



LAURENS COUNTY

EMPLOYEE

HANDBOOK

Approved by the Laurens County Council December 13, 2016

IMPORTANT NOTICE

NOTHING IN THIS EMPLOYEE HANDBOOK OR IN ANY SEPARATE
POLICY, PROCEDURE, RULE OR OTHER DOCUMENTS RELATING TO
EMPLOYMENT OF LAURENS COUNTY ("THE COUNTY") SHALL BE DEEMED
TO CONSTITUTE A CONTRACT OF EMPLOYMENT. NO PAST PRACTICES OR
PROCEDURES, WHETHER ORAL OR WRITTEN, 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. ALL EMPLOYEES OF
THE COUNTY ARE EMPLOYEES "AT WILL" WHOSE EMPLOYMENT MAY BE
TERMINATED AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE. ONLY
THE COUNTY ADMINISTRATOR AS APPROVED BY COUNTY COUNCIL HAS
THE AUTHORITY TO ENTER INTO ANY AGREEMENT REGARDING LENGTH
OF SERVICE OR GROUNDS FOR TERMINATION AND ANY SUCH

AGREEMENT MUST BE IN WRITING AND SIGNED BY THE COUNTY

ADMINISTRATOR AS APPROVED BY COUNTY COUNCIL.

EVERY EMPLOYEE NEEDS TO UNDERSTAND THAT THE 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 THESE SITUATIONS, AS
THE COUNTY DEEMS APPROPRIATE.

I UNDERSTAND THAT THIS EMPLOYEE HANDBOOK IS NOT A CONTRACT OF
EMPLOYMENT.

(Signature)

Date

Printed Name

LIMITATIONS AS TO ELECTED OFFICIALS AND THEIR EMPLOYEES

Pursuant to S.C. Code of Law §4-9-30(7) 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, discharge 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.

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.

Preface

THE POLICIES IN THIS HANDBOOK HAVE BEEN ADOPTED BY RESOLUTION BY THE
LAURENS COUNTY COUNCIL ON _____ AS THE CURRENT
EMPLOYEE POLICIES FOR ALL COUNTY EMPLOYEES. THIS HANDBOOK SUPERCEDES
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 THE 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.

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County Government and Administration

Mission Statement

It is the mission of Laurens County to serve Laurens County residents by helping improve their lives and the community.

Laurens County recognizes our employees as the most important resource. We strive for our employees to work as a team providing examples of our expected values and guiding principles – integrity, loyalty and trust, and by exhibiting ethical conduct in all they do.

Form of Government

Laurens County currently operates under the “Council” form of government. Under this form of government, the responsibility for policy-making and administration of county government is vested with County Council. The Council is composed of seven (7) members who are elected from single member districts. The Council employs an Administrator who is responsible for carrying out Council practices.

Responsibility for Administration

The County Council has the authority to adopt and amend personnel policies as deemed suitable by which all County employees are regulated except those elected directly by the people. The Council also has the authority to delegate responsibility to a designee for adherence to the personnel policies by employees. Amendments to these policies may be proposed by the County Administrator or Council and shall be adopted by motion of the County Council.

Freedom of Information Act

Laurens County adheres to the provisions outlined in the South Carolina Freedom of Information Act, as amended.

Equal Opportunity Employment

Laurens County is an Equal Opportunity Employer, and makes all employment decisions without regard to race, color, religion, sex, genetic information, national origin, citizenship, age, disability or political affiliation except where sex, age or physical ability is a bona fide occupational qualification. Opportunity for employment with the County of Laurens depends on factors such as qualifications and performances. The

County's policy of equal employment opportunity and nondiscrimination extends to all aspects of personnel administration including, but not limited to, recruitment, employment, advancement and promotion, transfers, discipline, interviews, salary adjustments, compensation and benefits administration, training and development, and other personnel actions.

Affirmative Action

In support of our policy of providing equal opportunity employment to all persons, Laurens 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.

Non-Discrimination

Laurens County's 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, and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

If you feel that this policy has been violated by anyone with whom you come into contact on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, you must immediately report this incident. You may report the incident either to your Supervisor, your Department Head, Human Resources, County Administrator, or County Attorney. Your complaint will be kept as confidential as possible, consistent with its effective investigation.

In the event you believe that the County Administrator of Laurens County is the alleged harasser, you MUST IMMEDIATELY contact the County Attorney or County Council.

Employees who report inappropriate conduct may do so without fear of reprisal for their report. The County will not tolerate retaliation against employees who come forward with concerns regarding the conduct of other employees. Conversely, the County will not tolerate false reports given by employees.

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.

Genetics Information Nondiscrimination Act of 2008 (GINA) – Prohibits employers and other entities covered by GINA from requesting or requiring genetic information of employees or their family members. In order to comply with this law, please do not provide any genetic information when responding to a request for medical information. ‘Genetic information,’ as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Anti-Sexual Harassment

Laurens County has taken special steps to prevent employees from being subjected to inappropriate conduct in the workplace. The County believes that a professional, productive, and pleasant work environment is desired by all employees. Providing such a work environment necessarily requires the cooperation of all employees.

The County’s “Non-Discrimination/Anti-Harassment” policy addresses all forms of harassment in a single policy. The County wishes to highlight in this policy a particular form of harassment, which is often described as “sexual harassment.”

Sexual harassment includes, but is not limited to any inappropriate behavior, which, because of an individual’s gender, has the effect of creating a hostile, intimidating, or otherwise unpleasant work environment. The following, in no particular order, are some of the more obvious types of behavior that the County considers to be highly inappropriate in the workplace:

- Displays of sexually explicit pictures or objects
- Demands or requests for sexual favors
- Sexually oriented banter, jokes, or commentary
- Repeated social invitations
- Compliments of a sexual or suggestive nature

If you feel that you have been subjected to any of the above conduct or otherwise made to feel uncomfortable in the workplace because of your gender, you MUST IMMEDIATELY report this conduct to the County. You may report the incident either to your Supervisor, your Department Head, Human Resources Manager, County

Administrator, or County Attorney. Your complaint will be kept as confidential as possible, consistent with its effective investigation.

In the event you believe that the County Administrator of Laurens County is the alleged harasser, you MUST IMMEDIATELY contact the County Attorney or County Council.

Employees who report inappropriate conduct may do so without fear of reprisal for their report. The County will not tolerate retaliation against employees who come forward with concerns regarding the conduct of other employees. Conversely, the County will not tolerate false reports given by employees.

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.

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

Special Note: Listed above are general descriptions of some of the types of conduct which may constitute sexual harassment or which can lead up to sexual harassment, depending upon the circumstances. Importantly, not all of the prohibited conduct listed above rises to the level of what would meet the legal definition of this term. The County, however, does not want you to have to worry about whether conduct, which makes you feel uncomfortable, meets or does not meet a particular legal definition. What the County wants, and insists upon, is that you notify the County immediately in the event someone else's conduct offends you or otherwise makes you feel uncomfortable.

- Training on the County's policy regarding sexual harassment will be conducted annually and documentation provided in the employee's personnel record.
- The County attorney will review this policy bi-annually.

Workplace Violence and Bullying

Laurens 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 acts or threats 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 discharge.

Any violent, abusive or threatening behavior should be immediately reported to the County Administrator for immediate action.

Recruitment

Job Vacancy Announcements

In recognition of the benefits associated with offering promotions from within, job announcements to current employees will be distributed to internal locations.

It is our policy to assure the widest publicity possible for job announcements that are open to the general public. Advertising may include: announcement at the Department of Employment and Workforce, newspaper ads or other appropriate publications as approved. Laurens County may also utilize electronic posting venues including without limitation, the Laurens County website and the South Carolina Association of Counties website.

Job announcements will remain open for a minimum of one week for internal job postings. External job announcements will remain open until the position has been filled. All jobs are posted concurrently for internal and external applicants.

All advertisements must carry the statement "An Equal Opportunity Employer." Disabled applicants requiring assistance should notify the Laurens County Human Resources Director.

Department Heads will notify the Human Resources Director or designee immediately upon learning that a vacancy will occur. The Human Resources Director or

designee will then take steps necessary to attract qualified candidates once verifying the position was appropriately budgeted and approved by County Council.

Human Resources will receive employment applications for vacant positions. Applicants must apply at the Human Resources Department, so documentation can be maintained of all applicants for a specific position. Applications will only be accepted for 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.

Pre-employment Reference Checks

The Human Resources Department is responsible for checking the references of those applicants who have been interviewed and are being considered for the vacancy. Human Resources may use several resources for this, including without limitation:

- a. Current employer (with permission of applicant).
- b. Previous employers.
- c. Personal character references provided by the applicant.
- d. School teachers/instructors (for current/recent students).
- e. Schools and Universities.
- f. Local law enforcement offices.
- g. Department of Motor Vehicles (checking **ONLY** the driving record of individuals who will be operating County vehicles).

Pre-Employment Screening

The County may conduct additional screening, including without limitation:

- a. Pre-employment drug screening
- b. Pre-employment physical
- c. Credit and/or Consumer Report check

New Employee Processing and Orientation

It is our policy to provide a planned orientation program for all new employees. This program will provide necessary in-processing for bringing a new employee on board and to provide information concerning County expectations.

Immigration

Laurens 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.

Laurens County complies with the South Carolina Illegal Immigration and Reform Act 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.

Hours of Work

Workweek

To insure maximum efficiency and coordination of service, it is the policy of Laurens County to provide uniform working hours for all departments, except those departments which maintain continuous operation seven days per week in those departments.

a. The work period or workweek consists of seven (7) days, beginning at 12:00 a.m. on Saturday and end at 11:59 p.m. on Friday. Employees are paid on Friday, bi-weekly at their work stations by direct deposit. Employees should examine their paychecks/pay stubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made.

b. Core office hours of operation for all administrative departments of Laurens County are typically from 9:00 a.m. until 5:00 p.m., Monday through Friday, except for official holidays.

Workday

a. Meal Period: The normal lunch period (paid) is for 30 minutes. Meal periods are provided to County employees for the purpose of rest and refreshment and must be taken as uninterrupted time for non-exempt employees. This means the

employee is prohibited from performing any county work during their lunch breaks, including but not limited to even minimal work-related tasks such as answering the office phone. The lunch period is not to be used for overtime or compensatory time accumulation or to reschedule the employee's regular work hours.

b. Rest Breaks: Breaks are a voluntary benefit provided for our employees by the County. **They are not required** by federal, state or any other laws. Department Heads may voluntarily grant a break period that is not to exceed a total of two (2) per day and for no longer than fifteen (15) minutes each break. The specific time may be determined by the Department Head to ensure sufficient personnel are available to staff the department. Breaks are not to be used as an excuse to report to work late or to leave early or to make up any missed time. Break time does not accumulate from day to day. Abuse of break time may result in disciplinary action.

c. Breaks for Lactating Mothers: In accordance with 29 U.S.C. 207 (r)(1), employees who are nursing necessity. Laurens County will make reasonable efforts to provide a private location other than the restroom facilities. Employees will not be retaliated against for exercising their rights under this policy are provided with reasonable unpaid 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 immediately following the birth of her child. The breaks shall be provided as reasonably possible due to business needs of the County.

3. EXCEPTIONS - The nature and duties of some individual employees may require an exception to the normal workdays and hours. In case of extremely high temperatures or inclement weather, the department head will issue a memorandum identifying the position(s) affected and defining the workweek, workdays, work hours and number of hours per week.

Employee Classifications/FLSA Classifications

Employee Classification:

1. INTRODUCTORY EMPLOYEE

New employees, including former employees who have been rehired, will be considered to be in an introductory period for at least the first six (6) months of their employment. After undergoing and successfully completing the six-month introductory period and approval of his evaluation by the Department Head, they may occupy a regularly established position. The supervisor may also, at his discretion, recommend extending the introductory period for a minimum of an additional ninety (90) days for a particularly difficult or highly technical position. The introductory period is merely a

continuation of the initial selection process. It is a time during which the employee should make extra efforts to prove that he is well suited for the position. The Introductory Period is not a guarantee of length of employment and the employee remains in an at-will status at all times, both during and after the Introductory period has expired.

