

IMPORTANT NOTICE

ALL EMPLOYEES OF THE COUNTY ARE EMPLOYED AT-WILL AND MAY QUIT OR MAY BE TERMINATED AT ANY TIME AND FOR ANY OR NO REASON, WITH OR WITHOUT NOTICE. NOTHING IN ANY OF THE COUNTY'S RULES, POLICIES, HANDBOOKS, PROCEDURES OR OTHER WRITTEN DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR PROCEDURES, WHETHER WRITTEN OR ORAL, FORM ANY EXPRESS OR IMPLIED AGREEMENT TO CONTINUE SUCH PRACTICES OR PROCEDURES. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH HEREIN CREATE ANY CONTRACT OF EMPLOYMENT UNLESS (1) THE TERMS ARE PUT IN WRITING; (2) THE DOCUMENT IS LABELED A "CONTRACT"; (3) THE DOCUMENT STATES THE DURATION OF EMPLOYMENT; AND (4) THE DOCUMENT IS SIGNED BY THE COUNTY ADMINISTRATOR FOLLOWING AFFIRMATIVE VOTE OF COUNCIL.

POLICIES SET FORTH IN THIS HANDBOOK ARE MERELY GENERAL GUIDELINE POLICIES WHICH MAY NOT APPLY TO EVERY EMPLOYEE IN EVERY SITUATION. WHEN IT IS NOT PRACTICAL OR DESIRABLE TO FOLLOW THESE GENERAL GUIDELINE POLICIES, THE COUNTY WILL HANDLE SUCH SITUATIONS AS THE COUNTY DEEMS APPROPRIATE.

BY MY SIGNATURE BELOW, I AFFIRM THAT I UNDERSTAND THIS EMPLOYEE HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT AND THAT MY EMPLOYMENT WITH THE COUNTY IS AT-WILL.

Signature: _____ Date _____

Printed Name: _____

Personnel File Copy

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Signature: _____ Date _____

Printed Name: _____

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SPECIAL NOTE

For ease of readability, these policies follow the traditional English practice of referring to unidentified individuals by the use of masculine pronouns. Whenever such a pronoun is used, it is intended to apply to both males and females.

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Policy Title: General Objective for County Employees	Section Number: 1. General Provisions Policy Number: 1.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 1. GENERAL PROVISIONS

1.1 GENERAL OBJECTIVE FOR COUNTY EMPLOYEES

As an employer, Lancaster County has great expectations for the success of our employees and the success of the County. We serve an especially important group of people – the Lancaster County Citizens! The work that our employees do every day provides services to the public and it is essential that the actions of all employees be beyond reproach and in the best interest of the County which they serve. The behavior of our employees toward the public and co-workers should be one of courtesy, duty, and willingness to serve. It is the objective of the County to maintain an efficient staff that is well trained and aware of their responsibilities and who are interested in serving the needs of the citizens of Lancaster County.

As an employer, Lancaster County promotes the values of:

- Service
- Respect
- Teamwork
- Safety & Security
- Productivity

In connection with this, employees are expected to be:

- Loyal
- ~~Fair and~~ Courteous ~~in meeting the public and working with fellow employees~~
- Industrious
- ~~Neat~~ Professional in their work and personal appearance
- Prompt – ~~when you are late, your work falls behind and you may delay others~~ in attending meetings and responding to coworkers and citizens.
- Attendance – to show up and do the job.
- Economical in the use of supplies and equipment

All of our employees are important members of the Lancaster County team!

Policy Title: County Government	Section Number: 1. General Provisions Policy Number: 1.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

1.2 COUNTY GOVERNMENT

As an employee of Lancaster County, it is important that employees understand how the County is governed. Lancaster County operates under the Council-Administrator form of government.

Seven members of the County Council comprise the legislative branch of the County government. It is their duty to determine policy, set tax rates, and approve the County budget. Each member is elected to a four-year staggered term of office.

The County Administrator is appointed by the County Council and is responsible for executing and coordinating the policies approved by Council. The Administrator is also responsible for hiring and directing employees in the delivery of County services.

The County Administrator has the responsibility for the administration and interpretation of County policies and procedures. The Administrator may delegate this authority to the Director of Human Resources or other County officials.

Policy Title: Adoption of Policies Limitations as to Elected Officials and Their Employees	Section Number: 1. General Provisions Policy Number: 1.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

1.3 ADOPTION OF POLICIES

The Policies in this Handbook have been adopted by Resolution by the Lancaster County Council on [DATE] as the current Employee Policies for all County employees. This Handbook supersedes all previous policies and all previous Employee Handbooks and shall be recognized as the Employee Handbook and Employee policies in force until such time as any amended policies and/or handbooks are adopted by Resolution by the Lancaster County Council. This means all previous policies are no longer applicable unless incorporated into this updated version of the Employee Handbook. This includes but is not limited to the County policy on employee and retiree benefits, disciplinary actions, and leaves of absence.

LIMITATIONS AS TO ELECTED OFFICIALS AND THEIR EMPLOYEES

Pursuant to S.C. Code of Laws §4-9-30(7) as amended, counties are expressly authorized to develop personnel policies and procedures regulating county employees. Employees of elected officials are not subject to the county's policies and procedures, and the employment, termination and suspension authority of the county does not extend to any personnel employed in departments or agencies under the direction of an elected official or an official appointed by an authority outside county government. S.C. Code Ann. §4-9-30(7). Elected and/or appointed officials may voluntarily elect to utilize these personnel policies and procedures.

Policy Title: Equal Employment Opportunity Affirmative Action	Section Number: 1. General Provisions Policy Number: 1.4
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

1.4 EQUAL EMPLOYMENT OPPORTUNITY

~~Lancaster County is an Equal Employment Opportunity Employer. Federal and state laws prohibit employment decisions from being made based on race, color, religion, sex, national origin, genetic information, citizenship, age or disability. The County's policy of equal employment opportunity and nondiscrimination extends to recruitment, employment, advancement and promotion, compensation and benefits administration, training and development, and other personnel actions. Anyone who believes he has encountered discrimination should report it to the Human Resource Director. Reports of discrimination made in good faith will not result in retaliation against the employee.~~ Lancaster County provides equal opportunity to all applicants for employment and administers hiring, conditions and benefits of employment, compensation, training, promotions, transfer, salary adjustments, benefits administration, discipline and other personnel actions without discrimination because of race, color, religion, sex, sexual identification, sexual orientation, pregnancy, childbirth, or related medical conditions (including but not limited to lactation) disability, genetic information, political affiliation, age, citizenship, or national origin except where sex, age or physical ability is a bona fide occupational qualification. Opportunity for employment with Lancaster County depends on factors such as qualifications and performance. The County also prohibits retaliation against employees who have reported discrimination in good faith. Any employee who believes that he or she has been discriminated against in violation of this policy must report the matter to the Human Resources Director.

Affirmative Action

In support of our policy of providing equal opportunity employment to all persons, Lancaster County shall take affirmative action in the hiring and placement of eligible employees.

The County Administrator appoints by memorandum the Human Resources Director as the Equal Employment Opportunity / Affirmative Action Coordinator. The EEO/AA Coordinator shall be responsible for the administration and coordination of the EEO/AA program.

Policy Title: Anti-Harassment Policy	Section Number: 1. General Provisions Policy Number: 1.5
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

1.5 **ANTI-HARASSMENT POLICY**

Our policies, as well as various laws and regulations, generally prohibit employment decisions from being made on the basis of race, sex, genetic information, religion, national origin, age, disability, veteran status, political affiliation, or similar distinctions. In addition, it is our policy to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, threats, bullying and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

Lancaster County will not tolerate harassment of any kind. The County forbids retaliation against anyone who has reported harassment in good faith.

If any employee feels that this policy has been violated by anyone with whom they have come into contact on the job, regardless of whether it is by a co-worker, a supervisor, or a member of the general public, the employee must immediately report this incident by utilizing the Complaint Procedures and Investigation that follows this policy.

Sexual Harassment

Sexual Harassment warrants special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on an individual's sex may constitute sexual harassment when:

- (1) Submission to the conduct is an explicit or implicit term or condition of employment; or
- (2) Submission to or rejection of the conduct is used as the basis for an employment decision, or
- (3) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented “kidding” or “teasing,” “practical jokes,” jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, “put-downs” or condescending or derisive comments or terms based on gender, and physical conduct, such as patting, pinching, or brushing against another person. ~~Although commonly the “perpetrator” of such conduct is male and the “victim” is female.~~ This policy prohibits such conduct regardless of the gender of the perpetrator or victim.

Disputes sometimes arise as to whether conduct was “welcome” or “unwelcome.” Conduct, that would violate this policy if it were unwelcome, will be considered to violate the policy if anyone complains of it. Obviously, not all conduct, which is prohibited by this policy constitutes a violation of the law.

Complaint Procedures and Investigation

If an employee feels that this policy has been violated by anyone with whom they have come in contact with on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, the employee **must immediately** report the incident(s). There are two ways that this can be done:

- By reporting to the employee’s **immediate** supervisor or to a higher level in your “chain of command.” Complaints against the County Administrator should be made to the Chairman of County Council or to the County Attorney.
- Report to the Human Resource Director in person, in writing or via voice mail by dialing (803) 416-9306.

Supervisors and managers who receive complaints of or become aware of harassment ~~should coordinate with Human Resources and~~ **must immediately bring this to the attention of Human Resources and will cooperate with Human Resources on any resulting investigation.**

Every Harassment allegation will be investigated. Investigatory procedures may vary from case to case, depending upon the circumstances. The complaint will be kept as confidential and quiet as is consistent with its effective investigation. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused person, the complaining one, or merely a potential witness. Persons who are interviewed should not discuss the matter at all with co-workers, friends, or management. This does not mean, however, that employees may not complain to civil rights agencies. The County will keep the

information it gathers as confidential as possible, consistent with state and federal laws and the needs of the investigation. Employees who bring forward a complaint or who cooperate with an investigation may not be subjected to retaliation as a result of that complaint or cooperation.

In appropriate situations, employees may be asked to submit to a polygraph (lie detector) examination.

Corrective Action

If management concludes that a complaint of harassment has merit, appropriate action will be taken. ~~Employees will be subject to disciplinary action up to and including discharge.~~ Employees, including supervisors, who are determined to have violated this policy, may be subject to serious disciplinary action up to and including termination commensurate with the seriousness of the conduct. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

Preventative Action

Department Heads and Supervisors shall review this policy with all employees annually. Employees will be required to sign an acknowledgement confirming that the policy has been presented to them and attest to their understanding of this policy.

Training will be conducted on the County's policy regarding harassment and sexual harassment.

The County Attorney shall review this policy bi-annually and make changes as needed.

Important

In order to avoid misunderstanding, complaints made to members of management or to the Human Resource Director ~~must~~ should involve completion of the report form available in each department or in the Human Resource Department. ~~You will be given~~ Employees filing a written complaint may request a copy of the completed form. ~~If you report by voice mail, you must remember the date that you did so.~~

These procedures have been established to enable you to get relief if you feel that you are the victim of harassment. ~~The U.S. Supreme Court has said that as a general rule you may not sue the County for violation of your rights unless you first give us notice and an opportunity to end the harassment.~~ While not all of the prohibited conduct listed rises to the level of what would meet the legal definition of harassment, the County does not want our employees to have to worry about whether conduct, which makes them feel uncomfortable, meets or does not meet a particular legal definition. What the County wants is that employees notify the County immediately in the event

someone else's conduct offends you or otherwise makes you feel uncomfortable. The reporting procedures we have adopted are intended to establish a clear record of what has been reported.

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Policy Title: Workplace Violence and Bullying	Section Number: 1. General Provisions Policy Number: 1.6
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

1.6 WORKPLACE VIOLENCE AND BULLYING

Lancaster County is concerned about increased violence in society, which has also filtered into many workplaces throughout the United States and has taken steps to help prevent incidences of violence from occurring at the County.

It is the policy of the County to expressly prohibit an act or threat of violence by any County employee or former employee against any other employee in or about the County's facilities or elsewhere at any time. Also, the County will not condone any acts or threats of violence against County employees, citizens, or visitors on County premises at any time or while they are engaged in business with or on behalf of the County, on or off premises.

Any employee who displays a tendency to engage in violent, bullying, abusive or threatening behavior, or who otherwise engages in behavior that the County, in its sole discretion, deems offensive or inappropriate, will be counseled by his immediate supervisor. Such employees will also be subject to disciplinary action, up to and including termination.

Any violent, abusive, or threatening behavior must be immediately reported to the County Administrator or the Human Resources Director for immediate action.

Policy Title: Employee Substance Abuse Policy	Section Number: 1. General Provisions Policy Number: 1.7
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

1.7 **EMPLOYEE SUBSTANCE ABUSE POLICY**

It is well-recognized that substance abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the County ~~to comply with the Drug Free Workplace Act, to comply with applicable federal regulations,~~ to establish and maintain alcohol and drug-free workplaces, to provide guidance regarding the use of ~~“medical” marijuana~~, cannabidiol (CBD), similar products, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and the use of controlled substances on or off the job.

For these reasons, the County adopts the following policy:

GENERAL RULE

All employees of the County are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.). Further, this prohibition applies to the misuse, abuse or any unlawful use or possession of otherwise legal or ~~synthetic~~ drugs. This prohibition applies to use at any time, both on the job and off the job. County employees are permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

~~As used in this policy, “illegal drugs and substances” includes substances that are designed to mimic the effects of illegal drugs, but that due to differences in chemical composition may not be classified as Schedule I drugs or otherwise be expressly illegal. Examples include K2, or spice, which are synthetic cannabinoids. Cannabidiol (CBD) products raise special concerns because, in certain forms they are legal for use, but they are unregulated and little research has been done to standardize dosing, study outcomes, or regulate production. CBD and hemp products, by law, may not contain more than .3% THC (tetrahydrocannabinol), the psycho-active compound in marijuana. However,~~ It is possible for employees using CBD or hemp products to test positive for marijuana because of their use. It is not possible to determine whether a positive test for marijuana was a result of using CBD or hemp products, or from using marijuana. **The County will consider any confirmed positive test for marijuana to be**

conclusive for employment purposes – even if an employee claims to have used CBD or hemp, and even if the employee has a prescription or other physician’s order for its use.

All employees of the County are prohibited from using or possessing alcoholic beverages on County premises or time. (The term “County premises or time” includes: County vehicles and private vehicles on County premises; parking lots and recreation areas; and any circumstances in which an employee is representing the County, such as attending off-premises business meetings or conferences. Certain specific exemptions may be granted by the County Administrator. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) ~~The County Administrator may approve moderate alcohol use at designed social or business functions.~~

All employees of the County are prohibited from reporting to or being at work while under the influence of alcohol. **(An employee is considered to be “under the influence of alcohol” if he has any detectable amount of alcohol in his system.)** An employee taking prescribed medication which might affect his ability to perform his job is required to advise his supervisor. The County will determine whether the employee may continue to work. Employees may be required to submit to a drug screen.

~~These prohibitions also apply to leased employees and contractors employed by the County or working on County property. Employees of elected and appointed officials are subject to this policy only to the extent that it may be adopted, in whole or in part, by the employing official.~~

APPLICANTS FOR EMPLOYMENT

Applicants tentatively selected for employment must undergo a pre-employment drug test. ~~The County does not hire applicants tentatively selected for employment who refuse to submit to a drug test or who test positive for use of illegal or unauthorized substances or the illegal use of authorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate that he is no longer a user of any such substances. For example, the applicant may successfully complete a drug abuse treatment program and pass a more thorough drug test conducted at the applicant’s expense. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result on a more thorough drug test.)~~ Refusal to submit to a pre-employment drug test will result in a withdrawal of a conditional offer of employment. An applicant who is rejected under this policy may be considered for future vacancies at the discretion of the County.

CURRENT EMPLOYEES

- A. All County employees are subject to drug or alcohol testing by ~~urinalysis~~ professional methods, where “particularized suspicion” of drug or alcohol use in violation of this policy exists or under other lawful conditions.

1. Particularized suspicion is deemed to exist when:

- a. Information that an employee has used drugs, alcohol, or other substances in violation of this policy is provided by a reliable informant;

- b. An accident occurs:

“accident” is defined as:

- (1) an accident involving a fatality;
- (2) an accident-causing personal injury that results in medical care away from the scene of the accident;
- (3) an accident involving a total aggregate property damage of \$2,500 or more based on reasonable estimates; or
- (4) an accident involving one or more vehicles which results in one of the vehicles having to be towed from the scene by a tow truck or other vehicle.

NOTE: DOT regulated employees (CDL Drivers) are subject to special rules for post-accident testing and will be tested following an accident in accordance with DOT regulations.

- c. An employee exhibits behavior consistent with substance use such as but not limited to:

- (1) Erratic behavior (extreme mood swings; slurred speech, bloodshot eyes, sleeping on the job or unusual lethargy, staggering, unusual clumsiness);
- (2) an employee has been arrested for or convicted of a violation of drug laws; or
- (3) the apparent odor of an alcoholic beverage on an employee’s breath or person.

- d. an employee is arrested for or convicted of a drug or alcohol related offense;

- e. an employee has admitted violating the County's drug or alcohol policies; or
 - f. an employee has tested positive for **drugs or** alcohol in violation of this policy, or otherwise violated this policy, within the past five years.
- B. Particularized suspicion testing is conducted upon the approval of the County Administrator or his designee.
- C. All sworn law enforcement officers, employees who are required by their jobs to possess a Commercial Driver's License or employees whose jobs the County regards as "safety-sensitive" are subject to random testing to determine compliance with this policy. ~~A list of "safety-sensitive" positions is attached as Appendix A.~~ Random selection testing is unannounced.
- E. Employees may be tested for the use of controlled substances as part of any "fitness for duty" physical examination mandated by federal/state law or by the County, or as otherwise allowed by law.
- F. Employees who refuse to submit to an alcohol or drug test when ordered to do so or who adulterate or substitute test samples are in violation of this policy and subject to disciplinary action, up to and including termination. Refusal to test includes failure to appear for a test, failure to remain until testing is complete, failure to provide an adequate amount of urine, saliva or breath, failure to undergo a medical examination to evaluate an ability to provide an adequate urine, saliva or breath specimen, or failure to sign a required certification form.

TESTING PROCEDURE

~~A. Drug testing.~~

- ~~1. Drug testing will be by urinalysis.~~
- ~~2. The collection of urine samples is performed under reasonable and sanitary conditions.~~
- ~~3. Urine is normally collected under conditions of semi-privacy—that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule. In addition, direct observation will be used in DOT-mandated testing for DOT-regulated employees when allowed or required by DOT regulations.~~

~~4. Urine samples are sealed, labeled, and documented in accordance with the procedure of the drug testing collector or laboratory. Tests performed pursuant to DOT regulations will follow the procedures required by those regulations. Labeling, storage, and transportation of samples are performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.~~

~~5. Specimens are checked for at least the following six drugs:~~

- ~~a. marijuana~~
- ~~b. cocaine~~
- ~~c. opiates~~
- ~~d. amphetamines~~
- ~~e. phencyclidine~~
- ~~f. barbiturates~~

~~NOTE: Tests performed pursuant to DOT regulations check for only those substances mandated by the DOT regulations.~~

~~6. Applicants and employees are provided an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.~~

~~7. Samples which initially result in a positive finding for drug use are re-tested by the gas chromatography/mass spectrometry (GCMS) or an equivalent method. If the confirmatory test results in a positive finding of drug use, and is verified by the Medical Review Officer, the written report of the Medical Review Officer is conclusive for all employment related purposes.~~

~~8. IMPORTANT: The County's Medical Review Officer (MRO) normally allows an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the County. Typically, contact by the MRO is by phone. **Employees must respond to attempts to contact them by the MRO. Failure to do so will result in discipline, up to and including discharge.**~~

~~9. A sample that is determined to be positive dilute will be treated as positive under this policy. A sample that is negative dilute will result in another screen. If the subsequent screen is also negative dilute, it will be considered adulterated and the employee is subject to discipline, up to and including discharge. Negative~~

~~dilute results in tests conducted under DOT regulations will be handled in accordance with those regulations.~~

~~B. Alcohol Testing.~~

- ~~1. A non-evidential screening device may be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the County, then a confirmatory test is conducted utilizing an EBT (evidential breath testing) device or blood test. The County uses only DOT approved non-evidential screening devices and DOT approved evidential breath testing (EBT) devices for DOT-mandated alcohol testing. The County reserves the right to utilize blood testing for non-DOT alcohol tests.~~
- ~~2. Employees will have an opportunity to provide any information which they consider to be relevant to the test.~~
- ~~3. The EBT confirmatory test is conducted by an individual properly certified to use the equipment. (In situations involving DOT regulated employees, the EBT operator should be properly certified in accordance with applicable DOT regulations.)~~
- ~~4. A confirmatory test result generated through the use of an EBT or blood test which indicates a presence of alcohol in violation of this policy is conclusive for purposes of this policy.~~

NOTICE TO EMPLOYEES

The County attempts to distribute to all employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees to abide by the policy as a condition of employment.

