in a different department shall be required to serve a new probationary period.

ARTICLE IX—SEPARATION, DISCIPLINARY ACTION, AND REINSTATEMENT

This article applies to all Full-Time County employees, except employees of the Warren County Sheriff, Register of Deeds, and Board of Elections, all of whom serve at the pleasure of the overseeing elected official or appointed board, respectively. Employees of the Department of Social Services and Health Department shall be disciplined pursuant to the North Carolina Human Resources Act.

Section 9-1. Types of Separation

Every separation of an employee from service of the County shall be designated as either voluntary or involuntary. Employees may be voluntarily separated from County service by either resignation or retirement. Employees may be involuntarily separated from County service by reduction in work force, disability, dismissal, job abandonment, or death.

Section 9-2. Resignation

When an employee resigns, the Department Head must complete a Status Sheet and forward the completed form to the County Manager's Office as soon as the resignation is received. Employees may resign either in "Good Standing" or "Not in Good Standing."

For general employees, resignation in Good Standing occurs when an employee submits a letter of resignation a minimum of 2 weeks prior to the effective date of resignation. For Department Heads, resignation in Good Standing occurs when he/she submits a letter of resignation at least 30 days prior the effective date of resignation. In the case of general employees, such notice shall be provided to the Department Head and the Human Resources Department. In the case of Department Heads, notice shall be provided to the County Manager and the Human Resources Department. Employees who resign in Good Standing may be considered for future employment with the County.

Resignation **Not** in Good Standing occurs when:

- a general employee fails to give the minimum 2 weeks written notice of resignation;
- a Department Head fails to give the minimum 30 days written notice of resignation;
- an employee fails to report to work 1 working day following a leave of absence without pay; or
- an employee is absent from work 3 consecutive working days without notice or authorized leave.

An employee who resigns from County employment "Not in Good Standing" is ineligible for future employment with the County.

The last day of physical employment is considered the termination date.

Section 9-3. Reduction in Force

Reduction in force is the involuntary separation of an employee due to lack of work, lack of funds, or elimination of the employee's position due to reorganization.

If reduction in force becomes necessary, the County Manager or other appointing authority, upon the

recommendation of the Department Head or immediate Supervisor shall determine those employees to be separated from County employment.

Employees who are subject to a reduction in force shall be given at least 2 weeks' notice by the County of the anticipated layoff.

Section 9-4. Disability

An employee may be separated for disability when the employee can no longer perform the required duties because of a physical or mental impairment. Action for disability separation may be initiated by the employee or the County, but in all cases consideration for disability separation shall be supported by a medical certification as provided by a health care provider. The County may require a physical and/or mental examination at County expense and by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the County's service for which the employee may be suited.

Section 9-5. Job Abandonment

An employee who is absent from work and does not contact the employer for 3 consecutive scheduled workdays may be separated from employment for job abandonment. Termination pursuant to this policy should not occur until the employing division or work section has undertaken reasonable efforts to establish that the employee was able to give or have someone else give notice during the period of days in question.

This provision also applies when the employee is absent for at least 3 consecutive scheduled workdays, has been instructed verbally or in writing of a specific manner of reporting by management, and does not report to the appropriate supervisory personnel on a regular basis satisfactory to the appropriate supervisory personnel.

Section 9-6. Retirement

When an employee meets the conditions set forth under the provisions of any retirement plan adopted by the Board of County Commissioners for County employees, he or she may elect to retire and receive all benefits earned under the retirement plan. Retirement may be based upon age and/or length of service.

Section 9-7. Death

Separation will be effective as of the date of death. All compensation due will be paid to the estate of the deceased employee.

Section 9-8. Exit Interviews

Upon separation for any reason, it is requested that the employee participate in an exit interview with the Warren County Human Resources Department. It is the responsibility of the Department Head to coordinate the exit interview. The purpose of this interview is to discuss continuation of employee benefits, information concerning retirement benefits, or any other personnel issues relating to the employee's separation from County service. The exit interview must occur prior to or on the employee's last day of employment with the County.

Section 9-9. Cause for Disciplinary Action & Types of Disciplinary Action

Any employee , regardless of occupation , position, or profession may be warned, demoted, suspended or dismissed by the County Manager or his/her designee. Such actions may be taken against all employees. The degree and type of action taken shall be based upon the sound and considered judgment of the County Manager or his/her designee. When cause exists, the only disciplinary actions provided for under this Article are:

- Written Warning
- Disciplinary suspension without pay
- Demotion; and
- Dismissal

There are three reasons for the discipline or dismissal of employees, including:

1. Discipline or dismissal imposed on the basis of unsatisfactory performance of job duties,

2. Discipline or dismissal for grossly inefficient job performance; and

3. Discipline or dismissal imposed on the basis of unacceptable personal conduct.

Either unsatisfactory or grossly inefficient job performance or unacceptable personal conduct constitutes just cause for discipline or immediate dismissal. The categories are not mutually exclusive, as certain actions by employees may fall into both categories, depending upon the facts of each case. No disciplinary action shall be invalid solely because the disciplinary action is labeled incorrectly.

The imposition of any disciplinary action shall comply with the procedural requirements of this Section for equity and consistency during the disciplinary process with all employees.

Upon receiving a written response to the charges, the Department Head will have 15 calendar days to provide proper notification to the employee of the outcome to the review. In cases of suspension, a written statement will be sent to the employee via certified mail.

Section 9-10. Unsatisfactory Performance of Job Duties

Unsatisfactory job performance is work-related performance that fails to satisfactorily meet job requirements as specified in the relevant class description or position description, work plan or as directed by the management of the division of work section.

Unsatisfactory performance of duties, depending upon the circumstances, includes, but is not limited to:

1. Quality of work;
2. Quantity of work;
3. Work habits;
4. Promptness;
5. Timely performance of work related analysis, decisions, or judgment ;

6. Accuracy of work;
7. Ability to follow instructions, directions, or procedures;
8. Appropriateness of work performed; and
9. Failure to meet goals and objectives set forth in the employee's performance evaluation.

In order to be dismissed for a current incident of unsatisfactory job performance, an employee must first receive at least 2 prior written warnings. The written warning must notify the employee that failure to make the required performance improvements may result in discipline, up to and including dismissal.

Prior to the decision to dismiss an employee, the Supervisor or his/her designee must conduct a pre-disciplinary conference with the employee in accordance with the procedural requirements of this Section.

Time limits for filing a grievance do not start until the employee receives written notice of any applicable appeal rights, or a copy of the written notice of any applicable appeal rights are mailed by certified mail, or delivered by overnight courier, to the employees last known address.

Section 9-11. Grossly Inefficient Job Performance

Grossly inefficiency (Grossly Inefficient Job Performance) occurs in instances in which the employee fails to perform job requirements satisfactorily as specified in the job description, work plans, or as directed by the management of the division or work section or Warren County and that failure results in:

1. The creation of the potential for death or serious harm to a client(s), an employee(s), members of the public or to a person(s) over whom the employee has responsibility; or
2. The loss of or damage to any Warren County property or funds.

Actions that could rise to the level of grossly inefficient job performance, depending upon the circumstances, include, but are not limited to:

- Careless, negligent, or improper use of Warren County vehicles and equipment;
- Negligence in the performance of duties; and
- Negligence in the performance of duties outside the scope of employment.

Dismissal on the basis of grossly inefficient job performance is administered in the same manner as for unacceptable personal conduct. Employees may be dismissed on the basis of a current incident of grossly inefficient job performance without any prior disciplinary action.

Prior to dismissal of a non-probationary employee on the basis of grossly inefficient job performance, there shall be a pre-disciplinary conference between the employee and the Department Head or his/her designee and the Human Resources Manager or his/her designee, or in the case of Department Heads, the County Manager or his designee.

Dismissals for grossly inefficient job performance require written notification to the employee. Such notification must include specific reasons for the dismissal and notice of the employee's right of appeal.

Time limits for filing a grievance do not start until the employee receives written notice of any applicable appeal rights, or a copy of the written notice of any applicable appeal rights are mailed by certified mail, or delivered by

overnight courier, to the employees last known address.

Section 9-12. Unacceptable Personal Conduct

Suspension without pay, demotion, or dismissal for reasons of unacceptable personal conduct may be pursued against an employee without prior warning or disciplinary action having been given to the employee.

An employee may be suspended without pay immediately in order to avoid undue disruption of work, to protect the safety of person(s) or property, or for other serious reasons. When a Department Head or immediate Supervisor suspends an employee immediately, the employee shall be required to leave County property immediately and remain away until further notice. The Department Head or immediate Supervisor shall notify the County Manager or other appointing authority immediately. A written summary giving the circumstances and facts leading to the immediate suspension shall be prepared and one copy shall be delivered to the employee by certified mail, one copy shall be filed in the employee's personnel file, and one copy shall be filed with the County Manager or other appointing authority. Further disciplinary action against the employee shall proceed as outlined in this section.

If the employee's Department Head or Supervisor seeks disciplinary action against an employee for reasons of unacceptable personal conduct, the Department Head or immediate Supervisor shall have the option of enacting a higher level of disciplinary action, including suspension without pay, demotion, or dismissal. The Department Head shall notify the County Manager immediately.

The following causes relating to failure in personal conduct are representative of those considered to be adequate grounds for suspension, demotion, or dismissal, including but not limited to:

1. Conduct for which no reasonable person should expect to receive prior warning;
2. Fraud in securing appointment, including falsification of an employment application or other employment documentation;
3. Conduct or behavior unbecoming a public officer or employee;
4. Conviction of or plea of "no contest" to a felony or misdemeanor which would adversely affect performance of duties;
5. Misappropriation of County funds or property;
6. Falsification of County records for personal profit or to grant special privileges;
7. Reporting to work under the influence of alcohol or narcotic drugs or partaking of such things while on duty, except that prescribed medication may be taken within the limits set by a physician as long as medically necessary, and which are not disruptive to the employee's regular duties and/or job performance;
8. Willful damage or destruction of County property;
9. Willful acts that would endanger the lives and property of others;
10. Acceptance of gifts in exchange for favors or influence;
11. Incompatible employment or conflict of interest;
12. Violation of political activity restrictions;
13. Abuse of sick leave;
14. Absence from work after all authorized leave credits and benefits have been exhausted;
15. Willful violation of known or written work rules or policies; and
16. Insubordination (Insubordination is considered unacceptable personal conduct for which any level of discipline, including dismissal, may be imposed without prior warning.)