The introductory period will end when the supervisor evaluates the new employee in writing, and the supervisor recommends the employee's change in status from "introductory" to "regular."

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.

2. PROMOTED EMPLOYEES

All newly promoted employees will be considered to be in an introductory period in their new jobs for three (3) months after they begin working in the new job. This "trial" period is an extension of the selection process and is designed to provide the newly promoted employee an opportunity to demonstrate that he is well suited for the job and that the job is well suited for him.

If the supervisor concludes during the introductory period that the newly promoted 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, the employee in most cases may be returned to it. If there is no such vacancy, 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.

This introductory period is not to be construed as a minimum guarantee of employment. All County employees are employed on an "at-will" basis.

Employees in this status are eligible for benefits, as outlined in the benefits section of this manual. All employees are subject to the County's policies.

3. REGULAR FULL-TIME EMPLOYEE

This is defined as an employee who has successfully completed a six-month introductory period, who occupies an established full-time position, and who usually and consistently works a normal or regular workweek of more than 30 hours. A regular full-time employee is eligible for all benefits. All employees are subject to the County's policies.

4. PART-TIME EMPLOYEE

An employee who has successfully completed a six-month introductory period, who occupies an established part-time position and who usually and consistently works less than 75 percent of the normal workweek hours but does not exceed twenty-nine (29) hours per week. A regular part-time employee is eligible for fringe benefits as prescribed in this Handbook. All employees are subject to the County's policies.

5. TEMPORARY EMPLOYEE

Employees who were hired for short-term employment of a specified period or completion of a specified event to fulfill a temporary need. Positions in this category may develop due to special project funding or due to additional workload for a limited period (often seasonal) that does not require regular staff additions. Normally, the workweek for employees in this classification conforms to the hours established for the department to which assigned. 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.

All employees of Laurens County, no matter the classification, are at-will employees.

FLSA Classifications:

Classification of employment under the Fair Labor Standards Act is determined by federal law and not Laurens County.

1. EXEMPT EMPLOYEE

An exempt employee is an executive, administrative, or professional employee, who is exempt from the overtime provisions of the 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 or compensatory time.

2. NON-EXEMPT EMPLOYEE

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 or compensatory time 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. Laurens

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.

Payment of wages

Employees will be paid on Friday, bi-weekly at their work stations or by direct deposit unless the County makes other arrangements with a particular employee or department. Employees should examine their paychecks/paystubs immediately to ensure they have been properly paid for all hours and no improper deductions have been made. Any payment errors must be reported to Payroll within fourteen (14) days.

In addition to legally mandated deductions for taxes and social security, the County will deduct from employee paychecks for employee authorized benefit payments (insurance, retirement, etc.).

Cash, debts owed by the employee to the County, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, beepers, computers, and other items belonging to the County or issued to an employee and not repaid or returned by him at the time of termination are considered "advance of wages," the value of which will be deducted from the employee's final paycheck(s). By accepting or continuing employment, the employee authorizes these deductions.

Failure to receive proper pay/benefits

If an employee does not submit a grievance or otherwise complain in writing within fourteen (14) calendar days of the date on which he knew or reasonably should have known that he failed to receive a benefit(s) or proper wages in accordance with County policies, he forfeits all rights to such benefit(s) or wages. If there is an error in payment of pay or benefits, employees will be compensated within one (1) week of written notification.

Overtime and Compensatory Time

The County recognizes that occasionally employees may be required to work overtime in order to provide essential government services or in the conduct of routine operations. It is our intent that employees who are required to work overtime be compensated appropriately for their extra efforts. Since uncontrolled overtime can result in a substantial financial liability, we must ensure adequate management is instituted.

a. Compensatory time (comp time) is the means of compensating employees who are required to work overtime hours in excess of their normal work period or workweek schedule. Compensatory time is authorized to be used in lieu of overtime cash payments.

b. Employees must complete a "Request for Leave" form indicating compensatory time used. Approval authority for compensatory time is vested with department heads. Except in an emergency, approval must be granted prior to the actual performance.

c. Compensation of overtime payments will be held to the absolute minimum. All non-exempt, regular employees will be paid overtime at a rate of one and one-half times normal hourly rate for all approved hours worked over forty (40) hours in any work week. The County Administrator is the approving authority for payment of overtime.

(1) No employee shall be permitted to work overtime without prior approval of the Department Head. If an employee works overtime without prior approval, they may be subject to disciplinary action up to and including termination.

(2) This provision is not intended to replace a Department Head's responsibilities for management of their budget.

d. When an employee works more than his scheduled hours on one day, he may be scheduled off for a corresponding number of hours in the same workweek or overtime compensation period.

e. The Human Resources Director is responsible for determining which positions are exempt and which are non-exempt within the definitions of the Fair Labor Standards Act.

1. POLICY APPLICATION FOR EXEMPT EMPLOYEES

Exempt employees are not eligible for compensatory time or overtime pay

2. POLICY APPLICATION FOR NON-EXEMPT EMPLOYEES

a. Overtime hours, record keeping, and the Fair Labor Standards Act (FLSA) regulates the use of compensatory time. This Act defines overtime hours as:

All actual hours worked over 40 hours per week. (Public safety employees have a different schedule and are not subject to this definition.)

b. All overtime hours, as defined above, generally must be compensated at a rate of one and a half hours per hour of overtime actually worked, regardless if compensation is in the form of cash or comp time. Actual hours worked are computed on a work period basis (a week for non-public safety personnel), and each workweek stands alone. Hours for non-public safety employees worked cannot be averaged between two workweeks, even if they fall within the same pay period.

c. Compensatory time is not transferable to any other type of leave.

d. The limit of compensatory hours a non-public or public safety employee may accumulate is 240. Compensatory time must be used within 30 days of the acquisition date whenever possible, unless otherwise approved by the County Administrator.

e. Reporting of hours and computing overtime.

(1) Supervisors and Department Heads are responsible for ensuring all hours worked and leave, comp time, and holiday hours used, are reported on each employee's time sheet. Justification and documentation of compensatory hours worked must be submitted with the time sheet.

(2) Holiday, vacation, sick or funeral hours (days) taken WILL NOT be counted as hours worked when computing overtime or compensatory time. When this is the situation, these hours will be paid at the regular rate of pay or one hour of compensatory time for each hour in excess of the normal maximum straight time (40 hours for non-public safety employees)

f. Except in cases of unpreventable circumstances, emergencies, or essential necessity, unauthorized working of overtime by employees is considered a violation of policy and the employee may be subject to disciplinary action up to and including termination.

g. Public Safety Personnel—Hours worked in excess of 212 (fire) or 171 (law enforcement) during a 28-day cycle will be counted toward overtime compensation. Justification and documentation of all overtime hours worked must be submitted with the time sheet. When possible, compensatory time shall be given to all non-exempt employees who work more than their prescribed hours.

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 your 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 you believe that an improper deduction has been made to your salary, you must report this information immediately to your Supervisor or the County Administrator. Reports of improper deductions will be promptly investigated, and if it is determined that an improper deduction has occurred, you will be promptly reimbursed.

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 Head and approval of the County Administrator.

Personnel Records

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

Employees may review their personnel record by contacting Human Resources to schedule an appointment. Employees may not remove or add anything to their personnel records. Under certain circumstances and with the approval of the Department Head, employees may request that certain documents like commendations or award certificates be added to their personnel file.

Outside or Secondary Employment

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 Laurens 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 heads and secure approval prior to engaging in any secondary employment.

Department Heads will make a determination if the additional employment will have any adverse effect. Secondary employment will be prohibited if:

- a. It will result in a conflict of interest.
- b. It will affect the ability of the employee to the extent he will not be able to perform all assigned duties.
- c. It will 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; this 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 County Council.
- 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. Laurens 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.

- g. The County of Laurens 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.
- h. 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 Laurens's Workers' Compensation Insurance.
- i. Employees are prohibited from working secondary employment while on personal or medical leave from Laurens County.
- j. Employees may not use County property, equipment or material in the conduct of approved secondary employment.

Political Activity

Employees who are paid either in full or in part by federal monies are covered under the Federal Hatch Political Activity Act, as amended by Section 401 of the Federal Election Campaign Act Amendments of 1974, and will be required to conform to the regulations of those acts. Employees of the County are subject to the following conditions:

Employees may express an opinion on political subjects and candidates, display stickers or posters on their cars or houses. Employees may wear buttons and badges, only when not in the performance of County responsibilities.

Employees may not directly or indirectly coerce, attempt to coerce command or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

No employee may use County facilities, equipment or personnel at any time to further his/her own candidacy or the candidacy of any other candidate or candidates.

County employees may participate in both partisan and nonpartisan political activities other than County elections. Employees are prohibited from taking part in any political campaign or referenda while on duty. Failure to adhere to this policy may result in disciplinary action up to and including termination.

Ethics

It is the policy of Laurens County that all employees shall conduct themselves according to the highest standards of legal and ethical behavior. Employees are prohibited from engaging in an activity, practice, or act which conflicts with, or appears to conflict with, the interest of the County, its residents, or its suppliers. Since it is impossible to describe all of the situations which may cause or give the appearance of a conflict of interest, the prohibitions included in this policy are not intended to be exhaustive and only include the most common examples:

1. County employees shall comply with all Federal, State and local laws and regulatory mandates. Employees shall consult 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 Department Head, Human Resource Director, County Administrator or County Attorney using the Complaint Procedure herein. The employee may also file their report with the South Carolina Ethics Commission.
2. County employees shall truthfully and completely respond to supervisory inquiries, management investigations, and/or supervisory or management requests for documentation related to inquiries or investigations.
3. County employees shall accurately report absences, leave time and hours worked. They shall not misrepresent or falsify any document, report or statement relating to County funds or property or to their employment with the County.
4. County employees shall not accept fees, services, or gifts that could appear to influence professional objectivity and/or the exercise of poor business judgment. These limitations are not intended to prohibit acceptance of articles of negligible value which are distributed generally, nor to prohibit employees from accepting social courtesies which promote good public relations. When in doubt, employees are strongly encouraged to speak to the Human Resources Director or their Department Head **prior to** accepting anything.
5. County employees shall not use positional influence for personal gain or to gain advantage for personal causes, nor shall they use or attempt to use political influence with the County Council to gain employment advantage and/or to avoid disciplinary action.
6. County employees shall not use County property or equipment for personal reasons. Additionally, employees shall not participate in outside business enterprises where such participation involves or may involve business relationships that

could appear to compromise the ability of employees to impartially execute their official County duties.

7. The County shall not enter into any contract for services or property with any employee nor will the County engage in any contract with a business in which an employee has an interest and that interest might be or appear to be affected by the contract.

8. County employees shall accurately record all payments, receipts and organizational transactions in accordance with County policy and generally accepted accounting principles. No undisclosed or unrecorded organizational accounts shall be established for any purpose, nor shall County funds be placed in a personal or non-organizational account.

9. Employees shall immediately report any suspected violation of this policy in accordance with the complaint procedure outlined herein.

10. Any employee who has a financial interest in a business or activity that he has a reason to believe may be affected by his official actions or by the actions of the County, shall make full and immediate disclosure of the exact nature and value of his interest. This disclosure shall be made in writing to the County Administrator in order that an opinion regarding the priority of the interest can be officially obtained. Any employee who has such an interest shall disqualify himself from participating in any official action directly affecting this interest.

11. No employee shall 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.

12. For additional information employees may reference S.C. Code Title 8, Chapter 13.

COMPLAINT PROCEDURE

Department management shall initiate necessary and prudent action on a proactive basis to ensure adherence to this policy. Supervisors shall hold employees accountable for potentially unethical behavior through use of appropriate disciplinary action. Employees shall notify management if and when they become aware of potential ethics policy violations involving co-workers or supervisors.

An employee who feels a violation of this policy has occurred shall immediately report the matter by submitting their complaint in writing to the Department Head,

Human Resource Director, County Administrator or County Attorney specifying an ethics policy violation as the basis for the complaint.

In the event you believe that the County Administrator of Laurens County is in violation, you MUST IMMEDIATELY contact the County Attorney or County Council.