NOTICE TO EMPLOYER, STATE AND FEDERAL GRANTOR/CONTRACTING AGENCIES,

AND LAW ENFORCEMENT AUTHORITIES

- A. As a condition of employment, employees agree to notify the County within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. The County will notify all state and federal grantors/contracting agencies of such employee convictions as required by the state and federal Drug Free Workplace Acts. "Conviction" means

a finding of guilt, imposition of a sentence, an *Alford* plea, a plea of no contest, or a plea of guilty.

- B. The County will notify law enforcement authorities whenever illegal drugs are found in the workplace.

CONSEQUENCES OF VIOLATING THIS POLICY

- A. Employees who violate this policy may be subject to immediate termination of employment.
- B. Except for sworn law enforcement officers, in lieu of terminating an employee, the County may condition the continued or future employment of an employee who tests positive for or admits to the use of alcohol, illegal drugs, or the illegal use of prescription drugs upon the successful completion of an alcohol or drug counseling/rehabilitation program.
- C. If the County, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as an employee, the employee's continued employment will be subject to a **Second Chance Agreement**.

~~the following:~~

- ~~1. Referral of the employee for alcohol or drug abuse counseling;~~
- ~~2. Retesting the employee for alcohol or controlled substances before allowing the employee to return to duty;~~
- ~~3. Requiring the employee to authorize any rehabilitation facility to report periodically to the County during the course of treatment/counseling;~~
- ~~4. Placing the employee on probation for at least six months following the employee's return to duty; and~~
- ~~5. Requiring the employee to submit to unannounced follow-up alcohol and/or drug testing for a period of up to five years.~~

COMING FORWARD WITH SUBSTANCE ABUSE PROBLEMS

- A. Employees, other than sworn law enforcement officers, who have substance abuse problems and report them to the County before being selected for testing, and before the occurrence of an event which normally would result in testing, in the County's sole discretion may be upon the first violation be subject to this policy in lieu of termination.

- B. An employee who admits to a violation of this policy or tests positive for drugs in violation of this policy but seeks counseling and remains an employee of the County, is subject to immediate termination if he again either admits to or is otherwise found to be in violation of this policy.

CONFIDENTIALITY

Any alcohol or drug test results or information supplied by employees and applicants as part of the County's alcohol and drug testing program are kept as confidential as possible, consistent with the purposes of this policy.

TESTING COST

~~The County is responsible for the cost for all drug tests to which the County requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to Part VII(B)-(E) is solely responsible for the cost of all follow-up tests.~~

NOTIFICATION OF TEST RESULTS

- A. Applicants are notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.
- B. Employees are notified of the results (including the drug(s) discovered) of all positive drug tests.

EMPLOYEE ASSISTANCE PROGRAM/DRUG FREE AWARENESS

The use of illegal drugs and similar substances is a serious threat to the nation's collective health, safety, and welfare. Drug and alcohol abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. In order to prevent these consequences of drug abuse, the County has implemented this policy. Employees who feel they have a problem with controlled substances should seek assistance.

The County has also made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations. The County's Employee Assistance Program is coordinated through First Sun EAP. Information about the Employee Assistance Program is available through the Human Resources Department.

For more information on where to obtain treatment or assistance for drug or alcohol problems, see someone in the Human Resources Department for confidential assistance. ~~one of the best places to look is to search the internet or your phone book's Yellow Pages for "Drug Abuse & Addiction~~

~~Information & Treatment Centers” or “Alcoholism Information & Treatment Centers.” Under these headings, there is often a listing for a local “Council on Alcohol and Drug Abuse.” These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), in identifying sources for treatment and assistance. Set forth below is a list of organizations that may provide information or referrals.~~

- ~~1. National Clearinghouse on Alcohol and Drug Information
1-800-729-6686
nmlm.gov~~
- ~~2. National Council on Alcoholism and Drug Dependence
1-800-622-2255
ncadd.org~~
- ~~3. Substance Abuse and Mental Health Services Administration
National Helpline
1-800-662-HELP (4347)
samhsa.gov/find-help/national-helpline~~
- ~~3. Counseling Services of Lancaster
803-285-6911
Counselingserviceslanaster.org~~

~~Periodically, the County may make available to employees information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.~~

APPENDIX A

SAFETY-SENSITIVE POSITIONS SUBJECT TO RANDOM TESTING

~~—Individuals whose position requires them to hold a commercial drivers license
(CDL)~~

~~—Sworn Law Enforcement Officers~~

~~—Corrections/Detention Officers~~

~~—Emergency Dispatch Personnel~~

~~—Fire Suppression Personnel~~

~~—Emergency Medical Technicians and Paramedics~~

~~—Heavy Equipment Operators~~

~~—Parks and Recreation Employees who have custody and control of, or work unsupervised
around, minor children~~

Policy Title: Access to Personnel Records	Section Number: 1. General Provisions Policy Number: 1.8
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

1.8 ACCESS TO PERSONNEL RECORDS

All records of present and former employees are kept by the County Human Resources Department and are the property of Lancaster County as County records. Employment records include without limitation, employment applications or resumes, references, correspondence, position assignments, transfers, evaluations, awards, completed training, and disciplinary actions. Employees are expected to keep Human Resources apprised of any changes to their personal data.

Employees may review their individual personnel file upon request and by appointment. Personnel files may not be accessed by persons other than:

- County Administrator
- the Employee's Department Director
- the Employee

All records are confidential and will be reviewed in the presence of the Human Resource office personnel, or designee, during normal working hours or other scheduled time. Records may not be removed from the Human Resource Office for any reason. Employees may not remove or add anything to their personnel records except as set forth in the State's Record Retention Program. Under certain circumstances and with the approval of the Department Director, employees may request that certain documents such as commendations or award certificates be added to their personnel file.

Policy Title: Information Technology Standards	Section Number: 2. Employment Relationship Policy Number: 2.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 2. EMPLOYMENT RELATIONSHIP

2.1 INFORMATION TECHNOLOGY STANDARDS

Workstation Security Policy

Appropriate measures must be taken when using workstations to ensure the confidentiality, integrity, and availability of sensitive information, including protected health information (PHI), and that access to sensitive information is restricted to authorized users.

Appropriate measures include:

- Restricting physical access to nonpublic workstations to only authorized personnel
- Securing workstations (screen lock or logout) before leaving the area to prevent unauthorized access.
- Enabling a password-protected screen saver after 15 minutes to ensure that workstations left unsecured will be protected. The password must comply with Lancaster County Password Policy.
- Ensuring workstations are used for authorized business purposes only.
- Never install unauthorized software on workstations.
- Storing all sensitive information on network servers.
- Keeping food and drink away from workstations to avoid accidental spills.
- Securing laptops that contain sensitive information by using cable locks or locking laptops up in drawers or cabinets.
- Installing privacy screen filters or using other physical barriers to alleviate exposing data.
- Ensuring workstations are left on but logged off to facilitate after-hours updates.
- Exit running applications and close open documents.

- Ensuring that all workstations use a surge protector (not just a power strip) or a UPS (battery backup).

Password Policy

Passwords are an important aspect of computer security. A poorly chosen password may result in unauthorized access and/or exploitation of Lancaster County's resources. All users, including contractors and vendors with access to Lancaster County systems, are responsible for taking the appropriate steps, as outlined below, to select and secure passwords.

- Passwords must not be shared with anyone. All passwords are to be treated as sensitive, confidential Lancaster County information.
- Passwords must not be inserted into email messages or other forms of electronic communication.
- Passwords must not be revealed over the phone to anyone.
- Do not reveal a password on questionnaires or security forms.
- Do not hint at the format of a password (for example, "my family name").
- Do not share Lancaster County passwords with anyone, including administrative assistants, secretaries, managers, co-workers while on vacation, and family members.
- Do not write passwords down and store them anywhere in the office. Do not store passwords in a file on a computer system or mobile device (phone, tablet) without encryption.
- Do not use the "Remember Password" feature of applications (for example, web browsers, e-mail clients, sign-in pages, etc.).
- Any user suspecting that his/her password may have been compromised must report the incident to the IT department at (803) 416-9448 and immediately change all passwords.

Wireless Communication Policy

All wireless infrastructure devices that reside at a Lancaster County site and connect to a Lancaster County network or provide access to information by Lancaster County must be supported, installed, and maintained by IT and follow all IT departmental policies and protocols.

Training Policy

All Lancaster County employees must complete an approved security awareness training within 30 days of being onboarded or granted access to Lancaster County systems and/or resources.

At least annually, employees must complete security awareness training and

pass the associated test within 30 days of assignment. Training can be distributed either to all employees or targeted employees through training courses or simulated tests as deemed necessary by the IT Director. Frequency of training may be based on emerging threats or identification of higher risk employees.

E-Waste Policy

Electronic equipment becomes e-Waste upon the point where the county IT department determines it is permanently useless during the lifecycle. Once a department has identified an item as e-Waste, the county's IT department should be promptly notified by emailing IT support.

Departments should not independently dispose of any electronic equipment; all electronic disposals will be performed by the IT department in an effort to document, track and maintain the county's electronic inventory.

Policy Title: Workplace Privacy and Computer/Internet Abuse	Section Number: 2. Employment Relationship Policy Number: 2.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

2.2 WORKPLACE PRIVACY AND COMPUTER/INTERNET ABUSE

The workplace is intended to be a place of work. An important part of work is communications and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. ~~Each employee must understand that~~ Personal items and personal communications received or stored on Lancaster County property are not entitled to a guarantee of privacy.

Management ~~reserves the right to~~ may search County property and documents in County-owned vehicles, employee desks, lockers, file cabinets, electronic devices, etc. Further, to help provide for the safety and security of County employees, guests and property, the County conducts video surveillance of various County properties.

Electronic media raise similar issues. The County provides electronic and telephonic communication and, when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the County. Similarly, any ~~computer~~ electronic files created on, or software downloaded on, a Lancaster County computer or mobile device belong to the County. Unauthorized programs and files may not be used or installed on County computers or mobile devices without the written permission of the County. Additionally, employees may not encrypt work and may not use passwords other than those assigned to them by the County. Employees may not destroy or delete files from County computers or mobile devices except pursuant to the County's record retention policy.

The County reserves the right to review voice mail, electronic mail, computer and mobile device files, text messaging, and other electronic information generated by or stored in the County's electronic systems. The County also reserves the right to report the finding of such reviews to appropriate agencies. The County consents to the reasonable personal use of its computers and mobile devices. Although the County consents to the "reasonable" use of its computers and mobile devices for personal

business, what is “reasonable” is determined in the sole discretion of the County. The only sure way to avoid violating the County’s policy on personal computer and mobile device use is to not use the County’s computers for **any** personal purpose.

The following use is absolutely forbidden:

1. to access any material the County considers to be pornographic; to transmit or knowingly accept receipt of any communication that is pornographic, obscene, or in the County’s opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability, or some similar distinction
2. to conduct business for outside employment or a side-business
3. to purchase any goods or services, even if charged to the employee’s personal credit card.
4. to solicit others for non-work-related reasons
5. using computers to perpetrate any form of fraud, and/or software, film, or music piracy.
6. stealing, using, or disclosing someone else’s password without authorization.
7. downloading, copying, or pirating software and electronic files that are copyrighted or without authorization.
8. sharing confidential material, trade secrets, or proprietary information outside of the County.
9. sending or posting information that is defamatory to the County, its services, colleagues and/or citizens.
10. deletion of emails except those that are approved and marked by IT as spam or junk.

Should an employee enter a prohibited site in error, the employee must immediately notify the System Administrator.

County employees may not use personal electronic equipment (including but not limited to personal laptop computers, mobile devices, and cellular phones) on County property

or at County work sites to engage in conduct that would be prohibited if using County equipment.

Important Notice: The County has the capacity to examine the computer and mobile device usage of individual employees in detail. Even though an item has been “deleted” and the employee cannot retrieve it, this does not mean that the County cannot do so. It is also possible to generate a report of every Internet connection made by each user and of how much time was spent in each connection. Additionally, in accordance with the South Carolina Freedom of Information Act, communications on County devices may be subject to disclosure.

Lancaster County reserves the right to “remote wipe” meaning that data will be remotely deleted from any and all of its equipment and the County is not responsible for any personal data stored on a County device when conducting such a wipe.

DRAFT

Policy Title: Social Media and Social Networks	Section Number: 2. Employment Relationship Policy Number: 2.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

2.3 **SOCIAL MEDIA AND SOCIAL NETWORKS**

The following is the County's social media and social networking policy. This policy is in addition to, and does not replace, the Computer/Internet Abuse policy set forth the Lancaster County Personnel Policy Manual.

The access of any social networking or social media site, including but not limited to personal blogs, Instagram, Facebook, Twitter, and any other similar sites, pages, or activities, on County computers or other electronic devices owned by the County or during County working time is strictly prohibited, unless one of the following is part of the employee's job duties:

- The promotion of the County through the use of social media and social networking sites.
- The investigation of county employee/applicant use of social media sites.
- The investigation of criminal activity involving the use of social media sites.

The absence of, or lack of explicit reference to, a specific site does not limit the extent of the application of this policy.

With regard to any electronic social networking activities by employees, whether during or outside of County time, and whether on a County computer or on an employee's personal computer, the following policies apply:

- All County policies contained in the County Personnel Policy Manual apply to any electronic social networking activities, including but not limited to anti-harassment and anti-discrimination policies.

- Personal blogs, social media or social networking postings should not represent, infer, or reflect that any views expressed by the author in the blog or posting reflect the views of the County; employees must make clear that they are speaking for themselves and not on behalf of the County, unless they are authorized to do so.
- Anything that could create a charge or expense to the County that is not expressly authorized is prohibited.
- Employees may not engage in activities working for the success or failure of a political party, candidate for partisan political office, or partisan political group, or in support of political fundraising while on County equipment.
- Employees are prohibited from publishing, revealing, or otherwise disclosing any confidential, proprietary or trade secret information to which they may be privy.
- Employees may not use the County seal or any trademark or service mark of the County without express, written permission.

If no policy or guideline exists regarding a specific on-line activity, employees should use their professional judgment and take the most prudent action possible. Employees should consult with their supervisor if they are uncertain whether an activity is permissible. Failure to abide by this policy may result in discipline, up to and including termination without prior notice or discipline.

Policy Title: Use of County-Issued Mobile Devices & Accounts While Off-Duty	Section Number: 2. Employment Relationship Policy Number: 2.4
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

2.4 USE OF COUNTY-ISSUED MOBILE DEVICES & ACCOUNTS WHILE OFF-DUTY

The County provides mobile devices (mobile phones, smart phones, tablets, and the like) and remote access to email and similar services to employees whose jobs require them, or for the convenience of the County and employee in the performance of the employee's job. All employees are expected to limit personal use of County-owned resources in accordance with the County's Computer and Internet Abuse Policy. After-hours and off-duty work use should also be limited. Non-exempt employees are prohibited from using County mobile devices and accounts while off-duty unless they are on call or contacted during an emergency. Interruptions to off-duty time by calls to duty are work time, and the employee must record and submit the time for payment. Exempt employees may use County mobile devices and accounts for work while off-duty at their discretion, except during leaves of absence.

Any Smartphone which is used to access County data systems will be authenticated via the County's Mobile Device Management ("MDM") software. All Smartphones owned by the County must be authorized through the MDM. Part of the authorization process allows the remote "wiping" of all data.

Personal electronic devices such as laptops and tablets, which are owned by the employee are not authorized to be used to access certain County data such as email and cloud-based storage.

Employees who regularly use County vehicles in the course of their job or employees who may have the occasional need for a County vehicle should be aware that Lancaster County may deploy GPS and/or Automotive Vehicle Locator devices in some or all of its vehicles. Employees who attempt to disconnect or tamper in any way with these devices may be subject to discipline up to and including termination.

Policy Title: Employee Appearance and Guidelines	Section Number: 2. Employment Relationship Policy Number: 2.5
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

2.5 **EMPLOYEE APPEARANCE AND GUIDELINES**

~~County employees are the “face” of Lancaster County to citizens and customers. How employees dress and groom themselves should reflect employees’ professionalism. All employees are expected to dress in a professional manner, which includes appropriate footwear and undergarments, and to maintain a high standard of personal hygiene. Employees may not wear clothing that fits too tightly, too loosely, or that is suggestive or revealing. Employees also may not wear “cut-off” shorts, tank tops, shirts or blouses that expose the midriff, or flip-flops. It is understood that employees are individuals and may have differing opinions on what is considered acceptable grooming and dress. However, in light of our differences, this policy is intended to provide guidance on what is acceptable at the County.~~

~~Jewelry should be appropriate to the workplace. In general, jewelry must not be disturbing to the workplace or present a safety issue. Rings are limited to hands and ears only. No visible body piercings other than earrings are permitted.~~

~~All employees are expected to wear their hair in a neat and appropriate manner. Hair should not be so extreme or inappropriate to disrupt workplace or present a safety issue. Mustaches, beards, and sideburns must be neatly trimmed and may not be of extreme design. The County may use its discretion in determining what is extreme.~~

~~In compliance with this policy, the following are examples of unacceptable attire:~~

- ~~• Torn, patched, faded or dirty clothing.~~
- ~~• Halter tops, tube tops, muscle shirts, strapless tops, spaghetti strap tops, spaghetti strap dresses, or short tops that reveal the midriff.~~
- ~~• Shirts with slogans, advertising, foul language, or obscene images.~~
- ~~• Shorts (for men or women), low cut pants that reveal the midriff, sweat suits/warm-up suits, sweatpants or flip-flops~~
- ~~• Offensive tattoos shall not be exposed.~~

Objective

Employee appearance contributes to Lancaster County's culture and reputation. Employees are expected to present themselves in a professional manner that results in a favorable impression by citizens and/or internal and external customers. Each employee's dress, grooming and personal hygiene should be appropriate to their own work situation but safety shall always be the primary determining factor in appropriateness.

Procedures

The County Administrator and Department Directors may exercise reasonable discretion to determine appropriateness in employee dress and appearance. Employees who do not meet a professional standard may be sent home to change, and nonexempt employees will not be paid for the time that they are absent from their job. Reasonable accommodations will be provided upon request wherever possible.

Business attire

Traditional business attire is expected of all employees, except those required to wear a uniform. Basic elements for appropriate and professional business attire include clothing that is in neat and clean condition.

Employees are expected to maintain a high level of personal hygiene. In consideration of others, who may have chemical sensitivities, wear perfumes and colognes in moderation. In the event that an employee's perfume or cologne poses a health risk to another staff member, the County may adopt additional policies. The County may use its discretion in determining what is excessive.

Employees should wear the appropriate attire if representing the County at a meeting (including County Council meetings). Employees should always consider each day's activities when determining what to wear. ~~Jeans are acceptable on casual Friday, but must be in good condition.~~

Appropriate workplace dress does **not** include clothing that is too tight or revealing; clothing with rips, tears, or frays; or any extreme style or fashion in dress, footwear, accessories, or fragrances. Also, the following are examples of unacceptable attire: cut off shorts, halter tops, tube tops, muscle shirts, strapless tops, spaghetti strap dress, or short tops that reveal the midriff, shirts with slogans, advertising, foul language or obscene images, low cut pants that reveal midriff, sweat suits/warm up suits, sweatpants, or flip flops.