Prior to dismissal of a non-probationary employee on the basis of unacceptable personal conduct, there shall be a

pre-disciplinary conference between the employee and the Department Head or his/her designee and the Human Resources Manager or his/her designee or in the case of Department Heads, the County Manager or his designee.

Dismissals for unacceptable personal conduct require written notification to the employee. Such notification must include specific reasons for the dismissal and notice of the employee's right of appeal. Time limits for filing a grievance commence when notification is given to the employee in person or mailed by certified mail, or delivered by overnight courier to the employee at the last known address.

Section 9-13. Written Warning

The Supervisor shall monitor and promote the satisfactory performance of work assignments and acceptable standards of personal conduct. All types of performance related job inadequacies could constitute unsatisfactory job performance under this policy. Unacceptable personal conduct can be work related or non-work related conduct and may be intentional or unintentional. When the Supervisor determines that disciplinary action is appropriate for unsatisfactory job performance, the Supervisor shall meet with the employee and provide a written warning. The Supervisor may elect to issue a written warning for grossly inefficient job performance or unacceptable personal conduct. Written warnings shall be maintained active in the employee's official personnel file for a period of 12 months.

The written warning must:

1. Inform the employee that this is a written warning and not some other non-disciplinary process;
2. Inform the employee of the specific issues that are the basis for the warning;
3. Tell the employee what specific improvements, if applicable, must be made to address these specific issues;
4. Tell the employee the time frame allowed for making the required improvements/corrections. Absent a specified time frame, 60 days is the time frame allowed for correcting unsatisfactory job performance. Immediate correction is required for grossly inefficient job performance or unacceptable personal conduct.
5. Tell the employee the consequences of failing to make the required improvements/corrections.

Written warnings may be issued to correct behavior for minor infractions or repeated violations of policy, procedure, or work rules, including conduct, depending on the severity of the incident.

A written warning must be issued in accordance with the procedural requirements of this Section.

Section 9-14. Investigatory Suspension

Investigation status is used to remove an employee temporarily from work status. Placement on investigation with pay does not constitute a disciplinary action. The County Manager or his/her designee must notify the employee in writing of the reasons for investigatory placement no later than the second scheduled workday after the beginning of the placement.

An investigatory placement with pay may last no longer than 30 calendar days without written notice of extension. When an extension beyond the 30-day period is required, the County Manager or his/her designee must advise the employee in writing of the extension. If no action has been taken by Warren County by the end of the 30-day period and no further extension has been imposed, Warren County must either take appropriate disciplinary action on the basis of the findings upon investigation or return the employee to active work status. Under no circumstances is it permissible to use placement on investigation status for the purpose of delaying an administrative decision on an

employee's work status pending the resolution of a civil or criminal court matter involving the employee. It is permissible to place an employee in investigation status with pay only under the following circumstances:

- To investigate allegations of performance or conduct deficiencies that would constitute just cause for disciplinary action;
- To provide time within which to schedule and conduct a pre-disciplinary conference; or
- To avoid disruption of the workplace and/or to protect the safety of persons or property.

Section 9-15. Disciplinary Suspension without Pay

An employee may be suspended without pay for disciplinary purposes for unsatisfactory job performance after the receipt of at least 1 prior disciplinary action or for causes relating to any form of unacceptable personal conduct or grossly inefficient job performance. A disciplinary suspension without pay for an employee who is subject to the overtime compensation provisions of the Fair Labor Standards Act (FLSA) must be for at least 1 full work day, but not more than 2 workweeks. The length of a disciplinary suspension without pay for an employee who is exempt from the overtime compensation provisions of the FLSA must be for at least one full work week, but not more than two full workweeks. Prior to placing any employee on disciplinary suspension without pay, the Department Head or his/her designee and the Human Resources Manager or his/her designee shall conduct a pre-disciplinary conference with the employee in accordance with the procedural requirement of this Section. An employee who has been suspended without pay must be furnished a statement in writing setting forth the specific acts or omissions that are the reasons for the suspension and the employee's appeal rights.

Section 9-16. Demotion

A demotion is the reassignment of an employee to a position or a classification in a lower pay grade than the former position or classification. Demotions are authorized only by the Department Head or County Manager. If the demotion is for failure in performance of duties or failure in personal conduct, the employee shall be provided with written notice citing the recommended effective date and reason(s) for demotion as well as appeal rights available to the employee. Employees of the Department of Social Services and Health Department are subject to any and all guidelines set under the State Human Resources Act.

Section 9-17. Dismissal

Dismissal is the permanent separation of an employee from the County service due to disciplinary reasons. A written summary giving the circumstances and facts leading up to the dismissal shall be prepared. A copy of the summary shall be delivered to the employee via certified mail and a copy shall be maintained in the employee's official personnel file.

Section 9-18. Disciplinary Action toward Temporary Employees and Probationary Employees

Temporary and probationary employees serve at the pleasure of the County. Upon recommendation of the Department Head or immediate Supervisor, temporary or probationary employees may be suspended, demoted, or dismissed at any time without further notice and without any hearing or right of appeal.

Section 9-19. Employee Appeal

Any regular employee wishing to appeal a written warning, demotion, suspension or dismissal may present the

matter using the grievance procedure prescribed in Article X. Employees of the Department of Social Services or Health Department must adhere to the guidelines established by the State Human Resources Act.

Section 9-20. Unemployment Insurance

It is the County's position that employees who are terminated due to grossly inefficient job performance and/or unacceptable personal conduct shall not be entitled to unemployment insurance benefits through the NC Department of Commerce Division of Employment Security. Thus, any employee so terminated who files for unemployment benefits shall have the burden of proving their termination was inappropriate or unsubstantiated.

ARTICLE X—GRIEVANCES & APPEALS

Section 10-1. Purpose

In order to maintain a harmonious and cooperative relationship between the County and its employees, it is the policy of the County to provide for the settlement of problems and differences through an orderly grievance procedure. Each regular employee shall have the right to present his/her grievance in accordance with this policy, free from interference, coercion, restraint, discrimination, or reprisal. The objectives of this program are as follows:

- to provide employees a procedure by which their complaints can be considered rapidly, fairly, and without fear of reprisal;
- to encourage employees to express their opinions about the conditions of work which affect them as employees;
- to promote better understanding of policies, practices, and procedures that affect employees; and,
- to instill in employees confidence that personnel actions are taken in accord with established, fair, and uniform policies and procedures.

Section 10-2. Retaliatory Employment Discrimination Act (REDA)

No employee shall be discriminated against or have any retaliatory action taken against him/her because the employee in good faith does or threatens to do any of the following:

A. Files a claim or complaint, including a grievance;
B. Initiates any inquiry, investigation, inspection, proceeding or other action;
C. Testifies or provides information to a Supervisor, Department Head, County Manager, or County Attorney with respect to alleged discrimination, fraud, harassment, workplace violence, drug abuse, or any other prohibited (and/or unlawful) conduct affecting the workplace; or
D. Exercises any right on behalf of themselves or another employee regarding prohibited and/or unlawful conduct within the workplace.

These actions above are protected activity, pursuant to N.C.G.S. § 95-241. However, it shall not be a violation of REDA for a person to discharge or take any other unfavorable action with respect to any employee who has engaged in protected activity *if* the person can prove they would have taken the same unfavorable action even if the employee had not engaged in the protected activity.

Section 10-3. What May *Not* Be Grieved

Certain management decisions are not grievable. These decisions involve management discretion and are therefore not subject to the grievance process. Examples of management decisions that are not subject to this grievance process are as follows:

- any condition of employment in existence at the time of employment and/or subsequent change(s) thereto;

- determining the employee benefit package;
- determining the proper classification and rate of pay;
- determining types of training;
- scheduling and distribution of personnel;
- written warnings;
- determining methods, means, and personnel to carry out operations;
- hiring, promotion, transfer, non-disciplinary demotion and assignment decisions;
- placement on investigation status (paid);
- decisions that maintain the effectiveness and efficiency of governmental operations;
- performance reviews;
- FLSA determination;
- At-will status; and
- Policies adopted by the Warren County Board of Commissioners.

Additionally, position classifications, reductions in force, non-selection for merit award, non-adoption of suggestions, denial of eligibility for receipt of voluntary shared leave, and denial of educational leave may not be grieved.

While employees cannot bring grievances on the foregoing items, they are encouraged to express concerns that they may have regarding actions relating to the above.

Section 10-4. Grievance Procedure - General County Employees

This grievance procedure should be applied for any claim or complaint arising from the application, misapplication or failure of application of these policies. All grievances must be submitted in writing to be considered. The number of days indicated at each step of the grievance procedure should be considered as the maximum number of calendar days allowed for presentation of and response to the grievance at that level. Time limits given below may not be extended except due to exigent circumstances (i.e. the long-term hospitalization of employee) and/or acts of God (adverse weather during which the County's administration is closed). Failure on the part of the employee to satisfy the time limitations provided in this Article shall be reason for the grievance to be denied or dismissed.

Employees who use this procedure will be free from discrimination, coercion, restraint or reprisal.

The grievance process may vary depending on the type of grievance. Employees may file grievances or appeal decisions using the procedures listed below, which are based on the type of grievance.

1. For grievances based on demotion, suspension, or dismissal due to a reduction in force and/or dismissal for any reason:

   Employees subject to demotion, suspension, reassignment or dismissal due to a reduction in force, and/or an employee dismissed for *any* reason shall have 5 calendar days from the date of receipt of written notice of such action to file a written appeal with the County Manager. The County Manager shall issue a final decision within 10 business days of receipt of the grievance.