INVESTIGATION

Upon receipt of a complaint alleging a possible ethics policy violation, the Human Resources Director shall coordinate with the Department Head and County Administrator to conduct and/or direct a timely and impartial investigation. If the Department Head is, or may be a party to the complaint, the County Attorney or County Council will assist in conducting or directing the investigation. If the Human Resource Director may be a party to the complaint, the County Administrator and County Attorney shall conduct or direct the course of the investigation. If the County Administrator may be a party to the complaint, the County Attorney shall designate the appropriate investigator(s) and direct the course of the investigation. Outside investigators shall be utilized as necessary to ensure a complete investigation. Relevant evidence shall be obtained and evaluated, and a recommendation shall be made regarding the appropriate remedy and/or discipline. Both the complainant and the charged party shall be notified of investigation findings once the investigation is complete.

County employees shall fully cooperate with inquiries regarding potential violations of this policy, and shall truthfully disclose what they know about matters under investigation.

CONFIDENTIALITY

Reports of possible Ethics Policy violations shall be treated with confidentiality to the maximum extent consistent with rigorous enforcement of the policy, and in accordance with applicable laws.

RETALIATION

No employee shall be subjected to any form of retaliation for appropriately reporting a possible Ethics Policy violation. Any employee or supervisor who initiates or participates in retaliatory activity may be subject to discipline up to and including dismissal. Employees who believe they have been subjected to retaliation must immediately report the matter to the Department Head, Human Resource Director, County Administrator, or County Attorney. The employee may also file their report with the South Carolina Ethics Commission.

FALSE INFORMATION

If, after investigating an Ethics Policy 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.

Personal Appearance

Dress Code

County employees are expected to maintain high personal, moral and ethical standards. Each employee's dress, grooming and personal hygiene should be appropriate to their own work situation. Safety will always be the primary determining factor in appropriateness. Any employee who is improperly dressed upon arriving at work may be asked to return home to change and will not be paid for the time that they are absent from their job.

All employees are expected to present a professional image at all times. In compliance with this policy, the following are examples of unacceptable attire:

- Backless garments, strapless tops, halter tops or midriff blouses
- Shirts with slogans, advertising, foul language or obscene images
- Torn, patched, faded or dirty clothing
- Exercise clothing, sweat pants/shirts, shorts, or clothing that is see-through or provocative in any manner.
- Jewelry must be limited to a reasonable amount, and dangling jewelry, including earrings, may be prohibited in certain work areas.
- Offensive tattoos shall not be exposed

The County may use its discretion in determining what is offensive or excessive.

Uniform personnel are expected to keep their uniforms clean and neat, and to be worn according to their respective department policies and regulations. Uniforms are not to be worn in off duty hours unless specifically permitted by the County.

Casual Friday

Even though it is a casual Friday, be mindful of the activities taking place in your department. Citizens are still forming opinions about your capabilities, sense of judgment and taste. Be casual but do not go overboard if you are desiring to make the

right impression. Jeans are acceptable on casual Friday, but must be in good condition without holes, embellishments, or areas of fading. Make sure whatever you wear is clean, ironed and presentable to the public. Refrain from wearing flip flops, t-shirts, shorts, tank tops, etc. Tennis shoes are acceptable if clean and show a good appearance.

All employees are expected to utilize good grooming habits and to exercise good personal hygiene at all times. It shall be the responsibility of the Department Head to ensure that employees under his supervision dress in a safe, efficient and professional manner so as to project a positive professional image of Laurens County.

Responsibilities as Public Employees

As employees of Laurens County, your friends and the public will regard you as “the County,” both on and off the job. This means that your actions directly reflect how the public feels toward the government and the services rendered by the County.

Some basic points to consider in your relationship with the public:

When dealing directly with the public, show a genuine sympathetic interest in the problem or request of the person. Use your ability to give the information or render the service requested or assist him in getting the correct information. Be willing to help promptly and courteously.

Correspondence is very important to good public relations. Written requests must be answered promptly, with the correct tone and accuracy of information. Proper spelling and punctuation creates the right impression of County responses.

Proper telephone etiquette is imperative when dealing with anyone calling the County. Telephone calls should be answered promptly and courteously.

Employees are expected to arrive on time and work until the established closing hour. Personal work or use of County tools, equipment and facilities during County time for personal work is prohibited. Employees are expected to spend working hours performing County work.

Personal phone calls should be limited to those that are necessary and should be brief. Frequent personal calls may result in disciplinary action. Personal cell phones should be set on “silent” or “vibrate” while at work. Unusual or emergency situations should be discussed with the supervisor. Personal phone calls on any phone should not be accepted while waiting on the public. Placing long distance calls on a County phone is prohibited.

Employees should cooperate with the mailroom by not using County facilities for mailing personal letters, packages, papers, or magazines. Also, all personal mail should be addressed to employee's home.

Workplace Privacy and Computer Internet Use

The workplace is intended to be a place of work. An important part of work is communications and record keeping. 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 the individual workplaces. Each employee must understand that personal items and personal communications received or stored on County premises are not entitled to a guarantee of privacy.

The County reserves the right to search for County property and documents in employee desks, lockers, file cabinets, etc.

Use of the Internet by the employees of Laurens County is permitted and encouraged where such use supports the goals and objectives of the business. However, access to the Internet is a privilege and all employees must adhere to the policies concerning Computer, Email and Internet usage.

When using the computers, Email and Internet as an employee of the County, employees are reminded:

- County employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only and personal use is not permitted.
- Job-related activities include research and educational tasks that may be found via the Internet that would help in an employee's role.
- All Internet data that is composed, transmitted and/or received by Laurens County's computer systems is considered to belong to Laurens County and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties
- The equipment, services and technology used to access the Internet are the property of Laurens County and the County reserves the right to monitor Internet traffic and monitor and access data that is composed, sent or received through its online connections.
- Laurens County also reserves the right to "remote wipe" 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.

- Emails sent via the company email system shall not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.
- All sites and downloads may be monitored and/or blocked by Laurens County if they are deemed to be harmful and/or not productive to business.
- The installation of software is strictly prohibited.
- Department Heads and public officials are not allowed to delete any emails except those that are marked as spam or junk, (FOIA).
- The use of external hard drives or USB flash drives is strictly forbidden unless specifically approved in writing by the Department Head.
- Portable devices such as laptops or tablets which are connected to the County's network will have encrypted hard drives or the data files will be encrypted by the third party.

The following activities are prohibited and may be subject to disciplinary action up to and including termination:

- Sending or posting discriminatory, harassing, or threatening messages or images on the Internet or via the County's email service.
- Using computers to perpetrate any form of fraud, and/or software, film or music piracy.
- Stealing, using, or disclosing someone else's password without authorization.
- Downloading, copying or pirating software and electronic files that are copyrighted or without authorization.
- Sharing confidential material, trade secrets, or proprietary information outside of the County.
- Hacking into unauthorized websites.
- Sending or posting information that is defamatory to the County, its services, colleagues and/or citizens.
- Introducing malicious software onto the company network and/or jeopardizing the security of the organization's electronic communications systems.

- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.
- Passing off personal views as representing those of the County.
- Sending or soliciting sexually oriented messages or images is prohibited.

If an employee is unsure about what constituted acceptable Internet usage, then he should ask his supervisor for further guidance and clarification.

Employees are individually liable for any and all damages incurred as a result of violating company security policy, copyright, and licensing agreements.

The County has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software.

Confidentiality of Electronic Mail

Electronic media raises similar issues. The County provides electronic and telephone communication and, when necessary, computers to employees. Although assigned to the employee, these items are the property of the County. Similarly, any computer files created on a County computer belong to the County. Employees are prohibited from using County computers for personal business without the express written permission of the County Administrator. This includes but is not limited to the transmission of mass or bulk emails and any non-County related materials. The County reserves the right to review and monitor voice mail, electronic mail, computer files, and other electronic information generated by or stored in County electronic systems. The release of specific information is subject to applicable state and federal laws and County rules, policies, and procedures on confidentiality.

Electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable state and federal laws and the County's rules, policies, and procedures on confidentiality. Existing rules, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there is the possibility that any message could be shared with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature.

It is a violation of County policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others, unless such access is directly related to that employee's job duties. Employees found to have engaged in such activities will be subject to disciplinary action up to and including termination.

Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another's electronic mail message.

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.

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 County data.

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

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 Laurens County may deploy GPS and/or AVL 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.

Social Media

This policy provides general guidance regarding Internet use by Laurens County personnel who are authorized to use County resources, subject to any supplemental policies where applicable. This policy covers all Internet services, including but not limited to, use of the World Wide Web, e-mail, file transfer, remote computer access, news services, social media, social networking, instant messaging, blogs, wikis, and video and other file sharing sites. The policy applies whether the Internet use is from County facilities or from remote locations.

This policy is not intended or designed to prohibit or limit the lawful exercise of employees' rights under applicable federal or state law.

Where the term "personnel" is used in this policy, it applies to employees, contractors, associates and others who are authorized to use County resources.

This policy applies to activity performed on and off duty, whether using County equipment or personal equipment and whether the activity occurs on or off the premises of the County.

DEFINITIONS:

Social Media - various forms of discussion and information sharing including but not limited to social net, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include: picture sharing, wall-postings, e-mail, instant messaging, and music-sharing to name a few. Examples of social media applications include but are not limited to Google and Yahoo Groups (reference, social networking), Wikipedia (reference), My Space (social networking), Facebook (social networking), YouTube (social networking and video sharing), Flickr (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.

Social Networking - the practice of expanding the number of one's business and/or social contacts by making connections through web-based applications. Social networking may include joining clubs and organizations or staying connected through phone conversations and written correspondence such as letters. Examples of web sites dedicated to social networking include but are not limited to Friendster, MySpace and Facebook.

The County Administrator will review department requests to use social media sites and may advocate using Social Media to help a department reach their stated goals through the use of appropriate social media outlets. Any department approved to use social media is responsible for complying with applicable federal, state and county laws, regulations and policies. This includes but is not limited to adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), HIPPA, First Amendment, Title VII, privacy laws and information security policies established by the County.

Departments approved to use social media outlets must at all times conduct themselves professionally as representatives of the County. Personnel failing to use social media outlets in an appropriate manner may be subject to disciplinary action, up to and including termination. Employees who do utilize social media outlets as part of their job performance for the County are reminded that as a representative of the County, everything posted has the potential to reflect on the County and its image. If employees identify themselves as County employees on personal blogs or other personal posts, they must also post a disclaimer making it clear that any opinion they express is solely that of the author and does not represent the view of the County or its Council. Some social sites allow its members to write recommendations or referrals for friends and associates. Employees giving such referrals must also disclaim that the

reference provided is their personal recommendation and does not necessarily reflect that of the County or its Council.

Employees who are permitted to use County equipment for social media outlets are prohibited from using County resources, including email for the following activities during working or non-working hours:

- Pursuit of private commercial business activities or profit-making ventures.
- 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.
- Any prohibited direct or indirect lobbying.
- Use that could create a charge or expense to the County that is not expressly authorized.
- Unauthorized creation, downloading, viewing, storage, copying, or transmission of sexually explicit or sexually oriented material or other materials that are illegal or discriminatory.

All employees are prohibited from posting any information that:

- Is confidential to the County or any third party or disclose personal data or information regarding County personnel that is exempt from the Freedom of Information Act;
- Is illegal;
- Links an individual's blog/personal web page to the County website.

The County seal and any trademark or service mark of the County may not be used without expressed, written authorization.

Unless prohibited by law, the County monitor the Internet activity of employees. If monitoring reveals evidence of possible misconduct or criminal activity, such evidence may be referred to law enforcement or other officials for appropriate action.

The County will only view or monitor Internet activity when it has a legitimate business related interest. The County may generally monitor sites including social networking profiles and similar sites. Legitimate business related interests include, but are not limited to:

- Protecting County assets, reputation and resources
- Maintaining employee productivity
- Employee morale and security
- Protecting the County against litigation

- Securing confidential information of the County and its employees where it is exempted under the Freedom of Information Act

Without express authorization to use social media sites during working hours, such activity is prohibited. Employees who violate this policy may be subject to discipline, up to and including termination.