Although it is impossible and undesirable to establish an absolute dress and appearance code, Lancaster County will apply a reasonable and professional workplace standard to

individuals on a case-by-case basis and with their particular position with the County along with corresponding safety concerns. Management may make exceptions for special occasions or in the case of inclement weather, at which time employees will be notified in advance. An employee who is unsure of what is appropriate should check with his manager or supervisor.

Exceptions

Uniformed employees are expected to wear their uniforms when performing normal field work activities, regardless of the time of day or day of the week. When field staff are participating in non-field related activities, such as off-site or on-site training, meetings, or other activities which are non-field related, normally uniformed employees may elect to utilize the County's business dress guideline. **Uniforms are not to be worn during off-duty hours unless specifically permitted or required by the County.**

Field Personnel Attire: Should also be professional in nature, but appropriate for the various situations/weather that occur in the field. Work boots and clothing that is more durable are expected.

Employees required to wear safety shoes receive an allowance yearly to defray the cost of purchase of the shoes. Any amount over the allowed amount will be the responsibility of the employee.

Policy Title: Telecommuting and Remote Work	Section Number: 2. Employment Relationship Policy Number: 2.6
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

2.6 TELECOMMUTING AND REMOTE WORK

~~Lancaster County Emergency/Temporary Remote Work Policy~~

~~———— The purpose of this policy is to set out guidelines for remote work by certain employees of Lancaster County. This policy is subject to evaluation and modification as the County determines necessary to best serve the needs of our citizens and protect the health and safety of County employees.~~

~~For the purposes of this policy, an emergency is any imminent event that will disrupt the County's ability to provide either a safe or effective workplace, or the employee's ability to reach a physical office for a regular workday. Events may include natural disaster, pandemic or other illness or accident, disruption to normal business services within a county facility, i.e. prolonged internet service outage, or a change in the public school system schedule. This is not an all inclusive list. The County Administrator may authorize the use of temporary remote work in response to an emergency event or situation.~~

~~General~~

~~———— During emergencies employees may be assigned to work at home (remote work) and will be expected to return to working in the office when emergency conditions have abated, or when instructed by supervision. Working from a remote location is subject to the department head's approval. Working from a remote location may be revoked at any time without notice by the department head.~~

~~The assigned work location of employees permitted to work remotely remains the county office to which they normally reported prior to working at home. All employees are expected to report to work from time to time to attend meetings, due to staffing shortages, for training purposes, or other reasons as determined by and at the discretion of the supervisor or department head. This will depend on the needs of the department. There will be no additional compensation or reimbursement for mileage when expected to report to work.~~

~~New employees generally must successfully complete their Introductory Period (90 days) before becoming eligible to work from a remote location. Exceptions may be made for employees hired when the County is operating under modified schedules, such as the COVID-19 period, whose work is capable of being done remotely and who were not hired for the express purpose of completing tasks that must be done in the office.~~

~~Schedule~~

~~———— The remote work schedule (that is, the days worked in the office and the days worked remotely) will be determined by the department head depending on the needs of the department. Depending on the nature of the~~

~~emergency, an employee may be expected to work remotely each work day on a temporary basis.~~

Staff Meetings

~~———— All employees are expected to be present for staff meetings. Attendance by phone or video conferencing is permitted with the department head's advance approval.~~

Application of County and Departmental Policies

~~———— All County and department rules, including those in the *Personnel Policies and Procedures Manual*, apply to employees who work remotely. Employees must pay specific attention to those centered on work-related electronic communication and behavioral expectations. All phone and internet communication is expected to be professional and appropriate, just as in an in-office setting. Employees are expected to be responsive to phone and internet communication in a timely manner during normal office hours. Employees who violate County and departmental policies while working remotely are subject to disciplinary action, up to and including termination of employment, in the same manner as if working in the office.~~

Job Performance

~~———— Employees are expected to maintain the same high levels of job performance when working remotely as they do when working in the office. Working remotely is not an excuse for failure to perform assigned tasks or to complete them in a timely manner. Failure to maintain job performance expectations will result in disciplinary action, up to and including termination of employment. Where remote work has been assigned during an emergency to an employee whose work normally requires him or her to be in the office, the department head may make allowances for the limitations of remote work. It is the supervisor's responsibility to measure and monitor job performance.~~

Time, Attendance and Overtime

~~———— Full-time employees normally scheduled to work 37.5 hours may only work 37.5 hours during the work week. All other full-time employees may work no more than 40 hours during the work week. Part-time employees may only work the number of hours they are normally scheduled or are instructed to work by the department head, not to exceed 40 in a work week. Working more than the foregoing hours and working overtime must be approved in advance (in writing) by the department head. Working unapproved hours or overtime will result in disciplinary action, up to and including termination of employment. Employees allowed or required to work remotely are expected to be working and available for communication with coworkers and others during normal office hours. Variances from the normal schedule are permitted only with the advance written permission of the department head.~~

Use of Annual and Sick Leave

~~———— Employees allowed to work remotely must request and use annual and sick leave in accordance with normal County policy and must immediately notify the supervisor if the employee becomes ill or cannot work as scheduled. Employees who work less than their assigned straight time hours during a work week must use annual leave, or sick leave, as applicable. Holidays are treated in the same manner as when employees are working in the office. Employees who would normally be off will not work during the holiday unless required to do so by the department head and will receive holiday pay if eligible. Employees who would normally work during the holiday, will work as expected and record their hours of work.~~

Reimbursable Expenses

~~———— Generally, expenses incurred as a result of an employee's working remotely will not be covered.~~

Equipment and Work Environment

Employees must maintain a work area in the home environment that is sufficient for the completion of work. The County will provide a county-owned laptop computer or mobile device for remote access. Hardware, such as a printer or telephone, will not be provided for the home office. Employees must provide their own internet connection.

During periods of equipment malfunction, the employee is expected to report to work in the office. The department head may, at his or her discretion, allow the employee to use annual leave in lieu of coming in to work during times of equipment malfunction.

Office supplies are not provided.

It is the employee's responsibility to ensure that the at-home work area is set up in such a manner that it is free of fire and safety hazards. Any work-related injury sustained while working from a remote location must be reported immediately to the supervisor.

Insurance

Employees are responsible for ensuring their homeowner's insurance policy covers losses to the home or property that are incurred from using part of the home as an office. If there is additional expense involved in covering this, the employee will be responsible for the associated expense.

Workers' Compensation

Workers' Compensation only applies if the employee is injured while performing work-related activities. The employee must also designate a workspace, and he or she is only covered if the injury occurs within that workspace while working.

Data Security

Employees may not compromise the confidentiality or security of the County's information or information systems due to remote work or remote computer access. The exact same information security policies that apply when working in the office apply when working remotely. If the employee maintains printed materials remotely, he or she must keep those under lock and key as appropriate.

Tax Deduction

The County cannot provide employees with tax advice. Employees should consult IRS resources or their tax advisors if they want to know whether their use of a home office is deductible. If the employee qualifies for tax deductions as a result of establishing a home office, it will be his or her responsibility to apply for these deductions.

Zoning

~~_____The employee is responsible for observing any zoning ordinances regulating the performance of work at home for telecommuting purposes.~~

Exceptions

~~_____There will be times when all work must be conducted in the office and remote work will not be possible. There may also be an expectation that the remote worker attend meetings and training in person rather than remotely.~~

Termination

~~_____The allowance for remote work may be revoked at any time. If an employee resigns or is terminated from employment, all County property must be returned upon termination of employment.~~

Elected and Appointed Officials

~~_____Employees of elected and appointed officials are not subject to this policy except to the extent the official adopts it in whole or in part.~~

Objective

Telecommuting or remote work allows employees to work at home, on the road or in a satellite location for all or part of their workweek, during regularly scheduled work hours for an indefinite or a finite period of time. Lancaster County considers Remote Work to be a viable, flexible work option when the employee, the supervisor and the job are suited to such an arrangement. Remote Work may be appropriate for some employees and jobs but not for others. Remote Work is not an entitlement, it is not a Lancaster County benefit, it is a privilege and can be revoked at any time. A telecommuting or remote work option does not alter the at-will employment status with Lancaster County.

All County and department rules, including those in the *Personnel Manual*, apply to employees who are working remotely. Employees who violate County and departmental policies while remote working are subject to disciplinary action, up to and including termination of employment.

Requests for telecommuting or remote work

An employee in good standing who desires a telecommuting or remote work arrangement must submit a written request to their Supervisor/Department Director for

consideration. Once requested, the Supervisor/Department Director and the employee will review to determine if the requested arrangement is viable.

Remote work must be approved by the County Administrator. If the requested arrangement is deemed appropriate and thus approved for either informal (short-term) or formal (ongoing), a Telecommuting Agreement will be required to document the working arrangement. The Supervisor will also be required to review this policy with the employee granted telecommuting or remote work. If the request is denied, the employee may submit a similar request in the future if the employee experiences a change in job responsibilities.

Before entering into a Telecommuting Agreement, the department director, with the assistance of the human resource department, will evaluate the suitability of such an arrangement and submit these findings to the County Administrator for approval. Prior to approval the department director and human resource will review the following areas:

- Employee suitability
- Job responsibilities
- Equipment needs, workspace design considerations and scheduling issues

Formal remote work arrangements will be on a trial basis for the first three months and may be discontinued at will and at any time at the request of either the remote worker or the County. Every effort will be made to provide 30 days' notice of such a change to accommodate commuting, childcare and other issues that may arise from the discontinuation of a remote work arrangement. There may be instances, however, when no notice is possible.

Expectations

New employees working a formal remote work arrangement employed by Lancaster County must work onsite a minimum of two (2) weeks prior to the commencement of the formal remote work arrangement. This requirement and duration can be adjusted by the approval of the County Administrator. During the two (2) week minimum onsite work, employees whose remote worksite is located more than 50 miles from the onsite workplace, will be reimbursed for travel, including hotel, mileage and per diem in accordance with the Lancaster County Travel Reimbursement Policy of the *Personnel Policy Manual*.

Employees are expected to work their normal work schedule unless they receive their Supervisor's prior approval to adjust their schedule. Employees are expected to maintain a presence with their department while working remotely. Presence may be maintained by using appropriate technology including without limitation, a computer,

email, messaging, video conferencing, instant messaging, etc. The employee is expected to maintain the same response time as if they were at their regular work location and will make themselves available to attend scheduled work meetings as required. At least two meetings scheduled where employee is expected to attend shall be in-person attendance.

Employees need to have a working telephone or cell phone at their remote location, with appropriate coverage. Employees shall arrange for all distractions to be removed from the remote location as necessary for the hours in which the employee works remotely.

Non-exempt employees shall take uninterrupted and scheduled meal breaks/lunches and shall maintain a log of time out and time back from those breaks. Telecommuters or remote workers are expected to maintain time records for time worked and to submit such time record as they would ordinarily have done.

Evaluation of formal remote worker's performance during the trial period will include regular interaction by phone and e-mail between the employee and the manager, and weekly face-to-face meetings to discuss work progress and problems. At the end of the trial period, the employee and manager will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of formal remote worker performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than one time-based performance.

Equipment

On a case-by-case basis, Lancaster County will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs for each remote work arrangement. Equipment supplied by the County will be maintained by the County. Equipment supplied by the employee, if deemed appropriate by the County, will be maintained by the employee. Lancaster County accepts no responsibility for damage or repairs to employee-owned equipment. Lancaster County reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the County is to be used for business purposes only. The informal and formal remote worker must sign an inventory form of all Lancaster County property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all county property will be returned to the County, unless other arrangements have been made. Telecommuters or remote workers may be held liable for damage caused by negligence.

Lancaster County will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space. Lancaster County is not responsible for operating costs of any personal equipment including without limitation, computers, personal devices, cell or standard telephones, home maintenance of personal equipment or any other incidental costs (utility provider costs, telephone costs) or for any supply costs used in the home and associated with the use of an employee's alternative work arrangement unless previously approved by the County.

During periods of equipment malfunction, the employee is expected to report to work in the office. The department director may, at their discretion, allow the employee to use annual leave in lieu of coming in to work during times of equipment malfunction.

Insurance

Employees are responsible for ensuring their homeowner's insurance policy covers losses to the home or property that are incurred from using part of the home as an office. If there is an additional expense involved in covering this, the employee will be responsible for the associated expense.

Time Worked

Informal or formal remote work employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using Lancaster County time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the remote worker's supervisor. Failure to comply with this requirement may result in the immediate termination of the remote work agreement.

Exceptions

There will be times when all work must be conducted in the office and remote work will not be possible. There may also be an expectation that the remote worker attends meetings and training in person rather than remotely.

Use of Annual and Sick Leave

Employees allowed to work remotely must request and use annual and sick leave in accordance with normal County policy and must immediately notify the supervisor if the employee becomes ill or cannot work as scheduled. Employees who work less than their assigned straight-time hours during a workweek must use annual leave, or sick leave, as

applicable. Holidays are treated in the same manner as when employees are working in the office. Employees who would normally be off will not work during the holiday unless required to do so by the department director and will receive holiday pay if eligible. Employees who would normally work during the holiday will work as expected and record their hours of work.

Security

Consistent with the organization's expectations of information security for employees working at the office, remote work employees will be expected to ensure the protection of proprietary county and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

Safety

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Lancaster County will provide each remote worker with a safety checklist that must be completed at least twice per year. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the county's workers' compensation policy. Remote Work employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Remote work is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective remote workers are encouraged to discuss expectations of remote work with family members prior to entering a trial period.

Policy Title: Secondary Employment	Section Number: 2. Employment Relationship Policy Number: 2.7
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

2.7 SECONDARY EMPLOYMENT

- ~~1. Lancaster County considers all full-time employees to be primarily County employees. Any additional/outside employment by these employees is considered secondary employment.~~
- ~~2. All secondary employment must be approved in writing in advance by the County Administrator or designee.~~
- ~~3. All full-time employees must notify their department heads in writing prior to engaging in any secondary employment.~~
- ~~4. Department heads will then forward the request to the County Administrator for a determination if the additional employment may have any adverse effect. Secondary employment will be prohibited if, in the sole discretion of the administrator, it is determined that:

 - ~~a. It may result in a conflict of interest or give the appearance of a conflict of interest.~~
 - ~~b. It may affect the ability of the employee to perform all assigned duties.~~
 - ~~c. It may affect the health, welfare, or safety of other employees or the public.~~
 - ~~d. The secondary employment is inconsistent with County employment.~~~~
- ~~5. Approved requests may be reviewed at any time at the discretion of the department head or the County Administrator. If, in the sole opinion of the Administrator, it appears that approval of secondary employment should be withdrawn, the employee will be notified. Employees working secondary employment that, in the Administrator's sole discretion, is incompatible with County employment may be asked to choose between the secondary and County jobs.~~

It is the policy of the County to consider all full-time regular employees to be engaged in a primary employment relationship with this entity. No employee shall be allowed to hold a public office with the County or have conflicting appointment while in the employment of Lancaster County. No full-time regular employee of the County shall engage in any private business or profession during the hours for which he is employed to work for the County. Any additional/outside employment by County employees will be considered secondary employment. All full-time employees must notify their

department director and secure approval **prior to** engaging in any secondary employment.

Lancaster County applies this policy consistently and without discrimination to all employees, and in compliance with all applicable employment and labor laws and regulations. The following rules for outside employment apply to all employees requesting permission to engage in secondary employment:

- a. The secondary employment must not result in a conflict of interest.
- b. It must not affect the ability of the employee to the extent he will not be able to perform all assigned duties for the County.
- c. It must not affect the health, welfare, or safety of other employees or the public.
- d. If the secondary employment will result in a conflict with the normal work hours for the employee with the County, the request will be denied.
- e. No employee shall have employment with a business or concern when the employee's influence within the County or knowledge of the County's activities could possibly place the business or concern in a more favorable position than its competitors to do business with the County.
- f. Approval of secondary employment can be denied or reversed at any time. Lancaster County will provide the employee with a two-week notification of denial/reversal during which the employee may provide notification to the employer they plan to terminate.

The County of Lancaster and its officials shall not be held responsible or liable for any injury and/or incident occurring during secondary employment hours. This includes travel to and from secondary employment. It is the responsibility of the employee to obtain insurance if required by the secondary employer for coverage while working the secondary employment position. Outside employment is NOT covered under the County of Lancaster's Workers' Compensation Insurance.

Employees are prohibited from working secondary employment while on personal or medical leave from Lancaster County.

Employees may not use County property, equipment, or material in the conduct of approved secondary employment.

Policy Title: Nepotism/Employment of Relatives	Section Number: 2. Employment Relationship Policy Number: 2.8
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

2.8 **NEPOTISM/EMPLOYMENT OF RELATIVES**

Persons in the same immediate family may not be employed or continue to be employed if one directly or indirectly supervises another or interacts with another in the handling of money or compensation. In cases of supervision, persons in the same immediate family may be employed where, in the Administrator's discretion, alternate reporting arrangements can be made that will not disrupt the operations of the County or department and will effectively eliminate concerns that may be created by the familial relationship. Immediate family is defined as spouse, parent, child, grandparent, grandchild, brother or sister, parent-in-law, grandparent-in-law, brother-in-law, and sister-in-law. The immediate family is considered to include stepparents, stepchildren, stepbrothers, and stepsisters when the employee and the step-relative have lived together regularly in the same household. Immediate family of council members are not eligible for hire, unless the Administrator determines, in his sole discretion, that employment of the relative is in the best interest of the County.

If employees become related by marriage and create a situation prohibited by this policy, one of the employees may be asked to give up his position. If the employees cannot choose which of them it will be, the employee having the lower budgeted annual compensation may be removed. The County may transfer the removed employee to another position if, in the Administrator's sole discretion, a transfer is practical and beneficial to the County and there is an open position available, but the County does not guarantee the result of such effort.

Unrelated employees residing together or otherwise engaged in an apparently romantic

relationship are treated as being within the immediate family of each other for the purposes of this nepotism policy.

Employment of close relatives may be permitted in strictly emergency situations for temporary periods of time normally not to exceed thirty (30) calendar days or for some longer period with the approval of the County Administrator in cases where other qualified applicants are not available or on an essential task.

Situations not specifically addressed in this policy that, in the County's opinion, create a conflict of interest or give the appearance of a conflict of interest will be handled in the County's discretion.

DRAFT

Policy Title: Employee Standards and Dealing with the Public	Section Number: 3. Code of Conduct Policy Number: 3.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 3. CODE OF CONDUCT

3.1 EMPLOYEE STANDARDS AND DEALING WITH THE PUBLIC

It will be the duty of all employees to maintain high standards of conduct, cooperation, and courtesy to County customers and to the general public as well as maintain high standards for effective and efficient work for the County. When contacting customers or the public in any manner on any County business, employees will do so in a courteous manner. All employees will endeavor, at all times, whether dealing with fellow employees, serving customers or the public, to conduct themselves in a manner that reflects favorably upon their department and the County. An employee's work at the County is one of a confidential nature. The financial, personal, professional affairs with which an employee is entrusted by our citizens deserve the strictest confidentiality. Employees will meet the employment standards established as to character, intelligence, ability to deal with citizens, the public, etc., as may be established by the County Administrator.

When dealing with the public, employees should be friendly and provide efficient service to the public, which earns respect for our employees and for the entire government. For this reason, County employees must always practice good public relations showing a genuine interest in citizens' problems, or requests, by the ability to give information or service a citizen wants, and through a sincere willingness to help promptly and courteously. County government is continuously expanding its services to the citizens and conscientious employees are assets to this expansion.