2. For grievances based on discriminatory actions (including unfair application of or failure to apply County policy), illegal acts and/or unlawful workplace harassment or sexual harassment (including allegations of abuse or hostile work environment:

   Step 1: Employee's written grievance must first be filed with Department Head or the Human Resources Manager within 14 calendar days of the date of first occurrence. The Department Head or Human Resources Manager shall have 14 business days to respond in writing to the grievance and advise the employee of their determination. This response time may be extended another 7 business days, if necessary, to allow the Department Head or Human Resources Manager additional time to investigate the complaint.

   Step 2: If the employee is not satisfied with the Department Head or Human Resources Manager's determination or is unable to obtain a determination within the outlined time period, the employee may forward their written grievance to the County Manager for consideration. In filing a grievance with the County Manager, the employee has 14 calendar days from the date the employee received the determination from his/her Department Head or Human Resources Manager.

The County Manager shall issue a final decision within 14 business days of receipt of the grievance.

3. General complaints and grievances not otherwise described above:

   Step 1: Each employee is encouraged to discuss problems or grievances with his/her immediate Supervisor. If the concern is not resolved within 5 working days, the employee may request a conference to discuss the problem or grievance with the Department Head.

   Step 2: If the problem or grievance is not resolved within 5 business days after the conference, the employee may request a conference with the County Manager.

   Step 3: The County Manager will hear the facts pertaining to the problem and issue a final decision within 10 working days.

In all cases the County Manager's decision/determination is final.

Section 10-5. Grievance Procedure - Competitive Service Employees

When a regular employee subject to the State Human Resources Act wishes to file a grievance or complaint, the grievance procedures outlined in the North Carolina Human Resources Act shall be followed.

In the event a grievance is substantiated, a copy of the finding shall be filed in the accused employee's personnel file.

Section 10-6. Grievance Procedure - Department Heads

When a Department Head wishes to file a grievance or complaint against the County Manager or County Attorney, a written grievance or complaint must be submitted to the Board of Commissioners within 14 business days of the occurrence. The full Board of Commissioners will review the complaint and make a determination within 60 days. The Board's determination is final.

Section 10-7. Filing a Lawsuit

Employees must exhaust their administrative remedies by completing the grievance procedure process prior to filing a lawsuit against the County. However, once an employee files a lawsuit against the County, the grievance process is automatically terminated thereby.

Section 10-8. Back Pay

A regular employee who has successfully overturned a suspension, demotion, or dismissal through the grievance procedure shall be awarded back pay and benefits for the time period of the suspension, demotion, or dismissal.

Section 10-9. No Conflicts

No determination of any grievance will in any way conflict with any County policies, resolutions, or ordinances, or with any state or federal statutes applicable thereto.

ARTICLE XI—PERSONNEL RECORDS

Section 11-1. Personnel Records Maintenance

Personnel records will be maintained by the Warren County Human Resources Department. All other records required by federal/state regulations and rules shall be maintained by the individual Department Head for whom the employee works. The County shall maintain in personnel records only information that is necessary and relevant to accomplishing legitimate personnel administration needs. All federal/state personnel record requirements supersede County requirements.

Section 11-2. Information Open to the Public

Pursuant to N.C.G.S. 153A-98, the following information about County employees is considered public record:

1. Name;
2. Age;
3. Date of original employment or appointment to the county service;
4. The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the county has the written contract or a record of the oral contract in its possession;
5. Current position;
6. Title;
7. Current salary;
8. Date and amount of each increase or decrease in salary with that county;
9. Date and type of each promotion, demotion, transfer, suspension; separation or other change in position classification with that county;
10. Date and general description of the reasons for each promotion with that county;
11. Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the county. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the county setting forth the specific acts or omissions that are the basis of the dismissal; and
12. The office to which the employee is currently assigned.

In addition, the term "salary" includes pay, benefits, incentives, bonuses, deferred compensation and all other forms of compensation paid by the employing entity.

An employee may sign a written release permitting Warren County to give non-public information about the employee to prospective employers or others. This State statute is for the employee's protection and he/she may waive that protection in limited circumstances that he/she authorizes.

Section 11-3. Access to Personnel Records

Such information shall be available for the purposes of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Board of County Commissioners may adopt.

Any individual requesting copies of personnel records shall be assessed the cost of copying the records.

Section 11-4. Confidential Information

All information contained in a County employee's file, other than the information listed in Section 2 of this article shall be maintained as confidential in accordance with the requirements of G.S. 153A-98.

Section 11-5. Records of Former Employees

The provisions for access to records are applicable to both current and former employees.

Section 11-6. Remedies of Employees Objecting to Material in File

An employee who objects to material in his/her file may place in the file a statement relating to the material the employee considers being inaccurate or misleading.

Section 11-7. Applicant Records

Applicants and other information gathered with respect to an applicant is not public information and will be kept confidential in accordance with N.C. General Statutes.

Section 11-8. References

Warren County does not give references, other than as to employment and last salary, without the express written consent of the employee, which shall release and hold harmless Warren County from all liability. No individual department or person may give a reference on an employee or former employee; only the Warren County Human Resources Department may provide information regarding employees. All departments must forward requests for information of this nature to the Warren County Human Resources Department.

Section 11-9. Destruction of Records Regulated

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with N.C.G.S. § 121-5(b), except as outlined in the records retention rules of the North Carolina Department of Cultural Resources. However, the County (by and through an individual Department Head or County Manager) may extend the time for which certain records must be maintained and the departments/County shall be bound thereby. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever alters, defaces, mutilates, or destroys it, may be judged guilty of a misdemeanor and upon conviction shall be fined not less than $10 or more than $500 as provided in N.C.G.S. § 132-3.

ARTICLE XII—IMPLEMENTATION OF POLICIES

Section 12-1. Conflicting Policies Repealed

All policies or resolutions that conflict with any provisions of this manual are hereby repealed.

Section 12-2. Severability

If any provision of this policy or any rule, regulation or order there under of the application of such provision to any person or circumstances is held invalid, the remainder of this policy and the application of such remaining provisions of this policy of such rules, regulations or orders to persons or circumstances other than those held invalid will not be affected thereby.

Section 12-3. Adoption by Resolution and Effective Date

These policies shall be adopted by resolution by the Warren County Board of Commissioners, effective upon adoption.

Section 12-4. Violation of Policy Provisions

An employee violating any of the provisions of this policy will be subject to disciplinary action, up to and including termination, as well as any civil or criminal penalty, which may be imposed for violation of the same.

APPENDIX

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Warren County
Compensatory Time for Exempt Employees Policy

Policy Warren County's policy is to provide compensatory time, within established guidelines, to exempt employees.

Scope All employees classified as exempt in the Fair Labor Standards Act. This policy does not include Elected Officials or the County Manager.

GUIDELINES

Objectives: The objectives of the Compensatory Time for Exempt Employees Policy are as follows:

- To allow exempt employees flexibility in balancing work and personal needs.
- To recognize compensatory time as a benefit to enable Warren County to recruit and retain exempt employees.
- To recognize the time and commitment required by exempt employees to attend meetings and perform work after normal working hours.
- To provide a system for accruing and using compensatory time that ensures that the principles of public accountability are followed in compliance with Section 541.710 of the Fair Labor Standards Act.

Definitions:

Fair Labor Standards Act (FLSA) – A federal law governing minimum wage, overtime pay, equal pay for men and women in the same jobs, child labor, and record-keeping requirements.

Exempt – A term referring to those groups of employees that are exempt from the overtime provisions of the Fair Labor Standards Act. These groups include executives, administrative employees, professional employees, and those engaged in outside sales.

Non-exempt – Employees who are subject to the minimum wage and overtime pay provisions of the Fair Labor Standards Act.

Compensatory Time Accrued – Time worked above regularly established work hours for the department. Hours are accrued on a straight time, hour for hour, basis.

Compensatory Time Used – Time taken off during the regularly established work hours for the department.

Regulations: The following regulations shall apply to exempt employees accruing and using compensatory time:

- Time worked above the established work hours for the department will be recorded as compensatory time with the reason additional work hours were required noted.
- Time shall be recorded on a straight time or hour for hour basis.
- Work during the lunch hour shall not be listed as compensatory time unless extenuating circumstances are noted. It is expected that employees take one hour for lunch each workday.
- Arriving to work a few minutes early or working a few minutes late does not constitute compensatory time.
- Exempt employees shall accrue compensatory time on a monthly basis.
- Compensatory hours accrued in each month must be taken in the month accrued or within the following two months. Any compensatory hours remaining after this time will be void.
- Compensatory time off for exempt employees must be scheduled to ensure adequate coverage for the department and must be approved.
- Compensatory hours <u>will not</u> be paid to exempt employees upon termination of employment with Warren County.

Enforcement: It is the responsibility of the Department Head, County Manager, or Appointing Authority to ensure the proper enforcement of this policy. Any exempt employee found to be in violation of this policy would be subject to disciplinary action in accordance with Warren County Personnel policies or the State Human Resources Act.

Warren County
Drug-Free Workplace
&
Drug and Alcohol Testing Policy

PURPOSE

Warren County has a vital interest in maintaining a safe, healthy, and efficient working environment for all County Employees. Employees under the influence of drugs or alcohol while on the job pose serious safety and health risks to the user and to all those who work with the user. The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and the use, possession, or being under the influence of alcohol also poses unacceptable risks for safe, healthy, and efficient operations.

Warren County has the right and obligation to maintain a safe, healthy, and efficient workplace for all of its employees, and to protect the organization's property, information, equipment, operations and reputation.

Warren County further expresses the intent through this policy to comply with federal and state rules, regulations or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.

POLICY

It shall be the policy of Warren County to maintain a workforce free of substance abuse.

SCOPE

This policy applies to all departments and agencies of Warren County government, all employees (full-time and part-time). For purposes related to this policy only, the term employee includes contracted employees. More stringent requirements may be required in some departments.

EDUCATION

Supervisors and other management personnel are to be trained in:

- Detecting the signs and behavior of employees who may be using drugs or alcohol in violation of this policy;
- Intervening in situations that may involve violations of this policy; and
- Recognizing the above activities as a direct job responsibility.

Employees are to be informed of:

- The health and safety dangers associated with drug and alcohol use; and
- The provisions of this policy.