Transportation and Travel

When employees of the county are required to travel on official business, the county will pay reasonable amounts for transportation, meals, and lodging. As a general rule, overnight travel is not allowed for destinations within a 60-mile radius of the employee's normal work location.

All employees must complete a Laurens County Travel Request Form and have prior approval of the Department Head or County Administrator before travel will be reimbursed. This must be attached to the daily expense report.

Advances may be disbursed to authorized personnel for anticipated mileage expenses when an overnight stay is required and approved by the Department Head and County Administrator. Request for Advance form must be submitted prior to departure.

In order to receive reimbursements, the employee must complete and submit a daily expense report to the Finance Department within ten (10) days of the employee's return. A copy of the itinerary or a certificate of completion must also be attached, detailed meal receipts and a copy of the motel/hotel bill.

Expense reports not properly supported by detailed receipts for all daily expenses will not be honored.

1. Meals

In accordance with the daily per diem established by County Council, employees shall be reimbursed for meal expenses incurred in connection with county-related matters. Itemized receipts for all meal expenses are required. Tips shall not exceed 15% of actual cost. Grocery items and alcoholic beverages will not be reimbursed.

2. Lodging

When lodging is required, 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, they may stay at the hotel or motel where the meeting is held with advance Department Head approval. In all cases, the County will

pay no more than the regular single occupancy rate and government rates must be requested. Receipts for lodging must be presented with daily expense report.

3. Transportation

When feasible, a County vehicle shall be utilized. If the employee's vehicle must be utilized, the employee shall be reimbursed at a rate established by County Council. If driving a personal vehicle, a Request to Drive Personal Vehicle form must be approved prior to travel by the Department Head or County Administrator. The employee must receive prior authorization to utilize their personal vehicle if reimbursement for travel expenses is expected.

Mileage between an employee's home and place of employment is not subject to reimbursement. However, when an employee leaves on a business trip directly from home and does not go by the employee's headquarters, the employee shall be eligible for reimbursement for actual mileage beginning at their residence.

Employees may be reimbursed upon proper receipt for all public transportation, parking and toll fees.

Commercially rented vehicles and other special conveyances shall be allowed only when the use of other available modes of transportation will not be more advantageous to the County and such rental is approved in advance.

The County may purchase tickets in advance for employees traveling by common carrier. All employees shall travel in tourist class whenever possible and request government rates.

The County will NOT assume responsibility for traffic violations incurred during the operations of a County vehicle or a privately owned vehicle or assume responsibility for traffic accidents involving use of privately owned vehicles on County business.

Use of County Vehicles

The use of County automobiles will generally result in the least costly method of transportation. County automobiles will be used unless circumstances dictate travel by other conveyance for reasons of cost, efficiency or work requirements.

- 1.** 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.

2. If an employee is involved in a chargeable accident, appropriate action will be taken.
3. County owned vehicles will be used for official County business only.
4. 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.
5. **The use of tobacco products including without limitation E-Vape, E-Cigs and smokeless tobacco** is prohibited in all County vehicles.
6. 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.
7. Supervisors and Department Heads may request a driving record at any time from employees who operate a county vehicle or equipment.
8. If an employee is charged or convicted of a serious moving violation, such as DUI, driving privileges will be suspended pending internal investigation.
9. Employees are responsible for any vehicle or equipment assigned to them.
10. 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.
11. Vehicles are to be driven in a manner that creates a favorable impression with the public.
12. Laurens County prohibits employees from using cell phones while they are driving. If you are driving and need to use the phone, you should pull off the road and stop before you place a call or talk on the phone. You may use hands-free equipment for cell phone use and continue driving. Talking on the phone while performing tasks is dangerous to you and those around you. Violations to this policy may result in disciplinary actions up to and including termination. This policy includes telephone calls, texting, blogging, instant messaging, etc.
13. A recent eye exam and hearing test is also required for new hires that are required to drive County vehicles.
14. 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 the County Motor Pool.
15. No employee may use the vehicle assigned to them for personal business, except for incidental purposes such as meals.
16. When a vehicle is not being used for County business purposes, it is to be kept on County property except as specifically exempted by a Department Head or County Administrator.
17. Employees under the influence of intoxicants or any other controlled substances are prohibited from operating a County vehicle. Additionally, intoxicants may not be transported in a County owned vehicle unless it is for law enforcement purposes. Anyone under the influence of intoxicants or other controlled substances is prohibited from riding in a County vehicle. (Emergency services and law enforcement are

exempted from the prohibitions against transporting controlled substances, intoxicants, and those under the influence.)

18. OPERATORS AND PASSENGERS MUST WEAR SEAT BELTS AT ALL TIMES.

Exceptions to this policy must be made with the approval of the County Administrator.

Accidents

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

1. Immediately notify the local law enforcement agency to obtain their accident investigation and report, as well as report any emergency needs. Events of the accident should not be discussed with anyone other than the appropriate authorities: law enforcement, the employee's immediate supervisor or Human Resources.

2. Notify Supervisor/Department Head immediately of any accident or possible injuries. It will be the responsibility of the Department Head to notify Motor Pool and the Risk Technician within 24 hours.

3. Complete a County accident report form within 24 hours. This report along with the law enforcement agency's report must be turned in to the Risk Manager.

4. The County Motor Pool will be responsible for obtaining 2 estimates for damage costing more than \$800.

5. Failure to promptly report accidents and provide the necessary information may result in a loss of County driving privileges, suspension, demotion, or dismissal.

6. If the accident investigation and report determines the employee was negligent or at fault, the employee may be responsible for payment of the deductible.

7. Any unauthorized personal use of such assigned vehicle is forbidden and may subject the employee to disciplinary action.

8. Operators may be responsible for all fines or damages resulting from their own negligence.

9. Operators must possess a valid and appropriate driver's license for the vehicle being driven. Employees whose jobs may require them to operate a motor vehicle are **required to notify Laurens County immediately** in the event that any restriction or

revocation is imposed on an employee's ability to legally operate a motor vehicle. If possession of a valid and current driver's license is an essential function of the position as held by the employee, failure to possess such a driver's license may result in administrative action by the County up to and including termination.

10. Immediately following any accident in a County vehicle, a drug and alcohol test will be conducted. Failure to submit to drug and alcohol testing may result in discipline up to and including termination.

Maintenance and Care of County Vehicles

a. A vehicle number is assigned by the County Motor Pool and is visible on both sides of the vehicle.

b. Each employee assigned a County-owned vehicle is responsible for making an appointment and ensuring periodic maintenance of the vehicle at the County Motor Pool. The driver is obligated to schedule the appointment when the vehicle mileage is within 500 miles of the next service.

c. Repairs other than scheduled maintenance, which is non-safety or non-essential, must be submitted on a maintenance request form. These will normally be completed at the next scheduled maintenance interval or at the discretion of the Motor Pool Department.

d. Emergency repairs during normal working hours will be completed by the County Motor Pool, with EMS and Sheriff's deputies given top priority.

e. In the event of a mechanical failure, employees will call the County Motor Pool to report the need for service and possibly a wrecker.

f. Special equipment (fire extinguisher, flashlights, first aid kits, gas cards, etc.) must stay with the vehicle at all times. Important documents should also remain with the vehicle at all times. Drivers are responsible for the security of these items.

g. The driver is responsible for ensuring that mechanical fluid levels are maintained, including gasoline, engine oil, transmission fluid, radiator fluid, washer fluid, etc.

h. For other maintenance requirements, drivers are required to contact County Motor Pool for directives.

Hazardous Weather

1. ELIGIBILITY

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

(1) The job they perform is not part of general public safety, (E-911, EMS, Sheriff, Road, Maintenance, Fire, and EMA).

(2) The job they perform is not critical to the function of County operations.

2. EARNING RATE FOR NON-CRITICAL EMPLOYEES

a. Unless specified above, employees may receive hazardous weather pay up to three (3) days in a calendar year.

b. No payment of unused hazardous weather pay will be made unless the County Administrator closes the non-critical offices due to inclement weather conditions.

3. 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 Heads only should call E-911 to learn of the decision. All employees will be notified of closing through their Department Head and supervisor. Employees who are not department heads should not call E-911 to find out if their office is closed.

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.

Employee Tobacco Product Usage

In order to protect the health of employees and citizens, the County of Laurens has specific policies regarding the use of tobacco products.

1. The use of tobacco products is prohibited in all County buildings and vehicles. Tobacco products are defined as, but not limited to:

Cigarettes, cigars, pipes, chewing tobacco, snuff, E-Cigs, Vapes, E-Vapes

“No Smoking” signs shall be conspicuously displayed in all buildings.

2. The County prohibits smoking 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.

3. 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 uncleanliness of such actions.

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

Nepotism

Employees in the same immediate family will not be employed or continue to be employed if one directly or indirectly supervises another or has responsibility for reviewing the work of the other family member. For purposes of this policy, immediate family includes: spouse, parent, child, grandparent, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law, and sister-in-law within the immediate family of each other for this policy. Step-relatives are considered family members under this policy.

If employees become related by marriage and create a situation prohibited by this policy, one of the employees must give up their position. If the employees cannot choose which of them it will be, the employee having the lowest budgeted annual compensation will be removed. The County will make an effort to find another position for the removed employee for which the employee is qualified and if the acquiring Department Head approves the reassignment, but the County does not guarantee the result of such an effort.

Unrelated employees residing together in an apparently romantic relationship will be treated as being within the immediate family of each other for the purposes of this policy.

Only the County Administrator of Laurens County has the authority to make an exception to this 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 Council in cases where other qualified applicants are not available or on an essential task.

Absenteeism/Tardiness

If you find it necessary to be absent from work, you must notify your supervisor at least thirty (30) minutes before your work day is scheduled to begin. Likewise, if you are tardy, you must contact your supervisor immediately to let him know that you will be late for work.

Any employee who fails to report to work as scheduled or to call in for three (3) consecutive days will be deemed to have voluntarily abandoned his job. Such an employee will not be eligible to receive pay for unused, accumulated vacation, and may be ineligible for rehire.

A doctor's release slip may be required if you are absent from work for more than three days.

Excessive absence or lateness may result in disciplinary action up to and including termination.

Employees who are experiencing temporary problems with getting to work or with timeliness issues should discuss this immediately with their supervisor to determine if an accommodation can be made on a short-term basis.

EMPLOYEES MAY BE DISCIPLINED OR DISCHARGED FOR ANY REASON WHICH, IN THE COUNTY'S SOLE DISCRETION WARRANTS DISCIPLINE OR DISCHARGE. 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.

Holidays

The following days are observed as paid holidays:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Good Friday	Friday before Easter
Memorial Day	Fourth Monday in May
Independence Day	July 4 th

Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	Friday after Thanksgiving
Christmas	December 24, 25 and 26

Holidays occurring on Saturday are observed on the preceding Friday, and holidays occurring on Sunday are observed on the following Monday. Public Safety employees observe the calendar holiday. All holidays must be taken as a full day and cannot be carried over from one calendar year to the next.

All employees will be granted eight (8) hours pay for a holiday.

All regular full-time employees are eligible for paid holidays.

- a. Holidays occurring while an employee is in annual leave status are not charged against annual leave.
- b. When illness occurs on a holiday, an employee may not charge the day to sick leave.
- c. Terminated employees whose last day of employment falls on a holiday do not receive holiday pay unless they actually worked that day. **Upon termination, employees will not be reimbursed for unpaid holiday pay.**
- d. Employees do not receive holiday pay when the first day of leave without pay starts on a holiday or the day following, or if the leave without pay period ends on a holiday or the preceding day.
- e. Employees are required to work the last scheduled work day before and the first scheduled work day after a scheduled holiday unless the employee is on approved leave. An approved absence 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.
- f. Holiday hours are not considered as hours worked for overtime purposes.

When the demands of a service or work schedule such as the Sheriff's Department personnel or others are such that an employee is required to work on a

holiday, arrangements will be made for the employee by the Department Head in accordance with applicable administrative procedures.