Policy Title: Conflict of Interest	Section Number: 3. Code of Conduct Policy Number: 3.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

3.2 **CONFLICT OF INTEREST**

Conflict of Interest

1. Lancaster County is dedicated to its role of serving its citizens and has an obligation to ensure that there exists public confidence in the integrity of County employees. Therefore, it is essential that the County establish appropriate ethical standards to guide its personnel in the performance of their duties, so that there does not exist, nor appear to exist, a conflict between private interest and public responsibilities.
2. The following rules should guide County employees in the discharge of their responsibilities:
 - a. Gifts, Gratuities and Favors

No employee may directly or indirectly solicit, or request or receive a gift, gratuity, **services, fees**, favor, or loan of anything of value for himself or another person under circumstances in which it could be inferred that it was intended to influence his/her opinion or judgments in the performance of his/her official duties, or as a reward for an official act. County employees should **be fair** and impartial in their dealings with any person, firm, or corporation, which may be interested directly or indirectly in business dealings with the County. This policy is not intended to prohibit the acceptance of items of nominal value which are generally distributed to all customers, vendors, or employees. **When in doubt, employees are strongly encouraged to speak to the Human Resources Director, the County Attorney, or their Department Director prior to accepting anything.**

b. Confidential Information

During the course of employment Lancaster County employees may have access to information of a personal and confidential nature. Employees should treat all information acquired in the course of employment with the strictest confidence.

No employee may make use of or reveal confidential information acquired through his position with the County for his own private gain or for the private gain of any other persons or groups.

When an employee believes that he is legally compelled to release confidential information of the County, he must confer with the County Attorney **prior to** revealing any information to any outside party.

c. Acquiring Interest

No employee may acquire an interest in any contract at a time when he has reason to believe that his/her interest will be affected either by his own official actions or by the official actions of the County.

d. Conflict of Interest

The South Carolina Ethics Act requires a public official or employee to report any possible conflict of interest in his actions or decisions. For additional information, employees may reference S.C. Code Title 8, Chapter 13, or confer with the County Attorney. As a County employee, all employees are subject to the Act and should familiarize themselves with the provisions that apply to them.

e. Disclosure and Disqualification

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

County employees shall comply with all Federal, State, and local laws and regulatory mandates. Employees shall consult with the County Attorney for interpretation or clarification of legal and regulatory requirements. Employees shall immediately report known or suspected violation of Federal, State, or local law and supply copies of all documentation in their possession to support such claims. Reports of this nature shall be made directly to the County Administrator, the County Attorney, or the Human Resources Director. The employee may also file their report with the South Carolina Ethics Commission.

Reports of possible Ethics violations shall be treated with confidentiality to the maximum extent consistent with rigorous enforcement of the policy, and in accordance with applicable laws. No employee shall be subjected to any form of retaliation for appropriately reporting a possible Ethics violation. Any employee or supervisor who initiates or participates in retaliatory activity may be subject to discipline up to and including termination.

If, after investigating an Ethics violation complaint, the County determines that intentionally false or malicious information has been provided, disciplinary action may be taken against the individual(s) who gave the intentionally false or malicious information.

f. **Contracts with Employees**

The County does not enter into contracts for services or property with any employee. The County also does not enter into contracts with a business in which an employee has an interest if that interest might be, or might appear to be, affected by the contract. This section is not applicable under circumstances that constitute an emergency situation, so long as a report detailing the circumstances is later prepared by the County Administrator and submitted to the Council Members.

Policy Title: Political Activity	Section Number: 3. Code of Conduct Policy Number: 3.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

3.3 POLITICAL ACTIVITY

In order to maintain the appearance of impartiality in the delivery of public services and to comply with state and federal laws, County employees must observe the following:

- a. Employees may express their opinions on political subjects and candidates, display stickers or posters on their cars or houses, and wear buttons and badges, except when in the performance of their responsibilities at the County.
- b. Employees may not engage in any political activity while on duty.
- c. Employees may be candidates for public elective office in a partisan election (i.e., an election where candidates are nominated by their party to run for office). However, the employee may be required to take an unpaid leave of absence from his job once campaigning begins (or when the employee files for candidacy, whichever is earlier). Employees may use available annual leave to cover all or part of the leave of absence. The leave will end when the employee's candidacy ends or after the election and any runoff(s), whichever is sooner. Employment of employees elected to partisan political office ends upon their election being certified. Employees who are candidates for any elected office, partisan or non-partisan, must inform the County Administrator of their candidacy.
- d. Employees may not directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, or committee, organization, agency, or person for political purposes.
- e. No employee may use County facilities, equipment, or personnel at any time to further his own candidacy or the candidacy of any other candidate or candidates. Failure to adhere to this policy will result in immediate dismissal.

Policy Title: County Property	Section Number: 3. Code of Conduct Policy Number: 3.4
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

3.4 COUNTY PROPERTY

It is the policy of Lancaster County to provide good quality tools, equipment, vehicles, machines, facilities, materials, and supplies to carry on official County business. The County, like other businesses, must control cost and reduce waste and other abuse of tools, equipment, vehicles, facilities, materials, and supplies. Each employee's cooperation in controlling costs and reducing waste is expected. Employees who lose or abuse County provided equipment and/or supplies may be responsible for payment of the same.

Defective equipment, vehicles, or machines should be promptly reported to supervision in order that appropriate corrective action may be taken.

Personal work or use of County equipment, tools, machines, vehicles, facilities, materials, and supplies for personal work at any time is prohibited.

Policy Title: Safety and Accident Prevention	Section Number: 4 Workplace Safety Policy Number: 4.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 4. WORKPLACE SAFETY

4.1 SAFETY AND ACCIDENT PREVENTION

~~1. General Policy~~

~~The goal of Lancaster County is to provide the safest possible working conditions for the employees and, in the event of an accident, to provide prompt first aid and medical care to minimize personal injuries.~~

~~Accidents do not just happen they are caused. The National Safety Council advises that 90 percent of all accidents reported in the United States could have been avoided if more care was used in accomplishing a job.~~

~~If you see a safety violation, report it immediately to your supervisor.~~

~~If you should have an accident, no matter how minor it may seem, report it immediately to your supervisor.~~

Protecting the safety of employees and visitors is the most important aspect of the operation of Lancaster County.

All employees have the opportunity and responsibility to contribute to a safe work environment by using common sense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, notify the appropriate emergency personnel by dialing 5 for an outside line, then dialing 911 to activate the medical emergency services.

Any workplace injury, accident, or illness and/or property damage must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident. Likewise, safety violations must be reported immediately to the supervisor or Department Director.

- Safety Equipment applicable to the job assignment that is issued to employees must be worn by the employees.
- Employees are responsible for safety equipment assigned to them and must report immediately any defect or problem with the equipment.
- Employees will return safety equipment in good workable condition upon termination of employment.
- Employees may be subject to discipline, up to and including termination, for safety equipment, which has been abused or lost.
- Supervisors are responsible for the enforcement of safety procedures and practices within their department.

DRAFT

Policy Title: On the Job Injuries	Section Number: 4. Workplace Safety Policy Number: 4.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

4.2 ON THE JOB INJURIES

Accidents resulting in injury or property damage must be reported to the employee's immediate Supervisor as soon as possible but no more than twenty-four hours following the incident. If an employee fails to report an injury in a timely manner, his benefits under workers' compensation may be denied. The Supervisor will require an accident report from the involved employee for any accident resulting in personal injury or property damage. The written report will be forwarded to the County Risk Manager within three working days following the date of the accident. Failure to report an accident or file a written report, if required, may result in disciplinary action.

The County has a designated workers' compensation doctor. If an employee elects to use a different physician without authorization by the County Risk Manager, the employee will be responsible for all charges and the findings of the physician may be disregarded. If the designated physician is not available (i.e., after hours), the employee may be directed to the local emergency room.

Lancaster County does not retaliate against any employee claiming to be injured on the job. The County is committed to investigating each claim independently and to treating each employee without bias. However, employees who continually violate safe working practices may be subject to disciplinary actions up to and including termination.

Section 42-9-200 of the SC Code of Laws 1976 provides no compensation will be allowed for the first seven (7) calendar days of disability resulting from injury, except medical treatment and supplies. If the injury results in disability of more than 14 days, compensation is allowed from the first date of disability. During the first seven (7) days, the employee will be allowed to use sick leave. If the disability is more than fourteen (14) days, the sick leave charged to the employee during the first seven (7) calendar days of disability will be restored to the employee's time; this will be restored upon payment to the county the amount of compensation paid under Workers' Compensation Law for each day of sick leave taken by the employee.

In no event will employees be allowed to use workers' compensation pay and sick leave at the same time. The rate of tax-free employee compensation through workers' compensation is .6667% of the gross salary from four quarters preceding the injury. Checks will be administered through the workers' compensation carrier.

Disabled employees will be kept on the County's benefits program until declared fit to return to work, become permanently disabled, or fail to pay their share of the premium. After the initial fourteen (14) days, (when the employee is no longer receiving a paycheck), the employee must submit payment for their portion of health insurance and desired dependent coverage within 10 days of the missed payroll date.

DRAFT

Policy Title: Return to Work Policy / Temporary Modified Duty	Section Number: 4. Workplace Safety Policy Number: 4.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

4.3 RETURN TO WORK POLICY / TEMPORARY MODIFIED DUTY

Lancaster County strives to assist employees to return to work at the earliest possible date and in the safest way possible, following an injury or illness. A return-to-work/temporary modified duty program has several benefits for both the employer and employees by minimizing time lost from work.

This policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about the ADA or FMLA should be directed to the Human Resources Department.

The County does not guarantee “modified duty” to any employee, and if granted, the County does not guarantee continuity of “modified duty”. As a general rule, an employee who is unable to perform all of the essential job functions of his position will not be permitted to work. However, in limited circumstances and on a case-by-case basis, the County may permit an employee who has been injured on the job to perform temporary modified duty functions, provided the County determines that there is a legitimate need and to do so would be in the County’s best interests. Compensation, duties, and hours as approved by the physician shall be determined by the County Risk Management Office. Work schedules will be arranged to permit injured employees to keep physician appointments and other prescribed physical therapy sessions.

If modified duty is provided within the medical restrictions but the employee chooses not to work the modified duty assignment, the workers’ compensation indemnity benefits may be affected.

In such situations, the County will require clearance from the attending physician that the employee is able to perform temporary modified duty functions. The County, in its sole discretion, will determine the duration of the temporary modified duty period. Under no circumstances, however, will an employee be permitted to perform temporary modified duty beyond sixty (60) calendar days. If, at the conclusion of the

period of temporary modified duty period, the employee is unable to perform all essential functions, he will be returned to leave of absence status in accordance with County policy. ~~All return to duty activities where a physician's approval is needed will be coordinated through the Human Resources Office.~~

A Return-to-Work Authorization stating that any physical activity/limitations, signed by the authorized treating physician, must be submitted to Human Resources before an employee may return to work after an illness or injury (work related or otherwise). The County reserves the right to require a second medical opinion before an employee returns to work following an extended leave.

DRAFT

Policy Title: Vehicle General Use and Accidents	Section Number: 4. Workplace Safety Policy Number: 4.4
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

4.4 VEHICLE GENERAL USE AND ACCIDENTS

Purpose

Lancaster County provides vehicles for employees to use while performing county-designated business according to the guidelines below. The county retains the right to amend or terminate this policy at any time.

Policy

Authorized County employees are required to successfully complete a Defensive Driving Course in order to operate a County vehicle or equipment. Employees must complete this course every three (3) years from the date of their last course certification.

Employees must be 18 years of age or older and possess a valid driver's license to drive a County vehicle. The County will periodically review the employee's drivers' license through the Department of Motor Vehicles. Supervisors and Department Directors may request a driving record through Human Resources at any time from employees who operate a county vehicle or equipment

No passengers are permitted unless they are on official business or traveling with a County employee who is on official business. The transport of an individual under the age of 18 in a County owned vehicle is strictly prohibited, unless authorized by the County Administrator.

The use of tobacco products including without limitation E-Vape, E-Cigs and smokeless tobacco is prohibited in all County vehicles.

Employees are responsible for any vehicle or equipment assigned to them.

Employees are required to obey all traffic laws when operating a County vehicle including but not limited to the wearing of a seat belt for the driver and any passengers in the vehicle.

Employees who drive a vehicle on county business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents. Lancaster County prohibits employees from using cell phones while they are driving. Violations to this policy may result in disciplinary actions up to and including termination. This policy includes telephone calls, texting, blogging, instant messaging, etc.

No vehicle will be operated if any control mechanism is not in proper working condition. Report improper mechanical conditions immediately to a supervisor or to County Fleet Operations. Employees who are assigned a County-owned vehicle are responsible for making appointments and ensuring periodic maintenance of the vehicle at County Fleet Operations. Emergency repairs during normal business hours will be completed by the County Fleet Operations, with EMS and Sheriff's deputies given priority. Any special equipment (fire extinguisher, flashlights, first aid kits, gas cards, etc.) must remain in the vehicle at all times. Important documents should also remain in the vehicle and drivers are responsible for the security of these items.

Employees may not drive any business vehicles without prior approval of their supervisor. Employees approved to drive on county business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability. If an employee is charged or convicted of a serious moving violation, such as DUI, driving privileges will be suspended pending internal investigation.

If possible, county vehicles will be permanently assigned to departments that have demonstrated a continued need for them. Additional vehicles are maintained in a motor pool for use by individual employees, as needed.

Employees who need transportation in the course of their normal work may be assigned a county vehicle for their use. All other employees needing transportation for county business may use vehicles assigned to their department or those drawn from the motor pool. As a last alternative, when no county vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor. County owned vehicles will be used for official County business only. No employee may use the vehicle assigned to them for personal business, except for incidental purposes such as meals.

Employees must report any accident, theft or malicious damage involving a county vehicle to their supervisor and the risk manager, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 24 hours after the incident. Employees are expected to cooperate fully with authorities in

the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

Employees who are on call on a 24-hour basis may be allowed to take a county vehicle home so they can respond to business needs as soon as possible. Such employees must provide a written acknowledgment that they fully understand that the vehicle is used only as part of an emergency response and is not for personal use.

Employees are not permitted, under any circumstances, to operate a county vehicle or a personal vehicle for county business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any county vehicle at any time or operate any personal vehicle while on county business while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive. Additionally, intoxicants may not be transported in a County vehicle. (Emergency services and law enforcement are exempted from the prohibitions against transporting controlled substances, intoxicants, and those under the influence.)

DRAFT

Policy Title: Employee Tobacco Product Usage	Section Number: 4. Workplace Safety Policy Number: 4.5
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

4.5 EMPLOYEE TOBACCO PRODUCT USAGE

Tobacco Use

~~Lancaster County prohibits smoking and other tobacco use, including smokeless tobacco, e-cigarettes, and vaping in county owned facilities and vehicles. It is the policy of Lancaster County to ensure responsible enforcement of these sections of the County Code by setting up "smoking buffer zones" outside each County facility and building. "Smoking buffer zones" are the areas outside of the facility of building beyond which employees and others are permitted to use tobacco products.~~

Purpose

Lancaster County is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As such, the following policy has been adopted and applies to all employees, contractors, and visitors of Lancaster County.

Policy

It is the policy of Lancaster County to prohibit the use of tobacco products on all county premises to provide a safe and healthy work environment for all employees. Tobacco products are defined as, without limitation: Cigarettes, cigars, pipes of any kind, chewing tobacco, snuff, E-Cigs, Vapes, E-Vapes. No Tobacco Use signs shall be conspicuously displayed in all buildings.

This policy applies to anyone entering any building occupied by County employees, all County sponsored offsite conferences and meetings, all vehicles owned or leased by the County, and any other owned or leased building or facility of Lancaster County.

The County prohibits tobacco use, as defined, within fifty (50) feet of the entrance of any County owned or leased facility. County facilities include but are not limited to, all County owned or leased properties that are funded in whole with public funds and operated by the County: offices, elevators, courtrooms, lunchrooms, restrooms, playgrounds, ball fields,

recreational facilities, and the like. County employees are reminded that this policy shall be strictly enforced.

There shall be no “spitting” or disposing of liquid tobacco products in County trash receptacles due to the danger of contracting contagious diseases and the un-cleanliness of such actions.

The Employee Assistance Program (EAP) is available to all County employees who wish to join in a tobacco cessation program.

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Policy Title: Inclement Weather	Section Number: 4. Workplace Safety Policy Number: 4.6
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

4.6 INCLEMENT WEATHER

Eligibility

The employees may not receive hazardous weather pay except under the following exemptions:

- a. The job they perform is not part of general public safety, (E-911, EMS, Sheriff, Road, Maintenance, Fire, and EMA).
- b. The job they perform is not critical to the function of County operations.

Decision To Close

- a. The decision to close County offices will rest solely with the County Administrator. In the event of hazardous weather conditions, when it is clear that non-critical personnel could cause harm by coming into their respective offices, the County Administrator will make the decision to close by 7:00 a.m. He will inform E-911 and Department Directors only should call E-911 to learn of the decision. All employees will be notified of closing through their Department Director and supervisor.
- b. If the County is open during hazardous weather, an employee may take accumulated annual leave to avoid hazardous road conditions. Unauthorized absences will be charged to the employee as leave without pay and may result in other disciplinary actions.

Policy Title: Performance Evaluation	Section Number: 5. Performance Management Policy Number: 5.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 5. PERFORMANCE MANAGEMENT

5.1 PERFORMANCE EVALUATION

Purpose

The performance appraisal process provides a means for discussing, planning, and reviewing the performance of each employee.

Performance appraisals influence salaries, promotions, and transfers, and it is critical that supervisors are objective in conducting performance reviews and in assigning overall performance ratings.

Eligibility

All full-time and regular part-time employees are provided with an annual performance review.

Performance Review Schedule

Performance appraisals are conducted annually and scheduled by Human Resources on a recurring basis each year. Each Department Director and/or Supervisor is responsible for the timely and equitable assessment of the performance and contribution of subordinate employees.

Salary Increases

The performance appraisal may be connected to a salary increase depending on County Administrator direction and budget appropriations.

Processes

County Administrator will establish the format and timing of all review processes. The completed evaluations will be retained in the employee's personnel file.

Policy Title: New Employee Processing, Onboarding, and Introductory Period	Section Number: 6. New Hire Entrance Policy Number: 6.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 6. NEW HIRE ENTRANCE

6.1 NEW EMPLOYEE PROCESSING, ONBOARDING, AND INTRODUCTORY PERIOD

Processing of New Employees and Onboarding

~~It is our goal to provide an orientation program for all new employees to help provide for in-processing and to provide information concerning what the organization expects of him/her.~~ The County desires to provide an onboarding program for all new employees to help provide a positive welcome to county employment that delivers the necessary information to start the job, as well as offer a general overview of the organization and an outline of expectations and customer service for each employee.

Introductory Period

All new employees, as part of the employment selection process, will be in an introductory period for the first six months ~~of their employment~~. New employees should use this period to make extra efforts to show they are well suited to the position.

- a. If the introductory employee receives a Meets Expectations rating or above, then the employee may be granted regular employment status once the first six months are completed.
- b. If the introductory employee receives a Below Expectations rating, an extension of the introductory status of up to three (3) months may be granted in management's sole discretion. The extension is based on the supervisor's and the department director's judgment that the employee can improve in deficient areas and is in the department director's sole discretion.

- c. The introductory period may also be extended at the recommendation of the Supervisor due to the position being particularly difficult, highly technical, or the employee's time on board was delayed by injury or illness.
- d. A subsequent Below Expectations rating anytime during the extended introductory period may result in termination of the employee.
- e. If the introductory employee receives an Unsatisfactory rating, the employee may be terminated.
- f. ~~Nothing in this policy guarantees any employee will remain employed though the probationary period or any extension of the period, or for any particular time.~~ SPECIAL NOTE: The introductory period is not to be construed as a minimum guarantee of employment. All employees of the County are employed "at will" which means that both the employee and the County can terminate the employment relationship at any time, with or without notice.

Immigration

Lancaster County is committed to employing individuals who are United States citizens or who are aliens legally authorized to work in the United States. We do not illegally discriminate because of a person's citizenship or national origin.

Lancaster County complies with the South Carolina Illegal Immigration and Reform Act of 2008 and will verify the legal status of all new employees through the E-Verify federal work authorization program administered by the U.S. Department of Homeland Security as outlined in the statute.

The County complies with the federal immigration laws, namely the Immigration Reform and Control Act of 1986, and as a result, every new employee is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility.

If you leave the County and are rehired, you must complete another Form I-9 if the previous I-9 with the County is more than three years old, or if the original I-9 is no longer accurate or if we no longer have the original I-9.