WARREN COUNTY NOTIFICATION REQUIREMENTS

Warren County will notify employees of this policy by:

- Providing to each employee a copy of this policy, and obtaining a written acknowledgement from each employee that the policy has been received and read.
- Announcing the policy in various written communications and making presentations at various employee meetings.

EMPLOYEE NOTIFICATION RQUIREMENTS

Employees are required to immediately notify the employing Department Head or designee of any criminal drug statute conviction where such conviction was due to an occurrence at the worksite, during work hours, or while on duty, official business, or stand-by duty. An employee who is convicted of violating any criminal drug statute in such workplace situations will be subject to disciplinary action.

A conviction means a finding of guilt or the imposition of a sentence by a judge or jury, or both, in any federal, state, or local court.

Departments that receive federal grants must, in turn, report any such criminal drug statute convictions as stated above of their employees, covered by federal grants to federal agencies from which grants are received within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such conviction.

PROHIBITED ACTIVITIES

- Reporting to work or performing work for the County while impaired by or under the influence of any intoxicant, drug or chemical which interferes with the employee's work performance or which might adversely affect safety is prohibited.
- The illegal use, possession, dispensation, distribution, manufacture or sale of controlled substances by employees at the worksite, during work hours, or while the employee is on duty, official County business, or stand-by duty is prohibited.
- Violation of such prohibitions by County employees is considered conduct detrimental to County service and will result in disciplinary action up to and including discharge.

DRUG AND ALCOHOL TESTING

As a condition of employment, all employees are subject to drug and alcohol testing as provided for in this policy.

Pre-Employment Testing

All applicants for County safety sensitive positions as listed at the end of this policy are required to submit to pre-employment drug and alcohol screening, random screening, and post-accident testing. Drug and alcohol testing will be limited to the top finalist(s) upon completion of the employment selection process.

Positions in the Warren County Sheriff's Department are subject to drug and alcohol testing in conformance with the requirements of the North Carolina Criminal Justice Commission. The North Carolina Criminal Justice Commission requirements for drug and alcohol testing of law enforcement positions will take precedence over the provisions outlined in this policy.

Applicants who must be screened will be referred to a County designated drug testing facility for testing.

An applicant will be notified of Warren County's drug and alcohol testing policy prior to being tested; will be informed in writing of his or her right to refuse to undergo such testing; and will be informed that the consequence of refusal is termination of the pre-employment process.

If an applicant refuses to take a drug or alcohol test, or if evidence of the use of illegal drugs or alcohol by an applicant is discovered, either through testing or other means, the pre-employment process will be terminated.

All job applicants will be provided written notice of this policy and by signature will be required to acknowledge receipt and understanding of the policy.

Random Testing

Random testing may be conducted for any County employee, temporary or permanent, whose position is identified as County safety sensitive at the end of this policy.

Any employee who is reasonably suspected of alcohol and/or drug use and such use occurs on the job, or during working hours, or within the workplace may be required to submit to an alcohol or drug test.

Reasonable Suspicion Testing

Reasonable suspicion testing may be conducted for any County employee, temporary or permanent, when trained personnel determine that reasonable suspicion exists that the employee is at work under the influence of drugs or alcohol.

An employee who is tested in a "reasonable suspicion" situation may be suspended pending receipt of written test results and whatever inquiries may be required.

Post-Accident Testing

Employees involved in a work-related injury or accident requiring medical attention or involved in a vehicle/equipment accident involving a damage claim may be required to submit to a drug and alcohol screening test.

DISCIPLINE

Any employee who possesses, distributes, sells, attempts to sell, or transfers illegal drugs on County premises or while on County business will be discharged immediately.

Any employee who is found to be in possession of or under the influence of alcohol in violation of this policy will be subject to discipline up to and including discharge.

Any employee who is found to be in possession of contraband in violation of this policy will be subject to discipline up to and including discharge.

Any employee who is found through drug or alcohol testing to have in his or her body a detectable amount of an illegal drug or of alcohol will be subject to discipline up to and including discharge except that, depending on the circumstances of the case and the employee involved, the employee may be offered a one-time opportunity to enter and successfully complete a rehabilitation program that has been approved by Warren County. During rehabilitation, the employee will be subject to unannounced drug or alcohol testing. Upon return to work from rehabilitation, the employee will be subject to unannounced drug or alcohol testing for a period up to 12 (twelve) months. Any test that is confirmed as positive during or following rehabilitation will result in discharge.

APPEAL OF A DRUG OR ALCOHOL TEST RESULT

An applicant or employee whose drug or alcohol test reports positive will be offered the opportunity of a meeting to offer an explanation. The purpose of the meeting will be to determine if there is any reason that a positive finding could have resulted from some cause other than drug or alcohol use. Warren County, through its health provider and/or human resource department, will judge whether an offered explanation merits further inquiry.

An employee whose drug or alcohol test reports positive will be offered the opportunity to:

- Obtain an independent test, at the employee's expense, of the remaining portion of the specimen that yielded the positive result;
- Obtain the written test results and submit them to an independent medical review at the employee's expense.

During the period of an appeal and any resulting inquiries, the pre-employment selection process for an applicant will be placed on hold, and the employment status of an employee may be suspended. An employee who is suspended pending appeal will be permitted to use any available annual leave in order to remain in an active pay status. If the employee has no annual leave or chooses not to use it, the suspension will be without pay.

REHABILITATION AND EMPLOYEE ASSISTANCE

Rehabilitation assistance in lieu of discharge may be offered:

- To any employee who has requested rehabilitation assistance, provided that the request is unrelated to an identification of the employee as a violator of this policy.
- To any employee who has violated this policy, provided that the violation does not involve selling or transferring illegal drugs, or serious misconduct.

An employee who is in rehabilitation will be suspended, except that—when indicated by the circumstances of the case and the written recommendation of a licensed physician or recognized rehabilitation professional—an employee may be permitted to work while undergoing rehabilitation on an outside-of-work basis. The written recommendation must include a statement to the effect that the employee's presence in the workplace will not constitute a safety hazard to the employee, co-workers or others.

An employee whose rehabilitative therapy involves drug maintenance, hospitalization or detoxification will not be considered for the exception from suspension. An employee who is in rehabilitation or who has completed rehabilitation will be allowed to return to work upon presentation of a written release signed by a licensed physician or recognized rehabilitation professional. The release must include a statement to the effect that the employee's presence in the workplace will not constitute a safety hazard to the employee, co-workers, or others.

Warren County will provide rehabilitation assistance:

- Limited to those medical benefits that may be available in the employee's medical benefits plan.
- Obtained by the employee during times that will not conflict with the employee's work time, except that the employee may use any available sick leave or vacation/annual leave to be absent from the job with pay.

Warren County will provide to any employee, upon request and at no cost to the employee, information concerning local resources that are available for the treatment of drug and alcohol related problems.

ILLEGAL DRUGS OR OTHER CONTRABAND FOUND ON COUNTY PROPERTY

Illegal drugs, drugs believed to be illegal, and drug paraphernalia found on County property will be turned over to the appropriate law enforcement agency and the full cooperation given to any subsequent investigation. Substances that cannot be identified as an illegal drug by a layman's examination will be turned over to a forensic laboratory for scientific analysis.

Other forms of contraband, such as firearms, explosives, lethal weapons, and other items or substances defined in this policy as contraband, will be subject to seizure by the appropriate law enforcement agency. An employee who is found to possess illegal drugs and/or other contraband on County property or while on County business will be subject to discipline up to and including

discharge.

If an employee is the subject of a drug-related investigation by Warren County or by any other law enforcement agency, the employee may be suspended pending completion of the investigation.

CONFIDENTIALITY

All information relating to drug or alcohol testing or the identification of persons as users of drugs and alcohol will be protected by Warren County as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.

Drug & Alcohol Testing Definitions

- **Alcohol** means any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine and distilled spirits.

- **Company premises or company facilities** means all of Warren County's property including, but not limited to, the offices, facilities and surrounding areas, owned or leased property, parking lots, and storage areas. The term also includes owned or leased vehicles and equipment wherever located.

- **Contraband** means any article, the possession of which is on our premises or while on County business, causes an employee to be in violation of our workplace rules or the law. Contraband includes, but is not limited to, illegal drugs and alcoholic beverages, drug paraphernalia, firearms, explosives, incendiaries, stolen property, counterfeit money, untaxed whiskey, and pornographic materials.

- County safety sensitive positions are Warren County positions:

1. requiring consistent and frequent repair, operation and maintenance of heavy equipment, trucks, or automobiles (at least 40 percent of the time on a regular basis); or positions in which equipment operation is an important and primary job task on a periodic basis – in contrast to positions where driving is involved to transport himself or herself to other job sites); or

2. working with large equipment or materials with a potential for hazards; or

3. working in an independent setting with youth on a regular basis; or

4. requiring the transportation of clients in the custody and care of Warren County Human Service Departments on a regular basis; or

5. whose functions impact the rescuing and/or protection of human life.

- **Drug testing** means the scientific analysis of urine, blood, breath, saliva, hair, tissue, and other specimens of the human body for the purpose of detecting a drug or alcohol.

- **Illegal drug** means any drug which is not legally obtainable; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level other than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bona fide medical therapy. **Examples** of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.

- **Legal drug** means any prescribed drug or over-the-counter drug that has been legally obtained and is being used for the purpose for which prescribed or manufactured.

- **Reasonable belief** means a belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is unable to satisfactorily perform his or her job duties due to drug or alcohol impairment. Such inability to perform may include, but not be limited to, decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior. Accidents, deviations from safe working practices, and erratic conduct indicative of impairment are examples of "reasonable belief" situations.

- **Under the influence** means a condition in which a person is affected by a drug or by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, or to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. A determination of being under the influence can be established by a professional opinion, a scientifically valid test, such as urinalysis or blood analysis, and in some cases by the opinion of a layperson.

Guidelines for Determining Reasonable Suspicion of Alcohol or Drug Use

General

Reasonable suspicion exists when trained personnel substantiate specific, objective, observations that can be articulated concerning appearance, behavior, speech, body odor or other indicators of probable drug or alcohol use.