Annual Leave

1. Eligibility

- a. Annual leave is used by employees who have successfully completed their six-month introductory period and who are regular full-time employees.
- b. Newly employed individuals who successfully complete their introductory period begin to accumulate annual leave credit from their hire date.
- c. Elected officials are not eligible for annual leave.

2. Accumulation Rate

- a. The leave year runs from January 1st through December 31st.
- b. Annual leave for all full-time employees is accumulated at the rate indicated below.

3. Accumulation

Accumulation of Annual Leave time will be as follows:

- During the first year of employment, vacation will be accumulated at the rate of 40 Hours per year.
- The second through the eighth year of employment will accumulate at the rate of 80 hours per year.
- From the beginning of the ninth year will accumulate at the rate of 120 hours per year.

Employees may carry the equivalent of 240 hours of unused annual leave from one calendar year to the next not to exceed the maximum accumulation authorized.

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

Newly hired employees shall earn full annual leave credit for any month (pay period) in which they are in a pay status for at least half of that period.

Annual leave must be taken in a minimum of one (1) hour increments for non-exempt employees.

4. Granting Leave to Employees

An employee desiring to take scheduled vacation must receive prior approval from their Supervisor or Department Head **at least one week in advance**. In an emergency, or when circumstances make a written/advance request impractical, a verbal request and approval may be made. Documentation will be accomplished at the earliest practical time.

Department Heads are the approving authorities for subordinates leave request. Work requirements, scheduling, and shift operations, etc. will be taken into consideration. The County Administrator or designee is the leave approving authority for department heads. Approved leave request forms will be forwarded with the appropriate time sheet prior to the first day of leave or with the appropriate time sheet.

While the County endeavors to allow employees to take paid annual leave at times most convenient to them, not all requests for leave will be approved and requested leave is not guaranteed. The Department Head will make the determination as to who may take leave based on the needs of the County. **Annual leave may not be taken prior to the actual accumulation.**

Upon separation from County employment, a regular employee will be paid any wages due and unused but accumulated vacation leave as follows, subject to any mandatory caps on leave accumulation as Council may from time to time establish:

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 of six workweeks as appropriate to each individual employee. 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 will **not** be paid for accumulated but unused vacation.

Sick Leave

ELIGIBILITY

Sick leave is accumulated and used by employees who are regular full-time employees.

Elected officials do not accumulate sick leave.

Employees are granted sick leave for:

- Periods when he is unable to work due to personal illness or injury or when the employee's presence may endanger the health of fellow workers. For the purpose of this policy, any disability that is caused by pregnancy or other childbearing complications shall be treated the same as any other illness or injury.
- Medical and dental appointments, optical examinations (including fitting for glasses), or other treatment by recognized practitioners and counseling associated with emotional, mental illness, alcoholism, and drug problems.
 - Exposure to a contagious disease that can be transmitted to others.
 - An employee may, with the approval of the County Administrator and their Department Head, use a designated number of their accumulated sick leave for the care of an immediate family member. Immediate family member is defined as the spouse, children, parents, grandparents, great-grand parents, brothers, sisters, grandchildren, of either the employee or the spouse, stepchildren, and stepparents.

A physician certificate is required if sick leave exceeds three days or at the discretion of the department head.

ACCUMULATION RATE

- a. The leave year runs from January 1st through December 31st.
- b. Sick leave is accumulated at the rate of 8 hours per month of continuous service.
- c. 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

- a. Employees are authorized to carry over a maximum of 720 hours unused sick leave per calendar year. Upon separation from employment, all sick leave accumulated by an employee shall be recorded in his/her personnel records. **No payment of sick leave will be made.**
- b. When a recognized holiday falls during a sick leave period, that day will not be counted as a day of sick leave.

c. When an employee becomes sick during annual leave, he may substitute sick leave to cover the period of illness. Upon return from annual leave, individuals must promptly report his situation to their immediate supervisor and submit a written request for substitution to be approved by the department head. Physician's certificate is required if sick leave exceeds three days.

d. Sick leave may not be taken prior to being accumulated.

PHYSICIAN'S CERTIFICATION

A physician's certificate verifying that an employee was incapacitated due to illness or injury is required if the absence exceeds three (3) consecutive working days.

NOTIFICATION OF ILLNESS

Employees are required to notify their immediate supervisor (or representative if the supervisor is not available) at least thirty (30) minutes before your work day is scheduled to begin. In an emergency, notification should be made as soon as it is practical and may be made by someone other than the employee. Failure to provide notification within two (2) hours after the start of work, without a reasonable excuse, may result in denial of sick leave. Employees are required to keep their supervisor informed of their situation and anticipated date of return. Employees must continue to call their supervisor on subsequent days of absence.

GRANTING OF LEAVE TO EMPLOYEES

Department Heads are the approving authorities for subordinates leave request and will designate a reasonable time frame for submission of leave requests, taking into account work requirements, scheduling, and shift operations, etc.

The County Administrator is the leave approving authority for department heads.

No paid sick leave will be granted during the two-week resignation notice.

a. Employees giving and working a two-week calendar notification of their resignation will be eligible to receive their accumulated but unused annual leave pay. Whether the employee will be required to work that notice is at the discretion of Laurens County. In the event of the death of an active employee, payment shall be made to his legal representative.

b. Employees who do not give and work the proper notice or who are terminated for disciplinary reasons will not be paid for accumulated but unused annual leave.

Should an employee terminate service while under introductory status, all accumulated annual leave is forfeited.

Leave of Absence

Military Leave

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. An employee going on military leave shall present a copy of his orders to the appropriate Department Head not more than three (3) days after receiving them. Employees are entitled to reinstatement upon release from military service as provided in state and federal laws. The provisions of such laws change from time to time and for that reason no effort is made to set forth the law in this policy.

Personal Disability and Personal Leave

Physical Disability and Personal Leave (Applies Only to Employees Employed Less Than 12 Months, to Employees Who Have Worked Fewer Than 1250 hours in the Preceding 12 Months, and to Longer-Term, and to Regular Employees Whose Reasons for Leave are Not Covered by the Family And Medical Leave Act (FMLA)).

An employee who has completed his initial Introductory Period (and any extension thereof) is able to request a leave of absence for up to six months when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for a leave of absence for person reasons. Personal leaves are granted only in the discretion of the County Administrator upon recommendation by the employee's supervisor. Employees still in their probationary periods who are absent for more than five 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 need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.

1. Physical disability leaves will begin on the first day of absence.

2. After the employee has exhausted his personal and annual 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. Certain exceptions may be established by law.

3. An employee desiring to return to work from an unpaid leave of absence should notify Human Resources Director in writing at least ten (10) days prior to his desired date of return. The County may require a fitness for duty examination. 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 which is to be filled. If no such vacancy exists, the employee may be recalled to any job in which there is a vacancy which is 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 been reinstated within six (6) months following the commencement of a leave of absence may be terminated. This action shall not affect the employee's eligibility to be considered for hire as a new employee at some future time.

4. When an employee's leave of absence is due to pregnancy or the birth of a child, the employee, upon her release for duty within the prescribed leave time, will be placed in their former position or similar position without loss of benefits.

5. VOTING - Employees who live such a distance from their work locations that would prevent them from voting are allowed up to two (2) hours administrative leave in order to vote.

Family and Medical Leave

The federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2008 requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12 week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

Eligibility for FMLA Leave

Employees are eligible for FMLA leave if they:

1. Have worked for the County for at least 12 months;
2. Have worked at least 1,250 hours for the County during the 12 calendar months immediately preceding the request for leave; *and*
3. Are employed at a work site that has 50 or more employees within a 75-mile radius.

Employees with any questions about their eligibility for FMLA leave should contact Human Resources for more information.

Basic FMLA Leave

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during a 12-month period for one of the following reasons:

1. To care for the employee's child after birth or placement for adoption or foster care;
2. To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition;
3. For incapacity due to the employee's pregnancy, prenatal medical or child birth; or
4. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Married Couples

In cases where a married couple is employed by the County, the two spouses together may take a *combined total* of 12 weeks' leave during any 12- month period for reason #1, or to care for the same individual pursuant to reason #4.

Military Family Leave

There are two types of Military Family Leave available.

1. Qualifying exigency leave. Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include:

- Short-notice deployment (up to 7 days of leave)
- Attending certain military events
- Arranging for alternative childcare
- Addressing certain financial and legal arrangements
- Periods of rest and recuperation for the service member (up to 5 days of leave)

- Attending certain counseling sessions
- Attending post-deployment activities (available for up to 90 days after the termination of the covered service member's active duty status)
- Other activities arising out of the service member's active duty or call to active duty and agreed upon by the County and the employee

2. Leave to care for a covered service member. There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave 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 been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while 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.

When both husband and wife work for the same employer, the aggregate amount of leave that can be taken by the husband and wife to care for a covered service member is 26 weeks in a single 12-month period.

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. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

Pay, Benefits, and Protections During FMLA Leave

Leave is unpaid.

Family medical leave is unpaid leave (although employees may be eligible for short- or long-term disability payment and /or worker's compensation benefits under those insurance plans) if leave is taken because of an employee's own serious health condition.

Coordination of Paid Time Off for Unpaid Leave.

An employee who must be absent for an FMLA-qualifying reason will be paid for time lost from work from accumulated paid time off balances, if any. Leave taken under this policy counts toward 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. An employee's family medical leave runs concurrently with other types of leave, i.e., paid vacation.

For leave taken for a qualifying exigency, the employee must use paid personal, vacation, or family leave time concurrent with unpaid FMLA leave. The same rules apply as if the employee took FMLA leave to care for a family member with a serious health condition or for the birth or placement of a child.

For leave to care for a seriously injured or ill family member in the military an employee must use paid personal, vacation, family leave, sick, or medical leave time concurrent with unpaid FMLA leave. The same rules apply as if the employee took leave for his or her own serious health condition. The employer will not provide paid sick leave or paid medical leave in any situation in which the employer would not normally provide any such paid leave.

Medical and Other Benefits

During an approved family medical leave, the County will maintain the employee's health benefits as if the employee continued to be actively employed. Where paid leave is used concurrently with unpaid family medical leave, the County will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay his or her portion of the premium by submitting payment through Human Resources on the same day that payroll would have been received by the employee.

An employee's healthcare coverage will cease if the employee's premium payment is more than **30** days late. If the payment is more than **15** days late, the County will send the employee a letter to this effect. If the County does not receive the co-payment within **15** days after the date of that letter, the employee's coverage may cease. If the employee elects not to return to work for at least 30 calendar days at the end of the leave period, the employee will be required to reimburse the County for the cost of the premiums paid by the County for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

Return to Job at End of FMLA Leave

Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The County reserves the right to require a second medical opinion before an employee returns to work after an extended period of time.

Employee Responsibilities When Requesting FMLA Leave

If the need to use FMLA leave is foreseeable, the employee must give the County at least 30 days' prior notice of the need to take leave. When 30 days' notice is not possible, the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

Requests for FMLA leave must be submitted to the Human Resources Director. When submitting a request for leave, the employee must provide sufficient information for the County to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave. Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or containing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also will be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

When an employee requests leave, the County will inform the employee whether he is eligible under the FMLA. If the employee is, the employee will be given a written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible under the FMLA, the County will provide the employee with a written notice indicating the reason for ineligibility and the employee can request leave under the Personal Disability leave policy.

If leave will be designated as FMLA-protected, the County will inform the employee in writing and provide information on the amount of leave that will be counted against your 12 or 26-week entitlement.

An employee's employment will automatically terminate if he does not return to full active employment status at the conclusion of his leave of absence or the exhaustion of all paid leave time accumulated but unused.

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

Secondary employment (otherwise known as "moonlighting") while out of work on FMLA or medical leave of absence without the express written permission of the County Administrator is prohibited.

This policy does not create contract rights. In no case will an employee have a greater right to a job than he would have had if he had not taken leave under this policy.