If you have questions or want information on the immigration laws, contact the Human Resources Director. If you ask questions or want to complain about the immigration law, the County will prohibit any form of retaliation against you for this protected activity.

Policy Title: Recruitment and Selection	Section Number: 6. New Hire Entrance Policy Number: 6.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

6.2 RECRUITMENT AND SELECTION

Purpose

Lancaster County is committed to employing the best qualified candidates while engaging in recruitment and selection practices that comply with all applicable employment laws. It is the policy of Lancaster County to provide an equal employment opportunity to all applicants and employees.

Authorization from the Human Resources Director is required to initiate any action for an open position, including recruitment expenditures, advertising, interviewing and offers of employment.

Recruitment Process

- The hiring manager submits a completed requisition to the Human Resources Department.
- Human Resources will meet with the hiring manager to discuss the position and determine the most effective recruitment and selection process once verifying the position was appropriately budgeted and approved by County Council.
- Recruitment sources will include some or all of the following:
 - Lancaster County website
 - Internal posting
 - Online job boards
 - Social media sites
 - Retained agency search
 - Temporary agency placement

- Employee referrals
 - South Carolina Department of Employment and Workforce
 - South Carolina Association of Counties website
- Human Resources will receive employment applications for vacant positions. Applicants must apply through the Human Resources Department so documentation can be maintained of all applicants for a specific position. Applications will only be accepted for open, posted positions and will be maintained for two (2) months following receipt or fulfillment of the position. The County may use an online application process in addition.
- Normally, Human Resources will post vacant positions for five (5) days both internally and externally. All internal candidates will be given preference if qualified and in good standing.

Selection Process

This process applies for external hires only.

- Hiring managers are responsible for conducting timely, effective interviews of qualified candidates. The Human Resources Department is available to advise hiring managers on interview techniques and final candidate selection.
- Upon the selection of the final candidate, the hiring manager and the Human Resources Department will collaborate to develop an appropriate offer of employment (including position title, compensation, etc.).
- The Human Resources Department or hiring manager will extend the verbal conditional offer of employment to the candidate selected. The Human Resources Department will prepare a written offer of employment that is contingent upon the successful completion of the required background checks and drug screening.
- The Human Resources Department will conduct reference checks and background checks on the selected final candidate through some of the following resources:
 - Current employer (with permission of applicant)
 - Previous employer

- Personal character references provided by the applicant
- School teachers/instructors (for current/recent students)
- Schools and Universities
- Local law enforcement offices
- Department of Motors Vehicles (checking ONLY the driving record of individual who will be operating County vehicles)
- The County may conduct additional screening as appropriate
- Upon receipt of an offer letter signed by the candidate and the successful completion of background checks, the Human Resources Department will close the requisition

Promotions/Transfers From Within

A promotion is the upward movement from the employee's existing position to another position within the County government, which is higher in grade or rate of pay. A transfer is the lateral movement of the employee from the employee's existing position to another position within the County government in the same grade and at the same rate of pay.

It is the policy of the County to fill vacancies with the best qualified person, regardless of age, race, religion, color, sex, national origin, genetic information, citizenship, or disability, except where it has been determined that sex or age is a bona fide occupational qualification.

It is also the desire of the County to utilize each employee to their fullest potential and to encourage and foster personal development and advancement. To this end, selection officials shall fully consider all qualified employees.

When a vacancy arises for an existing position or when a new position is established, the Human Resources Director will prepare and post a written announcement. It will be posted for five (5) working days. Qualified and suitable candidates will be screened and evaluated against competition both within and outside of the County.

All internally promoted/transferred employees will be subject to a three-month (3) introductory period following promotion. If the supervisor concludes during the introductory period that the newly promoted/transferred employee is not well suited for his new position; the employee may be removed from that position. If there is a vacancy in his former position, he may be considered for the filling of other vacancies for which he is qualified. If no other position is found for him, the employee may either be placed on a personal leave of absence or terminated but may be eligible to re-apply

for employment.

Transfer opportunities may be made available to employees as vacancies occur or as special requests and circumstances warrant. Transfers shall be made only with the agreement of the Department Director and approval of the County Administrator.

Vacancies

~~Vacant positions that will be filled will be reported to the Human Resources Department. Normally HR will post vacant positions for 5 days internally. If the position is not filled internally, it may be posted externally. The decision to post externally and any deviation from this policy will be determined by the Human Resources Director in consultation with the Department Head.~~

Retiree Rehires

~~At the discretion of the County Administrator, a retiree of the County may be rehired, either into his or her previous position, or into a new position, as County needs and retiree qualifications warrant. Wages or salaries of rehired retirees are at the discretion of the department head, provided that they do not exceed levels in the budget or the compensation and classification plan, if any. Rehired retirees' leave accruals begin again at zero. For retirees rehired within 90 days of retirement, the retiree will accrue paid leave at the same rate as he or she did prior to retirement. In all other cases, accrual rates will be the same as for new hires. Rehired retirees receive other fringe benefits on the same terms and conditions as other active employees.~~

~~In the case of a layoff or reduction in force, the County may at its discretion lay off or reduce first from among retiree rehires.~~

~~Retirees returning to County employment must contact the state Public Employee Benefit Authority (PEBA) to determine the impact of their return on their retirement or other benefits~~

Policy Title: Background Checks	Section Number: 6. New Hire Entrance Policy Number: 6.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

6.3 **BACKGROUND CHECKS**

Lancaster County strives to hire and promote the best-qualified individuals, and background and reference checks are an important part of these processes. When a background or reference check is needed with respect to hiring or other employment decisions, Lancaster County conducts such checks in compliance with applicable federal, state, and local laws.

Background checks

Lancaster County conducts background checks in compliance with applicable federal and state laws, including the Fair Credit Reporting Act. Thus, for example:

1. Applicants or employees will be provided with appropriate written notice of the county's intention to obtain information by way of a background check and will give applicants and employees the opportunity to obtain a free copy of any report obtained.
2. Applicants and employees will be asked to authorize a background check before such a check is performed.

Consumer credit reports

Lancaster County obtains consumer credit reports only under very limited circumstances, for example, when applicants or employees are being considered for a management position in which they will have access to bank or credit card account information. When the County needs to obtain a consumer credit report, it will comply with applicable federal and state laws.

All information obtained from background or reference checks will be used only for purposes of making employment decisions (e.g., hiring, termination or promotion); in accordance with applicable legal requirements; and may only be reviewed or accessed by authorized individuals with the approval of the Human Resources Director.

Policy Title: Employment Status	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 7. EMPLOYMENT STATUS, HOURS, AND PAYROLL

7.1 EMPLOYMENT STATUS

Introductory Employee

New employees, including former employees who have been rehired, undergo a six-month introductory period. This is a period during which the employee should make extra efforts to show he is well suited to the job. Employees in initial introductory status accumulate leave but may not use leave except in exceptional circumstances and at the Department Director sole discretion. The introductory period ends when, no earlier than six months from hire, the supervisor evaluates and approves the employee for regular status. **The introductory period is not to be construed as a minimum guarantee of employment. All employees of the County are employed “at-will” which means that both the employee and the County can terminate the employment relationship at any time, with or without notice.**

Regular Full Time Employee

An employee who has successfully completed an introductory period and any extended introductory period, who occupies an established full-time position, and who usually and consistently works a department’s official workday or workweek, and who is not a temporary employee. A regular full-time employee is normally eligible for all benefits and is subject to the County’s policies.

Regular Part-Time Employee

An employee who has successfully completed an introductory period, and any extension, who occupies an established part-time position, and who usually and consistently works, by agreement with the County, ~~fewer hours per day or fewer days per week than the department's official work day or work week~~ less than 75% of the normal workweek hours but does not exceed twenty-nine (29) hours per week, and who is not a temporary employee. Regular part-time employees are subject to the County's policies.

Temporary Employee

Those employees, other than independent contractors, who are hired for short-term, intermittent employment or to complete a specific project or projects. Employees may work a varied number of hours a week and are often called in as needed. Normally, the workweek for employees in this classification confirms the hours established for the department to which assigned but could also be project specific. Temporary employees may work for a specified period or until completion of a specified event or project to fulfill a temporary need. Employees in this category are not eligible for any fringe benefits other than those required by law. All employees are subject to the County's policies.

Fair Labor Standards Act Classifications

The County Administrator may develop and recommend for Council adoption, a system for classifying positions within the County under the Fair Labor Standards Act regulations. This would include pay ranges for those positions. Classification systems and pay ranges are subject to change at any time. The establishment of pay ranges or grades for any position does not guarantee the occupant of that position any particular rate of pay.

Exempt Employee

~~Employees who are exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act.~~ An exempt employee is an executive, administrative, or professional employee, who is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and is paid on a salary basis as defined by FLSA. Exempt employees must meet the salary basis, salary level and duties tests to qualify under FLSA Exemption categories. Exempt employees are paid on the basis of overall responsibilities rather than on the number of hours worked. Exempt employees are not eligible for overtime.

Non-Exempt Employee

~~Employees who are not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.~~ A nonexempt employee is an employee, generally paid by the hour, who is eligible for overtime pay according to the provisions of FLSA. Overtime premium pay is for those hours worked which exceed forty (40) hours per week for non-law enforcement employees. Prior approval by the supervisor is required in order for a nonexempt employee to work more than 40 hours in a week. Lancaster County Council has adopted the Section 7(k) provision of the Fair Labor Standards Act for computing overtime for Fire and Sheriff's Department personnel.

All County employees, no matter the classification, are at-will employees, unless they have an expressly written contract that has been authorized by County Council.

Policy Title: Overtime	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

7.2 OVERTIME

Occasionally, employees may be required to work overtime in order to provide essential government services or in the conduct of routine operations. Employees assigned to work overtime are expected to work it. However, no employee shall be permitted to work overtime without prior approval of the Department Director. If an employee works unauthorized overtime, they may be subject to disciplinary action up to and including termination.

Non-exempt employees will be paid overtime at 1.5 times their regular hourly rate for all hours worked in excess of 40 in a work week. Sworn law enforcement officers (including Sheriff's Deputies) and 24-hour Fire Fighters are compensated for overtime after the number of hours worked exceeds the number of hours which bears the same relationship to 212 (fire) or 171 for Sheriff as the number of days in the work period bears to 28.

Holiday, vacation, sick, or funeral hours (days) will NOT be counted as hours worked when computing overtime. When this is the situation, these hours will be paid at the regular rate of pay.

Policy Application for Exempt Employees.

Exempt employees are not eligible for overtime for working hours beyond their regular schedule. The Department Directors may, however, in their sole discretion allow exempt employees who have worked unusual amounts of hours beyond their normal schedules to take paid time off without charge to leave balances. This time off is gratuitous.

Policy Title: On-Call and Call Back Into Work Time	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

7.3 ON-CALL AND CALL BACK INTO WORK TIME

Purpose

An emergency call-back is defined as an unscheduled request made by an appropriate management official for an employee designated as “on-call” to return to work to do unforeseen or emergency work after leaving the work location at the end of the employee’s regular shift and before the beginning of the next regularly scheduled shift.

An on-call employee who is called back to work outside the employee’s normal work schedule will be paid for the time worked (including travel time) or a minimum of two hours, whichever is greater. Department Directors should establish reasonable maximum response times (between 15 and 60 minutes) for their departments.

Time worked while on call will be calculated at the employee’s regular rate of pay. Non-exempt employees will be paid overtime at 1.5 times their regular hourly rate for all hours in excess of 40 in a work week. Sworn law enforcement officers (including Sheriff’s Deputies) and 24-hour Fire Fighters are compensated for overtime after the number of hours worked exceeds the number of hours which bears the same relationship to 212 (fire) or 171 for Sheriff as the number of days in the work period bears to 28.

Emergency call-backs that occur during paid holiday leave will be paid at their regular rate of pay plus holiday pay. Justification must be provided to the department director to validate that the call-back is an emergency.

Employees who are on call must adhere to all county policies, including drug and alcohol use and testing. Any violation of county policy may result in disciplinary action, up to and including termination.

Policy Title: Travel Reimbursement	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.4
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

7.4 TRAVEL REIMBURSEMENT

Travel Reimbursement Requirements

The County's travel reimbursement is an accountable plan that meets the following requirements of the Internal Revenue Code:

- There must be a business connection to the expenditure
- There must be adequate accounting by the recipient within a reasonable period of time
- Excess reimbursements or advances must be returned within a reasonable period of time.

A travel expense report must be submitted to the Finance Department within 30 days of return from travel. Copies of receipts must be attached for all expenses being reimbursed. Any amounts owed to the County must be paid within 30 days of receipt of the travel expense report. Failure to follow these procedures may result in taxable income to the employee, delay or denial of expense reimbursement, and discipline up to and including termination from employment.

Parking: Includes tolls and parking fees only

Internet: Because the nature of the property lends itself to personal use, the County will not reimburse for internet connection/usage.

Overnight – Travel Expense

Mileage: When personal vehicles are used, reimbursement will be the same as the IRS Rate at time of travel.

Meals: Employees staying overnight will receive a per diem of \$40.00 for each full day, \$30 for the day travel begins and \$30 for the day travel ends to cover all meals and incidental expenses

Conference Fees: The County may pay base registration cost.

Not Overnight – Transportation Expense

~~Mileage: When personal vehicles are used, reimbursement will be
based on IRS Rate at time of travel.~~

~~Meals: Not reimbursed~~

~~Conference Fees: The County may pay base registration cost.~~

Authorized Travel

Authorized travel on the Lancaster County's behalf involving an overnight stay must be approved in advance by the Department Director. As a general rule, overnight travel is not permitted for destinations within a sixty (60) mile radius of the employee's normal work location. For non-overnight stays, mileage will be reimbursed when using personal vehicles. Meals will not be reimbursed for non-overnight stays. Employees may be reimbursed or may request an advance for expenses resulting directly from authorized travel.

Authorized expense includes meeting/seminar registration fees, transportation cost, cost of lodging when necessary, and per diem expense covering meals and miscellaneous items such as parking fees, etc. Tips shall not exceed 15% of actual cost. Meals will not be reimbursed for conferences and or seminars that include meals in the price of registration. Grocery items and alcoholic beverages will not be reimbursed.

Advance Requests

Travel advance request forms can be obtained from the Finance Department. Each such request must include a careful breakdown of estimated cost covering the appropriate expense categories described above and should be submitted to the Finance Department in sufficient time for the travel advance to be processed in a normal check run. General Services Administration (GSA) travel rules and regulations will generally apply, including mileage reimbursement rates* and per diem rates*, which are location based. Per diem for travel days will be based upon departure/arrival times. GSA lodging rates* will not apply to accommodations arranged in conjunction with a conference. Check requests, rather than travel advance forms, should be submitted to cover registration fees, lodging expense, and transportation (other than by automobile). This will allow prepayment by Lancaster County for such expenses. Travel advances should be limited to estimated automobile mileage (where a private vehicle is used) and daily per diem.

Reconciliation of Advances

Within five (5) working days of return from authorized travel, the employee must submit a Travel Request/ Settlement form detailing expenses incurred and advances

received and providing documentation, including without limitation, a copy of the itinerary, agenda, or a certificate of completion. Meeting/seminar registration fees and lodging expenses are payable in full and must be evidenced by a paid receipt or other appropriate documentation. Per diem expenses for travel involving overnight lodging are payable at the GSA rate without submittal of paid receipts or on the basis of actual expense with paid receipts documenting all such expense.

Reimbursement for miscellaneous expenses is not to exceed \$5.00 for each day. Any amount exceeding this limit must be fully justified and approved by the Department Director. When lodging is required for official travel, the per diem allowance will be in accordance with approved rates as set by the County for meals and incidental expenses. Employees are expected to utilize standard, medium priced hotels, and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he or she may stay at the hotel or motel where the meeting is being held. In all cases, the County will pay no more than the regular single occupancy rate and government rates must be requested.

*The current GSA rate can be found at www.GSA.gov

Policy Title: Workweek and Hours of Work	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.5
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

7.5 WORKWEEK AND HOURS OF WORK

~~1. WORKWEEK.~~

- ~~a. Except as noted in this policy, the work period or workweek consists of seven (7) days, beginning at 8:00 a.m. on Sunday and ending at 7:59 a.m. on the following Sunday.~~
- ~~b. Except as noted in this policy, the normal workweek consists of 37 ½ hours.~~

~~2. WORKDAY.~~

- ~~a. The normal workday for most County departments consists of 8.5 hours, usually from 8:30 a.m. to 5:00 p.m. Monday through Friday.~~
- ~~b. Meal Breaks. The normal meal break should not be less than thirty (30) minutes nor greater than sixty (60) minutes. Department heads and supervisors should schedule employee meal breaks in a manner to ensure that personnel are available at the workplace to continue operations. The Human Resource Department should be notified of any exceptions. Individual lunch periods should be based on the employee's work schedule. Meal breaks are unpaid.~~
- ~~c. It is up to the discretion of the department head whether to grant break periods or not. No more than one morning and one afternoon paid break may be allowed. Each break may not exceed fifteen (15) minutes. Except in extraordinary circumstances, employees may not "combine" breaks and lunch periods, nor may employees use such time to leave early.~~

Hours of Work and Meal Periods

The County's normal hours of business are from 8:30 a.m. to 5:00 p.m. Except as noted in this policy the work period or workweek consists of seven (7) days beginning at 8 a.m. on Sunday and ending at 7:59 a.m. on the following Sunday. Also, except as noted in

this policy, the normal workweek consists of 37 ½ hours. However, some departments must operate outside the County's normal hours of business, and schedules of employees of those departments may differ from the County's normal hours. Each department is responsible for scheduling its employees to meet the needs of the County. Employees may be required to work overtime.

Regular full-time employees who work during the County's normal hours of business receive one unpaid meal break of either 30 minutes or 60 minutes depending on the shift. Breaks and meals for employees whose departments operate outside the County's normal hours are set by those departments. All breaks are workload permitting.

It is up to the discretion of the Department Director whether to grant break periods or not. No more than one morning and one afternoon paid break may be allowed. Each break may not exceed fifteen (15) minutes. Breaks are a voluntary benefit provided for our employees by the County. **They are not required** by federal, state or any other laws.

Except in extraordinary circumstances, employees may not "combine" breaks and lunch periods, nor may employees use such time to leave early or to make up any missed time. Break time does not accumulate from day to day.

The County automatically deducts the unpaid meal break from 7.5-hour and 8-hour nonexempt hourly employees' time. During meal periods, employees must completely cease all work. Any nonexempt hourly employee whose meal break is interrupted by work must report the interruption so that the meal period may be compensated. If an employee discovers that he was not paid for an interrupted meal period or is instructed by any supervisor not to record unpaid meal periods, he or she must report it to the appropriate supervisor.

Exceptions to the Normal Workweek

The nature and duties of some individual employees and/or departments may require an exception to the normal workweeks, workdays and/or hours of work. Sheriff's Office, Fire Service, Emergency Medical Services, and Public Works employees work schedules are different from the County's normal business hours. Work weeks and work schedules for such employees and for any other employees, where necessary, are set by the departments and/or the elected officials. **The nature and duties of some**

other individual employees may require an exception to the normal workdays or hours. In case of extreme temperatures or inclement weather, the Department Directors will issue a memorandum identifying the position(s) affected and defining the workweek, workdays, work hours and number of hours per week.

Breaks for lactating mothers: In accordance with 29 U.S.C. 207 (r)(1), Lancaster County will make reasonable efforts to provide a private location for employees who are nursing other than the restroom facilities. Employees will not be retaliated against for exercising their rights under this policy. Employees are provided with reasonable break time to express breast milk up to one year following the birth of a child provided that such break time does not unduly disrupt operations. Employees requiring such breaks must make their supervisor aware of such requirement as soon as possible. The breaks shall be provided as reasonably possible due to business needs of the County.