Examples of Indicators Consistent with Alcohol and Drug Use

The following indicators comprise a representative, but not exclusive list of factors which may be the basis for substantiating the reasonable suspicion of alcohol or drug use:

a. Slurred speech;

b. The odor of alcohol or marijuana about the person;

c. Inability to walk a straight line;

d. Loss of coordination;

e. Physical or verbal altercations;

f. Unusual behavior which warrants bringing it to the attention of a supervisor such as confusion, disorientation, marked personality changes, irrational behavior;

g. Possession of drugs;

h. Verifiable information from a credible source that an employee may have been impaired while performing assigned duties;

i. A pattern of unexplained accidents and injuries;

j. Arrests, citations and deferred prosecutions associated with drugs or alcohol (in conjunction with other indicators listed above);

k. A pattern of excessive absenteeism, late reporting or deterioration in work performance (in conjunction with other indicators listed above).

Substantiating Reasonable Suspicion

Reasonable suspicion of drug or alcohol use requires substantiation by trained personnel. This requires a trained supervisor and trained personnel representative.

Warren County
Fraud Policy

Purpose: Warren County is committed to the highest standards of moral and ethical behavior by its employees, administrators, and elected officials. Thus, the purpose of this policy is to prohibit dishonest acts and /or fraudulent activity, to establish and facilitate the development of controls that will aid in the detection and prevention of fraud against Warren County, and to advise employees, administrators, and elected officials of their responsibility to report suspected fraudulent activity to the appropriate County Office. Further, this policy affirms that fraud and corruption will not be tolerated, assigns responsibility for the development of adequate internal controls and performance of investigations relating to fraud, and defines the consequences of fraud and/or corruption discovered within County government.

It is the intention of Warren County to:

- promote consistent organizational behavior by providing guidelines for reporting and investigations;
- assign responsibility for oversight; and
- limit the County's liability and risk of loss.

Scope: This policy applies to any fraud, or suspected fraud, involving employees, administrators, and elected officials, as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or other parties with a business relationship with Warren County. This policy also applies to employees and appointed members of local boards, agencies and commissioners over which the Warren County Board of Commissioners has authority to require general policies to be followed.

Policy: Warren County administration and all levels of management are responsible for the prevention and detection of fraud, misappropriations, and other inappropriate conduct. Fraud is defined, in this policy as: 1) a willful or deliberate act or failure to act with the intention of obtaining an unauthorized benefit; 2) an intentional deception put forth for the purpose of obtaining unauthorized benefit and/or an unlawful advantage, or; 3) a breach of confidence, perpetrated for profit and /or gain some unfair or dishonest advantage.

Actions constituting fraud including, but not limited to the following:

- Any dishonest or fraudulent act;
- Forgery or alteration of a check, bank draft, or any other financial document;
- Forgery or alteration of any document or account belonging to the County;

- Theft of a check or any other intentional and wrongful diversion of a payment not rightfully belonging to the person or entity to which it was diverted;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transactions;
- Accepting or seeking anything of material value from vendors, contractors, or other persons or entities which provide or are in process of bidding to provide services and/or materials to the County;
- Profiteering as a result of insider knowledge of agency operations;
- Confidential information sold or used to conduct an outside business activity;
- Selling information maintained by the County for personal gain while employed by the County;
- Disclosing confidential activities engaged in or contemplated by the agency;
- Disclosing confidential information to outside parties;
- Taking advantage of a title/position in such a way as to gain a profit that otherwise would be unattainable;
- Destruction, removal or inappropriate use of County records, furniture, fixtures, and /or equipment;
- Authorizing or receiving compensation for hours not worked;
- Any similar or related inappropriate conduct.

Other actions Constituting Fraud and Covered by this Policy include, but are not limited to Waste, Abuse and Theft.

Waste is defined as the loss or misuse of County resources that results from intentionally deficient practices, system controls, or decisions. Examples of waste are:

- Not taking advantage of discounts or early registrations or inefficiently using County resources;
- The purchase of unnecessary items at County expense.

Abuse is defined as the intentional, wrongful, or improper use of resources or misuse of rank, position, or authority that causes the loss or misuse of resources. Examples of abuse include:

- Using County equipment or supplies to conduct personal business;

- Using non-confidential taxpayer information to acquire new customers for his/her outside business.

Theft is defined as the act of taking something from someone unlawfully. Examples of theft include:

- Taking a printer belonging to the agency and keeping it for personal use:
- Failing to return County property to the County after the employees has resigned or been terminated.

Other Inappropriate Conduct:

Suspected improprieties concerning an employee's moral, ethical, or behavioral conduct should be resolved by departmental management and Human Resources. If there is a question as to whether an action constitutes fraud, the Fraud Review Panel should be contacted for guidance.

Fraud Review Panel

A Fraud Review Panel made up of the two (2) Commissioners assigned to the Board of Commissioner's Personnel Committee, along with the Warren County Manager shall review and analyze all reports of fraud received by the County. This Panel will report and make recommendations to the Warren County Board of Commissioners on a regular basis.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to Warren County and without deference to race, color, religion or national origin, in keeping with the Civil Rights Act of 1964 as amended.

The County of Warren will:

- Institute and maintain effective measures and procedures to deter fraud and corruption within Warren County Government, i.e., purchasing policy, auditing timesheets, following guidelines for grants and contracts, using the Fleet Policy, using personnel policies, using the cash management plan, using the bid process.
- Take firm and vigorous action against any individual or group perpetrating fraud against the County. The Board's Fraud Review Panel will be responsible for making reports and recommendations to the Board on any allegations.
- Encourage employees to be vigilant and to report any suspicion of fraud and corruption and to provide suitable channels of communication and ensure sensitive information is treated appropriately. However, reports based on mere gossip and innuendo will not be tolerated. By creating this policy, employees should be aware that they can communicate any issues they may want to report without retaliation.
- Investigate instances of alleged fraud and corruption. Take appropriate actions and to seek restitution of any County asset fraudulently obtained together with the recovery of costs.
- Assist law enforcement and all other appropriate authorities in the investigation And prosecution of those suspected of fraud or corruption. The county will provide

any information necessary in review of a case of suspected fraud.

Procedures for Reporting Fraud

Any employee of Warren County who has a reasonable basis for believing a fraudulent act has occurred, or is occurring, has a responsibility to promptly notify his/her Supervisor, Department Head, the County Manager, or the Finance Director. Administrators, Supervisors, Elected Officials, Department Heads, and/or locally appointed Board Members have a responsibility to immediately notify the County Manager or the County Finance Director of fraudulent activity reported to them by employees or observed by them directly. In addition, the general public is also an important element in the County's fight against fraud and corruption. They are encouraged to raise any concerns they may have about fraud and corruption via any of the following methods:

- Department Head;
- Immediate Supervisor;
- Finance Director;
- Human Resources Manager;
- Fraud Hotline 252-257-1755
- County Manager;
- Member of the Board of Commissioners.

Note: The Fraud Hotline will be checked and reviewed by a Fraud Review Panel at intervals determined by the Fraud Review Panel. However, reports based on mere gossip and innuendo will not be investigated. There must be some good faith basis upon which the report is being made.

To the extent permitted by law, reports of fraud and corruption will be treated in confidence and taken seriously. Reports will be properly investigated. Retaliation against any employee who files a report or voices a concern under this policy is strictly prohibited.

No person acting on behalf of the County shall participate in the following acts because an employee has acted in compliance with the requirements of this policy:

- Dismiss or threaten to dismiss any employee;
- Discipline, suspend, or threaten to discipline or suspend an employee;
- Impose any penalty upon any employee; or
- Intimidate or coerce an employee.

However, it shall be a violation of this policy for any informant to make a baseless allegation of fraudulent activity that is made with reckless disregard for truth and this is intended to be disruptive or to cause harm to another individual. Any employee who feels that he or she has been subjected to any behavior that violates this policy should immediately report such behavior to his or her Supervisor, Human Resources Manager, Finance Director, or the County Manager. Any violation of this section will result in disciplinary action up to and including termination.

Note: Employees who knowingly file misleading or false fraud or corruption reports or file reports without a reasonable belief as to truth or accuracy, will not be protected by this policy and will be subject to appropriate disciplinary actions as recommended by the Fraud Review Panel, as well as any other remedy available to the reportee under the law.

Persons reporting suspected fraudulent activity should refrain from confrontation with the suspect and should not discuss the matter with others unless specifically asked to do so by the County Manager, Internal Investigator/Auditor and/or County Attorney.

Investigative Procedures

The Fraud Review Panel shall have the primary responsibility for investigating (or assigning for investigation) the reported fraudulent activity. Thus the Panel may assign one or more other individuals such as the Human Resources Director, the County Manager, the County Attorney, etc., as deemed appropriate to act as Internal Investigator/Auditors to investigate the suspected fraudulent activity.

The Internal Investigator/Auditor and/or members of the investigation team, as allowed by law, shall have: a) free and unrestricted access to all County records and premises, whether owned or rented; and, b) when accompanied by the Sheriff or any of his designees, the authority to examine, copy, and/or photograph all or any portion of the contents of files, desks, cabinets, and other storage facilities on County premises and/or belongings of the County within the scope of their investigation.

The results of the investigation conducted by the Panel and /or Internal Investigator/Auditor shall be communicated orally to the Board of Commissioners in closed session, pursuant to N.C.G.S 143-318.11 (a)(6), "to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee."
In any instance in which the investigation indicates the presence of possible criminal activity, the investigation shall be turned over to the County Sheriff's office for further investigation and criminal charges if deemed appropriate.

When the When the outcome of an audit or law enforcement investigation indicates improper conduct by an employee, the County's disciplinary process will be utilized by the Department Head of the affected Department, regardless of the disposition of any criminal charges. When the outcome of an audit/investigation or law enforcement investigation indicates improper conduct by a Department Head, the County's disciplinary process shall be utilized by the County Manager, regardless of the disposition of any criminal charges. When the outcome of any audit/investigation or law enforcement investigation indicates improper conduct by the County Manager, an appointed or elected official, the Warren County Board of Commissioners shall address such conduct as required and allowed by law. Furth, "final action making an appointment or discharge or removal by the Board of Commissioners having final authority for the appointment or discharge or removal shall be taken in an open meeting, pursuant to N.C.G.S 143-318.11(6).