Bereavement Leave

1. ELIGIBILITY

Upon request, a regular full-time employee shall be provided leave with pay, in the event of the death of a member of the immediate family as stated below.

a. For the purposes of this policy, an immediate family member is defined as a spouse, parents, brothers, sisters, children, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, grandchildren, sister-in-law/, brother-in-law, and grandparent-in-law of the employee. "Step" relatives will be considered relatives within the meaning of this policy if the employee and the step relative lived in the same household for a substantial period of time.

b. Funeral leave in the amount of three (3) consecutive working days shall be granted and taken within five (5) consecutive calendar days of the death. If the employee must travel out of town and will exceed the granted leave time, he may use unused but accumulated leave time to cover additional time.

c. When a death occurs in the employee's family while he is on annual or sick leave, the period of such leave shall be extended accordingly. In unusual circumstances additional leave time can be granted upon the approval of the Department Head.

2. PROCEDURES

- a. The employee will notify his immediate Supervisor/Department Head as soon as possible, providing the name and relationship of the family member. A leave request form will be submitted immediately upon return to duty.
- b. The supervisor should notify the Department Head immediately, being sure to give the dates the employee is absent from work due to death of family members.
- c. The supervisor must get the full name of the deceased. This step is especially important if the deceased is not a resident of Laurens County. In addition, the employee must complete the leave request form. This form 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.
- d. The Department Head will authorize the payroll department to include the funeral leave pay in the employee's check.

Court Leave

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.

ELIGIBILITY

Any employee of the County, who is non-exempt from jury service, as specified above, shall be eligible for court leave with pay for a maximum of ten (10) days when summoned to serve as a jury member.

- a. The employee shall retain any travel payments received.
- b. Jury fees received by the employee shall be the employee's.
- c. Any employee who is exempt under the provision of the State Law and whom elects to serve as a jury member shall be charged annual leave or leave without pay for the period of the service.
- d. When an employee is excused from jury duty for a period exceeding two hours, he shall return to duty unless returning to duty would create a hardship to shift

operations schedule or distance to duty location. If the employee does not return to duty, the time shall be charged leave without pay.

e. If jury duty occurs on a scheduled day off, the employee shall not receive additional time off.

COURT ATTENDANCE AS AN OFFICIAL EMPLOYEE

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

PERSONAL LITIGATION

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 will notify his immediate supervisor when jury duty or witness appearance is scheduled and the anticipated duration.

a. Application for appropriate leave status will be completed by the employee and submitted to his Supervisor/Department Head.

b. The Supervisor/Department Head will verify the requirement by reviewing the summons or subpoena.

c. Upon release by the court, the employee will provide his Supervisor or Department Head with relative statements issued by the Clerk of Court, documenting dates, times, and amounts paid. If any fees paid to the employee are required to be turned over, they will be collected upon return to duty.

Benefits

Retirement System

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

- A. South Carolina Retirement System
- B. South Carolina Police Officers Retirement System

Credits for Previous Service

- a. Personnel with prior service in the regular state retirement programs are eligible for reinstatement of previous service.
- b. Rules and regulations for credit for military service for eligible employees shall be set in accordance with the requirements of the South Carolina Retirement System. Additional information may be obtained from the South Carolina Retirement System.
- c. Details for prior credit of service are contained in publications produced by the State Retirement System. In addition, any questions concerning benefits or eligibility for membership should be directed to the Human Resources Department or from the South Carolina Retirement System (1-800-868-9002) or their website at www.retirement.sc.gov.

Part-Time and Temporary Employees

Part-time and temporary employees who are members of one of the retirement systems because of other full-time employment will make appropriate contributions to the retirement system from salaries paid during their employment status with Laurens County in compliance with State retirement requirements.

Collection of Contributions

- a. Regular full-time employee contributions are set at the state established percentage.
- b. Law enforcement full-time employee contributions are set at the state established percentage.

Employee Orientation of Retirement Benefits

At the time of initial processing, all new employees eligible for coverage under the retirement system will be briefed on the provisions of the system, cost and benefits.

Group Health Insurance

Basic Coverage of Employees

It is the policy of Laurens County to provide group health and life to all regular employees who work a minimum of thirty (30) hours per week and current council members. Employee contribution rates are designated by the insurance carrier and regulated by County Council. Contributions for employees and dependents are payroll deducted. Failure to pay premiums may result in a lapse or termination of coverage.

Additional information on the specific coverage available may be obtained through the Human Resources Department.

The County's portion of the employee's premium shall not be paid for any employee on a leave without pay or on a non-pay status at the time payment is to be made to the insurance provider. Such an employee may elect to continue his coverage during his leave period by remitting payments for the County's portion as well as any optional payments for dependents. These payments must be made one month in advance. Failure to pay premiums may result in a lapse or termination of coverage if payment is not received by the County by the 20th day of each month that the employee is on non-pay status. Invoices will not be sent to the employee to remind them of this payment due.

At the time of initial processing, all eligible employees will be provided the forms necessary for enrollment in all insurance programs and information brochures explaining coverage benefits. Dependent coverage will also be explained, brochures and enrollment forms provided, method and amount of payments for coverage explained. All forms must be completed and returned 30 days from date of hire.

Notice of Right to Health Care Continuation Coverage

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.

HIPAA/Medical Information

This policy describes how health information about you may be used and disclosed and how you can get access to this information. If you have any questions, ask your Supervisor or Human Resources.

Laurens County is committed to keeping our employees' personal information private. This policy of privacy applies to our health plans that are covered by state or federal law, for example: health benefit plans, dental plans, employee assistance plans, and pharmacy benefit programs. We will refer to all of these plans in this policy as the Benefit Plans.

The Benefit Plans offered to you by the County are required by federal and state law to protect the privacy of your health information and other personal information, and to provide you with notice about our policies and protections. When the Benefit

Plans use or disclose your protected health information, the Benefit Plans promise to respect the privacy of that information.

The Benefit Plans will not use your protected health information or disclose it to others without your permission, except for the following reasons:

- * Treatment
- * Payment
- * Health Care Operations
- * Disclosure to Employer or Operating Company
- * Disclosure to Health Care Vendors and Accreditation Organizations
- * Public Health Activities
- * Health Oversight Activities
- * Research
- * To Comply with the Law
- * Judicial and Administrative Proceedings
- * When required by Law Enforcement Officials
- * Health or Safety
- * Government Functions
- * Workers' Compensation

The Benefit Plans may also disclose your protected health information when necessary to file claims with other insurance carriers.

The Benefit Plans will not use or disclose your protected health information for any purpose other than the purposes described in this policy without your written agreement. You may take back an authorization that you gave before by sending a written request to Human Resources but not about any actions the Benefit Plans have already taken.

The Benefit Plans may disclose protected health information about you to a relative, a friend or any other person you identify, provided the information is directly relevant to that person's involvement with your health care or payment for your care. For example, if a family member or a caregiver calls us with knowledge of your protected health information, we may confirm it or answer questions about it.

You have the right to stop or limit this type of disclosure by contacting Human Resources.

You have the right to additional restrictions on who can see your protected health information. While the Benefit Plans will consider all requests for restrictions carefully, they are not required to agree to a requested restriction.

You have the right to confidential communications about your protected health information. While the Benefit Plans will consider reasonable requests carefully, the Benefit Plans are not required to agree to all requests.

You have the right to see and copy your protected health information. If you ask for copies, the Benefit Plans may charge reasonable copying and mailing costs.

You have the right to request corrections to your protected health information. If your doctor or another person created the information that you want to change, you should ask that person to change the information.

You have the right to know who your protected health information is disclosed to. If you request an accounting more than once during any 12-month period, the Benefit Plans will charge you a reasonable fee for each accounting statement after the first one.

If you want to make any of the requests listed above, you must contact the Human Resources Director.

If you want more information about your privacy rights, do not understand your privacy rights, are concerned that the Benefit Plans have not respected your privacy rights, or disagree with a decision that the Plans made about who can see your protected health information, you may contact Human Resources. You may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. We will not take any action against you if you file a complaint with the Secretary of Health and Human Services or Human Resources.

Finally, the Benefit Plans may change this policy at any time. If the policy is changed, the Benefit Plans may make the new policy effective for all of your protected health information that the Benefit Plans maintain, including any information created or received before the new policy. If the Benefit Plans change this policy, you will be notified of the change.

The County complies with the privacy laws concerning protected health information as established under The Health Insurance Portability and Accountability Act (HIPAA).

Employee Assistance Program

Laurens County provides an Employee Assistance Program for employees to help with problems that may affect their well-being and job performance. The EAP is also available for use by dependent(s) of the employee. _____ EAP is the provider

for Laurens County employees. The program is designed to help with a variety of “life problems.” Some of the situations commonly dealt with include, but are not limited to:

Family and marital problems

Alcohol and drug problems

Legal and financial difficulties

Emotional and psychological problems

Stress

Grief

Personal conflicts

Family financial planning

Health and wellness issues

Depression

If the employee and/or dependent(s) need to talk with an Employee Assistance Professional, they simply call _____ **(toll free)**. The program is available 24 hours a day for emergencies. Appointments may be made during normal business hours, Monday – Friday.

All contact with the Employee Assistance Program is **CONFIDENTIAL**. If an employee chooses to call or make an appointment, no one will know that EAP was contacted. Information regarding an employee will not be released unless the employee has given prior written permission.

The cost is free to employees and/or dependents and paid by the County. Employees are encouraged to take advantage of this benefit.

Health Insurance Marketplace Coverage

Laurens 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.

1. 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" standard¹ 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.

2. Information about Health Coverage Offered by Laurens 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: Laurens County

Employer EIN: _____

Employer Address: 100 Hillcrest Square

¹ An employer-sponsored health plan meets the "minimum value" standard if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

Employer Phone #: 864-984-3691

City: Laurens

State: South Carolina

ZIP Code: 29360

Contact: Human Resources

As your employer, we offer a health plan to:

☐ All employees.

☐ Some employees. Eligible employees are:

With respect to dependents:

☐ We do offer coverage. Eligible dependents are:

☐ 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 for you upon request.

Workers Compensation Insurance

Laurens County shall maintain Workers' Compensation Coverage on all employees as prescribed by the SC Workers' Compensation Law. The County will investigate all claims of workers' compensation and will not support any claims occurring from non-job related injuries or activities.

Procedures for filing a workers' compensation claim

1. All on-the-job injuries must be reported to the Risk Department of Human Resources immediately, usually within 24 hours. If an employee fails to report an injury in a timely manner, his benefits under workers' compensation may be denied.

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

3. As soon as the employee is able, but no later than one day following the incident being reported, the following forms must be submitted to their Supervisor and the Risk/Human Resources Office:

a. **Workers' Compensation First Injury Report Form**

This must be completed by the injured employee or their supervisor and turned in within 24 hours of the accident.

b. **Workers' Compensation Injury Statement Form**

This form must be completed by the injured employee detailing the accident and must be turned in by the second day of injury. The employee is required to describe with as much detail as possible all events relevant to the accident.

c. **Laurens County Injury Report Form**

This form must be completed by injured employees' supervisor and turned in the second day.

d. **Laurens County Injury Report Cause**

This form should be completed by the injured employee's supervisor and turned in the second day.

It is the employee's responsibility to submit return-to-work status information to their Supervisor and to the Risk Manager.

Laurens 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.

Return to Work/ Temporary Light Duty

1. Purpose

The County guarantees "light duty" to no one. As a general rule, an employee who is unable to perform all of the essential functions of his job will not be permitted to work. However, in limited circumstances and on a case by case basis, the County may choose to permit an employee who has been injured on the job to perform temporary light duty functions, provided the County determines that there is a legitimate need and to do so would be in the best interests of the County. The County shall determine compensation, duties, and hours as approved by the treating physician.

The purpose of the Return to Work/Temporary Light Duty Program is to temporarily place employees who have sustained work-related injuries in positions consistent with the medical restrictions prescribed by an authorized treating physician. Ideally, the employee will work within his or her own department. However, it may become necessary to place the employee in another department and/or adjust work hours to accommodate their medical restrictions. Employee training that has been scheduled prior to any sustained on-the-job injury may also qualify as a Temporary Light Duty assignment if the training does not exceed five (5) days.

The goal of the program is to promote psychological recovery and to minimize lost time by encouraging appropriate levels of activity for injured employees.

Laurens County Human Resource staff will be responsible for managing the Return to Work/Temporary Light Duty Program. The employee's Department Head/Supervisor and Human Resources will make decisions concerning placement of injured and recovering employees jointly.