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Policy Title: Alternate Summer Work Schedules	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.6
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

7.6 ALTERNATE SUMMER WORK SCHEDULES

During the summer months, starting the week in which Memorial Day is observed and ending the week in which Labor Day is observed, Lancaster County will allow employees to work alternate/compressed work schedules at the discretion of the County Administrator and Department Director. Alternate Summer Work Schedules will not compromise the excellent customer service delivery that Lancaster County provides citizens. Departments requesting alternate summer work must maintain normal business hours.

Several alternative work schedule options are available to employees:

- Compressed workweeks in which an employee works 10 hours per workday, reducing the workweek to four days a week.
- Compressed workweeks in which an employee works nine-hour workdays Monday through Thursday and four hours each Friday.
- Informal remote work that is a temporary arrangement approved by the County Administrator. In order to request informal remote work, the employee must have already been assigned equipment to accommodate the remote work and must follow the policy guidelines in this Handbook.

The Department Director is responsible for identifying if any of the aforementioned staffing options are workable within the department. This may include determining if the entire department or an entire shift must convert to one or more of the above alternative scheduling options. To determine if alternative work schedules are appropriate, the Department Directors must assess the impact and the outcome in terms of production, quality, and absenteeism, and if one or a combination of the above arrangements is in the best interests of the department, Lancaster County, and the employee. Department Directors are required to submit their departmental schedules

and staffing ability to accommodate the schedule to the County Administrator for approval prior to commencement of an alternate schedule.

Alternate work schedules are not appropriate for all employees or positions and are not a universal employee benefit. In order for alternate work schedules to be approved, the employee must have a satisfactory attendance record, meet all performance expectations in his or her current role and consistently demonstrate the ability to complete tasks and assignments on a timely basis. The nature of the employee's work and responsibilities must be conducive to an alternate work arrangement without causing significant disruption to performance and/or service delivery.

An alternate work schedule arrangement may be suspended or cancelled at any time. This policy does not guarantee an alternate work schedule for employees. Exempt employees must depart from any alternate work schedule when needed to perform their job duties. Nonexempt employees may be asked to work overtime, regardless of an alternate work schedule.

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Policy Title: Time Keeping and Clocking Procedures	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.7
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

7.7 TIME KEEPING AND CLOCKING PROCEDURES

Timekeeping

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

Non-exempt employees are to accurately record the number of hours worked in a day. Employees are to record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed. Overtime work must be recorded by the employee on a regular basis.

Non-exempt employees are not to start work more than seven (7) minutes prior to their scheduled starting time and may not work more than seven (7) minutes after their scheduled stop time without express, prior written authorization from their Supervisor or Department Director.

It is the employee's responsibility to sign his or her time record to certify the accuracy of all recorded. The supervisor will review and then approve the time record before submitting it for payroll processing. Be sure to review pay stubs and report any errors in pay within fourteen (14) days.

Hours of work are to be coordinated by the County Administrator to ensure the greatest amount of service to the citizens of the County. The County Administrator, on an individual basis, may have employees with varied scheduled when deemed necessary to serve the best interests of the County.

Important: If anyone tells you not to record your work time or asks you to report time for them, report to Human Resources immediately.

Time Clock Procedures

Employees are required to have a record of hours worked. County departments are using time clocks for an automated time keeping payroll system. The following regulations will apply:

- Non-Exempt employees are required to clock in prior to their assigned start time and must clock out when they go off duty.
- Employees are required to clock out any time they leave the work site for any reason other than assigned work duties and breaks.
- Employees must clock in and out at their designated duty station and/or clock in station, i.e., vehicles for mobile app users.
- Unless permission is granted in writing by the employee's supervisor, no employee may clock in more than 7 minutes prior to the start of their shift.
- Unless permission is granted in writing by the employee's supervisor, employees may not clock out more than 7 minutes following the end of their work time.
- Although employees who report within the timeframe specified above will be paid for the full workday, clocking in after the designated start time may be considered tardiness.
- Depending on the department procedures, the time recorded will be the worktime paid and actual recorded times will be verified by the supervisor and/or department director. Any adjustments to the recorded time must be approved by the employee's supervisor and/or department director.
- Manual adjustments will be signed off by the employee and the supervisor and/or manager.
- All County departments are utilizing a system with an automatic lunch deduction. If an employee is unable to obtain a meal break for work-related

reasons, be sure to report the missed time as an adjustment at the end of the workweek.

- Eligible employees who have worked overtime will be paid in accordance with the Fair Labor Standards Act (FLSA) overtime rules.
- Except in emergency circumstances, prior permission to work overtime must be approved in writing by the department manager.

UNDER NO CIRCUMSTANCE MAY ONE EMPLOYEE CLOCK IN OR OUT FOR ANOTHER EMPLOYEE.

DRAFT

Policy Title: Time, Method, and Place of Payment of Wages and Salaries	Section Number: 7. Employment Status, Hours, and Payroll Policy Number: 7.8
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

7.8 TIME, METHOD, AND PLACE OF PAYMENT OF WAGES AND SALARIES

POLICY 3.1

~~General Administration of the Wage and Salary Program~~

~~1. INTENT.~~

~~It is our goal to establish a sound wage and salary classification and compensation plan in order to:~~

- ~~a. Attract and retain qualified employees.~~
- ~~b. Provide a salary structure, which will help the county remain competitive and operate efficiently.~~
- ~~c. Provide employees with the opportunity for advancement relative to ability, performance, and expertise.~~
- ~~d. Maintain control over payroll costs through effective management of the wage and salary program.~~

~~2. CLASSIFICATION AND COMPENSATION PLAN~~

~~The County Administrator or Human Resource Director may establish and maintain a classification and compensation plan governing all jobs within the organization that provides a salary structure that will help the County remain competitive and operate efficiently.~~

~~Job duties and responsibilities may be evaluated to determine their relative worth to the County. The evaluation process may involve the analysis of the presence and level of common factors such as complexity of work, job requirements (education and experience), responsibilities, freedom to act, supervision, and working conditions.~~

~~3. EFFECTIVE DATE OF PAY CHANGES AND RELATED PERSONNEL ACTIONS.~~

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

Pay Period

County employees are paid every two (2) weeks.

Method of Payment

Employees are normally paid by 5:00 p.m. every other Thursday via direct deposit or paper check. New hires are usually paid by paper check for the first check. Employees making direct deposit changes will be paid a paper check for their first check after making the change. Should a payday fall on a holiday, then the paychecks will normally be issued on the last working day before the holiday.

Classification System

The County Administrator may develop and recommend for Council adoption, a system for classifying positions within the County, including pay ranges for those positions. Classification systems and pay ranges are subject to change at any time. The establishment of pay ranges or grades for any position does not guarantee the occupant of that position any particular rate of pay.

Temporary Assigned/Appointed Positions

An employee temporarily assigned or appointed or assigned (as interim) to a position in a higher salary grade may receive a six percent (6%) salary increase for all hours worked in the higher-grade position provided the duration of such assignment exceeds eighty (80) hours for non-exempt positions and thirty (30) working days for exempt positions. Payment is retroactive to the date assigned or appointed. No salary increase is given for temporary assignments in a higher-grade non-exempt position for a duration of eighty (80) hours or less or thirty (30) or fewer days in an exempt position.

Payment Upon Separation of Employment

~~Employees may receive payment for accrued, unused annual leave at termination provided they are not terminated for disciplinary reasons and further provided that the employee gives and works a two-week notice period.~~ Employees giving **and** working a two-week notification of their resignation will be eligible to receive their accumulated, but unused vacation pay up to a maximum 240 hours. Whether the employee will be required to work that notice is at the discretion of the County. Employees who do not give **and** work the proper notice or who are terminated for disciplinary reasons may not be paid for accumulated, but unused vacation.

County issued equipment, safety equipment, tools, manuals, keys, etc., are considered an advance of wages, the value of which may be deducted from employees' pay. If an employee fails to turn in any of the above in good condition, normal wear excepted, the value of such items may be deducted from the employee's pay. ~~This failure may also result in the delay of the final paycheck.~~

Employees who terminate employment may elect to have their final paycheck mailed to them if ~~an exit interview has been completed and~~ all equipment has been returned. Otherwise, the final paycheck must be picked up in the Human Resources Department.

Salary Basis Policy

It is the policy of the County to comply with the Fair Labor Standards Act ("FLSA"). The FLSA is a federal law which requires that most employees be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. The FLSA does provide exemptions from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, outside sales employees, and certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis of a minimum amount per week as prescribed by current law. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the FLSA regulations. Employees will be classified as an exempt or a non-exempt employee upon employment with the County.

"Salary basis" is defined as a predetermined amount of compensation each pay period on a weekly or less frequent basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions that follow, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the business necessity, that employee is not paid on a "salary basis." If the employee is ready, willing, and able to work, deductions may not be made for time when work is not available.

Deductions from pay are permissible when an exempt employee is (a) absent from work for one or more full days for personal reasons other than sickness or disability; (b) for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; (c) to offset amounts employees receive as jury or witness fees, or for military pay, or (d) for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. The County is not required to pay the full salary for the initial week of

employment where the employee has not worked the entire work week, nor in a week where the employee has been terminated and has not worked the entire work week; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. Under these circumstances, either a partial day or full day deduction may be made.

Improper deductions are prohibited from the salaries of exempt employees or any other such deductions that violate the FLSA. If any employee believes that improper deductions have been made to salary, this information must be reported immediately to the Supervisor or the County Administrator. Reports of improper deductions will be promptly investigated, and if it is determined that an improper deduction has occurred, the employee will be promptly reimbursed.

DRAFT

Policy Title: Leave and Accrual Rate	Section Number: 8. Leave Provisions Policy Number: 8.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 8. LEAVE PROVISIONS

8.1 LEAVE AND ACCUMULATION RATE

- Full-time employees begin accumulating leave the first full month of employment.
- Annual Leave may be used by employees who have successfully completed their introductory period and **any extension thereof** and who are regular full-time employees.
- The leave year begins on the first day of the first full pay period in January and runs through December 31st.

Policy Title: Annual Leave	Section Number: 8. Leave Provisions Policy Number: 8.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.2 **ANNUAL LEAVE**

Annual Leave is accumulated at the rate indicated below:

YEARS OF SERVICE	NUMBER OF DAYS ACCUMULATED PER MONTH
Less than 5 years	1 day per month
5 years and less than 10 years	1 ¼ days per month
10 years and less than 15 years	1 ½ days per month
15 years and less than 20 years	1 ¾ days per month
20 years or more	2 days per month

For purposes of this policy, 1 day is 7.5 hours for employees scheduled to work 37.5 hours per week, 8 hours for employees scheduled to work 40 or more hours per week (including Sheriff's Office employees) and is 12 hours for EMS employees scheduled to work 24-hour shifts.

Accumulation

- a. No more than 240 hours of unused annual leave may be carried forward from one calendar year to the next. ~~However, upon a written request from the employee's supervisor outlining extenuating circumstances which prevented them from allowing an employee to utilize annual leave to fall below the carry over threshold, the County Administrator may authorize the carry-over of up to an additional 40 hours of annual leave once in any three-year period. In no case shall the carry-over authorization extend beyond ninety (90) calendar days.~~
- b. Employees may receive payment for up to 240 hours accumulated, unused annual leave at termination provided they are not terminated for disciplinary reasons

and further provided that the employee gives and works a two-week notice period. **Requests for time off during this notice period will be denied.**

- c. When a recognized holiday falls during an annual leave period, that day normally will not be counted as a day of annual leave.
- d. An employee accumulates full annual leave credit for any month in which they are in a pay status for at least half of that period.
- e. Annual leave accumulation and use appears on employee paycheck stubs.

Procedures

Granting of Leave to Employees.

- a. A leave of absence should be requested in advance through **TimeClock Plus** with final approval by the Department Director or his designee.
- b. In an emergency or when circumstances make a written/advance request impractical, a verbal request and approval may be made. Documentation must be accomplished at the earliest practical time.
- c. Department Directors:
 - Are the approving authority for subordinates' leave request with final approval by the County Administrator or his designee.
 - Will designate a reasonable time frame for submission of leave requests, taking into account work requirements, scheduling, shift operations, etc. Normally, the employee should submit a leave request at least 2 weeks in advance of when the leave is scheduled to begin.
 - The County Administrator or his designee is the leave approving authority for department directors.
 - Approved leave request forms should be forwarded with the appropriate timecard.
 - Use of annual leave does not count towards hours worked for purposes of computing overtime for any employee.

Policy Title: Sick Leave	Section Number: 8. Leave Provisions Policy Number: 8.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.3 **SICK LEAVE**

Eligibility and Use

Sick leave is accumulated and used by employees who are:

- Regular full-time and regular part-time.
- An introductory employee.

Temporary employees will not accumulate sick leave.

Sick leave may be used under the following circumstances:

- Periods when the employee is unable to work due to illness or injury. Applies to the employee only.
- Medical and dental appointments, optical examinations (including fitting for glasses), or other treatment by recognized practitioners.
- Exposure to a contagious disease, which can be transmitted to others.
- Sick leave may be used to cover absences made necessary by serious illness or accident in an employee's immediate family. Immediate family in this instance includes: spouse, children, stepchildren, and parents.
- Use of sick leave will not be counted as work time for purposes of computing overtime for any employee.

Accumulation Rate

The leave year begins on the first day of the first full pay period in January and runs through December 31st.

Sick leave is accumulated as follows:

- 1 day (7 ½ hours) per month for employees working 37.5 scheduled hours per week.
- 1 day (8 hours) per month for employees working 40 scheduled hours or more per week. (This includes Sheriff's Office employees).
- 1 day (12 hours) per month for EMS and Fire employees scheduled to work 24-hour shifts.

Employees placed on the payroll on or before the fifteenth of the month will accumulate one working day for that month. Employees placed on the payroll after the fifteenth of the month will not accumulate a day for that month.

Accumulation

- Employees are authorized to carry over a maximum of 75 days of unused sick leave per calendar year.
- No payment of sick leave will be made upon separation from employment for any reason.
- When a recognized holiday falls during a sick leave period, that day normally will not be counted as a day of sick leave. Proof of illness may be required.
- When an employee becomes sick during annual leave, he/she may substitute sick leave to cover the period of illness. Upon return from annual leave, individuals must promptly report his or her situation to their immediate supervisor and submit a written request for substitution.

Physician's Certification

A physician's certificate verifying that an employee was incapacitated due to illness or injury may be required if absence exceeds three consecutive working days or at any other time the County believes, in its sole discretion, that an employee **may be eligible for leave under Family and Medical Leave Act**, may be abusing sick leave, or if an employee takes sick leave immediately before or after a holiday. The county may also require a return to work or fitness for duty certification.

Notification

Employees are required to notify their immediate supervisor (or designee) within thirty (30) minutes after the start of the workday if they will be absent due to sickness or injury. In an emergency, notification should be made as soon as it is practical and may be made by someone other than the employee. Failure to provide notification under this policy may result in non-approval of sick leave. Employees are required to keep their supervisor apprised of their situation and anticipated date of return.

Emergency Treatment of Employees Injured During Work Hours

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

Policy Title: Military Leave	Section Number: 8. Leave Provisions Policy Number: 8.4
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.4 **MILITARY LEAVE**

An employee has such rights to leave and reinstatement from leave for military obligations (including Reserve and National Guard duty) as are provided under federal and state laws.

An employee going on military leave shall present a copy of his orders to the Human Resources Department not more than three (3) days after receiving them. Employees on military leave will receive paid leave for up to 15 days per military fiscal year (currently October 1 to September 30) for training or call-up. In addition, if an employee is called upon to serve during an emergency the employee will receive paid leave of absence for not exceeding 30 additional days.

Refer to the Family and Medical Leave Act (FMLA) for information on Military Leave under the FMLA.

Policy Title: Holidays	Section Number: 8. Leave Provisions Policy Number: 8.5
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.5 **HOLIDAYS**

Observance

The County will publish a list of approved holidays in November of the year preceding. The following days, and other days may be designated by the County Council as paid holidays:

HOLIDAY

WHEN OBSERVED

New Year's Day	January 1
Martin Luther King's Birthday	Mid-January
Easter Monday	March & April
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Veterans Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Eve	December 24
Christmas Day	December 25
Day after Christmas	December 26

Dates of observance for Holidays are subject to change at County Council's discretion.

- Holidays occurring on Saturday are normally observed on the preceding Friday, and holidays occurring on Sunday are normally observed on the following Monday.

- Most regular full-time employees and introductory full-time employees ~~are off on~~ are eligible for holidays and receive holiday pay. Part-time employees are not eligible for holiday pay. Full-time employees whose jobs require coverage during holidays may be required to work during the holiday and will be paid holiday pay in addition to their regular earnings. Holiday pay is 7.5 hours per day (or shift) for employees scheduled to work 37.5 hours per week, 8 hours per day (or shift) for employees scheduled to work 40 hours or more a week, 12 hours per day (or shift) for employees scheduled to work ~~12-hour shifts (including Sheriff's Office employees)~~ and 16 hours per shift for EMS and Fire employees scheduled to work 24-hour shifts. All holidays must be taken as a full day and cannot be "saved" and carried over from one calendar year to the next.
- Holidays occurring while an employee is in annual leave status are not charged against annual leave.
- When illness occurs on a holiday, the holiday is not normally charged against sick leave.
- Terminating employees whose last day falls on a holiday do not receive holiday pay unless they actually work that day.
- Employees are required to work the last scheduled workday before and the first scheduled workday after a scheduled holiday unless the employee is on approved leave. An approved leave is a day of paid vacation or paid short-term absence. If an employee is absent on one or both of these days because of an illness or injury, the County reserves the right to verify the reason for the absence before approving holiday pay.
- There will be no compounding of overtime and holiday pay.

Policy Title: Jury Duty / Court Appearance	Section Number: 8. Leave Provisions Policy Number: 8.6
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.6 JURY DUTY / COURT APPEARANCE

JURY DUTY EXEMPTIONS

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

Employees of Lancaster County who are non-exempt may be granted court leave from regularly scheduled work with pay for a maximum of fourteen (14) days when summoned to serve as a jury member.

- Any travel payments received may be retained by the employee.
- Any employee who is exempt from jury duty under State Law and who elects to serve as a jury member may be charged annual leave or leave without pay for the period of service.
- When an employee is released from jury duty before 1:30 p.m., he/she must return to duty unless excused by the Department Director. If the employee does not return to duty, the time will be charged to leave without pay.
- If jury duty occurs on a scheduled day off, the employee is not entitled to additional pay or time off.
- Employees must submit a written statement from the court indicating the days of jury service.

- The employee may retain all fees for jury service.

Court Attendance As An Official Employee

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

Personal Litigation

~~Employees involved in personal litigation may use annual leave or leave without pay.~~

Court leave is not authorized for employees involved in personal litigation. The absence of an employee due to private litigation may be charged to unused accumulated annual leave or leave without pay. The employee is expected to provide the same notification to his immediate supervisor as is required for paid court leave.

Notification And Application

- An employee must notify his immediate supervisor when jury duty or witness appearance is scheduled and the anticipated duration.
- Application for appropriate leave status must be completed by the employee and submitted to his supervisor/department director.
- The employee may be required to present the summons or subpoena to his supervisor for verification.
- Upon release by the court, the employee must provide his supervisor or department director with statements issued by the Clerk of Court, documenting dates, and times of service.

Policy Title: Bereavement	Section Number: 8. Leave Provisions Policy Number: 8.7
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.7 **BEREAVEMENT**

Upon request, a regular employee who has completed the introductory period, may be granted leave from scheduled work with pay, in the event of the death of a member of the immediate family as stated below. Part-time employees receive pay only for hours scheduled to work.

- For the purposes of this policy, an immediate family member is defined as a spouse, parents, brothers, sisters, children, grandparents, grandchildren, stepparent, stepchild, father and mother-in-law, sister and brother-in-law, daughter and son-in-law, guardian, and ward of the employee. Employees may take up to 3 consecutive calendar days off for funeral leave. If an employee misses regularly scheduled work during those days, he or she will be paid straight-time wages for the regularly scheduled day of work that was missed. Employees are not paid for days on which they were not scheduled to work. Use of funeral leave will not count as work time when computing overtime.
- Employees may be excused from duty without charge against annual or sick leave to attend funerals of other relatives and friends when the absence will not be in excess of 3 hours. When a longer absence is necessary, employees may charge leave against annual leave to attend funerals of other relatives and friends.
- In circumstances in which more than three days leave are needed employees may request to use annual or sick leave to cover additional days absences.
- The employee must notify his immediate supervisor/department director as soon as possible, providing the name and relationship of the family member.