All matters requiring the recovery of lost funds or property shall be referred to the County Attorney's office for handling.

When and if, at any time, it is determined that the fraud or corruption has occurred due solely to the breakdown or lack of County systems or procedures, it shall be the responsibility of the pertinent Department Head/s, Managers and County Administration - to ensure that appropriate improvements in the effectiveness of internal controls are implemented in accordance with any audit recommendations and pertinent investigative findings.

Duties and Responsibilities

Employees, Supervisors, Department Heads, and administrators at all levels, as well as all appointed and Elected Officials of the County are responsible for setting the appropriate tone of intolerance for fraudulent acts by complying with all laws, rules, regulations and policies.

Departments Heads, Supervisors, administrators, and Elected Officials should be aware of the types of fraud that could occur within their area of responsibility and should be alert for any indication of fraud. Department Heads, Supervisors, and Elected Officials are responsible for establishing and maintaining proper internal controls that will provide for the security and accountability of the resources entrusted to them.

Disciplinary Action

Failure to comply with any part of this policy could result in disciplinary action, up to and including termination.

An employee who does the following shall be subject to disciplinary action, including termination:

- Has engaged in any form of fraud, waste, or abuse;
- Suspects or discovers fraudulent activity and fails to report his or her suspicions as required by this policy; or
- Intentionally reports false or misleading information.

Any employee who does not follow the reporting procedures for fraud is subject to disciplinary action, up to and including termination.

Sanctions

Employee and/or administrators suspected of participating in fraudulent activity may be suspended without pay during the course of investigation, in accordance with the County's Personnel Manual.

Employees and/or administrators found to have participated in fraudulent activity will be subject to disciplinary action, including termination, criminal prosecution or civil action.

Employees and administrators found to have knowledge of fraudulent activity and who knowingly failed to report the activity will be subject to disciplinary action up to and including termination.

If disciplinary action is warranted, such action will be taken after consultation between the County Manager, Human Resources Manager, County Attorney, and other offices as deemed necessary and appropriate.

Consultants, Vendors, Contractors, Outside Agencies, and /or Any Other Party/ties Having a Business Relationship with Warren County

The relationship of individuals or entitles associated with Warren County found to have participated in fraudulent activity as defined by this policy will be subject to review, with the possible consequence of modification and/or termination of the business relationship. If such action is warranted, the County Attorney and other appropriate parties will be consulted prior to the action being taken. Criminal or civil action may also be taken against such individuals or entities.

Confidentiality

All participants in a fraud investigation on behalf of the County, shall keep the details and results of the investigation confidential. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know, except as allowed by law, in order to protect the reputations of persons suspected of fraudulent activity but subsequently found innocent of wrongdoing and to protect the County from potential civil liability.

Media

Any person within the County that is contacted by the media in regards to an investigation into fraudulent activity shall refer the media to the County Manager. The suspected fraud or audit investigation shall not be discussed with the media by any person other than through the County Manager, in consultation with the Internal Auditor and/or County Attorney.

Warren County
Longevity Pay Policy

Purpose: Longevity pay is intended to reward employees whose service with Warren County is enhanced through the experience they have gained as a local government employee.

Scope: All full-time and permanent part-time employees.

Objective: The objective of the Longevity Pay Policy is to encourage the continued service of quality employees with Warren County.

Definitions:

Service – Employment with Warren County.

Continuous – Without a break in service.

Break in service – Not being employed with Warren County for a period of at least thirty one (31) consecutive calendar days. Periods of leave with or without pay within an overall period of employment do not constitute a break in service. Periods of less than thirty one (31) days do not constitute a break in service.

Anniversary date – Date of hire.

Eligibility:

All full-time and permanent part-time employees who have successfully completed two (2) years of continuous employment with Warren County shall be eligible to receive longevity pay.

Guidelines:

1. Longevity pay will be disbursed to an employee during the pay period following the anniversary date.
2. Service with other local government or state agencies cannot be applied to service with Warren County for the purpose of increasing longevity.
3. Disbursal of longevity pay shall be contingent upon the Warren County Board of Commissioners' approval of funds in the annual budget.

4. Longevity pay shall be granted in the following increments:

Years of Service	Amount Received
2 to 5 years	$200
6 to 10 years	$300
11 to 15 years	$400
16 to 20 years	$500
21 years plus	$600

Warren County
Health Benefits Policy
for
Retirees and County Commissioners

It is the desire of the Warren County Board of Commissioners to offer Warren County retirees and County Commissioners meeting the eligibility requirements outlined below the option to participate in Health/Dental benefits after retirement through Warren Count's Group Benefits Plan.

Eligibility Requirements

1. Retirees must have at least 20 years of continuous employment with Warren County Government and be at least 60 years of age at retirement, or have at least 30 years of creditable service with the Local/State Government Retirement System with at least 20 years of continuous employment with Warren County Government and be at least 55 years of age at retirement to eligible for this benefit.

2. Retirees meeting the years of employment requirements, but who do not meet the age requirements set forth in Section 1 will be eligible to enroll in the County's Group Benefit Insurance Plan upon reaching the required age.

3. County Commissioners must have served a minimum of 3 consecutive terms (12 years) on the Warren County Board of Commissioners and be at least 60 years of age to be eligible for this benefit.

4. Retirees and County Commissioners will pay 100% of the premiums for health and dental insurance based on the County's group insurance rates.

5. Health and dental benefits through the County's Group Benefits Plan would be available to eligible retirees and County Commissioners up to age 65. Coverage terminates upon reaching age 65 and becoming eligible for Medicare.

Warren County
Salary Administration Policy

Policy: Warren County's policy is to promote and ensure competitive and equitable salaries for all employees.

Scope: All full-time employees and permanent part-time employees.

Objectives: The objectives of the Salary Administration Policy are as follows:

- To maintain fair and competitive salaries and ranges, consistent with the general labor market and the County's ability to pay.
- To maintain a salary schedule that will attract, retain, reward, and motivate the high quality employees needed by the County to achieve its goals and objectives.
- To ensure internal equity and consistency within and between departments.
- To provide the opportunity for salary increases for employees through cost-of-living adjustments (COLA's), increases resulting from salary progression increases, and longevity pay, or a combination of the three, dependent upon approval of funds in the annual budget by the Warren County Board of Commissioners.

Definitions:

Demotion – Involuntary downward movement into a lower salary grade.

Down-bid – Voluntary downward movement into a lower salary grade.

Lateral Transfer – Move from one job to another in the same salary grade.

Promotion – Advancement from one salary grade job into a higher salary grade position.

Cost-of-Living Adjustment (COLA) – Annual adjustment in base salary granted to all employees covered by this policy.

Salary Progression Pay – Adjustment in base salary granted in order to advance eligible permanent employees through their respective salary grades.

Longevity Pay – Incremental lump sum payment based upon years-of-service granted in order to encourage continued service of quality employees.

Salary Structure Adjustment – Adjustment to the Job Classification Schedule Salary Range Structure (Minimum, Midpoint, and Maximum) which must be approved by the Warren County Board of Commissioners.

New Jobs: Before a new job may be filled, a job description must be written and assigned to a salary grade. The Warren County Board of Commissioners must approve both the job description and salary grade.

New Hires: New hires must be paid a base salary at least equal to the established salary grade minimum but should normally not exceed the first quartile (25%) of the salary grade. To avoid internal inequities, the salaries of other employees in the same job will be reviewed.

Special Note: Employees who are subject to the State Human Resources Act and are hired in a Trainee status will be paid twelve dollars ($12) less annually than the salary grade minimum. Employees hired in a work against status shall be appointed to the salary grade which coincides with their job classification and level of qualification as determined by the Office of State Human Resources.

Salary Increases: During the annual budget process, the Warren County Board of Commissioners will determine which type of salary increase, if any, will be utilized. The Board will consider COLA's, salary progression increases, longevity pay, or a combination of the three types.

Employees who are at or above the salary grade maximum for their job classification are not eligible for any increase in salary.

Cost-of-Living Adjustment (COLA) – All employees covered by this policy are eligible for a COLA increase based on the percentage or amount approved by the Warren County Board of Commissioners and funded in the annual budget.

Employees who are serving in a probationary period are eligible for any COLA increase granted by the Warren County Board of Commissioners.

Salary Progression Increase – All permanent employees covered by this policy are eligible for a salary increase based on individual job performance, continued service with Warren County, and the pool of money approved for salary progression increases by the Warren County Board of Commissioners and funded in the budget. Employees will be considered for salary progression increases beginning on the second anniversary of employment with Warren County and every other year thereafter. Employees must have achieved a minimum overall performance appraisal score of 3.0 on the previous annual performance evaluation in order to be eligible for a salary progression increase.

Promotions: The amount of the promotional increase should be based upon and computed as follows:

- The number of grade levels promoted.
- The relationship of the employee's new salary to others in the same job with similar amounts of skill and expertise in the performance of the assigned duties.
- The percentage increase for promotions is determined by multiplying the percentage difference between grades in the approved Warren County Job Classification Schedule (currently 5%) times the number of grades promoted.
- If, after the initial percentage increase per grade calculation, the incumbent's rate is below the new grade minimum, the new rate of pay will be the grade minimum.
- The percentage difference between the grades in the approved Warren County Job Classification Schedule to compute promotional increase is a maximum and smaller amounts should be used to avoid creating internal inequalities.

Job Reclassification: When a substantial change in current job duties within a job category merits reclassification, in consultation with the Human Resources Manager, the job description may be revised and the job category assigned to the proper pay grade.

If, as a result of reclassification, a job is changed to a **higher** salary grade, incumbents who are below the new salary grade minimum will be moved to the minimum. If an incumbent's salary falls within the new pay grade, no salary treatment will be initiated.

If, as a result of reclassification, a job is changed to a **lower** salary grade, incumbents who are at or above the new salary maximum will receive no salary increase.