2. Scope

The Return to Work/Temporary Light Duty Program is designed to help regular employees of Laurens County who have received on-the-job injuries.

3. General Guidelines

Temporary Light Duty is an alternate assignment for an employee recovering from an on the job injury. Work assignments are subject to the work restrictions determined by the authorized treating physician. The duration of a temporary light duty assignment may range from one day to a maximum of twelve weeks. If necessary for the employee to remain in the temporary assignment for twelve weeks, the Risk Office will consult with the authorized treating physician as to the necessity of continuing a light duty assignment beyond twelve weeks. However, a temporary light duty assignment cannot be extended beyond six months.

A Return to Work Authorization stating 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 after an extended period of time.

Departments may request temporary light duty assistance by submitting the Request for Temporary Light Duty Assistance to the Risk Technician. Departments should be innovative in developing and assigning meaningful tasks that will allow the employee to utilize their experience, education, and physical capability.

Work schedules will be arranged to permit injured employees to keep physician appointments and any prescribed physical therapy sessions.

The temporary light duty employee's home department (the department in which the employee worked at the time of the injury) is responsible for all salary expenses associated with the employee for the duration of their temporary duty status.

If an employee chooses not to work in an assigned temporary duty position within the medical restrictions prescribed, then workers' compensation indemnity benefits will not be paid.

4. Responsibilities

Risk Manager/Human Resources

Maintain a list of available temporary duty positions requested by departments.

Assign the employee, under the advisement of the health care provider, to a temporary position that meets the employee's medical restrictions. Consideration will be given to the employee's home department, assignment, shift, etc. However, if temporary duty cannot be arranged within the employee's home department, the employee will be assigned to a different department, if available. The employee's Department Head/Supervisor and Human Resources staff will make placement decisions jointly.

Obtain status reports from the authorized treating physician concerning employee's health status/restrictions.

Notify employee's home department of the employee's temporary placement and provide updates regarding changes in the employee's medical restrictions.

Maintain contact with supervisor of assigned departments regarding employee's performance.

Maintain contact with employee regarding temporary assignment and overall health condition.

Employee

Adhere to the temporary limitations identified by his/her authorized treating physician.

Follow the policies of the assigned department. If the employee's work habits are not conducive to the overall effectiveness of the assigned department, then the assigned supervisor may request that the temporary employee be placed elsewhere. This request must be submitted in writing to the Risk Technician.

Inform assigned Supervisor and Risk Technician if assigned responsibilities fall outside of medical restrictions.

Return to full duty in home department upon receipt of Return to Work authorizing full duty from authorized physician.

Provide copies of all doctor's notes to supervisor after each medical appointment.

Communicate any change in doctor's orders with the county Risk Technician as soon as changes are received.

Report to work at designated time unless there is a physician's written document stating not to return.

In such situations, the County will require clearance from the treating physician that the employee is able to perform the proposed temporary light duty functions. The County, in its discretion, shall determine the duration of the temporary light duty period. If, at the conclusion of the period of temporary light duty, the employee is unable to perform the essential functions of his regular job, then he will be returned to leave of absence in accordance with the County policy.

Assigned Supervisor

Ensure that employees in temporary duty assignments work within the identified medical restrictions.

Coordinate employee's work schedule and leave, making provisions for medical appointments.

Submit employee's time sheets to the Risk Technician no later than 10:00 AM on Monday of payroll week.

Inform the Risk Technician of changes in the status of the temporary assignment.

Complete and submit weekly to the Risk Technician the Time Lost Due to On-The-Job Injury Form. Submit immediately when status of employee changes.

1. Returning to Full Duty

a. Once the authorized treating physician notifies the employee and the Human Resource staff in writing that the employee is released to return to full duty, the employee must return to their home department on the release day, unless changed by the supervisor.

2. Definitions

- a. Assigned Department - department where injured employee is placed pending full medical release to job where injury occurred.
- b. Authorized Treating Physician - physician who is authorized by the Risk Technician and the insurance to provide treatment to injured employees.
- c. Home Department – department in which employee worked at time of injury
- d. Indemnity Benefits – benefits paid to an injured worker to replace part of wages lost as a result of a work injury. Indemnity benefits could also be paid to Laurens County for reimbursement of sick/annual leave if employees choose to continue receiving regular wages, using sick and/or annual leave for lost time in lieu of temporary total compensation.
- e. Return to Work Authorization – written authorization, from the authorized treating physician, allowing the injured employee’s return to duty.
- f. Temporary Light Duty Assignment – temporary job assignment that meets the medical restrictions as prescribed by an authorized medical physician. Assignment is not to exceed six months.

Employee Alcohol Use and Alcohol Testing

The abuse and misuse of alcohol is a very serious problem, and is especially dangerous in the workplace. The County is committed to maintaining a safe and productive work environment. It is the policy of the County to establish and maintain alcohol free workplaces, to comply with applicable government regulations, and to prohibit the unauthorized, improper, or unlawful use of alcohol on County premises or time.

Any employee reporting to work under the influence of either alcohol or drugs may be terminated immediately.

General Rule

Effective immediately, all employees of Laurens 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.

Furthermore, all employees of the County are prohibited from reporting to or being at work while under the influence of alcohol. **(An employee shall be considered to be "under the influence of alcohol" if he has any detectable amount of alcohol in his system as determined by the published Federal Guidelines.)**

Current Employees

Effective immediately, all employees will be subject to alcohol testing where "reasonable suspicion" of alcohol use in violation of this policy exists.

1. Reasonable suspicion is deemed to exist when:

a. Information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant.

b. A serious accident occurs due to the apparent fault of an employee. "Serious accident" is defined as: 1) an accident involving a fatality; 2) an accident causing bodily injury which requires medical care away from the scene of the accident; 3) an accident causing total aggregate property damage of \$1,000 or more based on reliable estimates; or 4) an accident involving one or more Commercial Motor Vehicles which results in one of the vehicles having to be towed from the scene by a tow truck or other vehicle.

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

- (1) Erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.).
- (2) The apparent odor of an alcoholic beverage on an employee's breath.
- (3) Other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.

d. An employee has admitted violating the County's alcohol policy.

e. An employee is arrested for or convicted of an alcohol related offense.

f. An employee has tested positive for alcohol in violation of this policy within the past five (5) years.

2. Reasonable suspicion testing shall not be conducted without the approval of the County Administrator or the County Attorney.

If an employee refuses to submit to an alcohol test when directed to do so, the employee shall be terminated.

Testing Procedure

1. Employees will have an opportunity to provide any information which they consider to be relevant to the test.
2. Alcohol tests will be conducted to determine if an employee has violated this policy.
3. The County shall use only approved non-evidential screening devices or blood alcohol testing pursuant to this policy.
4. A non-evidential screening device will normally 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 will be conducted utilizing an EBT device, if available, or through blood alcohol level testing.
5. The EBT confirmatory test will be conducted by an individual properly certified to use the equipment.
6. A confirmatory test result generated through the use of an EBT which indicates a presence of alcohol in violation of this policy will be conclusive for purposes of this policy.

Notice to Employees

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

Consequences of Violating This Policy

Violations of this policy will result in discipline up to and including discharge.

- A. The County may terminate an introductory employee who violates this policy.
- B. The County shall impose discipline up to and including discharge for a non-introductory employee who violates this policy.

C. The County, in lieu of terminating an employee who has violated this policy, may suspend the employee and condition his continued or future employment upon the successful completion of an alcohol counseling/rehabilitation program.

D. If the County, after considering all of the relevant circumstances, allows an employee who has violated this policy to continue as a County employee, the County will do the following:

- a. Refer the employee to a Substance Abuse Professional (SAP) for assessment and require the employee to follow the SAP's prescribed program of counseling/treatment;
- b. Require the employee to execute a Second Chance Agreement.
- c. Require the employee to authorize the Employee Assistance Program or other facility to report periodically to the County during the course of counseling/treatment;
- d. Conduct a Return to Work conference following the prescribed course of counseling/treatment;
- e. Retest the employee for alcohol use in violation of this policy before allowing the employee to return to duty;
- f. Require the employee to submit to unannounced follow-up alcohol testing for a period not to exceed five years. (The employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to this policy.); and
- g. Employees who are offered participation in this program will be required to provide an authorization for the Privacy Officer in Human Resources and the County Medical Director under HIPAA. Without this authorization, employees will not be considered for the program.

Should an employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.

An employee whose return-to-duty alcohol test indicates that the employee is in violation of this policy will be terminated.

Coming Forward with Alcohol Abuse Problems

Employees who have alcohol 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, normally will not be disciplined but will be subject to this policy.

If an employee admits to a violation of this policy or tests positive for use of alcohol in violation of this policy, but seeks counseling and remains an employee of the

County, the employee will be discharged if he again either admits to a violation of this policy or tests positive for alcohol in violation of this policy.

Confidentiality

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

Testing Costs

Laurens County will pay the costs of all alcohol tests to which the County requires an employee to submit. However, the employee will be solely responsible for the total cost of all follow-up alcohol tests conducted pursuant to this policy.

NOT A CONTRACT

Nothing contained in this policy or in any other policy creates a contract right. Consistent with South Carolina law, all employees are employed "at will," which means that the employee has the right to terminate his or her employment at any time, with or without notice or cause, and that the County retains the same right. Exceptions to the policy that all employees are employed "at will" may be made only by written agreement signed by the County Administrator following a proper vote by the County Council.

Employee Assistance Program

In order to prevent the negative effects of alcohol abuse, Laurens County has implemented the above policy and 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.

Periodically, the County will make available to employees information regarding alcohol 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. Information about the Employee Assistance Program is available through the County Human Resources Department or the EAP

The use of illegal drugs and the abuse of alcohol are a serious threat to our nation's collective health, safety, and welfare. Alcohol use 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 alcohol use and abuse, the County has implemented this policy. If you feel that you have a substance abuse problem, you need to get help.

For additional information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment" 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.
3. National Council on Alcoholism: 1-800-622-2255.

Employee Drug Use and Drug Testing Policy

It is well recognized that drug 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 Laurens County to comply with the Drug Free Workplace Act, to comply with applicable government regulations, to establish and maintain drug-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and use of controlled substances on or off the job.

For these reasons, the County adopts the following policy:

General Rule

Effective immediately, all employees of Laurens County are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal or synthetic drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.) and prescription drugs which are not prescribed for the employee's use. This prohibition applies to use at any time, both on-the-job and off-the-job. County law enforcement employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

Applicants for Employment

Effective immediately, the County will conduct pre-employment drug tests for all applicants tentatively selected for employment. The County shall not hire any applicant

tentatively selected for employment who refuses to submit to a drug test or who tests positive for use of illegal or unauthorized substances. Any applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate he is no longer a user of any unlawful substances. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result. Applicants will be required to provide an authorization under HIPAA. Applicants who fail to provide this authorization will not be considered for employment.

Current Employees

Effectively immediately, all County employees will be subject to drug testing by urinalysis where “reasonable suspicion” of drug use in violation of this policy exists or under other lawful conditions.

Reasonable suspicion is deemed to exist when:

- Information that an employee has used illegal drugs or substances is provided by a reliable informant.
- A serious accident occurs due to the apparent fault of the employee as determined by the County.

“Serious Accident” is defined as:

- An accident involving a fatality.
- An accident causing bodily injury which requires medical care away from the scene of the accident.
- An accident resulting in aggregate property damage of \$1,000 or more based on reliable estimates.
- An accident in which one or more motor vehicles incurs disabling damages as a result of the accident, requiring the towing of one or more of the vehicles from the scene by a tow truck or other vehicle.

An employee exhibits mental or physical symptoms including but not limited to:

- Extreme mood swings
- Slurred speech
- Unusual clumsiness
- Staggering
- Dilation of pupils
- Sleeping on the job, giving the appearance of sleeping on the job or lethargy
- Excessive unexplained sweating
- Other aberrational behavior

An employee has been arrested for violation of drug laws.

An employee has admitted violating the County's drug policy.

An employee has tested positive previously for illegal drugs within the past five (5) years.