A leave request in the TimeClock Plus system must be submitted immediately upon return to duty.

- Appropriate proof of death may be required before payment is authorized. The department director may require, among other things, the full name of the deceased, the funeral home in charge of the arrangements, a copy of the service bulletin, and/or the time of the funeral. This step is especially important if the deceased is not a resident of Lancaster County. In addition, the employee must request a leave of absence in advance through **TimeClock Plus** with final approval by the Department Director. This request should be completed before the leave is taken when possible but must be submitted no later than the day after the employee returns to work.

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Policy Title: Administrative Leave	Section Number: 8. Leave Provisions Policy Number: 8.8
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.8 **ADMINISTRATIVE LEAVE**

General

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

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

Administrative leave may be granted at the discretion of the County Administrator, after considering the benefits gained and work requirements of the employee, except as indicated below.

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

- If the employee is working during such time, the time will be treated as work time.

Voting

Employees who live such a distance from their work locations, that it prevents them

from voting, may be allowed up to two hours administrative leave in order to vote.

Examples of Appropriate Use of Administrative Leave.

- Direct or indirect benefits of the County in the form of expanding the job-related knowledge or ability of an employee resulting from attendance of professional association seminars, conferences, or other similar training. Such time will normally be treated as work time.
- The best interest of the government may be served by granting extra time to an employee in recognition of significant contributions to the County.
- ~~• The general welfare and public interest may be served by allowing members of the Civil Air Patrol short periods of administrative leave to participate in actual emergency search and rescue missions called by State or Federal authorities.~~
- Granting a morning, afternoon, or day off for employees who donate blood, without compensation, to the American Red Cross or other similar non-profit organizations provides a service for the public interest and general welfare.
- Granting employees not involved in public safety or road-clearing operations administrative leave during time of hazardous weather conditions when it may reduce the unnecessary risk of harm and injury.

Application Procedures

Regular employees may submit a request for administrative leave, outlining the purposes and benefits of such leave. The leave request should be submitted and processed in the same manner as annual leave.

Policy Title: Leave of Absence	Section Number: 8. Leave Provisions Policy Number: 8.9
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.9 **LEAVE OF ABSENCE**

PHYSICAL DISABILITY AND PERSONAL LEAVE (Applies Only to Employees Employed Less Than 12 Months and to Employees Who Have Worked Fewer Than 1250 Hours In Preceding 12 Months and to Employees Whose Reasons for Leave are not Covered by the Family and Medical leave Act.)

- An employee who has completed his initial introductory (and any extension thereof) may request a leave of absence for up to 90 days when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. **Personal** leaves are granted only in the discretion of the County Administrator upon recommendation by the employee's Department Director.
- **Employees still in their introductory period who are absent for more than five (5) consecutive scheduled workdays because of any physical incapacity may be administratively terminated but will be eligible for rehire.**
- Employees are requested to apply for leaves of absence as far in advance of leave as is possible, but an employee may be placed on leave status without application when circumstances warrant such action.
- Leaves begin on the first day of absence, regardless of whether some or all of the leave is paid by use of annual leave or sick leave, ~~or comp time~~.
- After the employee has exhausted his vacation and/or sick leave, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits and does not accumulate fringe benefits.

- Employees desiring to return to work from an unpaid leave of absence should notify the Human Resources Department in writing at least ten (10) days prior to their desired date of return. If the County finds that the employee is fit to resume his duties, the employee may be recalled to his former job if a vacancy exists that is to be filled. If no such vacancy exists, the employee may be recalled to any job of equal or lesser pay where there is a vacancy to be filled and for which he is qualified. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued.
- Any employee who has not been reinstated within 90 days following the commencement of a leave of absence may be administratively terminated. This action does not affect the employee's eligibility to be considered for hire as a new employee at some future time. Employees with circumstances that warrant special consideration should bring those circumstances to the attention of the Department Director.

Policy Title: Family and Medical Leave Act	Section Number: 8. Leave Provisions Policy Number: 8.10
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.10 **FAMILY AND MEDICAL LEAVE ACT**

FAMILY AND MEDICAL LEAVE ACT (Applies Only to Employees Employed 12 Months Or Longer And Who Have Worked 1250 Hours or More in the Preceding 12 Months, Both Prior to Commencement of Leave.)

General: Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act. As a general rule, employees must request leaves of absence under this law and policy, but in appropriate situations, employees may be placed on leave status without application.

Reason for Leave of Absence

1. Medical and Family Leave. An eligible employee may be entitled to a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform his job, if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work in order to care for that relative, or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.

2. Military Caregiver Leave. An eligible employee whose spouse, parent, child, or next-of-kin is a covered service member or covered veteran of the Armed Forces of the United States may be entitled to leave of absence to care for the service member or veteran if he is injured while on active duty.

3. Qualifying Military Exigency Leave. An eligible employee whose spouse, parent or child is a member of the regular Armed Forces of the United States and is on active duty or called to active duty on a foreign deployment, or who is a member of the

National Guard or Reserves and is on or called to qualifying active duty in federal service may be entitled to a leave of absence due to one or more qualifying exigencies arising out of the active duty or call to active duty. Qualifying exigencies are: (1) Short-notice deployment (*i.e.*, notice of 7 days or less); (2) Military events and related activities; (3) Childcare and school activities (regular or routine childcare by the employee does not count); (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; (8) Parental care (regular or routine parental care by the employee does not count); and (9) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

Proof of need for leave of absence may be required regardless of the type of leave taken.

Length of Leave

1. Medical and Family Leave. An eligible employee may take the equivalent of a total of 12 work weeks of leave during any 12 consecutive months for his own serious health condition, that of a parent, spouse, or child, or to care for a newly born or newly received child. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.

2. Military Caregiver Leave. Leave to care for an injured service member or veteran may be taken for up to 26 work weeks in a single 12-month period. Any leave taken by the employee for any other FMLA-qualifying reason will count against the 26 weeks of leave permitted to care for an injured service member or veteran.

3. Qualifying Military Exigency Leave. Leave taken because of a qualifying exigency is available for up to 12 work weeks in any 12 consecutive months. Leave taken because of a short notice deployment is limited 7 days from the date of notice, and leave taken to be with the service member during periods of rest and recuperation are limited to 15 days per period of rest and recuperation. Leave taken to attend post-deployment activities must be taken within 90 days of the end of active-duty service.

Coordination of Leave and Paid Time Off

An employee who must be absent due to his own serious health condition will be paid for time lost from work from accumulated sick leave balances, if any. An employee who must be absent for any other FMLA-qualifying reason will be paid for time lost from work from accumulated annual leave balances and compensatory time off balances (if applicable), if any. Leave taken under this policy counts towards the employee's 12

weeks of leave (or 26 weeks, where appropriate) regardless of whether all or part of the employee's leave is paid.

Effect of Leave on Accumulation of Fringe Benefits

1. Health benefit plan. Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employees' wages.

2. Accumulated paid leave. Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

Employee Responsibility

Employees who request leave under this policy must give 30 days' advance notice or such lesser amount of notice as is possible in the particular circumstances. When the need for leave is unforeseeable, the employee must follow the normal procedure for reporting an absence.

Termination of Leave of Absence

A leave of absence under this policy may end when the need for the leave of absence ends, or when the maximum leave described above has been taken, whichever occurs sooner.

Reinstatement

At or before the conclusion of the FMLA leave of absence the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee must demonstrate that he is fit for duty and must give reasonable notice of intent to return to work.

Extension of Leave Without Benefits

An employee who is unable to perform the duties of his position due to his own disability and who has exhausted his entitlement to leave under the Family and Medical Leave Act by taking 12 consecutive weeks of leave may, in the discretion of the County Administrator, upon written application, be granted up to an additional 14 weeks of leave. This additional leave of absence does not entitle the employee to reinstatement or to payment of any portion of his health benefit plan premiums. If the employee is able to return to work prior to the exhaustion of his extended leave, he may be returned to his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he may be continued

on extended leave of absence status until he is returned to active-duty status or his extended leave of absence expires, whichever occurs sooner.

Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave which would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only in the discretion of the County Administrator and only in unusual circumstances.

Separation from Employment

An employee's employment may terminate if he does not return to full active employment status at the conclusion of his leave of absence or extended leave of absence. This does not affect the employee's ability to reapply for the position at a later time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of the County Administrator or Department Director.

Special Situations

1. Spouses. When both a husband and a wife are employed, their combined right to a leave of absence because of the birth or placement of a child, or to care for a newly born or placed child or to care for a parent with a serious health condition is 12 weeks in a 12-month period, or 26 weeks in a single 12-month period to care for an injured service member.

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

Notice of Rights

Federal law requires that all employees are given notice of rights that appear on the following page.

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or childbirth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition, or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health

care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block.

Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accumulated paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Policy Title: Paid Parental Leave	Section Number: 8. Leave Provisions Policy Number: 8.11
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

8.11 PAID PARENTAL LEAVE

Purpose/Objective

Lancaster County will provide up to six (6) weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable.

Eligibility

Eligible employees must meet the following criteria:

- Be a full- or regular part-time employee (Leave for regular part-time, eligible employees will be on a prorated basis corresponding to the percentage of hours they are normally scheduled to work.)
- No child can have more than two parents eligible for paid parental leave.

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Be a spouse or committed partner of a person who has given birth to a child.
- Have adopted a child 18 years of age or younger. The adoption of a new spouse's or partner's child is excluded from this policy.
- Have had a foster child 18 years of age or younger placed with the employee.

Amount, Time Frame, and Duration of Paid Parental Leave

- Eligible employees will receive a maximum of six (6) weeks of paid parental leave per birth, adoption, or placement of a child/children. The fact that a multiple birth, adoption, or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the six (6) week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than six (6) weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption, or foster care placement event occurs within that 12-month time frame.
- Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave does not include any additional pay, such as overtime, supplements, bonuses, longevity pay, temporary salary adjustments, shift differential pay, on-call pay, or call back pay, some of which may be included in the calculation of other forms of paid leave. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the twelve (12) month period immediately following the birth, adoption, or placement of a child with the employee. Paid parental leave may not be used or extended beyond this twelve (12) month time frame. In addition, employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the twelve (12) month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the twelve (12) -month time frame.
- When an employee is on short-term disability or other paid leave benefit for maternity and/or childbirth and recovery from childbirth, the six (6) weeks of paid parental leave will run concurrently with the short-term disability leave or other paid leave benefit provided to the employee for the employee's own medical recovery following childbirth.
- Upon termination of the individual's employment with the County, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Coordination with Other Policies

- Paid parental leave taken under this policy will run concurrently with leave under the FMLA in cases where an employee is eligible for leave under both; thus, any leave taken under this policy that also qualifies for leave due to the birth or placement of a child due to adoption or foster care will be counted toward the 12 weeks of available FMLA leave. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the

FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

- After paid parental leave under this policy is exhausted, the balance of FMLA leave (if applicable) any use of other forms of paid leave during FMLA will be governed by the Family and Medical Leave Policy.
- Continuance of benefits during paid parental leave will be in accordance with the terms of any plan documents governing benefits plans, if applicable, or County policy and practice on the accrual and use of such benefits during periods of paid leave.
- If a County holiday occurs while the employee is on paid parental leave, such day will be shown on the employee's pay stub as holiday pay but will be charged against paid parental leave and will not extend the total paid parental leave entitlement.
- If the employee is on paid parental leave when the County offers administrative leave (i.e., for inclement weather or other unforeseen circumstances known as an "admin day"), that time will be recorded as paid parental leave. Administrative leave will not extend the paid parental leave.
- Paid parental leave may not be donated.
- If both parents are eligible county employees, paid parental leave may be taken concurrently, consecutively, or at a different time than the other eligible county employee.

Requests for Paid Parental Leave

- The employee will provide his or her supervisor and the Human Resources Department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary request forms and provide all documentation as set out below to substantiate the request.

Qualifying Event	Required Documentation (Employee Selects One)
Adoption	<ul style="list-style-type: none">• Adoption order and/or agreement confirming the initial date of placement.
Birth	<ul style="list-style-type: none">• Birth Certificate or Proof of Birth• Certified DNA Results

	<ul style="list-style-type: none"> • Custody Order
Foster Placement	<ul style="list-style-type: none"> • Foster Care Placement Agreement • Custody Order

- Employees may be permitted to begin paid parental leave following the qualifying event and pending receipt of this documentation. However, if the required documentation is not provided within 30 days of the start of paid parental leave, or as soon as is practical after the documentation becomes available, the employee will be required to substitute all other paid leave available and, if sufficient leave is not available, will be placed on Leave Without Pay for the period they were absent from work.

As is the case with all County policies, the County has the exclusive right to interpret this policy.

DRAFT

Policy Title: Health, Dental, Vision Life and Long-Term Disability Insurance	Section Number: 9. Employee Benefits Policy Number: 9.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 9. EMPLOYEE BENEFITS

9.1 HEALTH, DENTAL, VISION, LIFE, LONG-TERM DISABILITY INSURANCE AND RETIREMENT

Lancaster County currently offers a competitive benefits package. The terms of the County's benefits plans are subject to change, and the County is not responsible for any changes in or elimination of benefits or benefit plans. Please contact Human Resources for specific information on the County's benefit plans.

Health and Dental –Regular Full-Time County employees who work a minimum of thirty (30) hours per week may receive comprehensive group medical and dental insurance through the state Public Employee Benefit Authority (PEBA). As of the date of this policy, the County contributes to part of the premium.

Retirement – The County currently participates in the state Public Employee Benefit Authority (PEBA) Retirement System. All regular full-time employees of the County are required to participate in the System. Other employees may be allowed or required to participate, as well. Terms of participation and benefits provided are governed by PEBA and not by the County. The County is not responsible for any changes in benefits or terms by PEBA.

Vision, Basic Disability and Supplemental Long-Term Disability - Regular Full-Time County employees who work a minimum of thirty (30) hours per week may receive vision, basic disability (if health insurance is taken) and supplemental long-term disability through the State Health Plan, Public Employee Benefit Authority (PEBA).

Life Insurance - Regular Full-Time County employees may also receive life insurance, and the County as of the date of this policy, contributes to part of the premium cost.

Policy Title: Notice of Right to Health Care Continuation	Section Number: 9. Employee Benefits Policy Number: 9.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

9.2 NOTICE OF RIGHT TO HEALTH CARE CONTINUATION

Federal law provides that most employers sponsoring a group health plan offer covered employees and their covered dependents the opportunity for a temporary continuation of health coverage (called “continuation coverage”) at group rates in certain instances where coverage under the plan would otherwise end.

A notice is provided to all new employees at orientation to inform them, in a summary fashion, of their rights and obligations under the continuation coverage provisions of the federal law. Both the employee and his covered spouse should take the time to read this summary notice carefully. A more detailed notice will be provided separately.

Continuation coverage under the group health plan at the employee’s expense is available if you become ineligible for coverage under the plan due to the occurrence of one of the following events:

- a. The covered employee’s voluntary or involuntary termination (other than by reason of gross misconduct) of employment or loss of eligibility to participate in the plan due to reduced hours;
- b. The covered employee’s death;
- c. The covered employee’s divorce or legal separation;
- d. The covered employee’s dependent child ceases to be a dependent (as that term is defined by the plan);
- e. The covered employee becomes eligible to receive Medicare benefits;
- f. Bankruptcy proceedings of the employer under Title 11.
- g. As provided for under USERRA.

If you elect continuation coverage, the employer is required to offer group health insurance, which as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or dependents. The full cost of the insurance is passed on to the employee plus an administrative fee as determined by the insurance carrier.

DRAFT

Policy Title: Health Insurance Marketplace Coverage	Section Number: 9. Employee Benefits Policy Number: 9.3
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

9.3 HEALTH INSURANCE MARKETPLACE COVERAGE

Lancaster County complies with the Patient Protection and Affordable Care Act of 2010 (ACA). Section 1512 of the ACA amended the Fair Labor Standards Act (FLSA), requiring employers to provide a notice to employees of coverage options available under the ACA. Beginning January 1, 2014, individuals and employees of small businesses will have access to affordable coverage through a new competitive private health insurance market – the Health Insurance Marketplace.

The Marketplace is designed to assist in finding health insurance that meets an individual's needs and budget. The Marketplace offers "one-stop" shopping to find and compare private health insurance options. Individuals may also be eligible for a new kind of tax credit that lowers the monthly premium. Open enrollment times can be found on the U.S. Department of Labor website.

General Guidelines

Individuals may qualify to save money and lower their monthly premium, but only if the employer does not offer coverage, or offers coverage that does not meet certain standards. The savings on the monthly premium is predicated upon the individual's household income.

If an individual is offered health coverage from an employer that meets certain standards, he will not be eligible for a tax credit through the Marketplace and may wish to enroll in the employer's health plan. However, he may be eligible for a tax credit that lowers the monthly premium, or a reduction in certain cost-sharing if the employer does not offer coverage to the individual at all or does not offer coverage that meets certain standards. If the cost of a plan from the individual's employer that would cover the

employee (and not other members of the employee's family) is more than 9.5% of the employee's annual household income, or if the coverage the employer provides does not meet the "minimum value" standard set by the ACA, the employee may be eligible for a tax credit.

If the employee purchases a health plan through the Marketplace instead of accepting health coverage offered by the employer, the employee may lose the employer contribution, if any, to the employer-offered coverage. Also, this employer contribution, as well as the employee contribution to the employer-offered coverage, is often excluded from income for Federal and State income tax purposes. Employee payments for coverage through the Marketplace are made on an after-tax basis.

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. For more information on the Marketplace, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in the area, go to HealthCare.gov.

For more information about coverage offered by the County, please check your summary plan description or contact the Human Resources Director.

Information about Health Coverage Offered by Lancaster County to Employees

This section contains information about any health coverage offered by the County. If you decide to complete an application for coverage in the Marketplace, you will be asked to provide this information. This information is in the order in which it is requested on the Marketplace application.

Employer Name:	Lancaster County
Employer EIN:	57-6000370
Employer Address:	101 N. Main Street / P.O. Box 1809, Lancaster SC 29721
Employer Phone #:	1-803-416-9333
City:	Lancaster
State:	South Carolina
ZIP Code:	29720
Contact:	Human Resources

As your employer, we offer a health plan to:

- ☐ All employees.
- ☒ Some employees. Eligible employees are: Full-Time employees and Retirees who return to work full-time.

With respect to dependents:

- ☒ We do offer coverage. Eligible dependents are: Spouse who is not already covered by the State Health Plan as an employee and employee children (who are not already covered under the state health plan). The surviving spouse and surviving child of a deceased covered employee; Retirees that meet the requirements of the State Health Plan Public Employee Benefit Authority and their respective children and spouse.
- ☐ We do not offer dependent coverage.
- ☒ If checked, this coverage meets the minimum value standard, and the cost of this coverage to you is intended to be affordable based on employee wages.

Even if the County intends your coverage to be affordable, you may still be eligible for a premium discount through the Marketplace. The Marketplace will use your household income, along with other factors, to determine whether you may be eligible for a premium discount. If, for example, your wages vary from week to week, if you are newly employed mid-year, or if you have other income losses, you may still qualify for a premium discount.

If you decide to shop for coverage in the Marketplace, HealthCare.gov will guide you through the process. Answers to the following questions for employer information will be required when you visit HealthCare.gov to determine if you are eligible for a tax credit to lower your monthly premiums. The Human Resources Director can provide specific answers to these questions upon request.

Policy Title: South Carolina Deferred Compensation (401k – 457)	Section Number: 9. Employee Benefits Policy Number: 9.4
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

9.4 **SOUTH CAROLINA DEFERRED COMPENSATION (401k-457)**

Lancaster County participates in the state Deferred Compensation Program. This program is a savings program where an employee can contribute to a 401(k) and 457 (b) plan and elect to contribute to before-tax or the Roth option to make after tax contributions. Participants have a wide range of investment options. As of the date of this policy, Lancaster County does not make any contributions to this plan. This plan is solely an opportunity for employees to make personal savings investments.