All requests for Job Reclassification must be approved by the Warren County Board of Commissioners.

Licensure & Certification Advancement:

Licensure or certification advancement should not be confused with promotions or job reclassification as defined above. Licensure or certification advancement focuses on an employee's potential to secure advanced license(s) or certification(s) while maintaining the same position number. It is the intent of this form of advancement to encourage professional growth and progression as it pertain to a particular profession. For example, Emergency Medical Technicians-Basic are encouraged to seek advanced training to the Emergency Medical Technicians-Paramedic level in order to provide the highest level of care possible to citizens of the County.

Upon presentation of the official advanced license or certification from an accredited institution of higher learning or prior approved program or course of study, licensure or certification advancement requests will be approved by the County Manager, and the position will be upgraded as necessary.

Lateral Transfer:

If an employee moves from one job to another in the same salary grade, no salary treatment will be initiated. The previous supervisor must collaborate with the new supervisor concerning the employee's performance when performance appraisals are completed.

Down-bid:

Salary reductions for employees who down-bid will be computed by multiplying the percentage difference between the grades in the approved Warren County Job Classification Schedule times the number of grades down-bid. The resulting decreased salary should not exceed the range maximum, in which case the salary will be reduced to the range maximum.

Employees who down-bid are eligible to receive the full portion of any salary increase, regardless of the timing of the down-bid, provided that the increase does not exceed the salary range maximum.

Demotion: Employees who are demoted will receive a salary reduction equal to the percentage difference between the grades in the approved Warren County Job Classification Schedule times the number of grades demoted. This resulting decreased salary should not exceed the range maximum, in which case the salary will be reduced to the range maximum.

Employees who are demoted are eligible to receive the full portion of any salary increase, regardless of the timing of the demotion, provided that the increase does not exceed the salary range maximum.

Exceptions: Exceptions to the guidelines of this policy are discouraged. All exception requests must be submitted in writing to the Human Resources Department. The Human Resources Manager will make a recommendation to the County Manager. If the County Manager recommends approval of an exception request, the request will be submitted to the Warren County Board of Commissioners for final approval.

Exceptions to this policy must be approved prior to any salary information being communicated to the employee.

Warren County
Salary Progression Policy

Purpose: It is the intent of this policy to provide career employees an opportunity for salary progression within the designated salary grades dependent upon the completion of County service.

Scope: All full-time employees and permanent part-time employees.

Objectives: The objectives of the Salary Progression Policy are as follows:

- To maintain fair and competitive salaries consistent with the general labor market.
- To provide a mechanism to move career employees from the minimum hiring salary through the salary range.
- To motivate and reward employees who achieve performance objectives.
- To encourage the continued service of quality employees with Warren County.

Definition: Service – Employment with Warren County.

Eligibility: Permanent employees who have successfully completed a minimum of two (2) consecutive years of service with Warren County shall be eligible for consideration to receive an initial salary progression increase. The increase shall be granted on the anniversary date during the fiscal year within which the anniversary falls. Permanent employees will be eligible for salary progression every other year thereafter within the fiscal year during which the anniversary falls. Fiscal year is defined as July 1st through June 30th.

Employees must have achieved a minimum overall performance appraisal score of 3.0 on the previous annual performance evaluation in order to be eligible for salary progression during the initial consideration period or during any subsequent consideration period. Employees whose salaries are at or above the salary grade maximum for their job classifications are not eligible for a salary progression increase.

Guidelines: All permanent employees covered by this policy are eligible for a salary increase in an amount up to 2.5% of the base salary dependent upon individual job performance, continued service with Warren County, and the pool of funds approved for salary progression by the Warren County Board of Commissioners and funded in the annual budget.

Permanent employees who have completed two (2) to four (4) years of service will receive a bi-annual increase up to one percent (1%). Employees who have completed five (5) to seven (7) years of service will receive a bi-annual increase up to one and a half percent (1.5%). Permanent employees who have completed eight (8) to ten (10) years of service will receive a bi-annual increase up to two and a half percent (2.5%). Employees who have completed more than ten (10) years of service will receive a bi-annual increase up to two percent (2%) per year for the duration of employment with the County.

Warren County
Voluntary Educational Involvement Leave Policy

Purpose: The purpose of this policy is to encourage Warren County employees to support students and educators in the school system through the use of voluntary paid educational involvement leave.

Scope: All full-time and permanent part-time employees.

Guidelines: Full-time employees are eligible for sixteen (16) hours of voluntary paid educational involvement leave per calendar year (pro-rated for permanent part-time employees) to be used during the employee's regular work schedule to participate in school activities or to volunteer his/her services to schools in conjunction with normal school hours of 7:30 a.m. to 3:30 p.m., and during the hours of 3:30 p.m. to 5:00 p.m. in structured after-school programs and activities (not including athletic programs/events.)

The sixteen (16) hours of voluntary educational involvement leave shall be credited to each eligible employee on July 1 of each year. Newly hired employees shall be credited with leave immediately upon employment, however, it will be pro-rated at the rate of 1.333 hours per month for the remainder of the fiscal year. Separated employees that are re-employed within the same fiscal year will be credited voluntary educational involvement leave the same as newly hired employees; however, the combination of re-employment credit hours and total hours used prior to separation in the same fiscal year cannot exceed the annual sixteen (16) hour maximum leave benefit.

Employees may not use voluntary educational involvement leave to attend daycare related events. Examples of acceptable activities under this policy include, but are not limited to, assisting with school special events or participating in an established school program as either a tutor or mentor, or serving as a guest lecturer.

Training for all school volunteers will be conducted by designated school staff on a quarterly or seasonal basis. Volunteers must receive training prior to volunteering their services in any capacity within the school system. Background checks will also be conducted by school staff for all individuals interested in volunteering in any capacity within the school system. Volunteers must abide by all school system policies, rules and regulations governing the use of school volunteers. Violators of any school system policies, rules and regulations may be subject to being disbarred from participating in the educational involvement leave program.

Voluntary educational involvement leave must be taken in one hour increments. Leave must be requested at least one (1) week in advance of the activity or event and will be granted or denied by the Department Head. The County Manager shall approve Department Head requests for voluntary educational involvement leave. Travel time will not be included in the calculation of voluntary educational involvement leave.

Voluntary educational involvement leave will be documented and tracked in the same manner as annual leave and sick leave by the County Department. The actual arrival/departure time will be recorded by designated school staff on a form approved by Warren County. The Department Head may require the employee to furnish written verification of volunteer hours from the school in which the employee volunteered or was otherwise involved at the school during the time of leave.

Voluntary educational involvement leave will not be cumulative. Leave not taken by the end of the fiscal year will be forfeited and not carried over into the next fiscal year.

Employees will not be paid for any outstanding balance of voluntary educational involvement leave upon separation.

Revised Policies

Travel Policy, Section 3-1 (Revised July 2017)

Vacation Leave, Section 6-2 (Revised January 2017)

Voluntary Educational Involvement Leave, Appendix (Revised December 2017)

TRAVEL POLICY

WARREN COUNTY

Section 1. Purpose:
The intent of this policy is to make uniform provisions for the reimbursement of necessary expenses of county employees and board members who are required to travel in the performance of their duties and in the interest of Warren County.

Section 2. Policy Administration:
The respective department heads are responsible for the administration of the provisions of this policy and are authorized to approve travel reimbursements except where otherwise stated.

Section 3. Definitions:

A. Covered Parties – All county employees and Board Members are covered by this policy. Non-county employees traveling on official business whose expenses are paid by the County are subject to this policy to the same extent as County employees. **Expenses for family members will not be paid by the County and should be paid directly to the vendor by the traveling party.**
B. Authorizing Party – The employee's department head will be the party responsible for authorizing travel and approving expense reports. This authority may be delegated to a supervisor by the department head. The County Manager shall approve all department head travel except those reporting directly to the Board of Commissioners. A designated member of the Board of Commissioners shall approve travel of the County Manager, other Board members and those Department Heads reporting directly to the Board. All out-of-state travel must be pre-approved by the County Manager or Board of Commissioners. All requests shall be approved in accordance with this policy.
C. Third Party Paid Travel – When a third party (i.e., the State or grantor agency) will reimburse the County for all or a portion of travel expenses, this information must be provided in writing to the Finance Office at the time the "Authorization for Overnight Travel" form is submitted.
D. Necessary Expense – All reasonable charges incurred by an employee caused by travel in the interest of the county, including transportation, meals, registrations, internet access, taxi fares for business purposes and parking fees will be reimbursed. Non allowable expenses include fines, alcoholic beverages or illegal expenses, laundry charges, personal telephone calls, movie rentals, tips or similar personal expenses.
E. Duty Station – The location at which the employee spends the majority of his or her working hours.
F. Travel Period – The month in which the travel takes place.
G. Authorized Transportation Modes – Following are authorized modes of transportation available to employees and officials traveling on county business:

i. County owned vehicles are available for employee use for work related travel and should be used when this mode of transportation is most cost efficient. When a county vehicle is used it should be picked up at the duty station on the day of travel. However if the meeting destination is closer to your home than your duty station or if your departure time is before 7:00 a.m., a county vehicle can be driven home the night before the meeting and returned the next working day.

ii. Reimbursement may be approved for direct expenses for county owned vehicles when charges cannot be made to the County, and county gas or services is not available.

iii. Public Transportation. Air travel will be reimbursed for coach fare with every effort being made to take advantage of the greatest discounts available.

iv. Rental Cars. Rental cars will be allowed only when no other, more economical mode of transportation is available and must be approved in advance by the authorizing party. A receipt from the rental company is necessary for reimbursement.

H. Employees using personal vehicles for work related travel will be reimbursed on a per mile basis.

i. Mileage is computed from the duty station or from home to the conference/workshop location, whichever is less.

ii. The mileage allowance shall increase/decrease in accordance with the mileage rate for the State of North Carolina upon recommendation from the Finance Director. (Current business standard rate set by the Internal Revenue Service and the NC Office of State Budget and Management is .535 cents per mile.)

iii. Mileage verification using a computer mapping site should be attached to all travel requests.

iv. At the discretion of the Department Head, carpooling should be encouraged when employees are attending the same meeting/workshop.