Reasonable suspicion testing shall not be conducted without the approval of the County Administrator or the County Attorney.

If an employee refuses to submit to a drug test when ordered to do so, the County shall terminate the employee.

Testing Procedure

1. Drug testing will be by urinalysis or other approved methods.
3. The collection of samples will be performed under reasonable and sanitary conditions.
4. Urine normally will be 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.
5. Urine samples will be sealed, labeled, and documented in accordance with the procedure of the drug testing company. Labeling, storage, and transportation of samples shall be performed so as to reasonably preclude the probability of erroneous identification, sample contamination, or sample adulteration.
6. Specimens will be checked using a minimum five (5) panel drug screen. Applicants and employees will have 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 will be re-tested by the gas chromatography/mass spectrometry (GCMS) method. If the GCMS 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 shall be conclusive for all employment-related purposes.

8. The County's Medical Review Officer will normally allow 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.

Notice to Employees

The County shall attempt 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 that he will abide by the policy as a condition of employment.

Notice to Employer, State and Federal Grantor/Contracting Agencies, and Law Enforcement Authorities

As a condition of employment, employees agree to notify the County within five (5) 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 shall 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, a plea of no contest, or a plea of guilty.

The County shall notify law enforcement authorities whenever illegal drugs are found in the workplace.

Consequences of Violating This Policy

Violations of this policy will result in discipline up to and including discharge.

- A. For introductory employees, the County shall terminate the employee if he is found to be in violation of this policy.
- B. For all other employees, the County shall impose discipline up to and including discharge for an employee who is found to be in violation of this policy.
- C. The County, in lieu of terminating an employee, may condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of a drug counseling/rehabilitation program.

D. 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 a County employee, the County will do the following:

(a) Refer the employee to a Substance Abuse Professional for assessment and require the employee to follow the SAP's prescribed program of counseling/treatment;

(b) Require the employee to execute a Second Chance Agreement;

(c) Require the employee to authorize the Employee Assistance Program (EAP) or other facility to report periodically to the County during the course of counseling/treatment;

(d) Conduct a Return to Work conference following the prescribed course of counseling/treatment;

(e) Retest the employee for controlled substances in violation of this policy before allowing the employee to return to duty.

(f) Require the employee to submit to unannounced follow-up drug testing for a period not to exceed five (5) years (the employee will be solely responsible for the total cost of all follow-up drug tests conducted pursuant to this policy.); and

(g) Employees who are offered participation in this program will be required to provide an authorization for the Privacy Officer in Human Resources and the County Medical Director under HIPAA. Without this authorization, employees will not be considered for the program.

(h) All employees who are classified as 'safety sensitive', including without limitation, Sheriff's Office, Detention Center, EMS, E-911, Fire, and certain Public Works employees, and any others in this classification are not eligible for the Second Chance agreement.

Should an employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program refuse or fail to participate in a single counseling or treatment session, the employee will be terminated.

An employee whose return-to-duty test sample does not indicate that the employee has discontinued use of illegal drugs or the illegal use of prescription drugs will be terminated.

Coming Forward with Substance Abuse Problems

All employees 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, normally will not be disciplined upon the first violation but will be subject to this policy.

If an employee 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, the employee will be discharged if he again either admits to a violation of this policy or tests positive for drugs in violation of this policy.

Confidentiality

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

Testing Costs

The County will pay the costs of all drug tests to which the County requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to this policy will be solely responsible for the cost of all follow-up tests.

Notification of Results

Applicants will be 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.

Employees will be notified of the results [including the drug(s) discovered] of all drug tests, provided the results are positive.

Employee Assistance Program

The use of illegal drugs and similar substances is a serious threat to our nation's collective health, safety, and welfare. Drug 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 the above policy and 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.

Periodically, the County will make available to employees information regarding alcohol 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. Information about the Employee Assistance Program is available through the County Human Resources Department or the EAP.

1. For additional information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment" 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.

A. National Clearinghouse on Alcohol and Drug Information: 1-800-729-6686.

B. National Council on Alcoholism: 1-800-622-2255.

2. Periodically, the County will 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.

Employee Conduct and Discipline

As is the case with all organizations, instances arise when an employee must be reprimanded, suspended or discharged. When this happens a supervisor should fill out a Personnel Action Form in which he outlines the circumstances involved and the action being taken: oral warnings should also be in written form for the personnel file. The supervisor is to show the report to the employee for his signature with the understanding that his signature only acknowledges that the employee has seen the report. The employee's signature does not necessarily indicate agreement with the contents of the report or the action taken, nor does it prevent appealing the action.

If the employee refuses to sign the report he is suspended from work without pay and, if he does not sign the report by 5:00 p.m. or at the end of his second full scheduled work day, the County may presume that the employee has quit his job.

Types of Disciplinary Action

Types of Disciplinary action taken will be determined on a case by case and may include but not be limited to:

- a. Informal counseling
- b. Oral reprimand
- c. Written reprimand
- d. Suspension without pay
- e. Probation

- f. Demotion
- g. Dismissal

Examples of Conduct Warranting Disciplinary Action

It is not possible to list all acts and omissions that may result in disciplinary action. The disciplinary action that is administered for any particular act or acts of misconduct rests in the sole discretion of the County Administrator. The following list is merely a guideline of some of the more obvious types of misconduct that may result in disciplinary action.

THE DISCIPLINARY ACTION THAT IS ADMINISTERED FOR ANY PARTICULAR ACT OR ACTS OF MISCONDUCT RESTS IN THE SOLE DISCRETION OF THE COUNTY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS. ALL DISCIPLINARY DOCUMENTATION WILL BE INCLUDED IN THE EMPLOYEES PERSONNEL FILE.

- a. Conviction or a 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 could create concern on the part of fellow employees or the citizens.
- b. Incompetence
- c. Unauthorized absence; tardiness.
- d. Insubordination, including disrespect for authority, or other conduct that tends to undermine authority.
- e. Failure or refusal to carry out instructions.
- f. Unauthorized possession or removal, misappropriation, 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 intimidation fellow employees, including "joking" threats.
- j. Dishonesty.
- k. Tardiness or absenteeism.
- l. Failure to provide information; misrepresentation or falsification of information for County records.
- m. Failure to report personal injury or property damage.
- n. Neglect or carelessness.
- o. 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.

- p. Unsatisfactory performance.
- q. Violation of policies and procedures.
- r. Any other reason that, in the County’s sole discretion, warrants disciplinary action.
- s. Give the impression of sleeping while on duty.

Termination of Employment

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

1. Voluntary Termination. 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 vacation pay. 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 will not be paid for accumulated but unused vacation.

2. Involuntary Termination. All employees of the County are at-will and employees may be terminated involuntarily by the County. The value of an employee’s accumulated but unused leave will be paid to the employee at termination only if: (1) the employee gives and satisfactorily completes a two week notice of resignation; or (2) in the case of the employee’s discharge by the County, the employee is not discharged for disciplinary reasons as determined by the County.

3. 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 any 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 Laurens County Council because of financial exigency.

4. Layoff or Reduction in Work Force Termination. The County may terminate the employment of an individual when financial exigency, reallocation of resources, job obsolescence, or other conditions necessitate or warrant a layoff or reduction in the County work force.

Grievance Policy and Procedures

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.

2. DEFINITION

A grievance is defined as any complaint by an employee that he has been treated unlawfully or in violation of county policies, with regard to any matter pertaining to his employment by the county. This definition includes, but is not limited to, discharge, 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 for which he is eligible, he must present his grievance in accordance with this procedure or such wages or benefits may be forfeited.

3. PROCEDURE

Step 1. The employee must present the written grievance to 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. Step 1 and Step 2 appeals must be presented in written form. At each level each supervisor shall have four (4) calendar days to render a written decision. If no decision is made within this time, the grievance shall be considered denied. If a supervisor at a particular level is unavailable to consider the grievance, it shall be considered denied and the employee shall appeal to the next level of supervision.

4. GRIEVANCE COMMITTEE

Other employees may appeal to the Employee Grievance Committee the denial of their grievances by Department Heads by filing a written request for appeal in the Human Resource Department. This must be done within 14 calendar days of the time at which 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.

Within ten (10) days of receipt of the employee's request, the chairperson of the Grievance Committee shall schedule the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the affected department, and the Human Resources department.

5. PROCEDURES FOR APPOINTING A GRIEVANCE COMMITTEE

The County Administrator shall appoint a Committee composed of seven (7) employees (must have 3 exempt and 3 non-exempt) and two (2) alternates to serve for terms of three years, except that the members appointed initially shall be appointed so that their terms will be staggered, and approximately one-third (1/3) of the terms shall expire each year. A member shall continue 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 shall be for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of the County Administrator. All members shall be 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, shall not participate in the employee's hearing.

The Committee annually shall select its own chairman from among its members. The chairman shall serve as the presiding officer at all hearings which he attends but may designate some other member to serve as presiding officer in his absence. The chairman shall have authority to schedule and to re-schedule all hearings.

A quorum shall consist of at least 4 members, and no hearings may be held without a quorum.

The presiding officer will have control of the proceedings. He shall take whatever action is necessary to ensure an orderly and expeditious hearing. Parties shall abide by his decisions, 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.

The Committee shall have 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; 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 shall have no authority to subpoena witnesses, documents or other evidence, nor shall any county employee be compelled to attend any hearing. Witnesses, other than the grieving

employee and the department representative, shall be sequestered when not testifying. All witnesses shall testify under oath.

All hearings shall be held in closed session unless the grieving employee requests at the beginning of the hearing that it is held in open session. The official minutes of all hearings shall be subject to control and disposition of the County Administrator. Where the grievance involves the County Administrator, the minutes shall be subject to control and disposition of the County Attorney.

Neither the grieving employee nor the department may be assisted by advisers or by attorneys during the hearing itself. However, the Committee shall have the County Attorney available to it at any and all times it considers necessary.

In disciplinary actions by Department Heads and their subordinate supervisors, the employee must receive in reasonable detail written notice of the nature of the acts or omissions that 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 shall make the first presentation. The employee will then be given the opportunity to present their response.

In all grievances, the grieving employee and the department shall each be limited to one (1) hour of initial presentation. The party required to make the first presentation may give a ten (10) minute rebuttal of the other party's presentation. The chairman shall appoint himself or another member of the Committee as timekeeper.

In all grievances, presentations may be oral or in writing or both and may be supported by affidavits or un-sworn signed statements from witnesses, by records, other documentary evidence, photographs, and other physical evidence. Presentations shall be made by the grieving employee (with reading assistance from Human Resources if requested) and by a managerial employee of the affected department. Only committee members may call witnesses or question the other party.

Except as provided below, the Committee shall, within 10 days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the County Administrator. If the County Administrator approves, the recommendation of the Committee shall be his decision and copies of the decision shall be transmitted by the Committee to the employee and to the head of the particular department involved. If, however, the County Administrator rejects the decision of the Committee, the County Administrator may make his own decision without further hearing, and that decision shall be final. Copies of the decision shall be transmitted by the Committee to the employee and to the head of the particular department involved.

In grievances involving the failure to promote or transfer, or the discipline or discharge of personnel employed in or seeking assignment to departments under the direction of an elected official or an official appointed by an authority outside county government, the Committee shall, within 10 days after hearing an appeal, make its findings and a recommendation and report such findings and recommendation to such official. If the official approves, the recommendation of the Committee shall be his decision and the Committee to the employee shall transmit a copy of the decision. If, however, the official rejects the decision of the Committee, the official shall make his own decision without further hearing, and that decision shall be final. A copy of the decision shall be transmitted to the employee.

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.

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 necessary for the good of the county.

The County Administrator will prepare a written report of all investigations and present to Laurens County Council.

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.

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 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 grievance procedure framework.

Neutral Reference

No one other than the County Administrator of Laurens 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.

Not A Contract

Nothing contained in this policy or in any other policy creates a contract right or property interest in employment. Consistent with South Carolina law, all employees are employed "at will," which means that the employee has the right to terminate his or her employment at any time, with or without notice or cause, and that the County retains the same right. Exceptions to the policy that all employees are employed "at will" may be made only by written agreement signed by the County Administrator following a proper vote by the County Council.