Policy Title: Ambulance Service	Section Number: 9. Employee Benefits Policy Number: 9.5
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

9.5 **AMBULANCE SERVICE**

Lancaster County will absorb any costs for employees and dependents living in the same household for ambulance service to the closest hospital in excess of what the insurance will pay. The following requirements must be met:

- The patient transported is either the employee or a dependent living in the same household.
- The employee notifies EMS that the person is eligible for the benefit.
- The employee furnishes EMS with the proper information so that insurance can be filed.

If the employee receives a bill, it is their responsibility to notify EMS that they are eligible for this benefit. If proper notification is not provided to the EMS department, the employee will be responsible for the bill. If the County employee does not have insurance, the employee is responsible for what insurance would have paid and the balance will be written off. EMS cannot write off an entire bill.

Policy Title: Employee Assistance Program	Section Number: 9. Employee Benefits Policy Number: 9.6
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

9.6 **EMPLOYEE ASSISTANCE PROGRAM**

An employee assistance program (EAP) is available to all regular full-time and regular part-time employees and their dependents. Our provider is:

First Sun EAP
1-800-968-8143
www.firstsuneap.com

In addition to self-referrals, the County may mandate attendance at EAP. In such cases, the employee must authorize the EAP to communicate with the County about the employee's attendance and progress. Employees who refuse to participate in or miss mandatory EAP sessions may be subject to discipline, up to and including termination from employment.

Policy Title: Tuition Assistance	Section Number: 9. Employee Benefits Policy Number: 9.7
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

9.7 TUITION ASSISTANCE

Limited funding is available for a tuition assistance program. When the funding is exhausted, the tuition assistance program will be suspended until further funding is available.

1. Employees should obtain approval prior to enrollment in courses to ensure eligibility and funding availability. Application will be considered as they are received in the Human Resource Department.
2. Employees must be on payroll to apply to the program AND on payroll to receive the tuition assistance.
3. Employees may receive an assistance payment of up to \$1,000 per semester with a maximum of \$3,000 in tuition assistance for three completed courses within a 12-month period, or as directed by the County Administrator.

Terms

1. Interested employees must have completed the six-month introductory period and be a regularly scheduled employee who works a minimum of 37.5 hours per week
2. Courses eligible for reimbursement must be in the field of study which can enhance the employee's current position or other positions within Lancaster County Government (potential future positions) Eligibility will be determined jointly by the Department Director and the Human Resources Director
3. Courses may be elected from any accredited institution of higher education in South Carolina, including online courses, and technical colleges or at other such institutions as approved by the County Administrator.
4. Eligible expenses include tuition and/or books. Ineligible expenses include, but are not limited to, incomplete courses, application fees, matriculation fees, late fees, transcript fees, travel expenses, supplies, etc.
5. Employees who utilize this program shall be expected to remain with the County one year following the completion of their last completed course. Employees

who leave the employment of the County shall be expected upon resignation or termination, to pay back a pro-rata share of the reimbursement amount paid to them.

Schedule for Reimbursement

- 100% of eligible expenses for a grade of A not to exceed \$3,000 annually
- 75% of eligible expenses for a grade of B not to exceed \$2,750 annually
- 50% of eligible expenses for a grade of C not to exceed \$2,500 annually
- 0% for any grade below a C or course rating of 'passing' or equivalent non-graded rating

All forms of assistance being received by the employee must be reported to Human Resources. No 'double-funding' of any expenses is authorized.

Application Procedure

1. Employees who wish to participate in the tuition assistance program must submit a request form, course description, the institution's name and location, the dates and times of the course, and the cost.
2. The Department Director must send a recommendation along with details of how the course will enhance the employee's knowledge, skills, and abilities and how it relates to their official job duties to the Human Resource Director.
3. Funding is limited and not guaranteed until the County has approved each request and course. To ensure eligibility and funding availability, employees must obtain approval before a course begins.

Procedure for Reimbursement

Employees must submit a transcript of their grades to Human Resources within 30 days after the completion of the course to receive a tuition assistance payment.

Course Scheduling

Employees should make every effort to schedule courses during off-duty hours. If a desired course cannot be scheduled during off-duty hours, the department director may elect to adjust the employee's work schedule.

Policy Title: Termination of Employment	Section Number: 10. Leaving Employment Policy Number: 10.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 10. LEAVING EMPLOYMENT

10.1 LEAVING EMPLOYMENT

Ordinarily, termination of employment with the County may occur under the following six general conditions:

VOLUNTARY RESIGNATION

All employees of the County are at-will and employees may terminate their employment with or without reason, and with or without notice. Employees giving **and** working a two-week notification of their resignation will be eligible to receive their accumulated but unused annual leave up to 240 hours of pay. Whether the employee will be required to work that notice is at the discretion of the County.

INVOLUNTARY TERMINATION

An employee who, without valid reason, fails to report to work for three (3) consecutive workdays without notice to the department, or who fails to report to work following approved leave, will be terminated from employment, and will be reported as a resignation.

An employee who, due to his or her inability to perform job assignments in an appropriate and satisfactory manner, an employee with performance deficiencies, or an employee in his initial introductory period or change of status introductory period, may be separated from employment. Separation from employment, while involuntary, does not always reflect negatively on the employee and the employee may be eligible for re-hire.

The value of an employee's accumulated but unused leave up to 240 hours may not be paid to the employee in the case of the employee's discharge by the County.

RETIREMENT

Retirement is defined as the voluntary separation from employment of an employee who has retired from County service. County employees who are members of the South Carolina Retirement System and are eligible to receive benefits in accordance with the specific rules and regulations governing the system can make application with the Human Resource Department or directly with the South Carolina Retirement System. This application should be made three (3) months prior to the effective date of retirement. Employees should notify their Department Director, Supervisor and Human Resources as soon as possible of the intent to retire.

FINANCIAL EXIGENCY TERMINATION

The County may terminate the employment of any individual whose position is dependent upon funding by an agency other than the County wherein such funding is declined, withheld, or withdrawn. The County may also terminate the employment of an individual whose position is funded by the County's annual operating budget, but where funding for the position is eliminated, redesigned, withheld, or withdrawn by action of the Lancaster County Council because of financial exigency. Employees who have been separated as a result of layoffs may be eligible for reinstatement to future vacancies for one year after separation. It is the employee's sole responsibility to apply for any openings, and the County has no obligation to notify employees of such openings. Employees who fail to take any position offered to them after a layoff are ineligible for reinstatement.

LAYOFF OR REDUCTION IN WORK FORCE TERMINATION

~~If it becomes necessary to reduce the work force, the positions retained and the employees who will occupy those positions are in the sole discretion of management.~~

~~Employees who have been separated as a result of layoffs may be eligible for reinstatement to future vacancies for one year after separation. It is the employee's sole responsibility to apply for any openings, and the County has no obligation to notify employees of such openings. Employees who fail to take any position offered to them after a layoff are ineligible for reinstatement.~~

The County may terminate the employment of an individual when financial exigency, reallocation of resources, job obsolescence, loss of necessary licensure, or other conditions necessitate or warrant a layoff or reduction in the County work force. Employees who have been separated as a result of layoffs may be eligible for reinstatement to future vacancies for one year after separation. It is the employee's sole responsibility to apply for any openings, and the County has no obligation to notify

employees of such openings. Employees who fail to take any position offered to them after a layoff are ineligible for reinstatement.

In most cases, HR will conduct an exit meeting on or before the last day of employment to collect all county property and to discuss final pay. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

DRAFT

Policy Title: Neutral Reference	Section Number: 10. Leaving Employment Policy Number: 10.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

10.2 NEUTRAL REFERENCE

No one other than the County Administrator of Lancaster County or his designee is authorized to provide job references or employment-related information regarding current or former employees. Such inquiries must immediately be directed to one of these individuals. Violation of this policy may result in disciplinary action up to and including termination.

The County's general policy is to provide only neutral references in response to inquiries by prospective employers seeking information about current or former employees. This means that the County normally will provide to prospective employers only the following information: the beginning and ending dates of employment, position(s) held, and confirmation of a former employee's compensation rate or range at termination.

Special Note: This policy is not intended to prohibit County employees who are listed as personal references on an application form from responding to inquiries from prospective employers, provided the County employee who is asked to provide the reference did not/does not supervise, directly or indirectly, the current or former County employee who is the subject of the reference.

Policy Title: Discipline	Section Number: 11. Employee Relations Policy Number: 11.1
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

SECTION 11. EMPLOYEE RELATIONS

11.1 DISCIPLINE

~~As is the case with all organizations, instances arise when an employee must be disciplined. The discipline imposed may range from oral or written warning to suspension to demotion to discharge. The County may impose some other form of discipline, as well. The discipline imposed in any particular situation is at the sole discretion of the County and nothing in any of the County's policies or by virtue of any past practice of the County requires the County to follow any particular course of discipline.~~

~~Employees must sign counseling memoranda, policy statements, performance evaluations and other similar documents. The employee's signature does not necessarily indicate agreement with the contents of the document, only that he has been notified of the contents of the document.~~

~~If the employee refuses to sign the document he is considered to have resigned. At its sole option, the County may suspend the employee without pay and, if he does not sign and return the form by 5:00 p.m. on his next scheduled work day, he will be presumed to have resigned.~~

As is the case with all organizations, instances arise when an employee must be disciplined. The discipline that may be imposed includes but is not limited to oral reprimand, written warning, probation, reduction of leave balances, suspension without pay, demotion and termination. In addition, the County may procedurally suspend an employee pending investigation to determine if disciplinary action is appropriate. If the County determines an unpaid suspension is appropriate discipline, exempt employees will be suspended in full-day increments; non-exempt employees will be suspended in partial or full-day increments. In addition, the County may impose a combination of disciplinary measures. THE DISCIPLINE IMPOSED IN ANY PARTICULAR SITUATION IS AT THE SOLE DISCRETION OF THE COUNTY. NOTHING IN ANY OF THE COUNTY'S POLICIES OR BY VIRTUE OF ANY PAST PRACTICE OF THE COUNTY REQUIRES THE COUNTY TO

FOLLOW ANY PARTICULAR COURSE OF DISCIPLINE. Supervisors and department directors must submit terminations to the Human Resource Director for review.

Employees must sign counseling memoranda, policy statements, performance evaluations and other similar documents. The employee's signature does not necessarily indicate agreement with the contents of the document, only that he has been notified of the contents of the document. **IF AN EMPLOYEE REFUSES TO SIGN THE DOCUMENT HE OR SHE WILL BE RELIEVED OF DUTY WITHOUT PAY UNTIL THE DOCUMENT IS SIGNED. IF THE DOCUMENT HAS NOT BEEN SIGNED AND RETURNED BY THE END OF THE EMPLOYEE'S NEXT SCHEDULED WORKDAY, THE COUNTY WILL CONSIDER THE EMPLOYEE TO HAVE RESIGNED.**

Examples of Conduct Warranting Disciplinary Action

It is not possible to list all acts and omissions which may result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct is at the sole discretion of the County. The following list includes merely examples of some of the more obvious types of misconduct which may result in disciplinary action, up to and including termination. **THE COUNTY RESERVES THE RIGHT TO TREAT EACH EMPLOYEE INDIVIDUALLY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS.**

- a. Conviction of or plea of guilty or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude, or offense which affects the County's reputation or which reasonably could create concern on the part of fellow employees or the community.
- b. Incompetence
- c. Unauthorized absence or tardiness
- d. Insubordination, including disrespect for authority, or other conduct which tends to undermine authority
- e. Failure or refusal to carry out instructions
- f. Unauthorized possession or removal, misappropriation, misuse, destruction, theft or conversion of County property or the property of others
- g. Violation of safety rules, neglect, or engaging in unsafe practices
- h. Interference with the work of others

- i. Threatening, coercing, or intimidating fellow employees
- j. Dishonesty
- k. Tardiness or absenteeism
- l. Failure to provide information or falsification of County records or providing falsified records to the County for any purpose
- m. Failure to report personal injury or property damage
- n. Neglect or carelessness
- o. Unsatisfactory performance
- p. Violation of County policies
- q. Sleeping on duty or giving the appearance of sleeping on duty
- r. Introduction, possession, or use of illegal or unauthorized prescription drugs or intoxicating beverages on County property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; or the off-the-job illegal use or possession of drugs. For purposes of this policy, an employee is presumed to be “under the influence” if he has any detectable amount of any such substance in his system.
- s. Lack of good judgment
- t. Any other reason that, in the County’s sole determination, warrants discipline.

Policy Title: Employee Grievance Procedure	Section Number: 11. Employee Relations Policy Number: 11.2
Effective Date:	Resolution Number:
Date of Revision:	Reason for Revision:
Revision Resolution Number:	

11.2 EMPLOYEE GRIEVANCE PROCEDURE

1. GENERAL

This procedure is adopted in accordance with the "County and Municipal Employees Grievance Procedure Act, "Section 8-17-110, et seq., Code of Laws of South Carolina, 1976, as amended.

A grievance is defined as any complaint by an employee that he has been treated unfairly, unlawfully, or in violation of his rights under county policies, with regard to any matter pertaining to his employment by the county. This definition includes, but is not limited to, termination, suspension, involuntary transfer, promotion, and demotion. If an employee believes that he has not received or been credited with or has otherwise lost wages or benefits to which he is entitled, he must present his grievance in accordance with this procedure or such wages or benefits may be forfeited.

A. An employee who feels that he has a grievance must follow the following procedure:

Step 1: He must discuss the grievance with his immediate supervisor **within five (5) days of the grievable action**. If his supervisor is unable or unwilling to adjust the grievance to the satisfaction of the employee, the employee must take Step 2.

Step 2: The employee must follow the chain of command in his department, appealing to each successive level of supervision. All Step 1 and Step 2 appeals ~~may be oral~~ must be presented in written form. At each level each supervisor has two (2) workdays (Saturdays, Sundays and holidays excluded) to render a **written** decision. If no decision is made within this time, the grievance is considered denied. If a supervisor at a

particular level is unavailable to consider the grievance, it is considered denied and the employee may appeal to the next level of supervision.

Step 3: If the head of the department in which the employee is employed denies the grievance, this decision is final as to any grievance brought by an introductory employee. A new employee is considered introductory until his introductory evaluation is completed and his status as a regular employee is approved by his Department Director. (Pursuant to Policy 7.1)

- B. Other employees may appeal to the Employee Grievance Committee the denial of their grievances by department directors by filing a written request for appeal at the County's Human Resources Department. This must be done within 14 days of when the facts on which the grievance is based became available to the employee. The written request for appeal must include the following information:

- (a) The purpose of the appeal and what recommendation is requested of the Grievance Committee; and
- (b) Statement that the chain-of-command has been followed in the appeal as is required by the grievance procedure.

The Human Resources Department staff may assist in preparing the appeal, if requested **but will remain a neutral party to the grievance.**

- C. Within ten (10) days of receipt of the employee's request, the chair of the Grievance Committee will schedule the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the affected department, and the Human Resources Department.

1. The Employee Grievance Committee

The County Council will appoint a Committee composed of 7 employees (**three of whom are exempt and three of whom are non-exempt with the final appointee being either exempt or non-exempt**) and **two alternatives** to serve for terms of three (3) years, except that the members appointed initially will be appointed so that their terms will be staggered. And approximately one-third (1/3) of the terms may expire each year. A member continues to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term is for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of County Council. All members are selected on a broadly representative basis from among county employees. Members employed in the same department as the grieving employee and members having

formed an opinion on the issues prior to the hearing will not participate in that employee's hearing.

- A. The Committee annually selects its own chair from among its members. The chair serves as the presiding officer at all hearings which he attends but may designate some other member to serve as presiding officer in his/her absence. The chairman has authority to schedule and to re-schedule all hearings.
- B. A quorum consists of at least two-thirds (2/3) (i.e., five (5) members) of the Committee Members, and no hearing may be held without a quorum.
- C. The presiding officer has control of the proceedings. He may take whatever action is necessary to ensure an ~~equitable~~, orderly, and expeditious hearing. Parties must abide by his decision, except when a committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee will govern.
- D. The Committee has the authority to call for files, records, and papers which are pertinent to any investigation and which are subject to the control of the County Administrator ~~Council~~; to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses, to consider the results of polygraph examinations; and to secure the services of a recording secretary in its discretion. The Committee has no authority to subpoena witnesses, documents, or other evidence, nor may any county employee be compelled to attend any hearing. All proceedings are tape-recorded. Witnesses, other than the grieving employee and the department representative, must be sequestered when not testifying. All witnesses must testify under oath.
- E. All hearings will be held in executive session unless the grieving employee requests at the beginning of the hearing that it be held in open session. The official tape recording and the official minutes of all hearings are subject to the control and disposition of the ~~County Council~~ County Administrator. Where the grievance involves the County Administrator, the minutes shall be subject to control and disposition of the County Attorney.
- F. Neither the grieving employee nor the department may be assisted by advisors or by attorneys during the hearing itself. However, the Committee may have

an attorney available at any and all times it considers it necessary **for technical assistance only**, and the Human Resources Department may provide assistance in reading written materials to the Committee at the request of a grieving employee.

In disciplinary actions by department directors and their subordinate supervisors, the employee must receive in reasonable detail written notice of the nature of the acts or omissions, which are the basis for the disciplinary action. This notice may be amended at any time 24 hours or more before the commencement of the hearing. The department must demonstrate that the disciplinary action is for the good of the County. The department makes the first presentation.

~~In non-disciplinary grievances, the employee must establish that a right existed and that it was denied him unfairly, illegally, or in violation of a county policy. The employee makes the first presentation.~~

- G. In all grievances, the grieving employee and the department are each limited to one (1) hour of initial presentation. The party required to make the first presentation is entitled to a ten (10) minute rebuttal of the other party's presentation. The chair will appoint himself or another member of the Committee as timekeeper.
- H. In all grievances, presentations may be oral or in writing or both and may be supported by affidavits or unsworn signed statements from witnesses, by records, other documentary evidence, photographs, and other physical evidence. Presentations are to be made by the grieving employee (with reading assistance from a member of the Human Resources Department if the employee desires) and by a managerial employee of the affected department. Neither may call witnesses or question the other party, or question any witness called by the Committee.
- I. Except as in paragraph ~~L~~ J below, the Committee will, within ~~20~~ 10 calendar days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator. If the Administrator approves, the recommendation of the Committee becomes his decision and copies of the decision are transmitted by the Committee to the employee and to the head of the particular department involved. If, however, the Administrator rejects the decision of the Committee, the Administrator will make his own decision without further hearing, and that decision will be

final. Copies of the decision will be transmitted to the employee and to the head of the particular department involved.

- J. In grievances involving the failure to promote or transfer, or the discipline or termination of personnel employed in or seeking assignments to departments under the direction of an elected official or an official appointed by an authority outside county government, the Committee will, within ~~20~~ 10 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to such official. If the official approves, the recommendation of the Committee becomes his decision and a copy of the decision will be transmitted by the Committee to the employee. If, however, the official rejects the decision of the Committee, the official will make his own decision without further hearing, and that decision is final. A copy of the decision will be transmitted to the employee.
- K. In grievances involving the County Administrator, the County Attorney shall assist the Committee with conducting their hearing. The recommendation of the Committee shall be submitted to the County Attorney for review with County Council. If County Council adopts the recommendation of the Committee, the decision shall be final. County Council may reject this recommendation of the Committee and shall then make its own decision without further hearing, and that decision shall be final. A copy of the decision shall be transmitted to the County Administrator.
- L. Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the authority of the County or an elected or appointed official to terminate any employee when the county or respective elected or appointed official considers such action to be necessary for the good of the County or office.
- M. This policy does not apply to employees working under the direction of an elected or appointed official unless that elected or appointed official expressly adopts this policy.
- N. **Special Note: Nothing in this policy shall be construed to prohibit an employee from bringing a problem or concern to the attention of a superior outside of the normal chain of command. However, all employees should understand that the superior may direct the complaining employee to attempt to first solve the situation through his immediate supervisor or to follow the established procedure framework.**