I. Meal Allowance – The following schedule shall be used to reimburse the cost of meals in connection with overnight business:

	In-State	Out-of-State
Breakfast	$ 8.00	$ 15.00
Lunch	10.00	20.00
Dinner	20.00	30.00

The above amounts are inclusive of tips. Meals will be reimbursed for overnight travel only. (No receipts are required for meals). The number of meals for which an allowance is due on days of partial travel shall be determined as follows and must be approved on the Authorization for Overnight Travel:

Breakfast - Depart duty station prior to 7:00 a.m. (if the calculation does not allow for breakfast, it also does not allow for a hotel accommodation the night before.

Lunch - Depart from duty station prior to 11:00 a.m. on day of departure. Return to duty station after 1:30 p.m. on day of return

Dinner - Return to duty station after 8:00 p.m. on day of return

J. Non-overnight Travel – In order to comply with IRS regulations, there will be no meal reimbursement during travel that does not require overnight travel. If a registration fee for a one-day program includes a meal, or if lunch or dinner is a part of a meeting or conference, the full cost of the registration is reimbursed, inclusive of the meal.

Section 4. Procedures for Travel:

A. Authorization for Overnight Travel – Requests for overnight travel **must be approved in advance**. Overnight travel expenses incurred without prior approval by the authorizing party and the Finance Office will not be reimbursed. The computation of meal allowances on days of departure and return will be determined by using the timetable indicated in Section 3.I. of this policy.

i. One (1) hour of travel time will be allowed for each fifty (50) miles traveled.

ii. Overnight stay will be authorized for the night before the meeting if the meeting/session time plus thirty (30) minutes allowance for registration, using the breakfast allowance calculation in Section 3.I., requires you to leave prior to 7:00 a.m.

iii. The "Authorization for Overnight Travel" form must be submitted to the Finance Office at least ten (10) working days prior to travel.

iv. A copy of the meeting/training announcement, including the agenda, must be attached to the "Authorization for Overnight Travel" request form.

v. The Finance Office will determine whether the request is in accordance with the provisions of this policy and may approve or deny it.

vi. An approved copy of the "Authorization for Overnight Travel" form will be returned to the department as evidence that travel has been approved by the Finance Office.

vii. Travel advance requests should be submitted on "Check Requests for Approved Travel" form. Travel advance requests should not be submitted to Finance Office until "Authorization for Overnight Travel" form has been approved and returned to the department. **(Do not submit travel advance check requests with "Authorization for Overnight Travel")**

B. Explanations of Travel Advance Requests:

i. Registration – The Finance Office will issue a check to the sponsoring agency for registration fees for meetings and conferences. A "Check Requests for Approved Travel" form must be submitted to the Finance Office no less than five (5) working days prior to travel in order for a check to be issued. For non-overnight travel registration request, a copy of the workshop/meeting notice must be attached

ii. Hotel Deposits – The Finance Office will issue a check payable to the hotel. A "Check Requests for Approved Travel" form must be submitted to

the Finance Office no less than five (5) working days prior to the date of travel in order for a check to be issued. A full itemized bill from the hotel must be attached to the monthly expense report, not a copy of a credit card receipt. Hotel charges will be paid at the single rate for employees or officials traveling with their families. Every effort should be made to stay at hotels offering a government rate.

iii. Cash Advance –Cash Advances may be requested, using the "Check Requests for Approved Travel" form when miscellaneous expenses are $50.00 or more and were previously approved on the Overnight Travel Authorization. NO CASH ADVANCE WILL BE ISSUED FOR LESS THAN $50.00. A receipt for parking, taxi fares and airfare must be submitted when travel is cleared. Cash advances will not be issued prior to three (3) working days of departure. Cash advances should be settled within thirty (30) days following the trip. No future advance will be issued until the prior advance is settled. If an advance is not settled within sixty (60) days following the month of travel, the cash advance may be deducted from the employee's payroll check.

iv. No advances for any purpose will be issued if expense reports are outstanding more than sixty (60) days following the month of travel.

v. Please use travel forms designed by the Finance Office. Altered forms will be returned to the department for resubmission on correct forms. These forms can be obtained via e-mail from the finance office.

C. Travel Expense Reports – Expense reports should be submitted monthly, by the 5th day of the month following the month of travel. Travel reimbursement checks are written to employees on the 10th of the month following the travel period. Expenses should be itemized for each day. All expense reports should be signed by the supervisor before submission to the Finance Office. All unsigned expense reports will be returned to the department for signature and may result in a check not being issued by the 10th of the month. If funds are due the County, funds must be submitted to the Finance Office with the expense statement. Expense statements must include original receipts for allowable charges ((i.e., registration (if paid by the employee), hotel, parking, airfare, car rental, taxi fares, etc.)).

This revised policy is adopted this 19th day of June, 2017 and takes effect July 1, 2017.

Section 6-2. Vacation Leave

Vacation leave is a benefit granted by Warren County to eligible employees. Employees must schedule vacation leave at least 1 week in advance in order to maintain efficiency and adequate staff coverage within the department. Vacation leave is earned by regular full-time and permanent part-time employees working each pay period based on years of service to Warren County. Permanent part-time employees will earn a prorata share of vacation leave. Eligible employees begin accruing vacation leave at hire; however, an employee must be employed six (6) months before the employee is eligible to take paid vacation leave, unless authorized and approved by the Department Head. The Human Resources Manager must be notified of any employee requesting more than two weeks of consecutive vacation leave prior to the approval of the leave.

The following chart provides the rate at which regular and probationary full-time employees working the **standard 37.5 hour work** week shall accumulate vacation:

Length of Service	Monthly Earnings (Hours)	Annual Earnings (Hours)	Annual Earnings (Days)
Less than 2 years	7.42	89	11 days, 6.5 hrs.
2 years but less than 5 years	8.67	104	13 days, 6.5 hrs.
5 years but less than 10 years	10.53	126	16 days, 6.0 hrs.
10 years but less than 15 years	12.42	149	19 days, 6.5 hrs.
15 years but less than 20 years	14.28	171	22 days, 6.0 hrs.
20 or more years	16.17	194	25 days, 6.5 hrs.

Regular and probationary full-time employees working a 40 hour work week shall accumulate vacation according to the following schedule:

Length of Service	Monthly Earnings (Hours)	Annual Earnings (Hours)	Annual Earnings (Days)
Less than 2 years	7.83	94	11 days, 6.0 hrs.
2 years but less than 5 years	9.17	110	13 days, 6.0 hrs.
5 years but less than 10 years	11.17	134	16 days, 6.0 hrs.
10 years but less than 15 years	13.17	158	19 days, 6.0 hrs.
15 years but less than 20 years	15.17	182	22 days, 6.0 hrs.
20 or more years	17.17	206	25 days, 6.0 hrs.

Employees subject to a fluctuating 40 hour workweek may accrue annual/vacation leave at a modified rate.

Employees with previous North Carolina local government or North Carolina state government

service shall be given credit for those years of service up to 10 years when accruing vacation leave. Verification of previous years of service must be provided by the former local government or State of North Carolina employer. Vacation accrual at an adjusted rate must be requested in writing at the time an offer of employment is made and must be approved by the County Manager before the first day of employment with Warren County.

This provision is effective as of the date this policy revision is adopted (January 3, 2017).

The 12 month period between January 1st and December 31st is established as the leave year.

Employees must be in pay status before the 15th of the month and worked one half or more of the regularly scheduled workdays within the month in order to earn vacation leave for that month. If an employee is not in pay status for as much as one-half of the scheduled working days of the month, no vacation leave will be credited for that month. To be in pay status, an employee must be either working or taking vacation, administrative leave, sick leave, or utilizing compensatory time. An employee who is out due to workers' compensation leave will not accrue vacation leave. An employee who has separated employment does not earn vacation leave beyond such employee's last working day.

Vacation will be credited to the employee's leave account on the 15th day of any given month. Vacation leave may not be taken until it has been earned and credited to the employee's vacation leave account. Thus, in the event leave has been approved by mistake (i.e. the employee's Supervisor mistakenly believes the employee has leave time available to take), such leave if taken shall be *unpaid* leave. If employee has already been paid for leave time which he/she did not have available, the County shall have the obligation and authority to reimburse itself for the unearned paid leave from the employee's next paycheck upon the County's discovery of the unearned leave having been paid out.

Vacation leave may be utilized upon the death of an immediate family member of the employee; however, this leave shall not exceed 5 days for any one occurrence and may only be taken after the employee has exhausted his/her bereavement leave (Section 6-7). Additional vacation leave usage may be authorized by the Department Head or County Manager under exceptional circumstances.

Voluntary Educational Involvement Leave Policy

Purpose:

The purpose of this policy is to encourage Warren County employees to support students and educators in the school system through the use of voluntary paid educational involvement leave.

Scope:

All full-time and permanent part-time employees.

Guidelines:

Full-time employees are eligible for sixteen (16) hours of voluntary paid educational involvement leave per calendar year, to be used during the employee's regular work schedule and to participate in school activities or to volunteer services to schools between the hours of 8:00 AM and 5:00 PM.

Background checks will be conducted by school staff for all individuals interested in volunteering in any capacity within the school system. Volunteers must abide by all school system policies, rules and regulations governing the use of school volunteers. Violators of any school system policies, rules and regulations may be subject to being disbarred from participating in the educational involvement leave program.

Leave must be requested at least one (1) week in advance of the activity or event and must be approved by a Department Head. The County Manager shall approve Department Head requests. Travel time will not be included in the calculation of voluntary educational involvement leave.

Leave will be documented and tracked in the same manner as annual leave and sick leave by the County Department. The actual arrival/departure time will be recorded by school staff.

Voluntary educational involvement leave will not be cumulative. Leave not taken by the end of a fiscal year will be forfeited. Employees will not be paid for any outstanding balance of voluntary educational involvement leave upon separation.

Policy Adoption:

Policy revised and adopted this 13th day of December, 2017.